PARLIAMENT OF VICTORIA

PARLIAMENTARY DEBATES (HANSARD)

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Tuesday, 15 April 2008

(Extract from book 5)

Internet: www.parliament.vic.gov.au/downloadhansard

By authority of the Victorian Government Printer

The Governor

Professor DAVID de KRETSER, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

Premier, Minister for Veterans' Affairs and Minister for Multicultural Affairs	The Hon. J. M. Brumby, MP
Deputy Premier, Attorney-General, Minister for Industrial Relations and Minister for Racing	The Hon. R. J. Hulls, MP
Treasurer	The Hon. J. Lenders, MLC
Minister for Regional and Rural Development, and Minister for Skills and Workforce Participation	The Hon. J. M. Allan, MP
Minister for Health	The Hon. D. M. Andrews, MP
Minister for Community Development and Minister for Energy and Resources	The Hon. P. Batchelor, MP
Minister for Police and Emergency Services, and Minister for Corrections	The Hon. R. G. Cameron, MP
Minister for Agriculture and Minister for Small Business	The Hon. J. Helper, MP
Minister for Finance, WorkCover and the Transport Accident Commission, Minister for Water and Minister for Tourism and Major Events	The Hon. T. J. Holding, MP
Minister for Environment and Climate Change, and Minister for Innovation	The Hon. G. W. Jennings, MLC
Minister for Public Transport and Minister for the Arts	The Hon. L. J. Kosky, MP
Minister for Planning	The Hon. J. M. Madden, MLC
Minister for Sport, Recreation and Youth Affairs, and Minister Assisting the Premier on Multicultural Affairs	The Hon. J. A. Merlino, MP
Minister for Children and Early Childhood Development, and Minister for Women's Affairs	The Hon. M. V. Morand, MP
Minister for Mental Health, Minister for Community Services and Minister for Senior Victorians	The Hon. L. M. Neville, MP
Minister for Roads and Ports	The Hon. T. H. Pallas, MP
Minister for Education	The Hon. B. J. Pike, MP
Minister for Gaming, Minister for Consumer Affairs and Minister Assisting the Premier on Veterans' Affairs	The Hon. A. G. Robinson, MP
Minister for Industry and Trade, Minister for Information and Communication Technology, and Minister for Major Projects	The Hon. T. C. Theophanous, MLC
Minister for Housing, Minister for Local Government and Minister for Aboriginal Affairs	The Hon. R. W. Wynne, MP
Cabinet Secretary	Mr A. G. Lupton, MP

Legislative Assembly committees

Privileges Committee — Mr Carli, Mr Clark, Mr Delahunty, Mr Lupton, Mrs Maddigan, Dr Napthine, Mr Nardella, Mr Stensholt and Mr Thompson.

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

Joint committees

Dispute Resolution Committee — (*Assembly*): Mr Batchelor, Mr Cameron, Mr Clark, Mr Holding, Mr McIntosh, Mr Robinson and Mr Walsh. (*Council*): Mr P. Davis, Mr Hall, Mr Jennings, Mr Lenders and Ms Pennicuik.

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

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

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

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

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

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

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.

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

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

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

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

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

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

Heads of parliamentary departments

Assembly — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey

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

Parliamentary Services — Secretary: Dr S. O'Kane

MEMBERS OF THE LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT — FIRST SESSION

Speaker: The Hon. JENNY LINDELL

Deputy Speaker: Ms A. P. BARKER

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

Leader of the Parliamentary Labor Party and Premier:
The Hon. J. M. BRUMBY (from 30 July 2007)
The Hon. S. P. BRACKS (to 30 July 2007)

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:
The Hon. R. J. HULLS (from 30 July 2007)
The Hon. J. W. THWAITES (to 30 July 2007)

Leader of the Parliamentary Liberal Party and Leader of the Opposition:
Mr E. N. BAILLIEU

Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition:
The Hon. LOUISE ASHER

Leader of The Nationals:
Mr P. J. RYAN

Deputy Leader of The Nationals:
Mr P. L. WALSH

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	Lindell, Ms Jennifer Margaret	Carrum	ALP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Lobato, Ms Tamara Louise	Gembrook	ALP
Asher, Ms Louise	Brighton	LP	Lupton, Mr Anthony Gerard	Prahran	ALP
Baillieu, Mr Edward Norman	Hawthorn	LP	McIntosh, Mr Andrew John	Kew	LP
Barker, Ms Ann Patricia	Oakleigh	ALP	Maddigan, Mrs Judith Marilyn	Essendon	ALP
Batchelor, Mr Peter John	Thomastown	ALP	Marshall, Ms Kirstie	Forest Hill	ALP
Beattie, Ms Elizabeth Jean	Yuroke	ALP	Merlino, Mr James Anthony	Monbulk	ALP
Blackwood, Mr Gary John	Narracan	LP	Morand, Ms Maxine Veronica	Mount Waverley	ALP
Bracks, Mr Stephen Phillip [1]	Williamstown	ALP	Morris, Mr David Charles	Mornington	LP
Brooks, Mr Colin William	Bundoora	ALP	Mulder, Mr Terence Wynn	Polwarth	LP
Brumby, Mr John Mansfield	Broadmeadows	ALP	Munt, Ms Janice Ruth	Mordialloc	ALP
Burgess, Mr Neale Ronald	Hastings	LP	Napthine, Dr Denis Vincent	South-West Coast	LP
Cameron, Mr Robert Graham	Bendigo West	ALP	Nardella, Mr Donato Antonio	Melton	ALP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Carli, Mr Carlo Domenico	Brunswick	ALP	Noonan, Wade Mathew [4]	Williamstown	ALP
Clark, Mr Robert William	Box Hill	LP	Northe, Mr Russell John	Morwell	Nats
Crisp, Mr Peter Laurence	Mildura	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
Crutchfield, Mr Michael Paul	South Barwon	ALP	Overington, Ms Karen Marie	Ballarat West	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Pallas, Mr Timothy Hugh	Tarneit	ALP
Delahunty, Mr Hugh Francis	Lowan	Nats	Pandazopoulos, Mr John	Dandenong	ALP
Dixon, Mr Martin Francis	Nepean	LP	Perera, Mr Jude	Cranbourne	ALP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Pike, Ms Bronwyn Jane	Melbourne	ALP
Duncan, Ms Joanne Therese	Macedon	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
Eren, Mr John Hamdi	Lara	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Foley, Martin Peter [2]	Albert Park	ALP	Robinson, Mr Anthony Gerard	Mitcham	ALP
Fyffe, Mrs Christine Ann	Evelyn	LP	Ryan, Mr Peter Julian	Gippsland South	Nats
Graley, Ms Judith Ann	Narre Warren South	ALP	Scott, Mr Robin David	Preston	ALP
Green, Ms Danielle Louise	Yan Yean	ALP	Seitz, Mr George	Keilor	ALP
Haermeyer, Mr André	Kororoit	ALP	Shardey, Mrs Helen Jean	Caulfield	LP
Hardman, Mr Benedict Paul	Seymour	ALP	Smith, Mr Kenneth Maurice	Bass	LP
Harkness, Dr Alistair Ross	Frankston	ALP	Smith, Mr Ryan	Warrandyte	LP
Helper, Mr Jochen	Ripon	ALP	Stensholt, Mr Robert Einar	Burwood	ALP
Herbert, Mr Steven Ralph	Eltham	ALP	Sykes, Dr William Everett	Benalla	Nats
Hodgett, Mr David John	Kilsyth	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Holding, Mr Timothy James	Lyndhurst	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Thwaites, Mr Johnstone William [3]	Albert Park	ALP
Hudson, Mr Robert John	Bentleigh	ALP	Tilley, Mr William John	Benambra	LP
Hulls, Mr Rob Justin	Niddrie	ALP	Trezise, Mr Ian Douglas	Geelong	ALP
Ingram, Mr Craig	Gippsland East	Ind	Victoria, Mrs Heidi	Bayswater	LP
Jasper, Mr Kenneth Stephen	Murray Valley	Nats	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kosky, Ms Lynne Janice	Altona	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Kotsiras, Mr Nicholas	Bulleen	LP	Weller, Mr Paul	Rodney	Nats
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Languiller, Mr Telmo Ramon	Derrimut	ALP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Lim, Mr Muy Hong	Clayton	ALP	Wynne, Mr Richard William	Richmond	ALP

[1] Resigned 6 August 2007
[2] Elected 15 September 2007
[3] Resigned 6 August 2007
[4] Elected 15 September 2007

CONTENTS

TUESDAY, 15 APRIL 2008

Tuesday, 15 April 2008

The SPEAKER (Hon. Jenny Lindell) took the chair at 2.05 p.m. and read the prayer.

CONDOLENCES

Harley Rivers Dickinson

The SPEAKER — Order! I advise the house of the death of Harley Rivers Dickinson, member of the Legislative Assembly for the electoral district of South Barwon from 1982 to 1992.

I ask members to rise in their places as a mark of respect to the memory of the deceased.

Honourable members stood in their places.

The SPEAKER — Order! I shall convey a message of sympathy from the house to the relatives of the late Harley Rivers Dickinson.

QUESTIONS WITHOUT NOTICE

Teachers: salaries

Mr BAILLIEU (Leader of the Opposition) — My question is to the Minister for Education, and I ask: is it government policy that Victorian teachers should be the highest paid in Australia, yes or no?

Ms PIKE (Minister for Education) — I thank the Leader of the Opposition for his question. The Leader of the Opposition is trying to paint himself as a champion of public education, but Victorians will not be fooled.

Honourable members interjecting.

Ms PIKE — All Victorians know the truth. The Leader of the Opposition is the one who sold off their schools.

Honourable members interjecting.

Mr Baillieu — On a point of order, Speaker, the minister is debating the question. It was a question about government policy.

The SPEAKER — Order! I do not uphold the point of order. The minister has barely been given an opportunity to commence her answer. In the initial three words that the minister had to say, she was shouted down by the opposition.

Mr Baillieu — On a further point of order, Speaker, you mentioned that the minister uttered only three words. She only needed to utter one: yes or no.

The SPEAKER — Order! There is no point of order, as the Leader of the Opposition knows, and I will not stand for frivolous points of order.

Ms PIKE — Not only can they not be believed but they cannot count as well. I would strongly suggest the Leader of the Opposition go back to school himself.

The SPEAKER — Order! The minister should direct her answer to government business.

Ms PIKE — Behind this question of course is the Liberal Party's commentary on the enterprise bargaining agreement.

The SPEAKER — Order! The minister will direct her answer to government business.

Ms PIKE — We are in the middle of an enterprise bargaining process with the Australian Education Union. What we have said publicly about that and what we are saying in our productive conversations with the union is that we believe teachers should be paid more, we believe teachers do deserve a pay rise, but we also believe we need to focus our energies and our attention on making sure that our children get the best possible education and that the resources available for education should be used to remunerate teachers but should also be used for innovative programs, should be used for pursuing excellence and should be used for bridging the gap between poor performing schools and high performing schools.

We are on a reform agenda, because we want the best possible schools, and we want our children to have the best possible outcomes in the country. We want to work with teachers so that the focus can be on the children, the focus can be on the young people, because they are the future of our community. It is very easy to go around and make wild claims about how you can solve this issue with about $400 million. Well, they cannot even count, because even to fulfil the commitments that the Liberals have made would require about $1.2 billion. So not only can the Liberals not be believed, they cannot count. They are deliberately misleading the community.

The SPEAKER — Order! The minister will come back to government business.

Mr Baillieu — On a point of order, Speaker, you may have anticipated me, but the minister is debating the question — —

The SPEAKER — Order! I think I did anticipate the Leader of the Opposition. I think that is exactly — —

Dr Napthine interjected.

The SPEAKER — Order! I do not need advice from the member for South-West Coast, and if he would like to take some of his own advice, Parliament would be privileged.

Ms PIKE — I am very pleased that the negotiations are continuing. They are continuing in the spirit of cooperation. Only this government, because of its absolute and profound commitment to education, knows and understands how we will get a result which is in the best interests of teachers and which rewards them for their efforts but which also enjoins them in our partnership to make sure that our young people continue to get a quality education, because that is what they deserve.

Information and communications technology: regional investment

Mr CRUTCHFIELD (South Barwon) — My question is to the Premier. Can the Premier advise the house of any recent investments the Brumby Labor government has made in Geelong that have led to increased job opportunities and economic activity?

Mr BRUMBY (Premier) — I want to thank the member for South Barwon for his question. I was delighted to join him yesterday in his electorate — and a fine electorate it is — at Deakin University for what was a very substantial announcement for the university, for Geelong and for the state as a whole.

I have been associated with a number of very positive government initiatives for Geelong. I think of the $14 million we put towards stage 1 of the Skilled Stadium redevelopment. I think of the relocation of the Transport Accident Commission to Geelong, which is generating more than 600 new jobs in the Geelong region. I think of our $6 million contribution towards the new Geelong technology precinct that I announced in January with the Minister for Regional and Rural Development. I think of the $12 million that we contributed towards the new Deakin medical school, which was so important to getting federal support for that medical school, and I think of our contributions — hundreds of millions of dollars — towards the ring-road around Geelong. All of these investments have been about securing the future of Geelong, securing more investment and securing job opportunities for the people of Geelong, particularly the young people of Geelong and future generations.

Yesterday I was pleased to join the member for South Barwon as well as the members for Bellarine, Lara and Geelong to announce even more good news. What I was able to announce yesterday was a new investment, a partnership with Indian company Satyam, which has been worked on and delivered over the last few months by the Minister for Industry and Trade in the other place, who is also the Minister for Information and Communication Technology, and the Minister for Regional and Rural Development. It is a fantastic outcome that will involve $75 million of new investment in Geelong by Satyam, will create over the next eight years up to 2000 new jobs in Geelong with Satyam, and according to the modelling that has been done by our department, will lead to an increase in gross domestic product in our state of $175 million. In cricket parlance, this is a great partnership; it is almost like Sachin Tendulkar and Steve Waugh coming together in a great partnership. It is about jobs and investment for the Geelong region. You would not have thought — —

Dr Napthine interjected.

Mr BRUMBY — He was a great cricket captain, Denis.

The SPEAKER — Order! The Premier!

Dr Napthine interjected.

Mr BRUMBY — Yes, as you should have done.

The SPEAKER — Order! The Premier! Conversation across the chamber like that is most inappropriate. I ask the member for South-West Coast and the Premier to desist.

Mr BRUMBY — This is a great partnership between the state government, Satyam, Deakin University and the City of Greater Geelong. This investment could not have happened without that support. If you had said 10 years ago that you were going to see an Indian IT company — which now employs more than 50 000 people around the world — making an investment of this type in Australia or in Geelong, people would not have believed it was possible.

We have been able to build this great partnership with one of India's strongest IT companies. It has chosen Victoria because it is a great place to invest. It has chosen Geelong because Geelong will in many ways be the Silicon Valley of our state in years and decades to

come. It involves 2000 jobs, it builds on Deakin University and it builds on biotechnology — and it would not have happened without the support of our government.

Energy: rebates

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Energy and Resources. I refer to a media release from the office of the Premier on 14 February 2005 in which former Premier Bracks said in relation to the $110 million network tariff rebate:

> This will help more than a million provincial and outer suburban Victorians with their electricity bills and shows this government is committed to looking after the interests of regional Victoria.

I ask: given today's media report that the government has decided to scrap the network tariff scheme, how can the government justify abandoning this commitment to the 80 000 regional Victorians who benefited from it?

Mr BATCHELOR (Minister for Energy and Resources) — I thank the member for his question. I think he has raised this matter before. The issue was announced to the public by way of a media release on 21 March, I think it was — some considerable number of weeks ago.

An honourable member — You have been overseas since.

Mr BATCHELOR — It was released on 21 March. The network tariff rebate was a transitional arrangement that was put in place to assist in bridging the gap between city and country electricity costs by mitigating the higher electricity distribution charges that apply in non-metropolitan areas. The scheme has provided assistance to the value of over $300 million to more than a million non-metropolitan Victorian households and small businesses to help them with their electricity bills.

Early last month the scheme was replaced and announced jointly by the Minister for Environment and Climate Change in the other place and me. The operation of the network tariff rebate at that time meant that the assistance that was provided on average was about $8 a quarter. It was replaced with the solar hot water rebate scheme for regional Victorians, whereby people will be able to claim a rebate from 1 July of this year of up to $2500.

Prisoners: extended supervision orders

Mr FOLEY (Albert Park) — My question is to the Minister for Corrections. I refer to the Brumby government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister outline to the house the both government's policy to help protect the community from serious sex offenders and any new initiatives?

Mr CAMERON (Minister for Corrections) — I thank the member for his question. You will be aware, Speaker, that earlier the government introduced the toughest regime in Victoria's history for dealing with child-sex offenders. We have done that of course to increase community safety, which is something the government is committed to. Sex offenders who commit crimes against children can be kept under an extended supervision order following the end of their sentence. The laws are in place, and we have to find a balance between a sentence finishing and the threat to the community if there is a high probability of a person reoffending. It is about getting that balance right, so the Secretary of the Department of Justice can make application to a court for an extended supervision order.

Such orders can include conditions as to where a person will reside, including a requirement that they reside at the accommodation centre at Ararat prison. If the person is in the community, the order can contain conditions about monitoring and reporting, including electronic monitoring. The government believes this has worked very well. It is the toughest regime we have had in this state, and we believe it should be extended to cover adult-sex offenders.

To that end the government wants to put in place a new regime by the middle of the year so that the Secretary of the Department of Justice can make an application concerning offenders who commit sex offences against adults as well as those who offend against children. We know that assessments are important, and we want to make sure that all of the appropriate and proper assessments can be made so that the courts are properly informed when there is a possibility somebody's liberty may be taken away without their having committed an offence. However, we very much want to protect children and adults from sex fiends. The government believes that having a regime to deal with the worst of the worst is sensible, and that is why it wants to move to further enhance community safety.

Rail: level crossing safety

Mr MULDER (Polwarth) — My question is to the Minister for Public Transport. I refer the minister to her

commitment made on Saturday, 16 February, following the report into the Kerang rail disaster, that she would make public within two months the list of 143 of Victoria's most dangerous level crossings, and I ask: given that the two-month period expires tomorrow, will the minister keep her promise and release the list?

Ms KOSKY (Minister for Public Transport) — I thank the member for his question. I assume he is referring to the Australian level crossing assessment model (ALCAM), which is the assessment of all level crossings — —

Mr Mulder — On a point of order, Speaker, the minister does seem somewhat confused. I am prepared to ask the question again if it would assist, because the minister is not answering the question.

The SPEAKER — Order! There is no point of order. The minister, to continue her answer.

Ms KOSKY — The commitment I made in February was in relation to the ALCAM assessments which are being done on every level crossing around the state according to a national methodology which has been established. That methodology ranks every level crossing around Victoria. That work has been completed on every level crossing and is being sent to every local government around the state. A one-month period was given to local government to respond, and I indicated once that response has been received we will release the list. I stand by that commitment.

Schools: security initiatives

Ms DUNCAN (Macedon) — My question is to the Minister for Education. I refer to the Brumby government's commitment to make Victoria the best place to live, work and raise a family. Will the minister outline to the house what steps the Brumby government has taken to ensure our schools are safe?

Ms PIKE (Minister for Education) — I thank the member for Macedon for her question and for her long-term commitment to education, both now and in her previous occupation. Every child has a right to feel safe and secure at school. There was a very unfortunate incident in a New South Wales high school recently involving youth with a machete. That highlights the need for schools to have the right systems in place to prevent dangerous incidents and to respond quickly to emergency situations.

We have put in place a range of strategies in our schools to make sure students are safe and well. Last year the Victorian government rolled out a new colour-coded alert system for government schools. This system ensures that timely emergency advice from Victoria Police is forwarded via the Department of Education and Early Childhood Development to school principals, teachers, students and parents if necessary. It helps the principals to quickly identify the levels of response they need to take to a given situation. The department also provides 24-hour advice and assistance to schools in managing emergency situations. Schools will also shortly receive an information guide on enhancing school security.

This government has also introduced new procedures that must be followed by government schools in responding to an allegation of sexual assault. Teachers and school staff must notify the department and contact Victoria Police in every instance to ensure the appropriate action is taken and support is in place for every child.

Another area that is of great concern to the community, families and children is that of bullying. Our departmental antibullying strategy makes it clear that bullying in any shape or form will not be tolerated within our schools. We have gone further, and schools are now updating their student codes to include cyberbullying as one of those areas of concern. Many schools have already blocked student access to certain video-sharing websites. Bullying takes place beyond the gates of schools.

We provide substantial funding for broader community education programs to assist in a range of strategies both within and beyond the school gate. In the last budget we announced an $80 million commitment to continue the highly successful primary welfare officer initiative that this government introduced back in 2004. From 2008 the number of schools receiving primary welfare officer funding will increase from 450 to 573.

These are concerning issues, but we want to make sure that our schools have in place all of the resources and the best possible means of protecting our young people and making sure they are safe and secure.

Monash Medical Centre: orthopaedic services

Mr BAILLIEU (Leader of the Opposition) — My question is to the Minister for Health. I refer the minister to a leaked email from the Metropolitan Ambulance Service dated March which states:

> … effective immediately that the adult orthopaedic trauma services will no longer be provided at Monash hospital Clayton.

I ask: can the minister inform the house why one of Victoria's major metropolitan hospitals can no longer treat a broken bone?

Mr ANDREWS (Minister for Health) — I thank the Leader of the Opposition for his question. I think — —

Mr R. Smith interjected.

The SPEAKER — Order! The member for Warrandyte knows full well not to interject in that manner.

Mr ANDREWS — I think the Leader of the Opposition confuses the notion of orthopaedic procedures and orthopaedic trauma; they are two very different things. Monash Medical Centre and Southern Health receive record funding from our government — —

Honourable members interjecting.

The SPEAKER — Order! The minister, to continue.

Mr ANDREWS — It is a great shame the opposition was not this loud while it was in government in the 1990s when it cut hospital budgets. As I was saying, the Monash Medical Centre and Southern Health receive record funding from this government, and that health service properly and appropriately deploys that funding and configures services to meet the needs in that community — —

Mr R. Smith interjected.

The SPEAKER — Order! I warn the member for Warrandyte. His constant interjections will not be tolerated.

Mr ANDREWS — Southern Health and the Monash Medical Centre, as one of the campuses within Southern Health, with record budgets and record support from this government configure services in their local community to meet the needs in that community, and I stand by that as a process going forward.

I reject the assertion that Monash Medical Centre or Southern Health has done anything other than increase services across the spectrum of care. That is what they have done, and that is what they will continue to do. I am here to tell the Leader of the Opposition that it is only possible because of record funding from this government.

Disability services: acquired brain injury

Mr LUPTON (Prahran) — My question is to the Minister for Community Services. Can the minister inform the house what the government is doing to support people who have an acquired brain injury?

Ms NEVILLE (Minister for Community Services) — I thank the member for Prahran for raising this very important issue, and for his ongoing interest in the wellbeing of people with an acquired brain injury (ABI). We are all moved when we meet families in our electorates or read stories in the media of lives that have been altered forever by the tragedy of catastrophic brain injury.

The Brumby government believes that all Victorians deserve decent services, and that is why we are taking action to boost the support we give to Victorians with an acquired brain injury. Since coming to government we have increased funding consistently to disability services. In fact there has been an 87 per cent budget boost since 1999, and this compares with the funding cuts that were handed out by the former coalition government. In this year's budget alone we have allocated over $1 billion for services for people with a disability, including those who have an ABI.

Our successful Slow to Recover program provides tailored rehabilitation for people with severe ABI and helps them to become as independent as possible. It helps people to be discharged from acute care as quickly as possible, with appropriate treatment services that maximise their social interaction, community inclusion, strong relationships and meaningful activity. I am proud to say that Victoria is leading the way. Our Slow to Recover program is the only service of its kind in Australia.

But we know more needs to be done, and that is why I am very pleased to advise the house today that over the next three years we will invest $12.3 million in growth funds for services for people with an ABI. Up to $3 million each year — $9 million over three years — of these new funds will be allocated to expand the Slow to Recover program. In recent years there has been an increase in demand for this very important service, and the allocation of these new funds will see substantial reductions to the ABI Slow to Recover waiting list.

The rest of the funds will help clients to access specialist case management and to access health advice in rural and regional Victoria. It will as well provide individual support packages which help make life as manageable as possible through in-home help, treatment services, critical equipment and respite care.

In addition to this important growth funding for ABI, the government is also continuing its important work with young people living in a residential aged-care facility due to an ABI or other neurological issues. Thanks to the My Future My Choice program, 30 people have been assisted to live at home or to find alternative accommodation other than in an aged-care facility by providing individualised support packages. Ninety others are receiving help to participate in local community activities, to get the specialist health services they need and to access the equipment they need to live more independently.

I was also delighted recently to join the member for Burwood to open a new six-bed home for people with ABI in Melbourne's east. There will be four other houses to follow through our partnerships with community organisations, delivering new homes in places like Alphington, Noble Park and Glen Waverley. We will be doing more in this program, particularly in regional Victoria, because we know how successful it has been. That shows what can be achieved when you listen to people and work together with families and local communities. That is in stark contrast to the former coalition government, which silenced disability advocacy groups and slashed funding. The Brumby government is taking action to help people with an acquired brain injury to participate as much as possible in family and community life.

Royal Children's Hospital: redevelopment

Mrs SHARDEY (Caulfield) — My question is to the Minister for Health. I refer the minister to reports which reveal that the new Royal Children's Hospital will have fewer inpatient beds, that it will not have enough beds to meet growing demand and that children will now be redirected to suburban hospitals. I ask: will the minister immediately order a redesign of the new Royal Children's Hospital to ensure more inpatient beds are available to meet growing demand?

Mr ANDREWS (Minister for Health) — I thank the honourable member for Caulfield for her question. Let me be clear about this. This government is very proud of the new billion dollar Royal Children's Hospital. The hospital will be as good as any paediatric hospital in the world and is only made possible by the investment and absolute commitment of this government to increase health options and health services right across our state. This redevelopment is only possible because of the investment decisions and clear priority that we have placed on health over the last eight years. This hospital and this investment ought to be put in their proper context. At almost $1 billion, this project alone represents more in capital investment in health than was provided by the lot opposite across the health system in all its seven years in office.

Mrs Shardey — On a point of order, Speaker, the honourable member is debating the issue. I invite you to ask him to now answer the question.

The SPEAKER — Order! I uphold the point of order. The minister, to answer the question.

Mr ANDREWS — We are proud of our investment, in partnership with the private sector, which will deliver this new $1 billion Royal Children's Hospital. It is a best-value project, and it will see for the first time the physical facilities at the Children's — —

Honourable members interjecting.

The SPEAKER — Order! I ask for some cooperation from the member for South-West Coast and the member for Bass. Is the member for Bass agreeing to cooperate?

Mr ANDREWS — It is a best-value project and one that will see the quality of the facilities match the quality of the care provided by staff. Let us be absolutely clear about this: the new Royal Children's Hospital will have the capacity to treat 35 000 extra patients a year with additional inpatient beds — the advice I have is 46 additional inpatient beds. This is a hospital for the future delivered by this government and only this government — one project that equals more investment than was delivered by the former government across all of its seven years. It is a project for the future, for Victoria's children, and it is one that every Victorian can be proud of.

Family violence: legislation

Mr HUDSON (Bentleigh) — My question is to the Attorney-General, and I ask: can the Attorney-General outline to the house any developments in relation to family violence law reform?

Honourable members interjecting.

The SPEAKER — Order! Before calling the Attorney-General, I warn the member for Bass.

Mr HULLS (Attorney-General) — I thank the honourable member for his question. I think all members of this house will agree that as a community we have a responsibility to do what we can to protect those who are at risk from family violence. It is a responsibility that the Brumby government takes very seriously, which is why we have announced that we will further strengthen our response to family violence

by rewriting the laws relating to family violence intervention orders, and which are so vital for the protection of victims.

Later this week the Department of Justice will be releasing the draft of the new family violence bill that will include a range of new initiatives to help protect women and children against violence in the home. The draft bill proposes a new system of police-issued family violence safety notices, which will provide police with another tool to enable them to respond even more quickly and effectively to family violence. The new safety notices will make it easier for victims of family violence to remain in the family home if they so choose whilst the perpetrator of the violence will be asked to leave. The draft bill proposes a much more comprehensive definition of family violence, which better recognises economic and emotional abuse as well as other types of threatening and controlling behaviour.

The reforms will ensure that those accused of family violence will not be able to personally cross-examine their alleged victims in court, thereby avoiding the potential for more trauma to those victims arising from the court process. When the new act comes into force, it will be essential that appropriate penalties apply to the breaching of any family violence intervention orders or for breaching the new family violence safety notices. To this end I am seeking the advice of the Sentencing Advisory Council in relation to the appropriate maximum penalties.

These initiatives build on a series of reforms the government has already introduced in this area. As members would know, we have abolished provocation as a defence to homicide, which was often used by men who killed their partners in anger or jealousy. Police have already been given extra powers to hold alleged perpetrators of family violence whilst they apply for an urgent family violence intervention order. Family violence courts have been established in Ballarat and also Heidelberg, and we have also funded Victoria's first court-based specialist family violence services, which include police, prosecutors, magistrates, family violence registrars and support workers, based at Melbourne, Sunshine, Werribee and Frankston magistrates courts. I am sure it is of grave concern to all members of this place that family violence continues to impact severely on many thousands of Victorian woman and children, and more so than any other form of violence.

I conclude on this note: family violence is not a domestic matter; it is a crime, and we will continue to do everything we can to ensure that every Victorian, but particularly women and children, can live safely in their own homes.

LEGISLATION REFORM (REPEALS No. 3) BILL

Introduction and first reading

Mr BRUMBY (Premier) introduced a bill for an act to repeal certain spent acts.

Read first time.

PUBLIC SECTOR EMPLOYMENT (AWARD ENTITLEMENTS) AMENDMENT BILL

Introduction and first reading

Mr HULLS (Attorney-General) — I move:

That I have leave to bring in a bill for an act to amend the Public Sector Employment (Award Entitlements) Act 2006 and for other purposes.

Mr CLARK (Box Hill) — I ask the Attorney-General for a brief explanation of the bill.

Mr HULLS (Attorney-General) — The bill seeks to remove the requirements for Victorian public sector employers to submit federal workplace agreements to the workplace rights advocate for assessment against the fairness test under part 3 of the Public Sector Employment (Award Entitlements) Act, and that is because the new federal government has finally dismantled the rotten WorkChoices legislation and has introduced its own no-disadvantage test.

Motion agreed to.

Read first time.

JUSTICE LEGISLATION AMENDMENT BILL

Introduction and first reading

Mr CAMERON (Minister for Corrections) — I move:

That I have leave to bring in a bill for an act to amend the Administration and Probate Act 1958, the Corrections Act 1986, the Firearms Act 1996, the Liquor Control Reform Act 1998, the Serious Sex Offenders Monitoring Act 2005 and the Summary Offences Act 1966 and for other purposes.

Mr McINTOSH (Kew) — I seek a brief explanation from the minister about this bill.

Mr CAMERON (Minister for Corrections) — The bill will extend the Serious Sex Offenders Monitoring Act extended supervision order regime from child-sex offenders to also include adult-sex offenders. It will also make some changes to the Firearms Act that will include military style-looking weapons being able to be categorised in a different category, where otherwise they would normally fall into category A, B or C, as well as make other changes.

Motion agreed to.

Read first time.

BUSINESS OF THE HOUSE

Notices of motion: removal

The SPEAKER — Order! I wish to advise the house that under standing order 144, notices of motion 12, 13 and 127 to 173 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 6.00 p.m. today.

NOTICES OF MOTION

Notice of motion given.

Dr SYKES having given notice of motion:

The SPEAKER — Order! I suggest to the member for Benalla that the form of that notice is much more suitable to a member's statement.

Further notices of motion given.

PETITIONS

Following petitions presented to house:

Water: catchment logging

We, the undersigned, draw to the attention of the Legislative Assembly of Victoria that logging of high conservation forest is occurring at the Armstrong Creek catchment.

We, the people, are outraged that at a time when Victoria is experiencing its most severe drought, logging of this catchment is reducing our water supply.

We are equally concerned at the fact that logging of this catchment is destroying the habitat of Victoria's endangered faunal species, the Leadbeater's possum.

We therefore call on the Victorian government to immediately cease logging of the Armstrong, Thomson, Cement, McMahons and Starvation catchments.

By Ms LOBATO (Gembrook) (186 signatures)

Emergency services: south-western Victoria helicopter

To the Legislative Assembly of Victoria:

The petition of the citizens of western Victoria draws to the attention of the house the lack of a multifunction emergency helicopter rescue service based in Warrnambool. The petitioners therefore request that the Legislative Assembly of Victoria immediately provide a rescue helicopter for the region, as western Victoria remains the only area of the state not covered by an emergency helicopter service. Our desired helicopter service would include air ambulance, firefighting capabilities, day and night search-and-rescue facilities, and would be available for onshore, coastal and offshore operations. We seek a speedy establishment of such a helicopter to cover all of western Victoria.

By Dr NAPTHINE (South-West Coast) (964 signatures)

Tabled.

Ordered that petition presented by honourable member for South-West Coast be considered next day on motion of Dr NAPTHINE (South-West Coast).

PARLIAMENTARY PRIVILEGE

Right of reply

Mr LUPTON (Prahran) presented report of Privileges Committee on right of reply of Mr Robert Larocca, together with appendix.

Tabled.

Ordered to be printed.

DOCUMENTS

Tabled by Clerk:

Charter of Human Rights and Responsibilities Act 2006 — Report 2007 on the operation of the Charter of Human Rights and Responsibilities — Ordered to be printed

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

Baw Baw — C55

Greater Dandenong — C75

Indigo — C43

Mornington Peninsula — C99

Port Phillip — C57 Part 1

Whittlesea — C41 Part 2, C93 Part 1, C98

Wyndham — C92

Victoria Planning Provisions — VC47

Project Development and Construction Management Act 1994 — Nomination order under s 6, application order under s 8 and a statement under s 9 of reasons for making a nomination order (three documents).

ROYAL ASSENT

Message read advising royal assent to Relationships Bill.

APPROPRIATION MESSAGE

Message read recommending appropriation for Children's Legislation Amendment Bill.

BUSINESS OF THE HOUSE

Program

Mr BATCHELOR (Minister for Community Development) — I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 4.00 p.m. on Thursday, 17 April 2008:

Constitution Amendment (Judicial Pensions) Bill

Courts Legislation Amendment (Associate Judges) Bill

Education and Training Reform Amendment Bill.

Environment Protection Amendment (Landfill Levies) Bill

Land (Revocation of Reservations) Bill

The government business program motion before the chamber this afternoon sets out our legislative objectives for this parliamentary sitting week. In addition to the five pieces of legislation proposed to be part of the government business program, we will also have available, should the occasion arise, the responses by members to the annual statement of government intentions, but the major thrust of this parliamentary week is to progress these pieces of legislation. That will be the major task during government business. A range of different issues will be addressed in these bills. I think there is sufficient time within the legislative program to satisfactorily address all the bills in the government business program. Therefore, I recommend the motion to the house.

Before finishing my contribution on this motion I would like to thank the Minister for Police and Emergency Services for standing in for me as Leader of the House last week.

Honourable members interjecting.

Mr BATCHELOR — I understand he did a top job — he is being supported and commended by members of The Nationals. Not only does he have the full support of The Nationals in undertaking that job, he has my support also.

Mr McINTOSH (Kew) — The opposition does not oppose the government business program. With the number of bills and the lack of controversy, I anticipate that we will not have any difficulty completing the government business program by the end of the week.

I will also take up the matter the Leader of the House spoke about in relation to his absence last week. Indeed the Minister for Police and Emergency Services was an excellent Leader of the House. I compliment him and say that he did an outstanding job. He was always approachable and very friendly, and got on with the job. This highlighted the differences we have had over the last few weeks, but I commend the Minister for Police and Emergency Services for the excellent and very polite way he went about his business.

Mr DELAHUNTY (Lowan) — I cannot do other than say welcome back to the Leader of the House. Like others, I want to reassure him that the minister who took his spot did an excellent job. Someone said he cannot do other things properly, but he did this job properly. He was good to work with. We got through the business program very smoothly and quickly with the support of the Government Whip and the whips on this side. We were even wondering if we could get home a bit earlier last Thursday — we could have brought on another notice of motion for debate. We were looking good for a while there last week.

In relation to the government business program, from our point of view there is no problem with the five bills in the motion before us today. All members of The Nationals have contributed to the debate on the annual statement of government intentions. They put forward some excellent suggestions in relation to the budget and programs coming up in the next couple of years, until there is a change of government. Item 5 on the program is the Education and Training Reform Amendment Bill. As we all know, education and training is important for

the continuing development of not only the individual but also a region and the state. We will obviously have a lot of input in relation to that bill.

We are also pleased to see that the Water Amendment (Critical Water Infrastructure Projects) Bill has moved from item 12 on the notice paper last week to item 7 this week. We might see it debated one day. It has been sitting on the notice paper for well over 12 months. It is coming up the paper.

Mr Crutchfield — Be patient.

Mr DELAHUNTY — The member for South Barwon said, 'Be patient'. We are a bit worried that there will not be any water left in the state, the way this government is going, and we will not be able to debate what is a very important bill, particularly for rural and regional Victoria. With those few comments, The Nationals are also not opposed to the government business program.

Mr HODGETT (Kilsyth) — I would like to make just a brief contribution on the government business program. I, too, welcome the Leader of the House back. We are not opposing the government business program. There are only five pieces of legislation, as has been said, and there should be sufficient time to debate those five pieces of legislation before the cut-off at 4.00 p.m. on Thursday. I note the comments about the annual statement of government intentions for 2008. It has certainly taken us most of 2008 to get through the responses to that statement. Hopefully we can wind that up soon, and get to the Water Amendment (Critical Water Infrastructure Projects) Bill.

Motion agreed to.

MEMBERS STATEMENTS

Government: performance

Mr WELLS (Scoresby) — As this is the last parliamentary sitting week prior to the state budget being handed down on 6 May, this statement condemns the Brumby government for its appalling mismanagement and continuing failure to resolve the multitude of problems plaguing Victoria despite the spin and rhetoric. At a time when record state taxes and GST revenue are flowing into the Treasury coffers Victorians continue to face an overburdened and underfunded health system in crisis, with a patient waiting list of 38 109 and sick and vulnerable infants and children waiting for urgent cardiac surgery due to the government's mismanagement and a lack of resources. Victoria's students have the lowest literacy and numeracy rates of any mainland state, according to the Organisation for Economic Cooperation and Development.

We have late and grossly over budget major projects, including the myki public transport ticketing fiasco; late and overcrowded trains, despite the recent spin spruiking supposedly additional services and future additional rolling stock; an appalling lack of planning and infrastructure investment in relation to our water supply; ever-increasing congestion on our roads, leading to gridlock in peak periods and commuter frustration; and a deeply concerning increase in community violence, with a 34.3 per cent increase in violent crimes against the person over the past eight years. Victorians deserve better, and there is no better time than state budget day on 6 May.

Storms: emergency response

Mr BATCHELOR (Minister for Energy and Resources) — On behalf of the Victorian government I rise to thank all the linesmen and other electricity workers and emergency service workers who worked tirelessly to restore power to homes right across Victoria following the violent windstorm on 2 April. Local crews, as well as those brought in from interstate and regional Victoria, worked around the clock and shared resources to help get the power back on as quickly and as safely as possible. These people worked long and hard in very dangerous conditions. Nothing highlights this as much as the death of Allen Pearson, a linesman employed by Alinta, who, tragically, was electrocuted while working on power cables in Mornington. It is with great sadness that I offer my condolences to Allen's family and friends as well as his workmates, who soldiered on and continued to repair cables despite the shock of losing a valuable member of their team.

It should be noted that after the violent storms in New South Wales in June last year some customers were without power for weeks, so it was a great effort by our linesmen and other workers to get almost everyone reconnected within the week. The contribution of these workers and the difficulty of their tasks should not go unrecognised. On behalf of the people of Victoria, the government of Victoria thanks each and every one of them for putting in an effort above and beyond the call of duty.

Archbishop Frank Little

Mr RYAN (Leader of The Nationals) — Today the family, the Melbourne Archdiocese and the general community farewelled the late Sir Frank Little, former

Catholic Archbishop of Melbourne, at a solemn pontifical requiem mass at St Patrick's Cathedral. Hundreds of priests, bishops and two cardinals joined Archbishop Denis Hart in celebrating the mass, which was also attended by representatives of many other faiths and many community groups.

Archbishop Frank, or Uncle Frank as he was known to his family, was a man of faith, deep humanity, integrity and humility. In his over 20 years as Archbishop of Melbourne, he championed Catholic education, multifaith dialogue and multiculturalism. He also oversaw the renovation of St Patrick's Cathedral and the establishment of over 20 new parishes and 61 new schools in growing areas of Melbourne.

His love of the Essendon Football Club and golf were legendary and were the human face of this wonderful man. Archbishop Little, the sixth Archbishop of Melbourne, was interred in the crypt of St Patrick's alongside three of his predecessors. May he rest in peace.

Metropolitan Fire Brigade: Gallipoli to London run

Mr CAMERON (Minister for Police and Emergency Services) — The Metropolitan Fire Brigade running club is a very active club. It is a social club, of course, but running is its key priority. This week the club leaves to go on an adventure. It is heading initially to Gallipoli for Anzac Day. The day after Anzac Day the club will be heading off on a Anzac run which will go from Gallipoli to London. The aim of the run is to achieve community awareness, both at this end and on the other side of the world, of the sacrifices of those who have come before us and ultimately the connection that comes from our conflicts today. Along the way from Gallipoli to London, the runners will visit Turkey, Greece, Italy, France and Belgium. They will visit significant World War I and World War II battle sites and commonwealth war graves to pay homage to young Australians who gave their lives for this country. They will be raising awareness, they will be creating educational interest, they will be meeting groups on the way as well as other fire brigades, as you would expect.

Terry Kimpton and Paul Ritchie have organised the run together with the organising team, and there are 50 who are going altogether, including a group of secondary school children. I am sure all honourable members wish them well. We pay our respects to them; we know that they will come back fitter than ever.

Teachers: salaries

Mrs VICTORIA (Bayswater) — Over the past seven or eight years we have heard this government hoodwink the Victorian public into thinking that water was its no. 1 priority. Then came law and order, health and — surprise, surprise! — education.

The maintenance backlog in Victorian schools is encroaching on Third World levels with a blow-out from $130 million to $270 million since Labor came to power, and we are expected to live with it. Our teachers are working harder than ever to educate our youngsters but they are expected to do so 'for the love of the job'. It is expected that they will stay in the system in Victoria while their colleagues interstate get paid up to $10 000 more per annum to do the same job. The Brumby Labor government is creating not the glass ceiling so many talk of when wanting pay parity, but a state ceiling. Why does it undervalue those who are shaping our adults of the future?

On Sunday the Leader of the Opposition announced a breakthrough for teachers. Under a coalition government Victorian teachers would be treated with the respect they deserve: pay which is the highest in Australia. Victorian parents and teachers should not endure a situation where our teachers continue to receive the lowest levels of pay in Australia. Victoria's children deserve better and education can never be our no. 1 priority if those who teach our children struggle on poor salaries.

Health: lead levels

Mrs VICTORIA — I raise with interest the Minister for Planning's lack of concern at lead levels in polyvinyl chloride pipes connected to rainwater tanks, and the possibility of human ingestion. I note that the CSIRO and researchers at Melbourne University think it is enough of a problem that they were prepared to go public and talk about it on television.

Buses: Cranbourne electorate

Mr PERERA (Cranbourne) — A comprehensive review of local bus services in the Cranbourne area is under way. The Brumby Labor government is going straight to the source — that is, the members of the local community — for feedback, which is why this review is structured around public consultation. Community feedback will be used as the basis for improvements to our local bus services which may include longer hours of operation, more frequent services, extended routes, new routes and improved linkages.

Water: Cranbourne electorate

Mr PERERA — I am also glad to announce that the residents in the electorate of Cranbourne are real water savers. I congratulate the residents of Langwarrin, who are doing their bit to help save water. They have decreased their use by 15.95 per cent between July and September 2007. I also congratulate all residents in the electorate of Cranbourne who also did their bit to help save Victoria's most valuable resource, water.

I have also been a keen supporter in championing the Brumby Labor government's water-saving initiatives for households, including $1000 for water-saving devices, rebates for installing large rainwater tanks, or a free water-efficient shower head from local water authorities.

Gaming: poker machines

Mr THOMPSON (Sandringham) — A report in the *Sunday Herald Sun* of 31 March 1991 noted a former Labor leader had previously announced that Victoria was going to have a gambling-led recovery. On 18 September 1991, while speaking in the Legislative Council on the Gaming Machine Control Bill, a former Labor minister noted:

> If in a mature market there are to be 30 000 to 40 000 machines the issue of allocation is a sensitive and critical one. For those reasons the government decided that the Totalizator Agency Board and Tattersall's should be the operators of the machines.

There are now some 27 500 machines operating in this state, many of which would be indirectly causing duress to Victorian families. It is ironic that today we had the Attorney-General announce to the house measures to improve family violence regulation while at the same time gaming machines are inflicting much hardship on Victorian working families.

The disaggregation of the allocation of machines away from the duopoly may lead to difficulties in the future. Many small Victorian clubs that currently have machines may not be able to afford to outbid other organisations. Theoretically their own vested interests may be best served by having every problem gambler move to the gaming venues to help pay off the debt as a result of this bidding war that the Brumby government is setting up and inflicting upon Victoria.

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

Frigilian Festival of Three Cultures

Mr LANGUILLER (Derrimut) — On Sunday 14 April I attended the three cultures celebrations organised by the Uruguayan Social Club of Melbourne in my electorate. The three cultures festival, as it was called, was made up of Australian, Italian and Uruguayan traditions and was funded by the municipality of Brimbank. The mayor, Cr Sam David, and Crs Barboza, Socratous, Suleyman, Giudice and Atanasovski were present at the event, and I commend them for their support for these communities.

I also wish to commend the musicians, dancers, poets and painters who were present. Among them, I commend the Gruppo Culturale Italiano, Sergio Acosta, Angel Mellado, Olga Carnero, Nelida Martinez, Sally Cook, Alfredo Martinez, Violeta Veliz, Jairo Buitrago, Pablo Gonzalez, Carmen Novoa and Julio d'Angelo. These are all good poets, painters and artists of the municipality.

The event was organised by the talented painter, Carmen Novoa, and the president of the club, Luis Masciadri, and his executive committee. The organisers referred to the benefits of bringing different traditions and cultures together to celebrate jointly. They also highlighted that English was the language that brought them all together and facilitated their communication. They promoted diversity, they promoted inclusion — —

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

Border anomalies: reciprocal rights

Mr JASPER (Murray Valley) — I bring to the attention of the house the need for continuing state government action to eliminate border anomalies between Victoria and New South Wales. It is estimated there are at least 1500 anomalies tormenting border residents. I remind the house that the border anomalies committee was set up in 1979, and through the 1980s there was action in areas such as health, education, transport, building and recreation. That waned through the 1990s. I was horrified in 2005 when the government announced the abolition of the committee, but to the then Premier Bracks's credit, following my representations he agreed to re-establish a cross-border organisation driven by the Premier's departments in both states.

Meetings have now taken place — in June 2006 in Echuca and in August 2007 in Albury — with some positive outcomes. However, the border anomalies

continue to dog those of us living along the border between the two states. The latest anomalies relate to licensing and competency systems for plant machinery operators requiring dual licensing in Victoria and New South Wales, leading to extra costs and obvious inconvenience. I have sought information from the Premier on this issue of reciprocal rights for plant operators and information on the latest developments regarding the tackling of the range of anomalies that cause us such frustration. I call on the Premier to make further concerted efforts to achieve reciprocal rights, mutual recognition and legislation to gain uniformity because the range of border anomalies must be eliminated.

Brian Toner

Mr HERBERT (Eltham) — I rise to speak today of the passing of a great political icon in the Greensborough-Diamond Valley region. Brian Toner passed away on Sunday, 13 April, after suffering a recent stroke. Whilst I did not know Brian as well as many people in our community did, he was a stalwart of the ALP in our community. Of course his late wife, Pauline Toner, was a predecessor member in my seat when it was the seat of Greensborough, which she represented from 1977 to 1989. Pauline was also Victoria's first woman to serve as a cabinet minister.

It was once said that behind every great man is a great woman. Well, behind Pauline Toner was a great man. Brian was a great family man. He and Pauline had five children, and he was a hands-on parent of the children whilst his wife held very important public offices over a 16-year period. I know his children will miss him greatly. Importantly, Brian also kept the Greensborough ALP branch vibrant and active within our community for many years. Back in the 1980s, when Brian was secretary of the branch, meeting halls were full and vigorous debate took place. Issues important to the community were paramount.

Brian was also a creative architect and well thought of in his profession. He was a community man, and his local neighbours speak very highly of him. Brian's passing signifies the end of the great contribution to the ALP in Victorian politics by Brian and Pauline Toner. My sympathies go to Brian's children and their families. They can be very proud of both of their parents' contribution to our community.

Teachers: salaries

Mr DIXON (Nepean) — The coalition is leading the way on teacher quality and pay. Those are not my words, but the words of Australian Education Union president, Mary Blewett. Although the Premier and his mushrooms keep chanting the mantra that education is the government's no. 1 priority, the stark reality is that Victorian teachers are the worst paid in Australia. The coalition has announced a plan to make Victoria's teachers the best paid in Australia. The coalition has recognised that Victoria's teaching profession cannot keep haemorrhaging the way it has been, losing good, experienced teachers and young, motivated teachers to other states and professions — and not even attracting potential teachers in the first place. Someone had to take some leadership on this issue. Someone had to say, 'We want to attract and keep the best and brightest teachers'. The coalition is showing that leadership, not this government.

The minister and the Premier will not meet with the union; they send departmental officers instead. The minister and the Premier are treating Victoria's teachers with contempt. They think teachers will always support them. The blame for the proposed disruption to national testing recently announced by the Australian Education Union, in a further escalation of its industrial campaign for better wages, can be firmly laid at the feet of the Premier. This industrial action is not anyone else's fault. It is not the federal government's, the former state government's or the Howard government's; it is the fault of the Premier, with his arrogant and divisive approach to all issues he confronts.

Friends of Williamstown Wetlands

Mr NOONAN (Williamstown) — I rise to congratulate local group Friends of Williamstown Wetlands on the occasion of their 20th anniversary. Over those 20 years Friends of Williamstown Wetlands has devoted countless hours to the conservation and regeneration of the environmentally significant area encompassed by the Jawbone reserve and former rifle range area.

The group initially came into being to protect the area from a proposed marina and housing development. After winning that battle, members of Friends of Williamstown Wetlands turned their attention to restoring the area to its original state, undertaking extensive plantings using seeds and cuttings from plants indigenous to the region. This valuable contribution is ongoing, with the group's volunteers setting aside regular work days for planting, weeding and watering. Friends of Williamstown Wetlands members have also built a boardwalk, allowing foot access down to the mangroves and salt marsh. More recently, in celebration of their 20th anniversary, they have established an arboretum showcasing and labelling a range of local plants.

The Williamstown wetlands are unique to the region in that they have remained protected from inappropriate development and survive in pre-European-arrival condition. The wetlands are also home to a magnificent array of birds, many of which migrate from across the world on a seasonal basis.

I make special mention of the group's current president, Ian Rae, and his predecessors, Janet Howie, David Stubbs and Sue Murray. Again, I congratulate them on this significant milestone.

Computer games: advertising

Mr KOTSIRAS (Bulleen) — At the end of this month Victorian children will have the opportunity to purchase *Grand Theft Auto 4*, a game that in the past has allowed the player to commit rape, destroy property and kill human beings using a variety of techniques, including running down pedestrians. I have been advised that in previous versions that were available in the United States of America players were able to pick up prostitutes in a car, have sex with them, watch their money go down and their health go up, then kill the prostitute and get their money back. In one of the versions there was even simulated sex. Now the fourth version of this tasteless and offensive game will be available to our youth late in April. I am advised that the in-game prostitutes now offer three levels of service.

For reasons unknown to me this game has been allowed into Australia, and I recently received a complaint from a parent who was appalled and disgusted that an advertisement for the game appeared on a bus shelter near local primary and secondary schools on High Street, Lower Templestowe, in my electorate of Bulleen. The picture that the distributors have decided to use to promote the game depicts a woman posing in a suggestive manner. I advised the parent to make a complaint under section 2 of the code of ethics of the Advertising Standards Bureau, and the parent asked me to bring this matter to the attention of the government. I urge the Attorney-General to discuss the matter of inappropriate computer games and computer game advertising at the next Standing Committee of Attorneys-General in the hope that this sort of advertising will not be allowed.

Water: Maryborough supply

Mr HELPER (Minister for Agriculture) — During the recent very dry circumstances many communities throughout Victoria have focused increasingly on town water supplies and have expressed concern about the security of such supplies, and none more than the community of Maryborough in my electorate.

I am pleased to inform the house that in June 2007, together with Central Highlands Water, the state government announced that 505 megalitres of water from the Moolort aquifer, an aquifer close to Maryborough, had been secured for Maryborough's ongoing water security. In addition the potential exists for a further 300 million litres of groundwater from an existing source located in the same aquifer. This new supply will be transferred directly to Maryborough's water supply and will ensure that Maryborough has water security into the future. The total project cost is approximately $3 million. Already work has commenced and is proceeding very rapidly on an 8.5-kilometre pipeline from the aquifer to the Maryborough district water supply. Drilling for the production of this water supply augmentation commenced in April 2008. I commend the patience of the community of Maryborough, and I commend Central Highlands Water and the government for their support of this project.

Rail: Narracan electorate

Mr BLACKWOOD (Narracan) — I rise to express my profound disappointment at the Brumby government's failure to properly investigate transport issues by restricting the terms of reference of the Eddington study to Melbourne's east–west transport links only. This government is preparing to consider implementing an $18 billion plan to improve transport connections between Melbourne's east and west but will not spend 1 cent on the issues that face the people of the Narracan electorate right now — not in 2015, not in 2035 but right now.

The Lardners Track rail level crossing still has no boom gates, even after a near miss last year that could have taken another young country life. We still have Met passengers taking the seats of V/Line travellers on trains between Southern Cross station and Pakenham. The Eddington report identifies that since 2001 there has been a 700 per cent increase in trains that are considered by the state government to be overloaded. This arrogant government continues to ignore the difficulties and disruption faced by Gippsland commuters on a daily basis. The town of Warragul is in desperate need of a third rail crossing, and after an evaluation and costing exercise, Baw Baw shire considered a Normanby Street underpass to be the best option. A funding commitment for that project was given by the opposition before the last election, but the Brumby government has refused to consider it. I call on the Brumby government to lift its sights beyond the

tram tracks and start giving country Victoria, particularly my electorate of Narracan, a fair go.

First World War: Essendon Rifles

Mrs MADDIGAN (Essendon) — With Anzac Day drawing closer, today I would like to pay tribute to those early residents of Essendon who joined together in 1913 to form the 58th battalion. This battalion was generally known as the Essendon Rifles and was made up of people from the local area. Its commander was Harold 'Pompey' Elliott, a very famous commander. The residents worked under him as part of the 58th battalion, which later took on local men from Brunswick and Coburg as well to form the 15th brigade. This group went to Gallipoli, and of the 130 to 150 local men who fought there only 20 survived the experience. Later on under Pompey Elliott they fought in Fromelles in France in a disastrous battle in which 5500 men were killed.

But the most famous battle for them, and I mention it because this year is the 90th anniversary of the allies retaking Villers-Bretonneux, was when this battalion in the 15th brigade under Pompey Elliott on 24 and 25 April 1918 regained that town for the allies. It was a very significant victory. There is still a memorial to these men in Pascoe Vale Road. It is good for us to remember the great sacrifices made and the great victories achieved by men from our local regions.

Acorn artists: website

Dr SYKES (Benalla) — Last Friday night I had the pleasure of launching an online art gallery for six Mansfield artists. The six artists — Tim Mallows, Jonathan Esser, Carl Harris, Thomas Huber, John Kostea and Kylie Hughes — are known as the Acorn artists. The Acorn artists are members of a group of local young people with autism who, under the guidance of Joan Curtis and many other caring Mansfield people, have developed their unique artistic talents. The work of Acorn artists has been exhibited at the National Gallery of Victoria and the Benalla Regional Art Gallery. Their art hangs in places such as Wangaratta, Sydney, Canberra and San Francisco. As Joan Curtis said, 'They have a unique vision of the world; they don't look at things the way other people look at them'.

The online website has been developed by New Zealand internet Web design and Web marketing specialists Niche Design, and Rachael Errington in particular. Rachael is both talented and very passionate about the marketing of the Acorn artists' work, and the website is simple and user friendly. Rachael will be operating the site at no cost to the artists. I encourage members to visit the website at www.acornartists.com, view the paintings and of course purchase one or more. I have put my money where my mouth is by purchasing a painting by Tim Mallows entitled *Water Waves*. Tim's painting is a welcome addition to paintings I have previously purchased from Jonathan Esser, Carl Harris and Kylie Hughes. Congratulations to all who have been involved in making the Acorn artist website a reality.

Brimbank: Albion Red Socks

Mr SEITZ (Keilor) — Last Saturday an historic event took place in the city of Brimbank. The Albion Red Socks, a soccer club of Turkish origin, and its members have been nomads and the club has been mentioned in this house quite a few times as it has tried to find a home. Way back in time the club shifted from Richmond and took a lease over a ground in the city of Sunshine, but was duly forced out because of racial prejudice — it was too early for a Turkish soccer club in that area. However, when I was first elected to this place I gave a commitment that I would support the club in overcoming that racial prejudice. That commitment came to fruition last Saturday when the mayor of Brimbank officially opened the ground within the city over which the club now has a long-term lease. It will now have a home and can develop its young people from the surrounding area, particularly those from the Turkish community.

The club and its members were forced to go out to places like Melton and Bulla and all over the western suburbs like wandering nomads. I am personally very pleased with and grateful to the City of Brimbank and the club's current and past committees and members for sticking it out and developing a home ground in the city of Brimbank, which has been their desire for so long.

Rail: Ringwood station

Mr R. SMITH (Warrandyte) — I rise to draw the Premier's attention to the correspondence I had delivered to his office today on behalf of 500 people from my electorate asking for funds to be allocated in this year's state budget for work to begin on the redevelopment of the Ringwood railway station. The Ringwood railway station has been neglected by this government for too long, which is an issue I have raised several times in this house. The station does not comply with federal disability requirements, there is a lack of toilets and many commuters feel unsafe in its surrounds.

Although funding has been allocated in past state budgets towards planning for the redevelopment of the station, my community is looking for a commitment from the government to fund the work that is required to make it a safe and comfortable part of the eastern suburbs public transport system. It was hoped that the upgrade could be done in conjunction with the large commercial development that is starting on and around the Eastland shopping centre site, but unfortunately the developer could not afford to further delay beginning the project. Because of the enormous amount of work that has been done by the Maroondah City Council, it seems a given that the project would get a green light. Unfortunately without a commitment from the government to date, my community is getting a little concerned that the project will once again be overlooked.

On behalf of my community I ask the government to finally commit to the project and get on with the job of providing a safe and modern station for the commuters of the eastern suburbs.

Monash: Clayton Community Centre

Mr LIM (Clayton) — I take great pride in informing the house that the doors have opened at the Clayton Community Centre, Victoria's largest community centre facility. The centre, which is located at Cooke Street in the Clayton shopping centre, which is in my electorate, is Monash City Council's largest ever capital project and an important community hub for the area. The new centre houses the Clayton public library, the Clayton Aquatics and Health Club, a theatrette, a preschool and occasional care, youth and family services, maternal and child-care services, a cafe, meeting rooms and MonashLink Community Health Service and advisory services. The services will commence operation progressively.

The Clayton community centre was a result of a unique partnership between local government and state government, with the Victorian government contributing $8.1 million, including $6.6 million to the MonashLink Community Health Service.

In addition to the activities and services at the new centre building, the Clayton square precinct will provide local residents with a new pedestrian-friendly community area incorporating a series of safe, livable and interconnected spaces for civic and community use. The existing car park in Clayton shopping centre and the old library space will be demolished and redeveloped.

The ACTING SPEAKER (Mr K. Smith) — Order! The member's time has expired. The member for Pascoe Vale has 30 seconds.

Pascoe Vale North Primary School: upgrade

Ms CAMPBELL (Pascoe Vale) — Congratulations to the Pascoe Vale North Primary School community for their thorough preparatory work towards a stage 2 upgrade of a vital and innovative project. Both the principal, Peter Adams, and the school council president, Sonja Josipovic, described the condition of the building as dilapidated. They have clearly presented their case to the Department of Education and Early Childhood Development, and I have informed all relevant people of the urgency of the project. It is encouraging to note that enrolments at the school are growing, but to sustain this the school needs — —

The ACTING SPEAKER (Mr K. Smith) — Order! The time for members statements has expired.

LAND (REVOCATION OF RESERVATIONS) BILL

Second reading

Debate resumed from 13 March; motion of Mr BATCHELOR (Minister for Community Development).

Mr R. SMITH (Warrandyte) — It gives me great pleasure to speak on the Land (Revocation of Reservations) Bill 2008. This bill is fairly mechanical in nature; from time to time it is necessary to revoke reservations or to change the status of Crown land through legislation. As the minister said during his second-reading speech, this bill will enable the government to sell some of the land described while allowing more appropriate management arrangements to be put in place for others.

I attended a departmental briefing two weeks ago. I was pleased to hear during that briefing that local communities and councils were consulted during the process of revocation. We all know that this government has form regarding its lack of consultation, so it is pleasing that in this case there was a deviation from the norm.

The most recent *Alert Digest* of the Scrutiny of Acts and Regulations Committee stated that the committee considered the bill to be compatible with the Charter of Human Rights and Responsibilities, but noted that the reference made in the statement of compatibility to clause 7 of the bill should actually be a reference to

clause 6(2). Comments have been made that these sorts of errors with the charter in statements of compatibility are becoming more common. It is becoming particularly evident that ministers do not want to put the time and effort into their own charter — and it is time and effort which is required — and into statements of compatibility. When judging the lack of attention paid to the details of these statements of compatibility, it is becoming clear to the house that there are ministers who are increasingly convinced these statements are a waste of time.

I begin by addressing clause 1 of the bill, which concerns land at Yarrawonga. The police station on that site was originally known as the Mulwala police station; its name was changed in 1874. This station has been mentioned in this house before. In 2005 the member for Murray Valley discussed the attributes of the police reservists program, and he said then that Yarrawonga police station was one of the last police stations to have a serving police reservist at that time. The land is currently the site of a police residence which the government says will no longer be needed in the area because of a new police station which is being built at Yarrawonga.

Country police residences has been quite a hot topic in recent times, but this government seems to feel it is not a topic that is important to country people. It is an issue that members on this side of the house take seriously, and for that reason I wish to circulate proposed amendments to the Land (Revocation of Reservations) Bill.

Opposition amendments circulated by Mr R. SMITH (Warrandyte) pursuant to standing orders.

Mr R. SMITH — The effect of the proposed amendments will be to continue to enshrine the land on which the Yarrawonga police residence sits as Crown land, thereby continuing to provide the Yarrawonga community with a residence for its local police. This particular residence is built on Lake Mulwala and has been a major part of attracting quality police to this part of Victoria. We, on this side of the house, support the continued stationing of quality Victorian police members at Yarrawonga.

Proposed amendments 1, 2, 12 and 17 will remove the Yarrawonga land revocation from the bill. The remainder of the proposed amendments will correct resultant and subsequent labelling inaccuracies. I urge government members who are serious about community safety in country areas to seriously consider and enthusiastically support my proposed amendments.

On 5 February of this year, Ms Lovell, a member for Northern Victoria Region in the other place, asked the Treasurer whether the government would fulfil its commitment to public safety by stopping the proposed sale of 45 country police residences. In accordance with this government's typical form, the Treasurer avoided the question completely; he committed to nothing and basically ignored the needs of country Victoria through his lack of response.

Although the Brumby Labor government says it is committed to community policing, its actions loudly say otherwise. The government is set to approve the closure and sale of these 45 police residences throughout rural and regional Victoria, and taking police out of small country towns will have the outcome of leaving country residents vulnerable.

Police living in local communities who are involved in local community organisations and whose kids go to the local schools build the sorts of critical relationships which assist in fighting crime and keeping communities safe. Police living in the local community really get in touch with their local communities and are more easily able to understand the things that go on in communities, including the crime issues. More importantly, there is an immediate police presence when there is an emergency in a particular country town.

These closures make a mockery of Labor's apparent commitment to community policing and to country Victoria in particular, and will further strain an already stretched local police force. By closing police residences the Brumby government is simply taking police resources from one town and putting them into another. This does not help communities in any way. The Premier has characterised people who live in country Victoria as being too far away, and his lack of commitment to provide police resources to country Victoria further emphasises his city-centric view.

Police residences are part of the package that entices good hardworking police to leave friends and family and to move to the country where they can be stationed and become an important part of the community. While government members keep telling us there are no staffing or resource issues in our country police stations, the facts, to say nothing of the 3000 police marching to the steps of Parliament, tell us differently. A look at the 2007 editions of the *Victoria Police Gazette* shows us that 15 rural and regional police stations — —

Mr Crutchfield — On a point of order, Acting Speaker, the member has strayed far and wide from the

intent of this bill, and I ask you to draw him back to the bill.

Mr R. SMITH — On the point of order, Acting Speaker, I am speaking to the proposed amendment that proposes the omission of clause 4 from the bill. The Yarrawonga land reservation should be retained for police purposes. The member for South Barwon has probably not read the bill. I am surprised that he has not — —

The ACTING SPEAKER (Mr K. Smith) — Order! I have been listening carefully to the debate. The member has raised the issue of the Yarrawonga police station but has appeared to stray slightly into other parts of Victoria insofar as the closure of police stations is concerned. I ask the member to come back to the bill, particularly regarding the Yarrawonga land occupied by the police residence.

Mr R. SMITH — As lead speaker for the opposition I had hoped for a little more latitude. Certainly the Yarrawonga police station is a case in point; it is one of the 45 police stations that have been slated by the Brumby government for closure.

Mr Jasper — They are not police stations.

Mr R. SMITH — Police residences, I beg your pardon. It is important that the house is aware that the removal of police residences puts country police under pressure and makes it more difficult to recruit country police to country regions.

I believe the Premier has an obligation to protect all Victorian families, regardless of where they live, including Yarrawonga, and not just the communities who live close enough to Melbourne for the Premier to care about. The Brumby government's solution to these issues is not to increase police numbers to country communities, as you would expect; the Brumby government's solution is to increase workloads. As a result — surprise, surprise! — already overloaded police like those in Yarrawonga have been pushed to breaking point. In the last financial year Victoria's police amassed 26 004 days of stress and injury leave with 16 500 days being for stress leave. This has cost Victorian taxpayers almost $7.4 million in compensation. In documents that, amazingly, the Liberal Party was able to obtain under freedom of information, it is revealed that police officers successfully filed 833 claims in the 2006–07 financial year, including 239 days for stress.

Mr Helper — On a point of order, Acting Speaker, the point of order I raise is similar to the previous point of order. I am sure the member is not claiming that the 8000 claims or whatever the figure was came from the Yarrawonga police station. The only reference to police in this bill is to the land reserved for the Yarrawonga police residence. I suggest and encourage you, Acting Speaker, to draw the member back to the bill.

Mr McIntosh — On a point of order, Acting Speaker, the member is the lead speaker for the opposition and consequently his response to the bill can be much broader than those of other members. The member has identified a piece of land that relates to a police residence. He is alluding to the consequences that may flow to local communities by the removal of that reservation. The member has foreshadowed a number of amendments that relate to taking this provision out of the bill. He has indicated that apart from this matter the opposition has no difficulty with the bill, and the vast majority of this part of the bill is dealing with the aspect of this government's announced policy to close some 45 police residences around the state. I would have thought this could be seen as the first step in a long chain of events. Being the lead speaker, he should be given that latitude.

The ACTING SPEAKER (Mr K. Smith) — Order! There is always some latitude given to the lead speaker for the opposition. However, the member strayed a little from his position regarding the sale of the Yarrawonga police residence land and was raising other issues that he considered to be important. I ask the member to keep within the guidelines.

Mr R. SMITH — Certainly, Acting Speaker. Yarrawonga is not a typical high-crime area, given that it is the place where many people go to spend their retirement years, although it is worth noting from the Victoria Police 2006–07 crime statistics that the instances of rape have risen by 411 per cent, instances of shoplifting have risen by 67 per cent and weapons offences have risen by 63 per cent. This usually happens during the summer holiday period when there is an influx of visitors who come to fish, hike, play golf and enjoy various outdoor pursuits. I am informed that an extra police officer or two are usually brought into the area from other areas of the state to assist during this summer period. This is usually to the detriment of another station in the area.

I applaud the opening of a new police station in Yarrawonga. That is fantastic. The government needs to understand that adequately resourcing police stations, which includes making sure there are residences in country Victoria for these police officers, is the key to reducing crime. I would also like to add a note of caution for Yarrawonga residents who have been promised that their new police station will operate on a

24-hour basis. The members for Scoresby and Ferntree Gully have made it clear in this house that the government promised in 1999 that the Rowville police station would operate on a 24-hour basis but the residents were dudded there. I hope Yarrawonga residents do not suffer the same fate and end up with a police station that does not operate on a 24-hour basis when they have been promised one that will.

Item 2 in schedule 1 relates to the Talbot Free Library. The library is currently being used as a community hall and it s my understanding that that has been the case for many years. With the status of the land being changed as a result of this legislation, a suitable committee of management of the community hall will be appointed. The government has assured us that the use of the hall for community activities will continue. The land, consisting of 708 square metres, was first noted for reservation on 14 December 1888. The land's size was not quoted in square metres at the time; it is interesting to read the language of the *Government Gazette* of the time, where the land size is described as being 28 perches and the boundary lengths are measured in chains and links.

Two weeks ago I happened to be at the state library for the announcement of the short list for the 2008 Children's Book of the Year awards, which, I might add, was an event that the Minister for Education, the Minister for the Arts and the Minister for Children and Early Childhood Development all declined to attend. I was surprised that there was no government representation at all — but there were no cameras there, so that might explain things. While I was at the state library an extremely enthusiastic and passionate officer, Mr Carlos Lobos-Diaz, escorted me around and showed me a range of the exhibits the library has, including the actual chain used by Robert Hoddle when measuring Hoddle Street. It was the first time I had ever seen such an instrument, and it gave me a real sense of the manner in which the areas we are discussing today were measured back in the 1800s.

Item 3 of schedule 1 relates to the Marlo land. This is part of the land described in the *Government Gazette* of 4 March 1881 as land reserved along the banks of the Snowy River. This land is a road reserve between a freehold property and the river — really just a sliver of land perhaps 35 metres at its widest. In the past the owner of the freehold fenced his property to the road and built his residence and various farm buildings on the road reserve behind his fence. He now finds himself in a position where he is unable to sell his land because of the encroachments.

This type of incident is not uncommon. In my own electorate of Warrandyte I was approached by a constituent who had encountered a similar problem. In the case of the owner of the Marlo land I am of the understanding that the owner was aware of the encroachment onto Crown land, but my constituent was not so lucky. He was advised by the local council that his front fence was some metres in front of his actual property boundary and that he had, in effect, fenced off council land. He was told he would have to remove the fence he had built and build a proper fence back to his correct boundary. My constituent was devastated, as he had spent an enormous amount of money building a quite expensive fence and planting a number of expensive plants. All along he thought it was his land and he was quite upset to find that it was not. Fortunately, in that instance compassion won out and the council agreed to leave the fence as it was. But it is a lesson to us all to check and recheck the relevant information when purchasing a property to ensure we are buying exactly what we think we are buying. This bill will finally enable the owner to purchase the land from the government so as to more easily facilitate its sale in the future.

Item 4 relates to the Boorhaman land. This land is also described in the *Government Gazette* of 4 March 1881. This land and the land described in item 5, the Brimin land, are part of the land that has been reserved along the Ovens River. The position of the land in question here, next to the Murray Valley Highway, is a case similar to the one I just mentioned. In this case the encroachment by the owner onto Crown land was quite small, only around 100 square metres. The land to be sold to the owner of the residence will include the residence's footings and an appropriate buffer zone around them, and this will enable the owner to avoid future problems.

I am fully aware that the member for Murray Valley has made a number of representations on behalf of the owner for the land revocation to occur, with his attention having been brought to this matter initially around 25 years ago. I understand the member for Murray Valley has made continual representation for some corrective action to be taken in relation to this land. Indeed, I understand the department recommended this course of action back in 1999, saying that this particular portion of land should be included in a bill such as the one we are debating today. The issue has been of concern to the occupiers of this land for many years, and I am sure both they and the member for Murray Valley are very pleased to see their representations finally bear a result.

Item 5 relates to the Brimin land. This is similar to the land I discussed before, in that the piece of Crown land was built on by the owner of the adjoining land as he extended his residence. This land has changed hands more than once since that time, with the new owners always aware that they were purchasing land without the security of knowing there would not be any major issues regarding the land's ownership in time to come. This bill will allow the current owner to purchase this land from the government.

Item 6 relates to land at Mount Duneed. The removal of the reservation on land at Mount Duneed Regional Primary School is to allow the status of the land to be updated to reflect its current use for education purposes, with the Department of Education and Early Childhood Development to be appointed as the new committee of management. This land had previously been gazetted for recreational use with the Geelong city council as the committee of management.

It is worth noting that the Mount Duneed Regional Primary School's last recorded maintenance backlog stands at $26 143. This figure is taken from the most recent figures the government will allow us to see. They are from a report that is around two years old. I wonder if the principal of the school would be as shocked by that figure as many of the principals in my electorate were shocked when I relayed the government's official maintenance figures to them. The official figures bear little resemblance to the actual maintenance requirements of the schools I visited; in some cases the actual monetary requirement was five or up to 10 times the official figure. I trust this is not the case at Mount Duneed Regional Primary School. If it is the case I hope the member for South Barwon will come into the house and tell the Minister for Education that she should look at the maintenance backlogs and get something done about them.

I also wonder where Mount Duneed Regional Primary School stands in the government's 10-year plan to rebuild, renovate or extend every school in Victoria. I wonder if it is due for a rebuild, a renovation or an extension this year, next year or maybe in 2010? I am reasonably confident that the principal does not know when his school is up for those renovations, and I am reasonably sure the Minister for Education also does not know. That is the problem with the government's 10-year plan: few principals in Victoria know when the government is going to arbitrarily bestow funds on their schools for their much-needed works. As I have mentioned in this house on many occasions, the government needs to come up with an actual plan for when Victorian schools are going to be fixed, not just some idea of when it thinks they should be fixed or when it would like them to be fixed by. School communities need to know where they fit into the government's plan. They need to know whether to spend the money that they have perhaps banked or whether they should just hang on and hope for the best.

I also wonder whether the teachers at Mount Duneed Regional Primary School will be striking over the issue of pay, like teachers in my electorate will be striking this Thursday. It is alarming that one-quarter of our public school teachers have been lost to the private sector in 2007 alone. We see the attrition rate rising, and that is proof that the plight of the teaching profession in Victoria has reached crisis point. Victorian teachers — among them being the Mount Duneed Regional Primary School teachers — are the lowest paid in the country, which is an appalling fact and one that is at odds with the government's rhetoric that education is its no. 1 priority. Frankly, I would hate to see the state of education in Victoria if education were not this government's no. 1 priority. The Brumby government is ignoring teachers, but I am sure the teachers at Mount Duneed Regional Primary School, like other teachers throughout Victoria, will be thrilled to know that someone is listening. The opposition values Victoria's teachers. We believe Victoria must attract and retain the brightest and best of them, and to that end we have committed to ensuring — —

Mr Helper — On a point of order, Acting Speaker, I do not wish to fall foul of any transgression on the basis of tedious repetition, but I suggest the member be drawn back to the bill and not be allowed to continue on broader policy issues such as the one he strayed into previously and the one he has now been pursuing for a number of minutes.

Mr Walsh — On the point of order, Acting Speaker, I find it rather strange that members on the other side of the house continually waste good debating time by introducing frivolous points of order against the member for Warrandyte. He has put a lot of work into the preparation of his speech and as a newer member in this place he deserves the respect of those on the other side and the time to make his presentation to the house rather than having frivolous points of orders raised against him.

The ACTING SPEAKER (Mr K. Smith) — Order! I have listened to the arguments that have been put forward on the point of order. I think the member may have been straying slightly into the field of education, and as the lead speaker I ask him to come back a little towards the bill.

Mr R. SMITH — Certainly, Acting Speaker. If the minister at the table, the Minister for Agriculture, had read the bill, he might have seen that it mentions Mount Duneed Regional Primary School, of which I was talking. I felt sure he would have read this bill. This is one bill that has pictures, and I am sure he would have liked it. I will come back to the bill, Acting Speaker. I say again that the teachers at Mount Duneed Regional Primary School will be very happy that the opposition is listening to their pay claims.

Police resourcing and education issues are just a couple of areas that are being routinely ignored by this government. While the opposition generally supports this bill, I again urge members — —

The ACTING SPEAKER (Mr K. Smith) — Order! I pre-empt the point of order. The member should get back on the bill.

Mr R. SMITH — While the opposition generally supports this bill, I again urge members to support the amendments so that we are able to help attract police to country areas in general, and in this case to Yarrawonga in particular. I urge the government, while using the Parliament's time to enact mechanical legislation such as this, to consider the other issues that are facing Victoria at this time and to act accordingly to address those issues.

The ACTING SPEAKER (Mr K. Smith) — Order! I call the member for South Barwon, and I ask him to stick to the bill.

Mr CRUTCHFIELD (South Barwon) — I will, Acting Speaker. I note that you were extremely generous to the previous speaker. I will take your advice and stick to the bill. I did not think democracy was going to be too contentious in the debate on this particular bill, but it seems that the reverse is true. I am sure that members will calm down after the enthusiasm of the previous speaker.

I am pleased to speak on the Land (Revocation of Reservations) Bill 2008. It is a mechanical bill and is reasonably straightforward. As members who have been here for a while will know, such bills come before the house fairly regularly. There was one last year and they are almost an annual occurrence. They revoke permanent reservations over Crown land. This bill relates to six pieces of Crown land, and contributes to the ongoing rationalisation of public land in terms of disposing of Crown land for public use. In these cases none of the land is public open space, which is a message I want to make very clear. It is not about taking over open space and selling it to developers or others of that ilk.

I will go through the pieces of land one by one. I know the member for Murray Valley will be interested, as three of these are in his electorate. One is in the electorate of the member for East Gippsland and one is in my electorate. The bill will enable the government to sell surplus land at Yarrawonga — the site of the former police residence there, right near the river — that the member will be well aware of. Importantly, a new police station has been constructed there, which fact seems to have eluded some members opposite. At Boorhaman, Brimin and Marlo private residences encroach on Crown land and that has created difficulties, particularly for the gentleman who has been attempting to sell his properties in Marlo. I have been to the land in Marlo, and some 18 months ago I was at that residence with the member for East Gippsland. I am glad that there has been some degree of resolution for the member and also the residents.

The other pieces of land relate to the legal status of Mount Duneed Regional Primary School and the Talbot Free Library so that they come under new management arrangements.

The revocations are supported by all stakeholders, including local councils, which again may be news to the member for Warrandyte. It is my understanding that the Shire of Moira has not opposed the sale of the old police residence site to VicRoads, and it is my understanding — and the member for Murray Valley may correct me — that it is an important part of planning for a possible second river crossing there. I suggest quite strongly that any attempt to disrupt this process will be of serious concern not only to Moira shire but to Yarrawonga generally. Although the previous speaker may have had some fun reading his speech, the implications are quite serious for the residents of Yarrawonga.

An honourable member interjected.

Mr CRUTCHFIELD — No, I am not, actually. It is instructive to understand that whilst we can have fun in raising issues that are not in the bill, they could have unnecessary and unwelcome impacts if they ever came to fruition. Thankfully they will not.

The Talbot Free Library is, I think, in the electorate of the minister at the table, the Minister for Agriculture. The bill will revoke that reservation. Currently the status of the land is that it is for the use of a library facility. Removing the reservation and the Crown grant will enable the status of the land to reflect its current

use as a community facility. The library building will continue to be used as a community facility. It will also enable the Central Goldfields shire and the community management group there, with whom I am sure the member is very familiar, to more easily access possible grants, whether they be from council, state government or the federal government.

The revocations at Marlo, Boorhaman and Brimin are about tidying up boundaries where residences are adjacent to Crown land. That will allow the residents to sell their properties. I emphasise that they are small pieces of land; I think the one at Marlo is the largest at 490 square metres and the other two are just over 100 square metres. Importantly, they will be sold at market prices. The responsible shires are very supportive of a resolution of these particular issues. I note that there was mention earlier of the member for Murray Valley earlier. This has been a longstanding issue, and I know it is the same for the member for East Gippsland. I thank both of them for their work and I am certain that the land-holders will be appreciative of their overtures to the government.

My last comment is in respect to the Mount Duneed Regional Primary School site. Currently the land is under the control of the committee of management of the council. Clearly that is not what was intended back in the 1970s. The land, which is currently the site of a primary school, needs to be zoned appropriately so that the Department of Education and Early Childhood Development will take over responsibility for it. The council does not object to that. The school is not in the Armstrong Creek development zone, but it certainly abuts it, and in the not-too-distant future, when that suburb is under way, I think you will find that Mount Duneed Regional Primary School will be relocated in that growth area.

I ask for patience while I thank the Mount Duneed Regional Primary School's principal, Christian Smith. On a number of occasions when I have been there, the school has raised the issue of Crown land and the fact that the council has to all intents and purposes been the manager of a school. That is not the council's core business, and the school has raised that issue. I also compliment the school on its wonderful environmental efforts along Thompsons Creek. I wish the school well in the future, and I wish the bill a speedy passage.

Mr CRISP (Mildura) — I rise to talk about the Land (Revocation of Reservations) Bill. The purpose of this bill is to amend the Crown Land (Reserves) Act 1978, to revoke the permanent reservation of land at Yarrawonga, Marlo, Boorhaman and Brimin and the land occupied by the Talbot Free Library and the Mount Duneed Regional Primary School, and to allow the government to sell surplus land and to update the legal status and management arrangements of other land.

The main provisions for the revocation of land reservations will mean that the land will be freed of restrictions and can then be dealt with as is detailed in the bill. The locations are quite interesting. The six portions at Yarrawonga overlook the lake, and I understand from the member for Murray Valley that they have a wonderful view. Marlo is just 15 kilometres west of Orbost in the electorate of East Gippsland. Boorhaman is near Wangaratta and Brimin is near Rutherglen in the electorate of Murray Valley. Talbot is near Ballarat and Mount Duneed is near Geelong, as we have just heard from the member for South Barwon. The bill will allow adjustments to the status of the permanently reserved lands to allow the government to sell the surplus land and update the legal status of and management arrangement for that land. As is stated in clause 10 of the bill, on revocation the land is deemed to be unalienated Crown land, freed and discharged from all trusts, limitations, reservations, restrictions, encumbrances, estates and interests, and the appointment of any committee of management is revoked.

An issues arises that in many of these instances the purpose of the original reservation was for a community benefit in some way, shape or form. I believe that the proceeds from the sale of the land should be used to benefit communities rather than be sucked away into the Melbourne coffers. I know they are only small amounts, but it would be a fitting legacy for the communities that are affected if the funds raised could be delivered back to them in some way, shape or form. It would be a genuine way to help them rather than having the funds just move into consolidated revenue. It would enable communities to find local solutions to local problems, particularly in cases when the sales generate a cash component.

The Yarrawonga land is currently occupied by a police residence. We have heard that is a contentious issue. I have formed the view that all police residences are needed and until such time as an alternative residence is provided, the existing one should remain. Housing is a key issue in attracting quality staff to positions throughout Victoria, and therefore I am supporting the amendment to remove this aspect from the bill until better arrangements are made to give people confidence that all housing needs and requirements are being met.

As I have already said, this is important in the recruitment and retention issue. It is important to have

quality police members in Yarrawonga and other places, and the provision of quality housing is important in achieving that. As we have also heard from the member for Warrandyte, this strengthens communities and gives them confidence that they are attracting the best officers they can to reside in, be happy about and contribute to their communities, thereby making them stronger. Elsewhere in the state there is also concern about police residences. This is very much a sentinel issue when we are going to send a message to the rest of the state saying how we feel about police residences.

The Talbot Free Library is also of interest. Free libraries were often associated with mechanics institutes and date back to the 1850s. Statehood and time have changed things, and history has largely passed them by, but six still survive. The Talbot library is probably a legacy of the central goldfields and district gold rush era. Libraries hold knowledge, which is a part of providing education and free access to knowledge. History shows us that having free libraries means that at some stage knowledge must have been charged for. Free access to knowledge is still as important today as it was at the time of the Talbot Free Library. There is a need to preserve the history of the commitment to free access to knowledge

I hope that will happen through this bill, and that the library will pass to community control and the community will remember what has been done. Certainly we need to be mindful today of the commitment at that time and place to education. We need to ensure that the values upheld in such difficult conditions are continued. We have heard talk throughout this debate of ensuring that we have adequately remunerated teachers. That principle has come a long way through time.

The Nationals in coalition support the amendment to exclude the police land and wish the remainder of the bill a speedy passage.

Mr BROOKS (Bundoora) — It is a pleasure to speak in and contribute to the debate on the Land (Revocation of Reservations) Bill 2008. The purpose of the bill, as set out in clause 1, is to revoke the permanent reservation of certain land at Yarrawonga, to revoke the permanent reservation and related Crown grant of land currently occupied by the Talbot Free Library; to revoke the permanent reservation of certain land specified in the schedule to the bill at Marlo, Boorhaman and Brimin; and to revoke the permanent reservation of the land that is currently occupied by the Mount Duneed Regional Primary School.

It is important at the outset to indicate that no public open space is being taken away by this bill. It is a mechanical bill that will allow this land to be more efficiently utilised either by the community or the police, or in some cases allocated for sale to the owners of private properties that adjoin the specified land. The revocations are supported by all the stakeholders, including the local councils, and any sale of land under the legislation will be in accordance with the government's normal procedures for the sale of Crown land.

I note the bill has been considered by the Scrutiny of Acts and Regulations Committee, of which I am a member. Other than picking up a numerical reference the committee offered no adverse comment on the bill. It is important to point out that compared with some of the bills we deal with in this place this is a fairly narrow bill. It is not a broad policy bill; it deals with just a few specific issues. Nonetheless it is a very important bill, particularly for the local communities that are affected by some of the parcels of land mentioned in it.

The Talbot Free Library section of the bill will see the revocation of the reservation and Crown grant to allow the use of the land to be updated to reflect its current use as a community hall. I understand that as part of this a committee of management from the local community will be established, which will help it, under the new land use, to obtain funding to improve the facility into the future. The revocations at Marlo, Boorhaman and Brimin will allow the government to sell small parcels of land to adjoining property owners, to essentially tidy up some of the boundary issues that have become apparent and to ensure there is the most efficient possible use of the land. And of course revocation of the reservation on the Mount Duneed Regional Primary School site will allow the current use of the land to be reflected in the reservation.

In reference to the amendment proposed by the opposition dealing with the Yarrawonga land, it is interesting to note there was no mention of the fact that this government is investing $1.8 million in a new police station at Yarrawonga. That project is now under way. I understand the proceeds of the sale of the police property at Yarrawonga will be used as part of the budget for the upgraded or new police station. So I am left wondering whether the amendment put forward by the opposition will impact on the budget for the new police station. We may, in fact, be seeing the opposition trying to reduce the budget for a new police station in rural Victoria. Certainly the opposition has plenty of form when it comes to cutting police services. This is the first time, from memory, that I have seen this

happening from the opposition, but it is a novel approach for it to take.

It is interesting to note in that particular circumstance that the Moira Shire Council supports the revocation of the reservation. As my colleague the member for South Barwon mentioned, the land in question may possibly be used by VicRoads for a second crossing of the river, so it is an important piece of land for local community members to have some say about. I am not sure whether they have been consulted by the opposition on the amendment it is proposing, but I am sure we will find out in the near future.

In his wide-ranging contribution to the debate, the honourable member for Warrandyte talked a lot about the different aspects of policing in rural Victoria. The Brumby government has committed $400 million for the construction and refurbishment of 149 police stations and residences across the state. That is the largest ever police station building program in Victoria. Of those 149 stations and residences, over 110 — that is, over three-quarters — are in regional Victoria. I am sure the Yarrawonga police station, which as I mentioned is worth $1.89 million, will be a great asset for the local community. I commend the bill to the house, and I wish it a speedy passage.

Ms ASHER (Brighton) — I congratulate the honourable member for Warrandyte on the research he has undertaken and the work he has done as lead speaker for the coalition on this very important bill, the Land (Revocation of Reservations) Bill 2008. As he has already indicated, the coalition supports the bill. In particular the bill covers six pieces of land and we support what the government proposes to do with five, but I also support the amendment proposed by the member for Warrandyte, which clearly questions why the government is seeking to dispose of the land component in Yarrawonga which currently houses a police residence. The rationale for this, as I think has been clearly outlined, is that the government claims this land is not needed for the redevelopment of the Yarrawonga police station. In fact the honourable member for Bundoora just indicated to the house that the government had made a budgetary allocation from the sale of this land to upgrade the Yarrawonga police station.

The point the opposition is seeking to make in the proposed amendments before the house is that we do not agree with the sale of this particular property, the police residence at Yarrawonga, along with a range of others. We think the government should make a budget allocation of its own for the upgrade of Yarrawonga police station. It is that rationale which supports the amendment proposed by the member for Warrandyte. I would also like to take up the debating point made by the member for Bundoora, who seemed to indicate it was all right to dispose of a police residence at Yarrawonga in order to fund a police station. Again, I query the way the government is doing this. I have great objection to the fact that the government proposes to sell land in Carpenter and Asling streets, Brighton, shut down the Brighton police station and move the police to a new police station in Sandringham. We in particular want a police station in Brighton.

Honourable members interjecting.

Ms ASHER — I understand it is not the topic of this bill, but I am more than happy to convey to the house that the member for Brighton will not tolerate this particular sale of government land. However, I digress slightly from the bill before the house. I also want to make reference to the fact that in five of the six cases the opposition agrees with the proposition put by the government, but obviously not in this particular case.

Other speakers have touched on the Talbot Free Library. The second-reading speech notes and the government in its briefing has advised that the trustees and beneficiaries are now deceased. The building is used as a community hall, and the government wishes to continue this type of community use and appoint a new committee of management.

There are three land reservations in this bill that I want to touch on briefly — at Marlo, Boorhaman and Brimin — where obviously there have been ongoing problems in relation to adjoining private property owners and boundary anomalies. I understand this has been a very lengthy process, and I am actually pleased to see common sense prevail in these three cases. The bill's provisions will allow owners of next-door properties in particular to acquire the land in question.

The Boorhaman land, as described in schedule 4, is 105 square metres, and the Brimin land, listed at schedule 5, is 106 square metres. It seems to me that a practical solution has been reached, albeit that the problem has been going on for a long time. I know the member for Murray Valley has been very active in trying to obtain or arrive at solutions in his electorate.

In regard to the Marlo land, which is mentioned in clause 6 of the bill, we have a circumstance where a residence has been built across a boundary, as I understand it from the officer providing the briefing to the opposition. It would appear to me that this is a practical and sensible solution which will allow the owner to sell if he or she wishes to do so.

The Mount Duneed land is currently occupied by Mount Duneed Regional Primary School. The government's desire is to see a new committee of management — the Department of Education and Early Childhood Development. I will resist the temptation to refer to the fact that Victorian teachers should receive the highest salaries across Australia.

Mr Foley — Resist!

Ms ASHER — I have resisted. With those few words, I again indicate that the opposition supports the bill as it relates to five out of the six pieces of land. I particularly support the sensible amendment foreshadowed by the member for Warrandyte which will safeguard police resources.

Mr INGRAM (Gippsland East) — It is a pleasure to speak on the Land (Revocation of Reservations) Bill 2008. I will focus my comments on clause 6 of the bill. As many members have indicated, this clause concerns the land at Marlo, which is in my electorate. The land that we are talking about is on the Marlo–Orbost road. Anyone who knows that area will know it runs alongside the Snowy River. This particular piece of land is a small sliver of land on the road reservation. Next to it is the land that connects to the river reserve.

If members look at the history of this land, they will see it has been a difficult issue. If they look at the maps, they will see that the boundaries of the land and where the river sits in the environment are not necessarily consistent with the establishment of the original land tenure. When the farmers first settled that area, the boundaries were in one place and over time the road has been moved, buildings have been established adjacent to the road and fences have been put in particular places. The farmers thought the boundary fences were in the right spots, so they built their houses behind them. It was not until it was proposed that this land be sold that the issue came up.

I will point out that I know Ian McKeown very well — he is the land-holder of this land. The McKeowns and Camerons — Mary McKeown is a Cameron — were among the original settlers of this land. The land is some of the most productive and fertile river flat land not only anywhere in Australia but the world. The land has been in the same family since the first settlement, and this came up when the land was put up for sale. I have discussed this issue with Ian on a number of occasions. I think I can say that while it has been a fairly long, drawn-out process, he has had a reasonable response from the government.

I am glad this has come about and that tenure will be secured and the property boundaries recognised. As I understand it, the land will be sold to those people, and the sale price will be based on the value of the land. In this case the land is highly valued agricultural land. As indicated, it is a dairy farm. One of the buildings in the area that we are talking about is the dairy shed. Dairy farms on the Snowy River have to front the river. Because the land is fairly low and highly flood prone, they need to be on the highest land, which is always on the river frontage. There have been historic problems with that.

I am sure Ian would recognise that this is an important step forward. If you went through the other process, you would have to move the buildings or the dairy sheds and that would impose incredible hardship and costs on those farmers. This is a sensible change. It recognises where the boundaries need to be. There is room there for the road.

People who know this area would know that a riparian rainforest has been re-established on the Snowy River in the reserve opposite the road we are talking about. It is an incredibly important piece of native vegetation. Immediately opposite the land referred to in this bill, on the other side of the river, is the last remnant of river rainforest on that section of the river. It is an important and highly valued piece of land.

The farms we are talking about are profitable dairy farms being run without irrigation. In today's environment anyone would acknowledge that if you can run highly profitable dairy farms without irrigation, then the land is worth a lot of money not only to the land-holders but also to the Victorian community. With those words, I commend the bill to the house.

Mr JASPER (Murray Valley) — I am pleased to join the debate on the Land (Revocation of Reservations) Bill 2008, which proposes to revoke a number of permanent reservations of land and reallocate them as unreserved land. In particular I want to refer to the three areas which fall within my electorate of Murray Valley. I have great interest in and am very much aware of the circumstances relating to these three pieces of land contained in the legislation. I am thankful for the cooperation I have received from the department and particularly from Maurie Grealy who clarified one or two points just to make sure I had the facts right.

I refer to the two small pieces of land at Boorhaman North and Brimin initially. Those two pieces of land are adjacent to the Murray Valley Highway and what they call Parolas Bridge, which goes over the Ovens River.

One of those sites is on the southern side in the Boorhaman area and the other piece of land, in the Brimin area, is on the northern side of the Murray Valley Highway. This has been the subject of representations over a long time to get corrective action where houses have inadvertently been built over Crown land.

In relation to the Boorhaman land, there have been a number of owners since I started making representations to try to get appropriate clarification and a transfer of this land to unreserved land which could then be sold to the adjacent landowners. Despite the confusion, each of those houses has been sold and resold on many occasions. My most recent correspondence has been with Mr and Mrs Bruce Morgan about the Boorhaman land. They came to me in the middle of last year — 2007 — to bring this to my attention to try to get appropriate action taken. I took the matter up with the department and in particular with the minister. They indicated in response to my representations that the land would be included in legislation in the early part of 2008. I thank the department and the minister for bringing this forward and clarifying the position so Mr and Mrs Morgan can get ownership of that piece of land by valuation and then satisfactorily sell the land should that be required.

Des Phelan and Karen Thompson are on the Brimin land. It is of a similar size — just over 100 square metres. It has also been the subject of representations over time through subsequent owners. I welcome the fact that this land has been included in this legislation before the house and that we will achieve a satisfactory outcome.

The other area of land relates to the site of the police house in Yarrawonga. I want to go back in history a little. In the early 1980s provision was made for a new police station for Yarrawonga. Race Mathews was the Minister for Police and Emergency Services at the time. It was proposed that a new police station would be constructed at Yarrawonga. At that time the police residence was on an adjacent piece of land overlooking Lake Mulwala. The police minister and the department looked at selling that piece of land adjacent to Lake Mulwala. I said the minister should put a new police station and a new house on that land as that would attract the best possible senior police officer to take over that residence.

In fact the minister came back to me a short time later and said, 'I agree with what you are suggesting' and so we had a new station and a new police residence built, and that was opened on 12 December 1983. What we have found over the years is that because of the police residence and its position overlooking Lake Mulwala, there have never been problems securing a senior police officer to take over a position. In fact, there have often been 10 or more people applying for the position, which is not the case with some of the positions the police are trying to fill in many other areas across country Victoria. So that has certainly been successful.

In recent times there has been a need for additional police stations to be built across my electorate of Murray Valley. In the late 1980s a new police station was constructed at Cobram, and the minister for police at the time, Steve Crabb, showed me the plans and said, 'This station is too big for Cobram', and I said to him, 'No, you are building it for the future'. A couple of days later he told me, 'We have agreed to go ahead with the plans as they are shown'. We have had an expansion of population right along the Murray River region, particularly at Yarrawonga and Cobram. We pressed then to get a 24-hour police station provided within the electorate of Murray Valley but without success. The Cobram police are now using the garage and the house at the back of the station to accommodate officers. There is general agreement that because of the population growth at Yarrawonga, that is where further expansion will take place. A new police station is to be built on the Murray Valley Highway, and the foundations for that station have been poured already.

The complication that we have here is that we are also looking for a new bridge over Lake Mulwala to replace the ageing bridge, which was built in 1926. I must say it is the only new bridge I need built across the Murray River within my electorate of Murray Valley. After the Tocumwal bridge was built in 1989 — and that was the first new bridge over the Murray River for 50 years — I said, 'If they are going to build them at this rate, I will be dead before the next one is built'. We have had bridges built at Corowa, Howlong and Cobram, so the only one we need now is at Yarrawonga. An initial report has been prepared and a range of options is being looked at. One is alongside the railway line, which would go along with the existing police station and police residence. It is one of the six that are being looked at, and it is probably the one that has received the most support. We are looking to get more funding from the Minister for Police and Emergency Services so it can go forward with the next report of the alternative routes and possibly be constructed by the end of 2020. But we do need it to be done more quickly than that, so we are working on it.

This bill provides for the sale of the house overlooking Lake Mulwala from the police station to VicRoads, and VicRoads would obviously retain that house and use it for rental purposes and hopefully continue with that

residence for the police. But I also support the fact that a new police house needs to be constructed in conjunction with the police station on the basis that it would need to continue to attract the most qualified police officers to go to country areas, particularly in the northern part of the state. There is no doubt it is an issue of concern. The issue of the police residence and the amendments that are being put forward by the coalition in opposition are important. There needs to be consideration of the continued construction of houses in country Victoria for police, particularly at one-man stations.

This block of land at Yarrawonga would be transferred to VicRoads and would provide the option of a new bridge for Lake Mulwala, and I think that will be critical in the consideration of alternative routes. I believe also that the sale of this land to VicRoads, on evaluation, would provide for the continued usage of this police house at least for a number of years before it was required, if this becomes the suggested route which is to be used. If it is not required and another route for the bridge is successful, VicRoads would have a very fine piece of land which it could and probably would resell at a profit in future years because of the escalating value of land for housing that overlooks Lake Mulwala, which is usually a full all year round. It is an attractive residential area for people.

Given the expanding population in this part of the state, particularly at Yarrawonga, I welcome the fact that we will be getting a new police station located appropriately on the Murray Valley Highway. But we need to consider what should be done with the land the police house is currently on, which overlooks Lake Mulwala, and make sure it continues for the time being to be utilised as a rental property for a senior police officer and to attract such an officer to that area to support the police operations, which are in high demand due to the expanding population at Yarrawonga and Mulwala.

It is an important bill and an important piece of legislation and I support the fact that these areas of land have been brought before the house to be considered.

Debate adjourned on motion of Mr FOLEY (Albert Park).

Debate adjourned until later this day.

CONSTITUTION AMENDMENT (JUDICIAL PENSIONS) BILL

Second reading

Debate resumed from 6 December 2007; motion of Mr HULLS (Attorney-General).

Government amendments circulated by Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) pursuant to standing orders.

Mr CLARK (Box Hill) — There are two main purposes of the Constitution Amendment (Judicial Pensions) Bill. The first is to provide for pensions from the Consolidated Fund to be paid to partners of judges, masters, the Governor, the solicitor-general, the chief magistrate, the chief Crown prosecutor and senior Crown prosecutors. The second main purpose is to provide for the so-called separate interest method of dividing pension entitlements in divorce proceedings in relation to various statutory pensions payable in Victoria.

The provisions for the separate interest method of dividing pension entitlements in divorce proceedings are similar to those that were inserted into Victorian defined benefit superannuation schemes by the Superannuation Acts (Family Law) Act 2003 with the exception that the relevant powers and functions under the bill are to be exercised by the minister rather than by the board of a fund as was the case with those earlier amendments.

In relation to the provision of pensions from the Consolidated Fund, there are a range of particular clauses in the bill that should be referred to, but it is important to emphasise, before commencing on the examination of those particular clauses, that the pensions we are talking about in this case are not payments that are to come from an accumulation superannuation scheme. An accumulation scheme is one where the employer and the employee make contributions of funds which are invested on behalf of the employee and where at the relevant time the employee receives the amount that has accumulated in the fund. Nor are the pensions dealt with by this legislation pensions that come from a defined benefit superannuation scheme such as the continuing defined benefit superannuation scheme for various emergency services workers. Rather the pensions to which this bill relates are pensions that are paid directly from the Consolidated Fund to the person entitled to them. There is no separate fund set aside to provide for these pensions.

The bill provides that in the case of persons such as the judges and other public officials I referred to who are already entitled to pension benefits — that is, whose entitlement preceded the commencement of this legislation — that entitlement will be extended from a pension for a spouse, as applies at present, to pensions for both spouses and persons of the opposite sex who, in the minister's opinion, lived with the other person on a bona fide domestic basis as husband or wife.

In relation to judges and other public officers who become entitled to benefits after the commencement of the legislation, the bill extends the entitlement to a pension to both spouses and domestic partners. Domestic partners are defined initially in the Constitution Act and the County Court Act as being persons with whom, in the minister's opinion, the person is or was at the time of the person's death living as a couple on a genuine domestic basis, irrespective of gender. Upon the commencement of the Relationships Act, which was passed by this house recently and royal assent to which I understand was reported in the house earlier today, the definitions provided for by this bill will change so that they also include a person in a registered relationship.

The bill also provides that a pension that is paid to a partner under the Constitution Act, the Supreme Court Act and the County Court Act ceases if that person becomes the domestic partner of another person. The bill includes as eligible children in relation to judges and masters pensions the children of the judge's or master's partner.

A range of issues are raised by this bill. They include issues in many respects similar to those raised by the Relationships Bill in respect of the status conferred by the legislation on various relationships and the messages that might send to the community about issues of commitment in relationships and about the interests of children. Those issues in turn raise a range of the same moral and very broad public policy issues that the Relationships Bill did — issues on which a number of members have very deeply held views. We have determined that in the same way that the Liberal Party and The Nationals had a free vote on the Relationships Bill, our members will have a free vote on this bill.

Beyond issues of the type I have just referred to, there are a range of other concerns raised by this bill, concerns shared by many on this side of the house. They are issues in relation to which we will certainly be looking for answers during the debate in the Assembly, because a number of them are quite fundamental to the operation of the legislation and to the views that some individual members may form about this legislation.

The first of those issues that I would put before the house is the issue of whether or not the bill will allow taxpayer funded pensions to be paid to multiple partners of a deceased judge or other public officer. We know that under the scheme of the relationships legislation, and indeed under the scheme of previous legislation passed by this Parliament, it is possible for a person to have both a spouse and a de facto partner — that is, a domestic partner who is not a registered partner under the Relationships Act.

It is also possible under the relationships legislation to have both a registered partner and an unregistered partner. The question then becomes: if a person entitled to a pension dies, leaving both a spouse and a domestic partner or a registered partner and an unregistered partner, who qualifies for a pension? I should make the point that this is not a question of apportionment. There is no provision in the legislation that a pension can be given pro rata if more than one person may be entitled to it. In the sorts of circumstances I have described the legislation must operate so that either both partners will qualify or one will qualify wholly to the exclusion of the other.

To demonstrate how the legislation may operate in that way, I draw attention to the definition of 'partner' in clause 3 of the bill, which inserts proposed section 5A into the Constitution Act. The definition in that clause is to the effect that 'partner' means:

> (a) in relation to a person who became entitled to benefits under this Act before the commencement of —

the legislation currently before the house —

> (i) the person's husband, wife, widower or widow, or
>
> (ii) a person of the opposite sex who, though not married to the person, in the opinion of the Minister lives with the person, or lived with the person at the date of the person's death, on a bona fide domestic basis as the person's husband or wife;
>
> (b) in any other case, the person's spouse or domestic partner.

Let us concentrate on paragraph (b), for simplicity's sake. It is clear that a partner can be the person's spouse or their domestic partner. Then if we look, for example, at the amendments made to section 7A of the Constitution Act in relation to the Governor and similar corresponding amendments in relation to other public officers, we see that the amendment contained in the bill simply substitutes for the word 'spouse' wherever

occurring the word 'partner'. The difficulty with that definition is that you can have only one spouse at a time but, for the reasons that I have indicated earlier, it is possible to have both a spouse and a domestic partner or a registered partner and an unregistered domestic partner.

It seems to me that it is most likely that, if a court were called upon to interpret this provision, it would rule in favour of any person who qualified within the definition. That could arise if a deceased judge or public official had before their death left their spouse and commenced a domestic relationship with another person and there had been no divorce of their spouse at the time of their death so that both their spouse and the domestic partner could fall within the definition and could each claim a pension. That raises quite serious public policy issues as to whether it would be appropriate for more than one pension to be paid in these circumstances. Certainly in other walks of life people do not find it so easy to attract additional taxpayers funds when there is a breakdown in a marriage or domestic relationship or if someone establishes a domestic relationship with someone else without the knowledge of their spouse. Yet on the way this legislation is drafted it would seem that this is what could happen in this situation. As a matter of public policy we have to ask ourselves whether that is fair and appropriate.

The converse interpretation of the legislation would in effect be that one of the persons will be excluded if another qualifies. It could be that that would operate in a particularly inequitable manner because, if a judge or public officer has established a relationship with someone else without the knowledge of their spouse or if they have left their spouse and entered into another domestic relationship and divorce proceedings have not reached completion, the spouse will be deprived of a pension. The public policy objective of pensions being paid from the Consolidated Fund would seem to me to be at least in part an encouragement to persons considering appointments to the judiciary — and, importantly, to their spouses or in future to other partners — to accept what is often a reduction in salary compared with the income they would currently be earning but with the assurance that a pension will be payable both to the judge and to their spouse or other lifelong or long-term partner. That public policy objective would be undermined if that spouse or other long-term partner could, without even their knowledge, be excluded from entitlement to a pension because another domestic relationship had been commenced. So either public policy outcome would seem to be unacceptable. To many members on this side of the house this is an important matter that needs to be clarified during the course of debate in this house.

It is worth making the point that this issue does not arise in other defined benefits superannuation legislation, such as the Parliamentary Salaries and Superannuation Act, because, as best I can make out, entitlement under that legislation requires a certain duration of the domestic partnership before there is a qualification, which in particular eliminates in practical terms the likelihood of a spouse or other long-term partner being deprived of a pension without their knowledge. That certainly seems to have been the case as the Parliamentary Salaries and Superannuation Act stood prior to the relationships legislation coming into effect, and I think it continues that way. In any event this is certainly an issue on which we are looking forward to a response from the Attorney-General or another person from the government side of the house who can speak with authority on this issue.

The second aspect that causes us considerable concern — and it is my understanding it has also caused concern among senior judicial officers within this state — is the fact that the bill provides that in some circumstances the entitlements of de facto partners are dependent on the exercise of the minister's opinion. I refer for example to the definition of 'domestic partner' inserted into the Constitution Act by new section 5A in clause 3 of the bill. I refer also to clause 22 of the bill, which provides a new definition of 'domestic partner', which is intended to be put in place after the relationships legislation comes into force. In the case of both definitions there is a dependence on the minister's opinion. For example, clause 3 states:

> … domestic partner of a person means a person to whom the person is not married but with whom, in the opinion of the Minister, the person is, or was at the time of the person's death, living as a couple on a genuine domestic basis (irrespective of gender).

The reason this is a concern is that it goes to the issue of judicial independence. A judge's entitlement should not be dependent upon the views of a member of the executive, because that would have the tendency, either actually or in perception, to compromise the independence of the judiciary. While the bill talks about the minister's opinion which, in accordance with legal principles, may well need to be a reasonable opinion, nonetheless there are circumstances where it would be open to the minister to form a range of possible opinions that would not be held to be unreasonable. That means that the entitlements of a partner of a deceased judge or other public office holder would be dependent on the conclusion reached by the minister and that seems unsatisfactory.

In relation to other defined entitlements where there is an established superannuation fund, the problem does not arise because there is a board of a fund or there are trustees who can exercise that discretion. I assume the government's reason for having the minister as the opinion exerciser in this case is that, because payments come straight from the Consolidated Fund, there is no board or body of trustees. In my view, the government should have sought a different solution to this problem. I understand that the government intends that in practice the minister will look to the advice or recommendations of the chief justice or other heads of jurisdictions as to the circumstances of the case, but I do not believe that this is an entirely satisfactory solution. In particular it ultimately remains the minister's opinion that is being exercised. Again, we on this side of the house look forward to an authoritative response to this issue by the government during the course of the debate in this house.

Some other aspects of the bill are worth mentioning. Some organisations which have contacted the opposition have pointed to the fact that the bill extends the pension rights for existing retirees to de facto spouses but not to same-sex partners. This aspect follows a model that has been adopted in previous superannuation legislation, but nonetheless I would welcome an explanation from the Attorney-General or another government speaker as to the rationale for this position.

There seem to be some anomalies in the coverage of this legislation. For example, it seems that the legislation may not extend the operation of the pension provisions for the Director of Public Prosecutions (DPP) in the same way that it is extended for other public officers. That does not seem to be consistent with what the government is trying to achieve because the Director of Public Prosecutions is entitled to a pension under the Constitution Act by virtue of section 87AF. There is no provision to alter the reference to the spouse of the Director of Public Prosecutions in that section. I ask the question whether that was intended or whether the government is dealing with the pension entitlement of a spouse of a deceased former DPP by some other route.

There is an issue that arises from clause 7 of the bill in relation to the extending of pension entitlements to include the children of partners of judges. I ask for clarification as to whether it is intended that eligible children of partners of judges will include children who are born to a partner of a deceased judge if that partner has entered into a relationship with another person after the death of that judge and if that child is born as a result of the subsequent relationship. That would seem to be one of the consequences of clause 7 of the bill. I ask whether this consequence is intended.

I previously indicated that the opposition parties have agreed to accord their members a free vote on this bill. So far in my contribution I have expressed a position on behalf of the opposition parties, but in conclusion — and on my own account — I am opposed to this legislation on the broad policy grounds that are very similar to those which I raised in relation to the Relationships Bill and which I will not repeat in regard to this bill.

However, as I have said, over and above the particular views that individual opposition members may have about this bill, there is a range of concerns about its operation particularly as to whether it will allow taxpayer-funded pensions to be paid to multiple partners in various circumstances and as to the potential exercise of the minister's opinion to compromise the independence of the judiciary. I look forward to and call for the government's response on these issues during the course of the debate.

Mr HUDSON (Bentleigh) — It is a great pleasure to rise to speak in support of the Constitution Amendment (Judicial Pensions) Bill, because it builds on the great reforms that this Labor government has introduced since it has been in office to protect the rights of all citizens. This bill is about treating people with respect, dignity and fairness.

The Parliament, through the Equal Opportunity Act, has long recognised that we should not discriminate against people on the basis of their sexual orientation. Those people should have the same rights, benefits and responsibilities as people in other relationships, and it builds on the reforms that this government implemented in the Relationships Bill 2001 when we acted to amend 57 acts of Parliament and removed discrimination between same-sex partners and unmarried couples in areas such as property, finance, health and death. For the first time, we gave those people an entitlement and rights to property and superannuation. We did that because we recognised there was unfinished business left over from the changes we made to the Equal Opportunity Act in the 1990s. While we had made it clear that people should not be discriminated against on the basis of their sexual orientation and we enacted legislation to remove discrimination, the reality for many people was still very different.

There were still major legal impediments to people exercising their legal rights. We swept those away with the changes we made to the 2001 Relationships Bill.

Unfortunately, there are still a couple of areas where discrimination is entrenched in our constitution and in our law, and the area of judicial pensions is one of them.

The law in relation to judicial pensions is both ancient, but sadly also antiquated. It was a law drafted in the middle of the 19th century and it made reversionary pensions available only to the married spouses of judicial and other constitutionally protected officers. This bill amends that legislation and gives recognition and respect to the fact that we have a wide range of relationships today.

For too long, the law has failed to recognise the reality of people's lives. One of our greatest judges and jurists, High Court judge Justice Michael Kirby, has been at the forefront in promoting and protecting the human rights that we all have as citizens. He has been at the forefront of delivering judgements based on written and implied rights that exist in our Australian constitution. He has been a courageous public figure, a figure who has been open about his longstanding and loving relationship with his partner Johan Van Vlotin. The dignity with which he has honoured that relationship has emerged undiminished despite the efforts of the likes of Senator Bill Heffernan, who, through his smears and lies tried to denigrate Justice Michael Kirby based on his sexual orientation, only to be forced into a humiliating backdown by the then Prime Minister, John Howard.

There is a cruel irony in the fact that the laws that he has presided over as a judge have not upheld his rights, and it was he who brought this issue to the attention of the community and the federal government last year when he wrote to then Attorney-General Ruddock in July 2007. He asked the Howard government to change the law that would give recognition to the relationship that he had with his partner of 38 years, so if he died his partner could access a part-pension just as any other heterosexual partner would. It is to the eternal shame of Attorney-General Ruddock that at the time he said it would be inappropriate to deal with Justice Kirby's issue until we had addressed the broader issue of law reform in relation to same-sex partners. The problem was that in 11½ years the Howard government had not dealt with any areas of law reform in relation to same-sex relationships, despite the fact that it had a report from the Human Rights and Equal Opportunity Commission that highlighted 58 federal laws which discriminated against same-sex couples in areas such as financial and work-related entitlements.

Attorney-General Ruddock's failure to act on this matter moved the then coalition backbencher Warren Entsch in the *Age* of 30 July 2007 to label the government's reform efforts as 'pathetic':

> 'I have got no problem with the Attorney-General saying we will do it on a case-by-case basis', he told ABC radio, 'but they have been telling me that for the past two years'.

Attorney-General Ruddock never reformed those laws and no doubt it will remain an area that will have to be addressed by the new Rudd Labor government. Here in Victoria we are pressing on with reform. We recognise that this area needs to be reformed and we invite the opposition to join with us in bringing about this change to make sure that not only do we not allow discrimination under the Equal Opportunity Act but we ensure that there is no discrimination, either in our constitution or in any of our laws in relation to any of our citizens who are in same-sex relationships. This is about dignity, this is about respect and about equality. That is also what the Relationships Bill, which we debated in this house last month, was about. It was very disappointing that only six members of the Liberal Party and no members of The Nationals in this house voted in support of giving real judicial effect to the recognition of those relationships, and the fact that we should not discriminate against them.

This bill enables same-sex partners to be treated in the same way as the spouses of heterosexual judges in relation to their pension entitlements. At the moment they are not entitled to any benefit, even though they supported their partners in jobs which are onerous, which have a very high workload, and which are very stressful in relation to the requirements which we place on our judges. If the judge dies before their partner, the partner receives no entitlement at all. That is the injustice that this bill is designed to address. It is an injustice which we as a government believe should be removed from our constitution, because without this bill those partners would be left with no recognition whatsoever, no financial entitlement, no respect and no pension. That is a situation we find totally unacceptable. It is a situation we are determined to change.

We hope the opposition will join with us in recognising, as indeed the Equal Opportunity Commission here in Victoria and the Australian Human Rights and Equal Opportunity Commission at the federal level have already recognised in their reports, that there is a need to change the law. We need to recognise the rights of and remove the financial and legal discrimination confronted by same-sex partners of judicial officers. That is the challenge for the opposition. If at the end of the day it supports the reforms that were introduced in the 1990s by the Kennett government which said, 'Let us end

discrimination against people based on their sexual orientation. Let us not allow that discrimination to continue'. You cannot say, 'We support the Equal Opportunity Act' while at the same time saying, 'But we are not prepared to support the changes to the law that will allow those people to exercise those rights', which in this case means allowing the same-sex partners of judicial officers to exercise the same rights as heterosexual partners.

You cannot say on the one hand, 'We are against discrimination' and then on the other hand not do anything about removing that discrimination. That is the contradiction the opposition has to confront and overcome. It has to recognise that these people are entitled to the same rights as heterosexual partners. We cannot have it both ways. We cannot say on the one hand that we support removing discrimination but not do it in reality. I commend the bill to the house, and I urge the opposition to come out and support the bill with us.

Mr McINTOSH (Kew) — It is regrettable when legislation comes before us and the devil is in the detail. In relation to the bill, a lot of mention is made of the Relationships Bill 2007, although now it will carry the title 2008 as a result of the amendments circulated by the minister. The government cannot even get its own bill right. Perhaps the Relationships Bill that passed through this place is a controversial bill, but the devil is always in the detail. The member for Bentleigh mentioned that a small number of members of the opposition voted with the government on the Relationships Bill. I was one of those members.

The purposes of this bill exercised my mind for some time following its introduction, but perhaps not for the reasons the member for Bentleigh so blithely paraded. It is not the issue of same-sex couples, and it is not the issue of homosexuality that I have thought about. Indeed I worked in and in many respects lived in a chambers that housed some 30 practising barristers. The most senior member of those chambers was a man who lived openly with a homosexual partner of a number of years, and of course he would fall fairly and squarely within the definition of a domestic partner under both this bill and under the Relationships Bill. He was held in the utmost esteem in our chambers. He was every inch the most senior member of the chambers, both intellectually and in length of service. He was a former chairman of the bar counsel and was highly regarded. It is a matter of some note that his homosexuality was never an issue with any of us in those chambers. He has now retired from practice, but if he had been appointed to the bench he would have been able to avail himself of the provisions of this bill, and I would be the first to applaud that process.

My concern is much more fundamental than the matrimonial status or the partnership status of particular judges. As I said, I voted for the Relationships Bill. However, I am very concerned about another matter contained in this bill — and it is a matter of profound importance that goes to the whole nature of our judicial structure. I use the word 'independence', which is a word that is quite often bandied around in this place by a large number of people. You often hear the Minister for Police and Emergency Services talking about the independence of the Office of Police Integrity. We often hear the Attorney-General talking blithely about the independence of the judiciary. Again, as I said the word is bandied around so that it has become a term of art; it has almost become a term of derision or a term for debate. That is regrettable, because of course anybody who has practised at the bar would say that an independent judiciary is a pillar of our democratic process. I see that the member for Prahran is in the chamber. He would also say it is a very important cornerstone of that process. Indeed the member for Malvern, who is sitting next to me, is a former member of the bar.

This bill is a major challenge to the institution of an independent judiciary in this state, because judges are dealt with differently from us. They are different from other public servants and senior people who are in charge of independent statutory authorities. Judges are treated separately, and they have been treated separately as a matter of constitutional importance since 1688. By constitutional convention judges salaries always go up and they can never come down; and they are never determined as a matter of executive fiat, and particularly that of a minister. Of course at the end of the day that has to play out in a practical, political world, but it has been a matter of some significant constitutional background in this state that that constitutional imperative has never really been challenged by either of the major political parties. We debate things to do with the directing judges regarding sentencing. We debate whether judges are doing a good job, whether they should be working harder and whether we need more or fewer judges. We enter into all of these issues in the political ruck, but the one fundamental tenet that flows throughout our system is the way judges are paid.

As I said, judges are in a special category, and they are certainly not paid in the normal way public servants are paid. Likewise their pension entitlements come straight out of Consolidated Funds. They do not have a pension fund like we do. Again, to preserve their independence

they do not have pension funds like other people do; the money comes straight out of consolidated revenue. Once a judicial officer is appointed, he is appointed for life, and his salary and entitlements cannot in any way be dealt with by the executive government. Therefore, there can be no financial pressure imposed upon our judges or magistrates in this state as a result of that constitutional parameter. Of course magistrates are slightly different as well, but in relation to judges we have preserved the integrity of that system.

The concept of independence poses a major challenge because it is simple and easy to understand, and we can talk about it blithely. We can talk about independence, but it is a significant challenge. I hope this bill is not the thin edge of the wedge. The bill relates to a minister's ability to determine whether someone can benefit under the pension arrangement who is the beneficiary of a judge, their domestic partner, whether the relationship is a same-sex relationship or a heterosexual relationship. Essentially the Attorney-General can decide whether judges' beneficiaries can or cannot take the pension. Under no circumstances would I suggest that the current Attorney-General would ever use that as a political lever over any judge; nor do I believe that anybody who is present in this chamber would be able to use that as a political lever.

However, as I said, it is a challenge for us to preserve the independence of the judiciary in what we do. I would have thought that the most appropriate mechanism would be to have some independent body away from government make a determination as to whether a domestic partnership exists sufficient to constitute a beneficiary who could make a claim under this pension entitlement, be it the judge or, on their death, their domestic partner.

It is an important issue. It is easy when you can define someone as being married, because of course that relationship is constituted under the federal Marriage Act. Yes, it may be made easy under the Relationships Bill, but there may not always be those circumstances. There is still a discretion in those circumstances for the minister — that is, the Attorney-General. As I said, I am not suggesting that the Attorney-General would ever use this as a political tool or weapon against any particular judge. In fact, far from it. I think he understands this. It is just that I am troubled by this particular process where that is left up to the discretion of a minister. That is unfortunate and poses a significant concern for me.

I am yet to make up my mind about the bill, but it certainly will not be based on the issue of domestic partnerships. As I said, I voted for the Relationships Bill when it passed through this house. That does not trouble me; it is this issue of the constitutional independence of our judiciary, a judiciary that has served this state extremely well for the past 150 years, that concerns me. I would not want to see this bill used as a significant impediment if not challenge to that independence.

Mr CARLI (Brunswick) — I am pleased to rise in support of the Constitution Amendment (Judicial Pensions) Bill. It is a bill that brings the element of judicial pensions to the 21st century. As the member for Bentleigh pointed out, the history of pensions for judges goes back many years, and it is time to modernise it and to ensure that it is fair and respects all partnerships and relationships regardless of gender, regardless of whether they are same-sex, marriage or long-term, heterosexual relationships. It really is part of the commitment of the Brumby government to promote equal opportunity and promote the right of all Victorians.

I recall in 2001 we as a government amended 57 acts of Parliament to remove discrimination against same-sex couples and also unmarried couples. That was done, and at the time we did not do judicial pensions. That is something we have now come to because it is fair that we change those entitlements as well.

To understand why we need to change the entitlement we should really consider what the situation is. Currently if a judge is in a longstanding same-sex relationship, their partner is not entitled to the same benefits and protections as those judges who are married or in a longstanding heterosexual relationship. There is clear discrimination. There is no transferability of pension or recognition of the importance of that longstanding partner and their contribution to the judge's life and obviously to the immense workload they have undertaken in that life. In the case of a same-sex partner, when the judge dies they have no entitlement at the moment. This is clearly an injustice, an injustice that we will change with this piece of legislation.

On the domestic partner issue, this legislation has been drafted to ensure that where a person is in a genuine domestic relationship at the time of their partner's death, in this case it could be a judge's death — that is, they are living as a couple — a pension is able to be transferred. That is irrespective of gender or whether it is a same-sex relationship. What is important is that at the time of the judge's death, there is a relationship — a true couple with a genuine domestic basis.

This bill will enable same-sex partners to be treated in the same way as spouses of heterosexual judges. It provides for the division of the constitutionally protected pensions upon divorce and for the equal entitlement of pensions of judges and other constitutionally protected officers irrespective of their marital status or gender. Its importance is not simply in the case of death; it is also important in divorce proceedings when clearly the entitlement to a pension is treated as part of the assets that get divided. It is modernising legislation to bring judicial pensions into line with similar pension schemes. It follows the reforms of 2001 when the Labor government clearly signalled its intent to ensure that same-sex couples have the same entitlements to pensions, the same entitlements in the case of break-ups, as exist with heterosexual couples, particularly with married couples.

It is important that we recognise the significance of this as a change. As the member for Bentleigh pointed out, in 2007 Justice Kirby, a High Court judge, sought via a letter to the then federal Attorney-General, Mr Ruddock, to ensure that his partner of 38 years would get access to a part pension in the case that Judge Kirby died. At the time the response was that it was inappropriate because the Attorney-General was still looking at a response to the Human Rights and Equal Opportunity Commission which had released a report earlier which said there were basically 58 federal laws which discriminated against same-sex couples in areas of financial and work-related entitlements and which breached the International Covenant on Civil and Political Rights. Obviously this would contradict the Charter of Human Rights and Responsibilities in Victoria. Basically the response of the Attorney-General at the time was to say that Justice Kirby's case could be examined without considering the entire area of discrimination that was occurring. I will just say that is a really important area of reform.

The gay and lesbian rights lobby has said there are 24 000 same-sex couples in Australia who suffer discrimination on basic entitlements such as superannuation, taxation, health and social security equality. In Victoria we acted on 57 pieces of legislation in 2001. We are now acting on the case of judicial pensions, but clearly in Australia as a whole there are still major areas of discrimination against same-sex couples. They do not have the same entitlements, and it is important that we recognise that these are basic human rights. Same-sex couples have the same rights to financial work-related entitlements as heterosexual couples. This process should continue both in Victoria and throughout Australia, to ensure that there is basic reform of our tax, health, social security and superannuation systems and that we recognise the rights of longstanding, same-sex couples.

Justice Kirby, as we all know, has been very much a social activist in Australia. He has put himself forward and made a very public stand on a whole lot of issues about rights. In this case he has used his own longstanding, 38-year relationship, which I suspect is 39 years this year, to demonstrate that there are not fair, equal and dignified entitlements throughout Australia. In doing so, he has highlighted not just his own case but more importantly that we have and continue to have discrimination against same-sex couples in many areas of society. As I said, the gay and lesbian rights groups have said that at their count — based on census material — 24 000 couples living in domestic relationships are not able to have the same basic rights and entitlements as heterosexual couples.

This legislation proposes to remove discrimination against same-sex partners and to ensure that they have the same rights to pension entitlements in the case of death or separation as would heterosexual couples. I think it is a very important piece of reform and I wish it swift passage.

Mr O'BRIEN (Malvern) — It is a pleasure to rise to speak in support of the Constitution Amendment (Judicial Pensions) Bill 2007. A key aspect of this bill is that it replaces the terms 'spouse' and 'widow' with the term 'partner' throughout the governing acts. 'Partner' will be defined to include married, same-sex and de facto partners, as has been defined in other superannuation-related acts. The effect of this bill is that for the first time de facto and same-sex partners of judicial and other constitutionally protected officers will be entitled to a reversionary pension under the relevant schemes.

This is an example of the type of discrimination that has affected people in same-sex relationships and for which there can be no justification. A judge's partner, be they a husband, wife or de facto partner, same sex or not, should be treated equally when it comes to superannuation and pension entitlements. We diminish the contributions of those judicial officers who are in de facto or same-sex relationships when we discriminate against them and their loved ones in the application of superannuation and like laws. Having said that, and placing on record my support for the bill, I would have grave difficulty with any application of this bill which resulted in more than one full pension being payable. I trust that the government will accept this principle and ensure that the application of this bill does not result in any double dipping on pensions.

I also acknowledge and support the remarks of my colleague the honourable member for Kew relating to questions of judicial independence that arise with this bill. In particular, putting the Attorney-General in a position where he or she is asked to make a determination as to the eligibility of a person to be a beneficiary of a pension under this bill could give rise to legitimate concerns about infringement of that important principle. I support the honourable member for Kew's proposition that this determination may be better made by a body independent of the cabinet. However, since the honourable member for Kew made his contribution, a member of the government has advised me that the Attorney-General's decision on this matter may be appealable through the courts, and that gives me some greater level of comfort. I thank the government for that information.

Having noted my concerns with this bill, I endorse its principles, I support the removal of this discrimination against judges with same-sex partners and I support the bill.

Ms GREEN (Yan Yean) — It is with great pleasure that I rise again in this place to support another progressive piece of legislation proposed by the Attorney-General in this government, in particular the Constitution Amendment (Judicial Pensions) Bill. I have spoken in this place before about the importance of not discriminating against anyone in our community on the basis of their personal circumstances. I was pleased to see the passage of the Relationships Bill through this house and the other place recently, and I was pleased to support that.

Other speakers have referred to the public position taken by Justice Michael Kirby in raising this matter, having himself been in a longstanding, same-sex relationship with a partner of many decades. He raised his concerns publicly with the then federal Attorney-General, Philip Ruddock, saying that this was an incongruity and was not consistent with equal treatment.

I was concerned that the lead speaker for the opposition, the member for Box Hill, seems not to be in support of this bill. That is disappointing. The member for Box Hill has been consistent on these sorts of matters, and I think it is a shame that he cannot bring himself to support this bill. It seems that the Liberal Party is taking a conscience position on this bill and so we are not quite sure whether each speaker supports it. I call on opposition members to support this bill and for speakers on the list subsequently to support this bill.

The member for Kew did not indicate whether he supports the bill. He said in his contribution — and, I noted, in the division on the Relationships Bill — that he took the correct conscience position and supported the bill. The member for Kew said in his contribution that this bill presented a challenge and that it may compromise judicial independence.

I think that this bill presents a challenge to all members of the Liberal Party to be true to the small-l liberal credentials on which I understand their party is based. I look at and acknowledge the work of progressive small-l liberal premiers in this state like Premier Hamer, who was a champion of equal opportunity and who made this state a better place by standing up and saying that equal opportunity was important. The challenge is to the small-l liberal credentials of members, and with this marriage of convenience with The Nationals maybe those members are becoming a large-C conservative rump. That is a great shame in that in this coalition they are becoming a very hard, right-wing political grouping, which is very disturbing for the state of Victoria.

It was disappointing to see the member for Kew sit on the fence. The member would not say whether he supported the bill or not, and he had concerns that the Attorney-General may be the one to determine the bona fides of a relationship upon the death of a judge, but he said he did not want to cast aspersions on judges in relation to this and that their decision making might be swayed because of the Attorney-General's position. If the member for Kew had those sort of concerns, he should have had the courage to stand up in this place and propose an amendment, but it is disappointing that he did not do that; he just chose to cast aspersions on both the Attorney-General and on judges in this state. I do not know if that is something the member for Kew has done before, but I certainly heard him do that today.

Same-sex partnerships and heterosexual partnerships are lawful in this state, but outmoded and outdated laws do not always provide equal access to rights, benefits and responsibilities that these relationships establish. Both the Brumby government and its predecessor, the Bracks government, have been very progressive governments in removing discrimination, beginning with our 2001 reforms that amended 57 acts of Parliament to remove discrimination against same-sex and unmarried couples. The most recent example is the introduction of the relationships register. This bill is squarely about removing discrimination in the way that we set out to do from 2001. The pension schemes for judges were drafted a very long time ago, in fact two centuries ago. It is very important that in the 21st century we recognise the way our families are formed

and that judges may have same-sex relationships. I think it is really important that this bill be supported. I urge members to give the bill a speedy passage and I commend it to the house.

Mr THOMPSON (Sandringham) — I have made comments in this place earlier that laws can set standards or reflect standards and values, and the judicial pensions amendment contained in the Constitution Amendment (Judicial Pensions) Bill 2007 makes a number of changes. My views on this matter were articulated more fully in the debate on the Relationships Bill earlier this session and I do not propose to go through my general remarks then.

The member for Box Hill, the shadow Attorney-General, has outlined a number of concerns in relation to the legislation which at this stage is not clear. His concerns relate to the issue of judicial independence and also the breadth of entitlement upon the death of a judge in relation to different relationships which may have existed. They are important questions that require some level of resolution.

As I indicated, my views in this area of the law have been articulated elsewhere and I advise the house that I do not support the bill before the house.

Debate adjourned on motion of Mrs MADDIGAN (Essendon).

Debate adjourned until later this day.

COURTS LEGISLATION AMENDMENT (ASSOCIATE JUDGES) BILL

Second reading

Debate resumed from 27 February; motion of Mr HULLS (Attorney-General).

Mr CLARK (Box Hill) — The purpose of the Courts Legislation Amendment (Associate Judges) Bill is to establish the office of associate judge within the Supreme Court and the County Court in place of the office of master of the Supreme Court or master of the County Court. One can take that as being either a renaming and modification of the role of an existing office or a substitution of one office with another office, but at the end of the day it amounts to the same thing. The bill replaces references to 'master' with references to 'associate judge' in relation to both the Supreme Court and the County Court. In parallel with that, it includes a new definition of 'judge of the court' in the legislation in order to distinguish what I might refer to as full judges from associate judges. It further provides that associate judges can deal with any matters in the Supreme Court unless an act or the rules require the matter to be dealt with by the Court of Appeal or by a judge of the court, and that is contained in clause 18 of the bill. Clause 18 also provides that an appeal can be made from an associate judge to a judge of the court, unless an act or the rules otherwise require.

Clause 16 of the bill provides that there can be an appeal from an associate judge to the Court of Appeal if the rules so provide. There are a number of provisions that explicitly require a judge of the court to hear specified matters, and these include, under clause 10, what the legal profession refers to as habeas corpus applications; by virtue of clause 21, vexatious litigant applications; and, by virtue of clause 26, making minors wards of the court, and challenges to the validity of by-laws.

Clause 23 excludes associate judges from the power to make rules. Clause 24 excludes them from the council of judges. Clause 28 provides that no new office may be created in the Supreme Court by the Governor in Council unless the chief justice certifies that a majority of the judges of the court agree. Clause 37 provides for the employment of registrars, deputy registrars, and other employees of the Supreme Court. Clause 29 provides that the chief justice has responsibility for the administrative functions of associate judges, including the common funds of the court. There are also consequential changes to references to masters in various other acts.

The mechanics of the bill leave open a wide variety of possibilities for the way the new office of associate judge will operate in practice. To get an understanding of the government's intention in that regard we need to look to what the government has said rather than to what is in the legislation. In a media release of 26 February 2008 the Attorney-General referred in particular to helping to resolve more matters at mediation, therefore reducing the cost of litigation and improving time lines and access for litigants. The Attorney-General referred also to the role of associate judges in managing and directing civil appeals. He also claimed that the reforms would give the public a greater understanding of the role of the Supreme Court and County Court associate judges and would follow similar changes in New Zealand and New South Wales, and that they would reflect the judicial status acquired by masters, particularly over the last 20 years.

In terms of mediation, there is nothing specific in the bill relating to mediation, so one must assume that this envisaged greater role in mediation will be achieved through the work and duties that are assigned to

associate judges by the chief justice and possibly through the structuring of the rules of the court.

The opposition does not oppose this bill. We do, however, have some reservations about various aspects of its operation. In particular we have some concern that the term 'associate judge' may in fact prove to be confusing rather than illuminating. One can readily accept that the term 'master' may be regarded as outdated, and there is no objection in principle to trying to find a more suitable name for the role that masters currently perform and to reflect the variety of duties that they carry out. Whether 'associate judge' is the appropriate term for that is perhaps another matter. It may in part depend on the range of functions that these new officers carry out, but one would hope that, if there was intention to transform this office into that of something very close to a judge of the court, there would be some careful consideration before that occurred. One would not want the appointment of associate judges to become a way for the government to provide additional judicial officers to the Supreme Court on the cheap, as it were, with a consequent loss of standards for the court and therefore a degradation in the quality of justice being dispensed by the court. I am certainly not suggesting that that is going to happen, but it is something that needs to be anticipated as a risk and guarded against accordingly.

There are two further aspects of the terminology that has been adopted that I think in practice may prove to be quite difficult and cumbersome. The use of the term 'judge of the court' to refer to what one might call a full judge will prove to be a bit of a mouthful; and the distinction between judges of the court and associate judges is likely to be obscure for most members of the public and, indeed, for a considerable time for practitioners. The term 'master', even if it is a somewhat antiquated title, at least has the advantage of being readily understood by practitioners.

A second aspect of that — and I will be interested to hear the comments by the member for Prahran and/or the Attorney-General, if they speak in this debate — is in terms of what abbreviated letters will be used to refer to associate judges. Some honourable members will know that the custom for referring to judges in court reports and other contexts is to use their surname, followed by the letter J to refer to a justice and, in relation to Court of Appeal judges, the letters JA, meaning judge of appeal. In relation to officers who are currently masters, the question is whether associate judges will be referred to as AJs and, if so, whether we are likely to have a degree of confusion between AJs and JAs when it comes to abbreviations. I think these are all matters of practicality, which I hope have been addressed by the government but, given the past record of the Attorney-General, I have considerable fears that they have not been properly thought through and that we may well be going through a somewhat bumpy time with this legislation until a number of these issues are ironed out.

In conclusion, as I said, the opposition does not oppose the legislation. If the objectives of the legislation can be fulfilled to enhance the timeliness of justice in the Supreme Court, which certainly needs improvement given the enormous blow-outs in waiting lists in recent years, and if the legislation is used to reactivate the former role of master of the County Court as associate judge in the County Court and thereby reduce the enormous waiting lists in that court, that will be a good thing. It will also be a good thing if the legislation allows various other changes to the operations of the Supreme Court. But that is about how the legislation is implemented as much as it is about the legislation itself. We will be watching very closely to see how that implementation takes place and what effect this legislation has in enhancing the operations of our courts in Victoria.

Mr LUPTON (Prahran) — I am pleased to speak today in support of the Courts Legislation Amendment (Associate Judges) Bill. I commend this legislation as another part of the government's drive to modernise justice and our courts in Victoria. A modern judicial system is very important in ensuring that we deliver fair and accessible justice to the citizens of Victoria. This government has a very proud record in that regard, particularly given the introduction of problem-solving courts such as the drug courts, the specialist family violence divisions and the successful Koori courts that are now operating in different parts of the state. Modernising the ways our courts operate enables the courts themselves to have greater control over the way cases are heard, providing for speedier, more accessible and more effective justice. The old saying is that justice delayed is justice denied. We need to make sure that we do whatever we can to assist the courts in their very important work of providing speedy resolution to civil proceedings in this state and bringing criminal matters before the courts without delay.

This particular piece of legislation does a number of things to modernise the way the County and Supreme courts will be able to operate in this state. It does this partly through the process of changing the role and title of master of the Supreme Court and master of the County Court to associate judge. Not only will this have the effect of renaming an existing office, but as a consequence it will enable the County and Supreme courts to address delays and provide for greater

efficiency and flexibility in the management of their case loads.

I will deal first with the issue of the modernising of the office of master and replacing it with the office of associate judge. Masters have been part of the Supreme Court of Victoria since the 19th century. They started out as Crown employees and were basically part of the public service. The way the office of master has evolved over the years is instructive. In more recent times the office has become an integral part of the way cases come before the courts, how they come before the judges and how procedural matters are dealt with after judges have heard trials. In the County Court the office of master was created a lot more recently — only in 1985. Since about the mid-1980s mediation and alternative dispute resolution have been a growing part of the way court proceedings are dealt with. Masters have played a very important role in that. In recent times they have become more integrally involved in the organisation and hearing of mediated disputes. In addition to those functions, for many years masters have conducted pretrial proceedings, directions hearings and the like, and have dealt with costs applications and similar post-trial proceedings.

This legislation picks up on the way the judicial role of masters has expanded and evolved in recent years and enables us to move the courts into the 21st century in terms of the way they deal with their judicial case loads. What we are doing with this legislation is, as I have said, replacing the office of master with the office of associate judge. The associate judges will be invested with the trial jurisdictions of their respective courts, either the County Court or the Supreme Court. The work the associate judges will be involved in will be, as is appropriate with an independent judiciary, up to the courts and the Chief Judge of the County Court and the Chief Justice of the Supreme Court to determine. But they will have trial jurisdiction and will be able to deal with a broader range of matters that come before the courts, subject to the decisions of the courts themselves as to what work is appropriate. I think that illustrates how the work of masters has evolved over the years. Of course the term 'master' is an antiquated term. It is not really a term that is fit and proper to describe these judicial officers in the 21st century. The move to the concept of associate judges is a definite move in the right direction.

The government decided to bring forward this legislation and to create the office of associate judge based on a review of the office of master and the report that was provided to the government last year by the Crown Counsel, Dr John Lynch. In that report Crown counsel recommended the creation of the office of associate judge. The government has picked up on that recommendation in bringing this legislation forward.

The member for Box Hill raised a number of points in relation to the way the courts will deal with some procedural aspects of this legislation — how associate judges will be referred to, how they are going to be referred to in the citations in law reports and the like. The way judges are referred to is a matter for the courts to determine. I am sure the way associate judges in this state will be referred to will be with great respect and great distinction. As to the way the Victorian reports refer to associate judges, I have great confidence that the editors of the Victorian reports will be able to accommodate this enormous leap into the future. As a former reporter for the Victorian reports, I know that that esteemed, authoritative publication will rise to the occasion and be able to deal with associate judges just as it deals with masters.

The ACTING SPEAKER (Ms Munt) — Order! This sitting is suspended until the ringing of the bells.

Sitting suspended 6.03 p.m. until 6.17 p.m.

Mr LUPTON — It is good to be back, and with a slightly increased audience. I might say that before I was rudely interrupted, I was involved in what turned out to be a fiery and heated debate but one that I did not believe had enough temperature to cause the chamber to spontaneously combust. However, we have withstood the fire alarm, we have assembled on the tennis court and we have returned to the chamber to continue debate on this important legislation.

I must say that the Courts Legislation Amendment (Associate Judges) Bill 2008 is a very good example of the way in which our government continues to modernise our court system and the way in which our courts are able to deliver justice for the people of Victoria. Changing the office of master to the office of associate judge brings the County and Supreme Court masters jurisdictions into the 21st century. I commend this bill to the house and wish it a safe passage.

Mr RYAN (Leader of The Nationals) — Safe passage! Speedy passage, I think he meant. It is my pleasure to join the debate on the Courts Legislation Amendment (Associate Judges) Bill 2008. The member for Box Hill has given an outline of this legislation and that has been reinforced by the comments of the member for Prahran, who is now departing the chamber. The essence of this proposal is that masters of both the Supreme Court and the County Court are now to be termed 'associate judges' and judges of those respective jurisdictions are now to be termed 'judges of

the court'. Then a series of consequential changes is made throughout the legislation. There are different aspects of it which define the role of the newly named associate judges.

The essence of it would appear to be that within bounds that are set out in the terms of the legislation, associate judges, as they are now to be known, will be able to conduct trials and generally act within the usual scope of judges as we have historically known them. There are certain limitations on that general statement. I suppose the essence of this is that masters of the court, as we have historically known them, have now been elevated to the position of associate judges with a pretty broad-reaching role that is constrained only by the terms of the bill now before the house.

This is a significant change. Historically, masters — with the greatest respect to them — have looked after the machinery of the operations of the court. On the other hand judges have looked after trials and appeals. There has been a separation, historically, between the respective functions of masters and judges. This legislation effectively marries the respective roles to a significant degree.

At first blush one would say this is a reasonable thing to do in the sense that masters in both jurisdictions — Supreme and County courts — by definition have an extensive exposure to the way in which the court systems function and are of course essential to those functions in many respects. They also have had the experience over the years of being spectators — again with due respect — to the way in which court trial processes function. Thus in a way it is not a substantive leap from where they were to where they are now going to be.

On the other hand — and once more with the greatest of respect to all concerned — you cannot help but think in reading this material that the government has embarked upon a process of trying to overcome the lack of resourcing of the judiciary in the state of Victoria through this bill. You cannot help but think that someone somewhere along the line came to the conclusion one day, in a flash of brilliance, that this could be an alternative to recruiting new judges from the ranks of the bar or from the ranks of solicitors, which has been the historical practice. Here, in the form of the masters within the two jurisdictions, was a group of people who were skilled in what needed to be done from a judicial perspective and were well on the way to judicial appointments. The extra step was made to elevate the masters to a position which they had not previously enjoyed, and, at the same time, to thereby plug the gaps that have existed for many years under this government, enabling enough appointments to be made to the bench.

There are basic concerns about that, if that is what is driving this whole notion. The fundamental element is that every system of our society, not only in Victoria but in the rest of Australia, is dependent upon having a judicial system which functions appropriately. It is critically important that those three elements of the separation of powers are able to function in a manner which does justice to the all-important matters that make up the way in which our communities are structured. An imperative in that is that our courts are properly resourced and that we have appropriate appointments to them; that all of those appointments at the Supreme Court, County Court and Magistrates Court levels, and also those for other judicial functions, are made having regard to the absolute priority of the judicial system being able to function properly and in turn for our society as we know it to be able to function.

The government has bridged the gap between what the masters have historically done and what they are now going to be expected to do by way of judicial appointment. Even if one accepts — and again with the greatest respect to those concerned — that this is an appropriate thing to do and that the masters now being appointed in this manner are going to have the capacity to do what is being asked of them, it then opens up all sorts of commentary about how that is going to affect the historical function of the courts. Will they be able to dispose of the business before them in an appropriate and timely manner?

Historically the masters looked after the mechanical issues that make up the way a court functions. In the many years that I practised I remember going along to call-overs, taxations of bills of costs and those sorts of forums that were oversighted by masters. They did not have a strict, judicial function in the narrow sense of the word but nevertheless were absolutely imperative in enabling the judicial system at large to be able to function properly.

I pose the query: what is now going to happen insofar as those important roles are concerned? Is any sense of separation going to be maintained in these new appointments which will enable those being appointed to undertake those tasks ongoing? Are we going to see a raft of new appointments to undertake those roles, perhaps under different names and in a manner yet to be decided by the government, to ensure that the very important mechanics in the function of the court are able to take place?

My particular interest in this is from the perspective of country practitioners. The conduct of call-overs and the like and the mechanical aspects are very important in those circuit environments. While it is true that the judge allocated to the circuit has historically done many of those things, nevertheless in the run-up to a circuit there was always work undertaken in different ways by masters which was essential to the conduct of the circuit once it got under way. These are things which we will have to see rolled out as this legislation takes effect. The pivotal point remains, though, that over the years of Labor governance in Victoria we have seen a paucity of appointments to respective benches in the sense of the numbers required to perform this absolutely vital role. The government is now seizing this initiative as a basis to fill that gap at least momentarily. Time will tell whether the processes contemplated by this legislation are able to properly do what this government wants done.

Sitting suspended 6.29 p.m. until 8.03 p.m.

Mrs MADDIGAN (Essendon) — I am pleased to speak this evening on the Courts Legislation Amendment (Associate Judges) Bill 2008. The bill, as members would know, is welcomed by women members because it eliminates some of that sexist language that we have become very used to in the court system. This is a significant step forward. The office of master has been around since the 19th century. This bill will change that title to associate judge, which is a much more appropriate title for the 21st century. I am sure all women members and enlightened male members of this Parliament will be very pleased to support the bill.

The work that associate judges will do in the future will be very useful. It will speed up some of the court processes and reduce some of the time taken by judges. One of the concerns for people in the judicial system is that sometimes there is a lengthy waiting period before their action can be heard by a judge. This is a really significant step, and therefore the appointment of associate judges can be supported by members.

The office of master, which will become associate judge, is a very old office. There have been some significant developments in recent years which have modernised that office of the Supreme Court, particularly in the provision of court-directed mediation. The bill builds on the initiative of the Supreme Court in recent years in allowing litigants to use the office of master, in the future associate judge, to mediate disputes. It is an unusual and innovative way for judicial officers to be used in superior courts. The Supreme Court's initiative has been embraced by litigants and other practitioners. It is a very significant reform that should be helpful in reducing delays in courts. Between October 2005 and July 2007, 94 cases were referred to mediation by a master; and 59 per cent of those matters were settled at or after mediation, which saved the court 311 sitting days. The bill supports that initiative because it is a significant saving.

The recommendations come from a report by the Crown Counsel, Dr John Lynch. He recommended substantial reforms to the offices of master of the Supreme Court and master of the County Court. Another recommendation of the report, which is to create a new costs court division of the Supreme Court, is not addressed by the bill.

If members look at this legislation once again in relation to our human rights legislation it is significant that a number of pieces of legislation that have come to the house recently support the desire of the government to support the Charter of Human Rights and Responsibilities. The charter is about trying to ensure justice for all as well as many other things. Having a system that is open to as many people as possible and that allows people to have judicial matters they are involved with heard in a sensible and quick manner, is very significant to the people involved. For many members of the community, whose experience of courts and the judicial system is very limited, the court process and all the technicalities associated with it can be a very frightening experience. Any measures that allow for further assistance for those people to mediation, taking it out of what is seen as a very formal legal system, which is sometimes quite alarming for people who have no experience of the system, is a very significant improvement. I hope that in the future we will have a large number of associate judges.

It seems to me that the passing of this legislation gives the government a way forward to ensure the processes can be speeded up through the judicial system, and we can speed up people's access to justice. Much as many of us would not like to admit it, in many ways the community sees justice as something that is more affordable for those who are wealthier than a normal person. Taking court action when you are not quite sure of the outcome frightens many people. In the end they can end up with substantial legal bills that they cannot afford, and they are frightened that they will see their assets — which for most people is their house — under threat. A mediation process using associate judges rather than the more formal process makes justice more accessible and makes people much more comfortable about engaging in that process.

This bill has many positive aspects. I support the change of title from master to associate judge, and I am pleased to support the bill this evening.

Mr WAKELING (Ferntree Gully) — It gives me pleasure to rise to make a contribution on the Courts Legislation Amendment (Associate Judges) Bill 2008. The purpose of the bill is to replace the office of master of the Supreme Court and master of the County Court with the office of associate judge. As has been said by both the member for Box Hill and the Leader of The Nationals, the opposition will not be opposing the bill. However, I would like to indicate at this point that the opposition has some concerns about the way in which this government has handled crime and in particular the way in which it has provided for an effective and efficient court system to deal with our burgeoning crime rate.

The bill seeks to do a number of things. It includes the replacement of reference to master with references to associate judge in the Supreme Court and in the County Court. It includes the definition of a judge of the court to refer to full judges. Associate judges can deal with any matters in the Supreme Court unless an act or the rules require the matter to be dealt with by the Court of Appeal or by a judge of the court, as specified in clause 18. Clause 18 also specifies that an appeal can be made from an associate judge to a judge of the court unless an act or the rules otherwise provide or — as referred to in clause 16 — to the Court of Appeal.

The bill requires a judge of the court to hear habeas corpus applications under clause 10; to hear vexatious litigant applications under clause 21; to hear cases for making minors wards of the court under clause 26; as well as challenges to the validity of by-laws under the same clause. It will exclude associate judges from power to make rules as specified in clause 23, and from the Council of Judges in clause 24.

No new office will be created in the court by the Governor in Council unless the chief justice certifies that a majority of justices of the court agree, and that is specified in clause 28. It also provides for the employment of registrars, deputy registrars and other employees of the Supreme Court as outlined in clause 37. The chief justice has responsibility for the administrative functions of associate judges including for the common funds of the court. The bill also provides for a number of consequential changes to references to masters in various other acts.

On the face of it one could view this as a purely administrative change in terms of the way in which masters are to be referred to in the future, and one can see this as part of a successive approach taken by this government — for example, the removal of wigs and other practices — to change the practices of the courts. One could indicate that in one respect this is just an approach to modernise the court system, but I am concerned that this may be viewed by some in the community as window dressing because there is still a fundamental concern within this state that the burgeoning level of crime is not being dealt with appropriately and speedily. As I said, I am concerned that this could be perceived as window dressing, because we need to ensure we have a court system that deals with matters that come before the courts in a timely manner.

I refer to research that was undertaken by the member for Box Hill in his analysis of the Productivity Commission's 2008 report on government services. Table 7A.17 of that report refers to criminal cases as at 30 June 2007, and the facts are quite startling. One only needs to look at the number of cases before the Supreme and County courts. They send a very clear message to this government about what needs to be done to ensure we deal with this issue efficiently and swiftly.

With respect to Supreme Court appeal cases, at 30 June 2007 there were 432 cases waiting to be heard in Victoria compared with 337 cases in June 2003. That is an increase of more than 28 per cent, which is the highest number in this country. While we know this government does not want its teachers to be the highest paid in the country, it is more than happy to have the level of cases waiting to be heard in the Supreme Court to be the highest in the country. Over the same period, the backlog of appeals in New South Wales — —

Ms Green — On a point of order, Acting Speaker, I draw your attention to the fact that the member for Ferntree Gully is straying well away from the intention and purpose of the bill, and I ask you to bring him back to the bill.

Mr Clark — On the point of order, Acting Speaker, as I understand the argument being advanced by the member for Ferntree Gully, he is talking about delays in our court system as an argument to assist in whether or not the measures before the house are adequate to deal with that problem, and that is perfectly in order.

The ACTING SPEAKER (Ms Campbell) — Order! I remind the member for Ferntree Gully of the purposes of the bill, and so long as he sticks to the purposes of the bill I will continue to hear him.

Mr WAKELING — Thank you, Acting Speaker. I am pleased the member for Yan Yean was so attentive to my contribution. My comments to the house about the number of cases that are held up in both the Supreme and County courts are very important to this discussion because we have before us government amendments that deal with those who are officiating in matters before the Supreme and County courts. It is imperative that this house introduces legislation which deals with the operation of both courts to ensure there are adequate resources to deal with cases in a timely manner. As is indicated by my previous comments and in comments made before me, whilst we understand the change in the definitions of the master provisions to associate judge and judge of the court, we are highlighting the fact that more needs to be done on this important issue.

If I look at non-appeal Supreme Court cases in June of last year, I see that 171 cases were waiting to be heard. That compares with just 56 cases in June 2003. In New South Wales the figure was 121 cases pending, which was down from the 2003 figure of 139 cases. More than one-third or 33.9 per cent of Victoria's 171 cases had been waiting for more than 12 months; the highest proportion in Australia. The facts I have just provided to the house underscore the necessity for this government to ensure that it provides adequate resources with respect to the officialdom that will be handling matters in the Supreme Court and the County Court.

We believe it is important. Whilst we on this side of the house will not be opposing this legislation we believe it is imperative that this government take all actions possible to ensure that it adequately resources the Supreme and County courts to ensure that matters that come before those courts are dealt with in a swift and timely manner.

Ms THOMSON (Footscray) — I rise to support the Courts Legislation Amendment (Associate Judges) Bill 2008, which is one in a line of reforms that have been put in place for the judiciary. This legislation reflects the fact that our expectations of what the courts will deliver and the work they will do is vastly changed from when the courts were originally established. We should not take as gospel that the structures that were put in place at the time of the establishment of the state of Victoria are necessarily the structures that will move us into the future.

It proposes a number of reforms that this Attorney-General has put in place for the judiciary, not least of which is the judicial college. That is being put in place to ensure that in their decisions our judges reflect the community's expectations and the way standards in society have changed over time. It will restore respect for the decisions of judges as they reflect the current standards that apply in the broader community.

The introduction of the Koori courts is another example of change that has been made to reflect the way in which we deal with certain elements within our community and their understanding of how things operate, and adhering to those. We have changed the method of dealing with issues in the Children's Court and the hearing of evidence in relation to sexual assault cases. All of these are part of changing the judiciary and changing our court system to make them reflect society's needs in the 21st century. This is the next step in assessing what is needed in our court system to make it more efficient, to ensure that we are hearing cases in a timely way and that we are looking at aspects of mediation that in the past courts did not do. As we see the move to the office of associate judge and the capacity to expand the mediation role that was given to the masters in the past, we will see the courts becoming more responsive to the demands on the system now and to changes in society.

This bill goes a long way to addressing the need for flexibility in our court system that we have not had to date, and to acknowledging that from time to time we need to deal with pressures on the system in a timely way. We are doing that in this instance by giving the chief judge the ability to deal with these issues, and to appoint associate judges to hear cases and to mediate.

I am going to talk a little bit more about the role of mediation and the role that it can play in pretrial hearings. It is an important role and one that should not be underestimated. In a number of areas the government has instilled mediation as a course of action that should be undertaken before court proceedings, or in some instances in place of court proceedings. This has worked extremely well. One area that I am most familiar with is that of the small business commissioner, where over 70 per cent of cases that go to mediation are resolved at mediation. This is a model that could be more comprehensively utilised, and is being looked at across other areas of government. It could perhaps obviate the need for matters to go to court.

Supreme Court masters are now resolving 59 per cent of disputes at that mediation point, which means there is no need for them to move into other stages of a trial. Again this takes pressure off the courts and the court system, and proves that increasing the role of mediation is important. It has saved the court 311 sitting days by

enabling this mediation to occur. Ensuring that we allow associate judges to deal with issues of mediation in a more comprehensive way will result in savings in court time and allow judges to be freed up to hear those cases that are not able to be mediated. It will also enable judges to deal with serious cases in a more timely way and reduce the backlog of cases that are coming before the court.

Giving the chief justice and the chief judge the capacity to allocate court work to associate judges is very important. It means that they will better be able to manage the workload and improve both the flexibility of the courts and their capacity to manage that workload. We know that it can fluctuate, that it is not constant and unchanging. It is forever changing. We need to have efficiency and flexibility in the system, and this bill establishes a way of doing that.

We know that the masters deal with pre and post-trial procedural applications, conduct directions hearings, fix matters for hearing, and hear and determine some civil cases not within the exclusive jurisdiction of the judges of the court. By carrying out these functions they free up judges' time to deal with more substantial issues. Their role is therefore crucial in keeping cases flowing through the courts and reducing delay. However, their formal description and functions have not kept pace with their evolved status as judicial officers. Remembering that a review of the role of the masters was undertaken, I point out that this bill reflects the outcome of that review, looks at the changing role of the masters and at putting in place legislation that underlines the changing practices of the masters, and it also looks at the role that associate judges will play into the future. This is based on the report by the Crown Counsel, Dr John Lynch, who recommended substantial reform.

The homework has been done, the review has been undertaken and the Attorney-General in all of these areas of change has undertaken change based on a serious review of current practice: how to improve the courts, how to make them better and how to ensure that we are preparing our courts for the future. I commend the bill to the house.

Mr CRISP (Mildura) — I rise to make a contribution to debate on the Courts Legislation Amendment (Associate Judges) Bill. The purpose of the bill is to replace the office of master of the Supreme Court and master of the County Court with the office of associate judge. The bill, amongst other things, makes changes to the reference to the master and establishes the difference between an associate judge and a judge of the court. It establishes what each can deal with and details how the new office can be created. It sorts out employment of registrars, deputy registrars and others in the Supreme Court and makes consequential changes to other acts.

There are a couple of issues that have been pointed out, and the first one is that there will be some confusion as people get to understand the difference between an associate judge and a judge of the court. That will take some time for people to get used to.

In the second-reading speech the minister made quite a strong reference to the role of mediation and court-directed mediation — that is something that I will make a contribution on — and this is a vital step in modernising the courts. I think of the old adage that justice delayed is justice denied, and certainly with this new class of judge we now have an opportunity to move mediation into the 21st century. The job of master has been completely lost within the general community, and I welcome the term 'associate judge'. Most people find the court system very daunting, as well as the time and the cost involved in being in court, and so I welcome the second-reading speech reference to mediation.

Also for country people, travelling for justice is yet another very big expense. These courts do not sit in all places and therefore people need to travel. Delays are often involved in travelling, and when the court does not actually hear the matters on the day it causes not only great expense but great stress to country people.

With those changes I think this will be a better system, but it will take some time for the mediation process to work at this level and for the community and counsel to understand how best to use the mediation. The Nationals in coalition will not be opposing this bill.

Ms GREEN (Yan Yean) — I rise to join the debate on the Courts Legislation Amendment (Associate Judges) Bill 2008. This bill is part of the Brumby government's drive to modernise justice and modernise our courts in this state. The bill amends the Constitution Act 1975, the Supreme Court Act 1986 and the County Court Act 1958.

The context of the bill is that there was a report by the Crown Counsel, Dr John Lynch, which recommended substantial reform to the offices of the Supreme Court and County Court master. Over time the historic role of masters has changed and is not necessarily consistent with modern judicial practice. The key provisions of Dr Lynch's review related to the functions of masters, and the current mechanisms for allocating the functions

and powers of masters do not reflect their evolved status as judicial officers.

I have been asked what the historical role of masters has been. Masters have been part of the Supreme Court of Victoria since the 19th century. The office of County Court master was created at a much later time, some 20 years ago in 1985. The masters' principal function is to assist in the general business of these two courts, and their powers and authority are conferred on them by legislation, usually court procedural rules.

Initially masters were Crown employees and their terms and conditions of office were determined by public service legislation. Over time masters have been recognised as part of the Supreme Court in the state's constitution and have acquired similar terms and conditions of office to other judicial officers, including security of tenure, a non-reducible salary set at about the same level as County Court judges, and judicial pension entitlements.

This bill will mean that masters will now be known as associate judges, and they will continue to perform some elements of their historical role as masters in the higher courts. However, there have been significant developments in recent years that have to modernised the office of master in the Supreme Court, particularly in the provision of court-directed mediation, which is something that we should welcome in a modern judicial system. The bill builds on the initiative of the Supreme Court in recent years of allowing litigants to utilise the masters of the court to mediate disputes.

It is unusual and innovative for judicial officers to be used in a superior court in this way. The Supreme Court's initiative has been embraced by litigants and their practitioners. The bill gives associate judges jurisdiction in the trial division of the Supreme Court and the County Court. The action proposed in the bill is that associate judges will be subject to the rules in the general direction of the chief justice and the chief judge and that the allocation of functions to associate judges would be an internal matter for the court in question.

The renaming of the office of master is consistent with developments in other jurisdictions, including in New South Wales and New Zealand. It reflects the judicial status acquired by masters, particularly over the last two decades, and assists public understanding of the nature of the office. The Victorian courts are embracing both external and court-based mediation and are continuing to streamline case management. The bill is another example of the Brumby government's drive and its commitment to modernise the judicial system and to modernise the way the legal system in this state operates to enable it to be better understood by those who come before it. I commend the bill to the house, and I thank those opposite in the coalition for actually having the foresight to support this bill.

Mr THOMPSON (Sandringham) — In making a contribution on the Courts Legislation Amendment (Associate Judges) Bill 2008, I would like at the outset to commend the reading of a paper given at the Australasian Institute of Judicial Administration in 2000 by Michael O'Mahoney, a former president of the Law Society of Ireland, on perspectives of nine categories of judges. He did not comment on associate judges in this instance, but he did draw on the observations of an 1890s advocate. The article covered descriptions of the gentle judge; the quiet judge; the pragmatic judge; the witty judge, where the litigants were concerned at the preposterous spectacle of their highly paid counsel engaging in courtroom hilarity; the lawyer judge, where the parties cannot see what is on his mind until the very end of the judgement, and perhaps not even then; the intrusive judge; the impatient judge; the authoritarian judge; and the intellectually challenged judge, a judge without deep talents or judicial learning and whose lack of capacity to hear is combined with lack of capacity to comprehend.

In the present case we are dealing with a bill the principle purpose of which is to replace the office of master of the Supreme Court and master of the County Court with the office of associate judge. In some of the earlier contributions reference was made to an updating of language, but I am not sure whether this was primarily an aspiration on the part of the review process or part of the review process. If it was part of the review process, I point out that at page 39 of the bill, proposed section 143(1)(d), which is inserted by clause 73, states:

> a person appointed to the office of Taxing Master before that commencement and holding that office immediately before that commencement continues to hold office as an Associate Judge who is the Taxing Master appointed under section 104(2)(b) as substituted by section 28 of that Act without further appointment …

On my reading of the bill there perhaps has not been the full modernisation of language, because a role of taxing master may continue to exist. I will leave that for the Attorney-General to work through.

Other elements of the bill include replacing references to 'master' with references to 'associate judge' in the Supreme Court and County Court acts. Associate judges can deal with any matters in the Supreme Court unless an act or the rules require the matter to be dealt with by the Court of Appeal. There are some matters which only a judge of the court is able to deal with.

They include habeas corpus applications, vexatious litigant applications, making minors wards of the court and challenges to the validity of the by-laws. The bill also provides for the employment of registrars, deputy registrars and other employees of the Supreme Court and makes consequential changes to references to 'master' in various other acts.

In terms of my own electorate there is one main matter which a number of my constituents have a concern about. There are about 500 of them, and a number of them are taking their case to the inaptly and ineptly named Moorabbin Justice Centre to have their motor traffic charges heard, having been photographed making a turn, possibly against a red-light arrow, at what will amount to be a multimillion-dollar traffic intersection just near Southland. Many of my constituents are seriously aggrieved by the revenue-raising measures of the Bracks and Brumby governments that has seen revenue increase over last eight years from some $100 million through police fines and charges to well over $400 million today. In a budget a couple of years ago there was a projected growth or increase in revenue of some 30 per cent, and a large proportion of that revenue growth has come out of the municipalities of Kingston and Bayside. Many people adjudge this to be a case of highway robbery.

The relevance of the case at the moment is that if there is an issue in relation to the outcome of the Magistrates Court proceeding we may well be dealing with an associate judge — —

The ACTING SPEAKER (Ms Campbell) — Order! I remind the member that the purposes of the bill are quite clear, as is the second-reading speech. I caution him to return to the bill and to comment on the second-reading speech as he would wish.

Mr THOMPSON — Thank you, Acting Speaker, you have been very generous in allowing me to build the case. If the case in the lower court does not succeed, then we will be going to a senior court, where we may well be dealing — —

The ACTING SPEAKER (Ms Campbell) — Order! I caution the member to return to the bill. Whether he has built an earlier case or not is irrelevant to where he goes now. I suggest he now go to the bill and second-reading speech.

Mr THOMPSON — We are dealing with the role of the master in the senior court. It may well be that the new associate judge will be dealing with a serious mediation case in which in excess of 500 of my constituents and nearby constituents and residents have a direct and immediate interest.

The opposition does not oppose the bill. There is some concern that the term 'associate judge' is misleading and may overstate the role. I will leave that for others to judge. I know that on one occasion a member of this Parliament who had the title of party secretary in Melbourne visited China. He handed out the cards that he was accustomed to handing out in Melbourne, and he found he was getting a very warm welcome as he was travelling around China. That was because the term 'party secretary' in China had a different meaning to 'party secretary' of a political party in the Victorian Parliament, and he visited places that I am not sure even Prime Minister Rudd might recently have been taken to. Be that as it may, the bill before the house makes a number of changes.

From the opposition's perspective, our principal concern is to make sure there is not a banking up of cases. The member for Ferntree Gully pointed out to the chamber that there had been a 28 to 30 per cent increase in the court list over the past five years in one area of jurisdiction. It was rightly pointed out that justice delayed is justice denied. It is important that the Attorney-General continue to focus his endeavours on providing a proficient court system rather than one that is expensive. The recently built Moorabbin Justice Centre was projected to cost some $18 million but ultimately cost $28 million — a $10 million cost overrun. I hope better outcomes can be achieved in other areas of judicial administration so that we are not dealing with irrelevant matters and wasting the money of Victorian taxpayers.

Mr SEITZ (Keilor) — In view of the fact the opposition is supporting this bill I will not be making a lengthy speech or argument in support of it. Suffice it to say I once again congratulate the Attorney-General on modernising the judiciary, and in this case removing the word 'master', which is a term that no longer fits or is suitable to be used, because the Labor government has appointed almost equal numbers of men and women to the judiciary. Associate judge is a proper term. Modernising and creating an office of associate judge is an important step in bringing the judiciary forward into this century. The Attorney-General has done much in his term as Attorney-General to modify our laws and the workings of the judicial system in this state. This has been done in tandem with other jurisdictions in this country and New Zealand.

I support the bill because the courts need associate judges to assist with their workloads, whether it is in the County Court or the Supreme Court, and to do the work

that does not need to be carried out by a judge, particularly before and after a trial with the settlements and disputes that occur then. This important work that was carried out by the masters of the courts in the past will now be carried out by the new office of associate judge. Masters have not been appointed in the County Court for a long time. However, the County Court Act provides for the appointing of new masters, so it is appropriate that the Attorney-General has brought this bill before the house to create this new position. I heard members of the opposition talking before about having the appropriate support and establishing resources for the judiciary to function, which has been at the forefront of the Bracks and now Brumby government's activity.

It is commendable that this bill is supported by both sides of the house. We need to fully understand the functions of the bill and what it is trying to achieve. It is really in line with a judiciary that is modernising the whole system and demystifying court procedure. I attended both courts as an observer in recent times just to see for myself how the new system works, and in particular the function and the flow of the workload in the courts. It was tremendous to see the steps that have been taken in modifying the whole system. It is treated like a business. Lawyers and barristers and their clients know when their cases can be heard. They know approximately what time they will be required. They know the mention day and whether it will be a contested case or if there will be a plea of guilty.

Allocating time and making all those sorts of decisions is important in streamlining our court procedures. That is the administration side. The step outlined here to appoint associate judges to look after things before and after trials, and to make the decisions that have to be made in those situations, is commendable. I congratulate the Attorney-General once again, and wish the bill a speedy passage through the house.

Mr BURGESS (Hastings) — I rise to speak on the Courts Legislation Amendment (Associate Judges) Bill. The purpose of the bill is to replace the office of master of the Supreme Court and master of the County Court with the office of associate judge. The main provisions replace the reference to 'master' with references to 'associate judge' in the Supreme Court and the County Court. This includes inserting a definition of 'judge of the court' (JOTC) to refer to judges.

AJs, or associate judges, can deal with any matters in the Supreme Court unless an act or the rules require the matter to be dealt with by the Court of Appeal. An appeal can be made from an associate judge to a JOTC unless an act or the rules provide otherwise. The bill requires a JOTC to hear habeas corpus applications, vexatious litigant applications, applications to make minors wards of the court, and challenges to the validity of by-laws. Clause 23 of the bill excludes associate judges from the power to make rules. Clause 24 excludes associate judges from the Council of Judges. No new office may be created in the court by the Governor in Council unless the chief justice certifies that a majority of the JOTCs agrees.

The point I would like to make is that there has been no secret over the term of the Bracks and now Brumby governments that there is a movement away from many of the traditions in a lot of areas the public has gotten used to. One of those areas is the courts of law. Having been a barrister before I came to this place, my experience is that there is a lot to be said for the tradition that has been built up and used in the courts over centuries. We had the experience in the Family Court of Australia where wigs and gowns were not adopted. Research done shortly after that indicated that there was a significant movement away from obedience with and respect for the orders that were made in that court. This illustrates that tradition is there for a reason.

Courts are places that are not meant to be enjoyed. I have noticed the propensity for members to argue today for a move away from the formality of courts because it makes it much more inviting for people when they enter a court. My view is that courts are not necessarily inviting places. They are places where serious business is conducted. When people are before a judge or a court they need to understand that it is a serious place and the decisions that will be made in that place have serious implications and consequences. That is why this sort of area is significantly removed from the area of mediation and other dispute-resolution processes.

The point I am making is that we need to be very careful when making an all-out assault on tradition, particularly in areas such as the courts, and even in the movement away from the previous names of roles within those courts. Change for change's sake is not necessarily a good thing. I would agree with the necessity to modernise courts in certain processes and certain ways things are conducted. But there is a great need for care when tinkering with the processes the community has come to rely on in having justice taken care of.

Mr SCOTT (Preston) — I rise to support the Courts Legislation Amendment (Associate Judges) Bill. I would first like to respond to what the member for Hastings said about power and legitimacy. I would agree that courts are serious places where serious business is conducted. I am not sure whether the

member for Hastings is aware of the German sociologist Weber who once said that power is legitimated in three ways: charismatic, bureaucratic and tradition. Tradition is clearly one of the forms by which power is legitimated. However, what I would say about these changes in response to what the previous speaker said is that traditional forms of legitimation often come with a lot of baggage.

The term 'master' is clearly a sexist term, and one that in 2008 we should dispense with to move to a more appropriate term. Associate judges is a more appropriate term. I would agree that it is important in courts to have an appropriate sense of authority and gravity in the proceedings. I understand that a number of issues arose in the Family Court. However, in deciding whether to keep or dispense with traditions there are criteria other than the power they convey. Traditions often uphold sets of values and ideas about how society functions that we would not necessarily accept in 2008. I regard the term 'master' as something that is, to quote the member for Essendon, a sexist term. I do not think it is appropriate that we have such a term in our judicial system. It is appropriate that we move on. The term 'associate judge' is a perfectly reasonable term, and one that conveys a significant sense of gravitas and authority. I believe this is a very appropriate bill.

I know a number of other speakers wish to speak on the bill tonight, so I will not take up too much more of the house's time, other than to say I think there is an important shift towards mediation in law. I think it was an English judge who once said that justice is open to all — just like the Savoy Grill. Court proceedings in full court are very expensive, as I am sure members of this house who have previously served in the justice system would know. Any shift towards less costly forms of dispute resolution such as mediation open justice up to a larger number of people. I commend the bill to the house.

Ms BEATTIE (Yuroke) — I rise to support the Courts Legislation Amendment (Associate Judges) Bill 2008. In doing so, I note that I am very pleased to see that it is getting rid of what I would term sexist language from within the law. Anything that demystifies the law for those going to court is a good thing. While I am on my feet trumpeting this bill as getting rid of some sexist language, I must offer my congratulations to the Governor-General designate, Quentin Bryce, who will be the first woman to hold that position. I see these sorts of appointments and these sorts of laws as just a natural progression.

I too take issue with part of the contribution made by the member for Hastings. I think people go to court to see justice dispensed. I do not think they respect the law any less if the judge is not wearing a wig and gown. Certainly in this house we used to see the Speaker and the clerks wearing wigs and gowns. I have the highest respect for the clerks in this place. It does not matter whether they are wearing wigs or gowns; that does not impede on their ability to do their job properly. A wig and a gown do not make the dispensing of rules any more or any less valid. It is the quality of the people beneath the wigs and the gowns that determines how they act.

This is a good bill. Supreme Court masters have also been involved in mediation, and I think that mediation is a good thing. I understand that between October 2005 and July 2007, 94 cases were referred to mediation by what is known as a master, and that 59 per cent of these matters were settled at or after mediation, thereby saving the court 311 sitting days. That is a phenomenal number when you consider not only the dollar figure saving those 311 days represents but also the value of the streamlining of justice and of allowing people to get over court cases that distress them.

I would also like to commend Crown Counsel, Dr John Lynch, on the way he has consulted for this bill. An issues paper was written and was responded to by the County Court of Victoria, the Law Institute of Victoria's litigation lawyers section, the Supreme Court of Victoria, the Transport Accident Commission, Victoria Legal Aid, the Victorian Bar, the Victorian WorkCover Authority, and many luminaries of the bar and the bench.

I am very happy to support this bill, but in closing I want to reiterate that it is my fervent hope that people going to court find the demystified process a good thing. It does not matter whether one is wearing a gown or a wig — or indeed has a Mohawk hairstyle. If you do your job properly then you are a fit person to do that job.

Mr PERERA (Cranbourne) — I wish to speak briefly in favour of the Courts Legislation Amendment (Associate Judges) Bill 2008. The bill is based on a report by Crown Counsel, Dr John Lynch, recommending substantial reforms to the offices of master of the Supreme Court and master of the County Court. I would like to congratulate Dr John Lynch on his excellent work.

When talking to a master, it is customary to refer to them as 'master', which is old-fashioned. It is time to ditch the antiquated term 'master', now that we have

proper representation of women amongst our judicial officers. In this day and age references to gender are being removed from language, so why not apply that to the justice system? The term 'associate judge' better relates to the court system.

Reducing court delays and exploring alternative ways to resolve disputes are key priorities of the Brumby government. It is common knowledge that litigation is expensive. A full hearing in the Supreme Court or the County Court can cost tens of thousands of dollars, and months and years. The overhauling of the 19th century office of master will allow associate judges within the Supreme Court and the Court of Appeal to help resolve more matters at mediation. If the parties in dispute can think rationally and leave their emotions behind, more matters can be resolved through mediation. It is the role of the justice system to promote such resolutions by reform.

This bill will modernise the office of master in the Supreme Court, particularly in the provision of court-directed mediation and the management and direction of civil appeals. Between October 2005 and July 2007, 94 cases were referred to mediation by a master and 59 per cent of those matters were settled at or after mediation, saving the court 311 sitting days. This is not delaying justice but expediting justice. This is a good piece of legislation making some excellent reforms. I commend the bill to the house.

Debate adjourned on motion of Mr LANGDON (Ivanhoe).

Debate adjourned until later this day.

LAND (REVOCATION OF RESERVATIONS) BILL

Second reading

Debate resumed from earlier this day; motion of Mr BATCHELOR (Minister for Community Development).

Mr FOLEY (Albert Park) — It is with great pleasure that I rise to support the Land (Revocation of Reservations) Bill 2008. This bill continues the approach of many years whereby sensible measures for protecting both the public interest and the broader community good by dealing with the revocation of permanent reservations of certain limited parcels of Crown land to meet a variety of community and broader social uses have made their way through this Parliament.

We have already heard in this debate that the parcels of land include certain areas of land at Yarrawonga, particularly the site of the former police residence — and our friends opposite are continuing to pursue their gratuitous and unfounded campaign about the selling off of police homes in regional and rural Victoria. They also include the Talbot Free Library site and specific parcels of land at Marlo, which we have heard the member for Gippsland East discuss. We have also heard discussion in regard to the Mount Duneed Regional Primary School and a few other parcels of land which are currently reserved for public recreation.

The process envisaged by the government to deal with these sensible changes gives form to many community expectations. We have heard, for instance, from the member for Murray Valley about specific expectations for sites, changing community purposes and needs. A legislative instrument is required to bring about that change to the status of those sites. That process occurs regularly in this place to update land management and sometimes give community groups better security for the purposes of local community activities.

In Yarrawonga, for example, the issue goes to the use of the former police station and the house on that site. My friends opposite have foreshadowed a totally unnecessary amendment in relation to that site given the commitment by the Brumby and Bracks governments to the building of a new station at a new site at Yarrawonga, which of course is part of this government's overall commitment to establishing sound law and order community safety practices across the state. That is reflected in the fact that we have brought in 1400 extra police since we were elected and that on top of that we have another 350 recruits in this term to bring to the front line of community safety.

That issue also extends to support for appropriate powers and support for police command. Support for police command is something I noticed members opposite last week had to be dragged kicking and screaming to — in finally having to concede that the Chief Commissioner of Police is doing a wonderful job. But of course — —

Mr Weller — On a point of order, Acting Speaker, is this on the bill?

Mr FOLEY — I will return to the bill presently, Acting Speaker.

The ACTING SPEAKER (Dr Sykes) — Order! Thank you.

Mr FOLEY — But it is in fact my friends opposite who have foreshadowed an amendment to this bill

seeking to cut out the Yarrawonga police station or, it would be more accurate to say, to suggest alternative mechanisms to deal with the former Yarrawonga police station site.

Dr Napthine — Residence.

Mr FOLEY — Residence; you are quite right, thank you. What all this of course reflects is that this bill is part of an ongoing, sensible way of dealing with the revocation of Crown land leases for practical and appropriate uses in local communities. If we look at the instance of Talbot for instance, we see that this bill will allow the updating of the free lending library there. As things are today, the committee of management appointed to run that particular site is prevented from doing so in an appropriate way, because the trustees of the original site are sadly all long dead. The first of those to have died has been dead for over a century, so the need to modernise instances such as that, the instance referred to by the member for Murray Valley and the instance referred to by the member for Gippsland East, reflects the broader need to have a sensible and practical mechanism in place for the Parliament to deal with updating and modernising the use of land as it becomes available.

The bill assigns responsibility for the processing of these parcels of land to the Department of Sustainability and Environment and, through that department, to the responsible minister, the Minister for Environment and Climate Change in the other place. We would expect widespread and non-controversial support for these sensible arrangements, being as they are essential machinery matters that benefit local communities and advance appropriate development and the broader public interest. It is therefore sad to see members of the opposition using the Yarrawonga former police residence as an example of their going-nowhere bandwagon of country residences in rural and regional Victoria, even though they know full well that the Bracks and Brumby governments have, more than any other government in this state's history, shown support for regional and rural policing through the unprecedented level of infrastructure support for such police stations and community safety. I wish the bill a speedy and successful passage through this Parliament, and I hope that is achieved shortly.

Mr MORRIS (Mornington) — It is a pleasure to join the discussion on the Land (Revocation of Reservations) Bill 2008, which of course intends to revoke permanent reservations at Yarrawonga; at the Talbot Free Library; at Marlo, Boorhaman and Brimin; and at Mount Duneed. It is interesting to refer to the pretty brief second-reading speech in which the minister made the comment that bills of this nature were often needed to provide changes in land status to support government and community projects. That is clearly a truism, but when six of those changes are lumped in together, obviously it is possible to agree with some and disagree with others, and that is the position many members have indicated this evening.

To turn to the first item, the land at Yarrawonga, the minister indicated in the second-reading speech that the:

> … police residence … will no longer be needed, as a new police station is being built in Yarrawonga. The … buildings cannot be sold and put to better use in future unless the … reservation is removed by this bill.

Firstly, I am delighted that a new police station is being built at Yarrawonga, because Yarrawonga has undergone substantial growth in recent years. There has been an almost 25 per cent increase in the last 10 years. That growth has not only been confined to the population but also to the dwelling stock over the 2001–06 period, which increased by more than 17 per cent and now exceeds 3000 homes. Given that growth and trend, a new police station is a very welcome addition, because new accommodation is required by police. I question the logic of the decision to revoke the reservation, because a new station will not provide new accommodation for the police. For 127 years it has been desirable to reserve land and provide accommodation for officers. Now the town is growing; there are more and more people than ever before, but this reservation and the incentive for police to work in this town are being abandoned by the government. Clearly the logic employed by the minister is flawed in this case.

It may have escaped the attention of members opposite that the provision of police houses is a very effective method of getting good officers to consider a career in country Victoria. I spent a considerable amount of time in 2007 in the company of the member for Kew travelling around rural and regional Victoria and speaking to — amongst members of other organisations — many police officers. Certainly in those discussions we covered a lot of ground. I can assure members opposite that the provision of appropriate accommodation is very important in encouraging police and their families to commit to a career away from metropolitan Melbourne. If the government were really serious about looking after police officers and the interests of country Victoria, it would consider positively the amendment moved by the member for Warrandyte.

The second item on the schedule is the Talbot Free Library site, just south of Maryborough in the Central Goldfields shire; an allotment of some 708 square metres that was reserved by order in council on 22 January 1889. It is rather sad that this reservation is going the way it is, but I appreciate the reason for it. It would appear that, despite government claims of improved library services, not only does the town of Talbot no longer have a library but it does not even boast a mobile library. It is a town of over 300 people — 300 people who certainly deserve better from this government. The nearest mobile library stop is almost 12 kilometres away on the Lexton-Evansford Road. Until the Brumby government meets its obligation to contribute a fair share to library funding, the people of Talbot and many other places will have to continue travelling to get their library books. I need to say that local government more than pulls its weight in providing library funding. It does considerably more than its fair share, and it will continue to suffer from this persistent cost shift that first the Bracks government insisted, and now the Brumby government insists on putting on local government.

In relation to this particular site, there is an indication in the second-reading speech that the ongoing use of the hall will be preserved for community activities. I certainly hope those assurances are met and that the real intent of this bill is to hand control to the community rather than prepare the land for sale to the highest bidder.

The other parcels affected by the bill include a parcel in Marlo of some 5000 square metres. There was some discussion on that earlier in the piece, and I certainly do not have any issues with that. Items 4 and 5 are very small parcels. Item 4 is some 105 square metres. The other one in the Indigo shire is 106 square metres. They are more annoyances than serious reservations.

I note the work done by the member for Murray Valley in getting these reservations listed. I certainly support that, too. In the case of the Mount Duneed land, clearly it is more appropriate for the education department to have management responsibilities for the site, which contains a primary school, regardless of the fact that it was originally built on land reserved for public recreation purposes.

In conclusion, permanent reservations are not set in concrete and clearly should not be. While an act of Parliament is a fair hurdle to jump, and appropriately so, we certainly should not come into this place and say these things must not change. As I have indicated, many of these changes will be a significant improvement to the status quo, but we should guard against change for the sake of it, and we should particularly guard against the disposal of government land when there are ongoing purposes for which it was initially reserved. That is clearly the case with the Yarrawonga land. The amendment moved by the member for Warrandyte solves that problem. It is land that was reserved for a purpose, and it is still required for that purpose. I commend the amendment to the house.

Mrs MADDIGAN (Essendon) — It is always a pleasure to follow the member for Mornington, one of the more sensible members of the opposition — although some of my colleagues would say he has not got much to beat, but of course I would not say anything as uncharitable as that!

This bill is one of a number relating to Crown land that have come through this chamber. Over the years it has been necessary to change the status of this land to bring it into appropriate management for its current usage. I am pleased to support the Land (Revocation of Reservations) Bill 2008, but unfortunately I cannot support the amendments moved by the member for Warrandyte.

There are some facts in relation to this land that are important to keep in mind. Firstly, no public open space is taken away by this bill. Secondly, the reservations are supported by all the community, particularly by the local councils whose areas they are located in, and any sale of land following the revocations will be in accordance with the government's procedures for the sale of Crown land — that is, those under the land monitor process.

The Crown Land Reserves Act 1978 is the current act, but the Crown land acts were the very early acts of this Parliament, and they protected a large amount of land in the state to ensure that it could not be developed in a way that our legislators thought was inappropriate in those early days. Unfortunately in some ways the acts and the early reservations are no longer appropriate for the sites which they cover. That is only one of many changes that have been made over the years.

Not all the land covered by this bill is to be sold. In fact some of the changes will allow the land to be managed more efficiently and for the purposes for which it is now used. The land in Yarrawonga, which seems to have caused some consternation in this house, really involves a fairly simple proposition. The land was reserved for a police residence. A new police residence is being built, and the purpose of the sale of this land is to pay for that residence. I would have thought most people would think that is a fairly logical and sensible

thing to do. It certainly has nothing to do with police numbers, police stations or anything else. It has to do with the living quarters of the police. I would have thought it is quite a reasonable process. I am sure whomever the police person is who gets to live here would much prefer to live in a new, modern house rather than the old residence that was in Yarrawonga previously.

Dr Napthine interjected.

Mrs MADDIGAN — I spoke about more sensible members in this Parliament before, and the member for South-West Coast has just clearly identified himself as not belonging to that category. The second one — —

Dr Napthine interjected.

The ACTING SPEAKER (Dr Sykes) — Order! I thank the member for South-West Coast and the member for Essendon. The member for Essendon should stick to the bill.

Mrs MADDIGAN — The Talbot Free Library is now used as a community hall, which I think is a quite reasonable community purpose. I think that the Talbot community is very keen to have the library as a community hall as well. In this case the land is not being sold; the situation has been changed to allow a committee of management to be set up to run the community hall. That is fairly common. For example, the Essendon Historical Society in my electorate is located in an old courthouse on Crown land, and it runs very effectively. The benefits of changing the status of the land are not only to allow the local community to run the land and have a say in the way it is organised — of course it is the local community that benefits from it — but also that it provides the capacity to apply for various levels of funding through state and local council grants. Changing the status of the land will provide significant benefits to the Talbot community.

The small pieces of land at Marlo, Boorhaman and Brimin, the reserves over which are to be revoked, are adjacent to privately owned land. This change will allow the owners of the privately owned land to tidy up the boundaries of their properties and make sure they make the revoked land as part of their own. Most of these cases involve small areas of land and there is not an alternative use for it which would be more suitable than selling it to the next door landowners, who would be very pleased to buy it.

The other land we are concerned with is occupied by Mount Duneed Regional Primary School. As the member for Mornington said, it was initially reserved for recreational purposes. However, because the land has been used for many years as a primary school obviously its status needs to be changed to more clearly reflect its current usage. In a similar situation to that of the Talbot Free Library land, although that library is now a community hall, a committee of management will be set up in relation to the Mount Duneed Regional Primary School land. In this case the Department of Education and Early Childhood Development will be appointed as the committee of management, which is very appropriate.

There has been considerable amount of consultation in relation to this bill. As I said, the bill is warmly applauded by those who are involved in the relevant areas. It is not expected that anyone will oppose the bill. In some ways it is an administrative bill that tidies up old reservations on Crown land to give the land a more effective purpose and to allow the community to have a greater involvement in the management of it. I am pleased to commend the bill to the house.

Mr WELLER (Rodney) — It is with great pleasure that I rise tonight to speak on the Land (Revocation of Reservations) Bill 2008. I would like to clarify a point made by the right honourable member for Essendon — —

Honourable members interjecting.

Mr WELLER — The member for Essendon anyway! The member for Essendon made an assumption — and it is very dangerous to make assumptions — that a new police residence will be established at Yarrawonga in place of the police residence that the government is taking away. There is nothing at all in the bill that speaks about a new police residence at Yarrawonga. It is this government's policy to do away with police residences right across the state, so why would Yarrawonga not be included in the government's witch-hunt?

Mrs Powell — It is!

Mr WELLER — It is. I think we need to make it clear that this bill is about taking away police residences in Yarrawonga. As the member for Rodney I have a good connection to rural Victoria, and I understand that it is very important to have police residences in locations such as Yarrawonga. Quite often the local policemen are the backbone of communities. Country football has relied on them. How many premierships have we won in country Victoria when the local policemen have come and played in the ruck?

Dr Napthine interjected.

Mr WELLER — It has been many; they are too numerous to count!

The ACTING SPEAKER (Dr Sykes) — Order! The member is to return to the bill.

Dr Napthine interjected.

Mr WELLER — That is exactly right! Geoff Rosenow and Geoff Annand from Mitiamo were ruckmen.

The ACTING SPEAKER (Dr Sykes) — The member for Rodney should be on the bill, not on the ball!

Mr WELLER — We also have to remember what this bill does not include a very important provision regarding the revocation of reservations in Undera in my electorate. The committee of management of the Undera Recreation Reserve wrote to the Department of Sustainability and Environment in 2007 and suggested that there was a part of the recreation reserve which had not been used for about 50 years and that given Undera needed population growth there was a chance for the government to sell off part of the recreation reserve which had not been used. The committee wrote to the department with that suggestion, but it is not included in the bill.

The annexing of the Undera Recreation Reserve should have been a part of this bill. The Undera community would be outraged to know it is not included. When this bill came into the Parliament I was surprised not to see this suggestion in the bill. The selling off of that part of the Undera reserve should have been included in the bill, because it could have supported population growth in and made the community of Undera more sustainable. The community has suffered population losses due to the drought, and to have a few more people living on the housing blocks which could have been annexed from the Undera Recreation Reserve would have been a bonus for the Undera community.

We should also remember that the bill deals with the revocation of the permanent reservation and related Crown grant of land occupied by the Talbot Free Library. Libraries are very important to rural communities. I find it surprising that the Talbot community has not spoken out loudly about the taking away of the library without the provision of a visiting mobile library. Members in this chamber have said that the community has not done this. I believe that those members are not listening. The library in Echuca is a very important part of the community. We are grateful that we have had one small government grant, and further are expected. It is important for the members of our regional communities to have library access. The Campaspe Shire Council in Echuca has received a grant of half a million dollars, but let us remember it is a $4 million project.

It is a grant, but not a very big one and it should have been substantially more. The bill revokes the permanent reservation of certain land at Marlo, Boorhaman and Brimin. It also revokes the permanent reservation of land occupied by Mount Duneed Regional Primary School. I thought this government came to power saying it would not close any schools. What are we doing giving away this land? There will never be any primary school at Mount Duneed if the land is gone.

The house should support the amendment to item 1 of schedule 1 proposed by the member for Warrandyte, which will protect the police residence at Yarrawonga. The amendment is well worth supporting when we bear in mind the importance of the police to country Victoria and the importance of a high-quality residence on a well-situated block that would attract the highest calibre policemen to our rural communities to do the wonderful job they do. I commend the bill and the amendments to the house.

Mr SCOTT (Preston) — I note I am speaking in place of the member for Keilor and I will seek to use his particular style in some way in my speech today.

Mr Weller interjected.

Mr SCOTT — I would like to respond to the member for Rodney. I note that I should not respond to interjections or the raising of eyebrows, but the member for Keilor shares an office with me and he is a fine fellow.

I touch upon clause 5, which relates to the Talbot Free Library and to which the member for Rodney referred. My understanding is that the site of the free library will be used as a community hall and that the community wishes to select suitable members to be appointed as a committee of management and hence there is community support for the revocation of the reservation of that land.

It is interesting to note that the reservation at the library dates from 1889, and members would know that public libraries have played an important part in our community. During the 19th century there was a very important social movement which started in 1852 in Britain, where free libraries were essentially established. There was a movement to provide free access to information as part of a general program to expand literacy and understanding of the world in the community, which was a great liberal tradition, not so

much associated with the Liberal Party, to expand knowledge in the community and provide an educated community that had the capacity to understand the world and fully participate in civic affairs. Philanthropists such as Andrew Carnegie and others participated in the movement to expand free libraries around the world. That has been one of the great cornerstones of learning and knowledge within our society. Perhaps with the rise of the internet this is less necessary. It is my understanding that the community of Talbot has shown strong support for the use of the free library site as a community facility and it supports the changes contained in this bill.

A number of other clauses of the bill include a number of sensible revocation of parcels of land that would allow the use of that land. In some cases it is the disposal of the land and in other cases more sensible flexibility is given for the use of the land.

As far as I can see, the amendment is not sensible. I note that the removal of the permanent reservation on the land in Yarrawonga occupied by the police residence will free up resources for the construction of the new police facilities in Yarrawonga. The use of land reservations as a means of allocation of resources is something that members opposite should consider before moving such amendments. Such a policy, of the Parliament seeking to control the way in which the executive runs the government, should be done carefully and in a more considered way. I do not support the amendment, but I support the bill and regard it as a sensible piece of legislation.

On a personal note this brings back memories of when I was a humble staffer for Sherryl Garbutt, the then member for Bundoora, when she was a shadow minister. I have some empathy for staffers in opposition who have to go through such bills and search for issues relating to individual parcels of land.

Dr Napthine — We know these areas.

Mr SCOTT — Some do and some do not, I am sure. If the amendment relating to the reservation of the land at Yarrawonga is the best that staffers or members could come up with, then their time in consideration of such matters needs to be better spent. I commend the bill to the house. I am not sure if I have been able to channel the views of the member for Keilor in this contribution, but I will seek his wisdom upon concluding this speech.

Dr NAPTHINE (South-West Coast) — I am sure the member for Preston will not use a lot of time in seeking all the wisdom of the member for Keilor.

I rise to speak on the Land (Revocation of Reservations) Bill 2008. I want to refer particularly to clause 4, which, as is stated in the explanatory memorandum:

> … revokes the permanent reservation of land as a site for public purposes at Yarrawonga currently occupied by a police residence.

I want to talk about clause 4 and the proposed amendment of the member for Warrandyte which will effectively omit this clause. Firstly in speaking on this issue and the proposed amendment, I take issue with the views expressed by various government members and repeated most recently by the member for Preston. They have put a position which argues that it is necessary to sell the land currently occupied by a police residence at Yarrawonga to gain the dollars necessary to build a new police station at Yarrawonga. So the people of Yarrawonga do not have a choice — they can have either a police residence or a police station. That is simply, utterly and absolutely wrong. It gives the clear indication that the city-based, city-centric members of the Labor Party fail to understand the needs of rural communities and the issues in rural communities.

Rural towns like Yarrawonga need both a modern police station for the police officers to operate out of and a police residence. They need both, and this concept that you can sell the land that the police residence is on to provide some dollars to help pay for the windows and the doors in the police station is absolute nonsense, but that is what is being proposed by the Labor members here today. What we need in Yarrawonga, and in towns right across the length and breadth of Victoria, is modern and efficient police stations, but we also need police residences to provide for the police officers and their families, and to ensure community safety in our rural communities.

In putting my case as to why I support the amendment from the member for Warrandyte, and why I support the argument that you need both a police station and a police residence, I refer to the town of Heywood in western Victoria, which is in my electorate. It is a town which is not dissimilar to Yarrawonga and many of the issues there are the same. Hence I draw parallels between what is being proposed in Heywood and what the government is proposing in Yarrawonga through this legislation.

I will quote from the Warrnambool *Standard* of 31 January. Under the headline ‘Heywood to lobby government, police’ it says, ‘Crime surge fear’. The article states:

> The Heywood community last night vowed to fight plans to sell the town's police residence.

Which is exactly what this legislation proposes to do to the town of Yarrawonga. It says further:

> Superintendent Shane Cole, based at Warrnambool police headquarters, told the residents money from the sale of the Heywood residence would be used at other police houses in the south-west.

It is a familiar theme that the Labor Party is proposing. However, the article goes on:

> When asked by local pharmacist Craig Keating what the benefits of selling the house were to Heywood, Superintendent Cole admitted there were none.

There are no benefits to the local community of selling that police residence — there are no benefits in Heywood and there are no benefits in Yarrawonga — but that is what this government is proposing to do to the people of Yarrawonga through this legislation, and it will be doing a similar thing in Heywood and in other towns right across Victoria. The article continues:

> Businessman Des Gray said he was concerned the behaviour of hoons in the town would get worse if there wasn't a constant police presence.
>
> 'I live in the south-west of the town. There's hoons up there two or three times a night' he said.
>
> 'I could name eight things that have happened in the last three days because we haven't got a police presence and the hoons, the kids, know that'.

There is nobody in the police residence in Heywood because it has been proposed that it be closed, and that is exactly what will happen in Yarrawonga. What we have in Heywood is a modern police station, but the police residence is a disgrace, and it is proposed that it be closed. What any community wants — and what Yarrawonga, Heywood, Terang and 45 other communities that have 16-hour police stations need — is both a proper police station and a police residence to guarantee a 24-hour police presence in those towns so the police can respond in emergencies and be available to keep an eye on the town. Guess what? In Heywood the police residence is right on the highway, so if people are misbehaving while the policeman is out mowing his lawn he can keep an eye on them and make sure he writes down their number so he can get them next time. That is the way it works in country communities, and that is why country communities are safe communities.

I raised the matter of the Heywood residence with the Minister for Police and Emergency Services as an adjournment matter, and he responded on 27 March. His answer relates directly to this legislation. He said, and I quote from his letter:

> No formal proposal for the sale of specific police residences has been received from Victoria Police.

On 27 March he said that no proposal for the sale of specific police residences had been received from Victoria Police. On 27 March he tried to tell us that the Heywood police residence was not going to be sold, but he also said that no other police residences were going to be sold. But lo and behold, what do we have in this legislation? We have clause 4, which revokes the permanent reservation of land as a site for public purposes at Yarrawonga which is currently occupied by a police residence. Why is the government changing the revocation? Because it wants to sell the land. Clearly when the minister wrote to me on 27 March he was seeking to deliberately mislead me, to deliberately mislead the people of Heywood and deliberately mislead the community — —

Mr Holding — On a point of order, Acting Speaker, it is unparliamentary for a member to claim that another member has deliberately misled him or the Parliament in any way.

The ACTING SPEAKER (Dr Sykes) — Order! I uphold the point of order, and I ask the member for South-West Coast to continue.

Dr NAPTHINE — I did not say the minister deliberately misled the house. I said that in his letter he deliberately misled the community, and he has deliberately misled the community because he has said there is no formal proposal — —

The ACTING SPEAKER (Dr Sykes) — Order! I ask the member for South-West Coast to move on. I have upheld the point of order.

Dr NAPTHINE — I will quote again from the minister's letter. He said:

> No formal proposal for the sale of specific police residences has been received from Victoria Police.

Yet less than one month later this legislation specifically proposes to revoke the reservation over land at Yarrawonga which is currently occupied by a police residence. To me that seems like a direct contradiction. It seems to be exactly the opposite. It might perhaps be seen by some people as seeking to deliberately mislead the people who read this letter, the people who this letter was sent to and the people this letter might be circulated to.

The nub of the issue here is that we have a government that does not understand policing in country Victoria. It does not understand that you need both a police station and a police residence. Members opposite continually say they support the need for a new police station at Yarrawonga, which we all support, but they refuse to support the amendment. They say you need to sell the land and sell the police residence from under the police and under the police families to have enough money to pay for the police stations. That simply is not good enough. We have a billion dollar surplus. We have country communities that deserve a proper police presence and a modern police station. They need local police residences to provide accommodation for police and their families and to provide community access to police on a 24-hour basis. That is what should happen at Heywood, and that is what should happen at Yarrawonga. It is about time the government understood the needs of regional and rural Victoria and particularly rural towns like Heywood and Yarrawonga. The government should support the amendment.

Ms BEATTIE (Yuroke) — I rise to support the Land (Revocation of Reservations) Bill 2008. I will not be supporting the amendment. This bill is quite mechanical in its nature. These sorts of bills often come to the house when land is no longer required. They follow the normal procedures for the sale of Crown land. But it is really important to state here that no public open space will be taken away by this bill.

I must take up a point made by the member for Rodney about some land at Undera. As I said, these bills come into the house all the time. The member throws up his hands in horror and carries on as though the world is about to come to an end. The land at Undera will go through a process and a bill will come into the house at a later stage. This is not a great omnibus bill where every land revocation that is ever going to take place in Victoria has to come in in the one bill. It happens all the time. That is what we see happening with this bill here tonight — that there is a revocation taking place in Yarrawonga. That land is currently used for a police residence, and it is no longer needed. A new police station is being built on another site in Yarrawonga, and I wish to congratulate the Minister for Police and Emergency Services on building a new police station in the town. The reason we have to build new police stations is that we have more police. We actually have 1400 more police, unlike the former government that sacked 800 police. It did not need to build any new police stations because it had no police to put in the new police stations. That takes care of the Yarrawonga issue.

The other issue concerns the Talbot Free Library, and this reservation is going to reflect the current use of a community hall. It will also assist the community to obtain funding to improve the premises for community use in the future. There is other land at Marlo, Boorhaman and Brimin that is surplus. It is adjacent to privately owned land. This will tidy up the boundaries and ensure appropriate and efficient use of the land. There is also land at Mount Duneed Regional Primary School.

There are a couple of things that I want to go through. The Crown land will undergo the normal process when it is sold. Assessments are made by the government land monitor and a process takes place. I would also like to address the issues of native land title. Both Boorhaman and Brimin are in the Yorta Yorta claim area, and members will know there has been a High Court determination that native title no longer exists in that area. The land at Marlo is located in the Gunai Kurnai claim area, and native title rights over the majority of the land proposed to be sold to an adjacent property owner have been fully extinguished. However, an indigenous land use agreement may have to be negotiated in relation to just a very small part of the land before it is sold.

I also want to touch on the Yarrawonga land. We have talked about the police residence there and we have talked about this government's commitment to building new police stations, employing more police and giving police the resources they need. But I now want to talk about what will happen to the land after the revocation. This land is very important because it may be needed as a possible second river crossing. We have heard the former member for Rodney, Mr Noel Maughan, speak many times in this house about the possible second river crossing. We know there has been a lot of debate over the proposed second river crossing and where it will actually be situated. The land will be sold to VicRoads at the full market value based on the highest and best use of the land.

I know there are other speakers who want to speak on the bill, but I also want to say that none of the municipal councils or shires are opposed to any of the land revocations that are about to take place, and I want to reinforce that no open space is being taken away. So with those few words, as I said, I will be voting for the bill but voting against the foreshadowed amendment. This government needs to build new police stations to take up the very important work done by those 1400 new police that we have employed. We will keep employing more police. We are not going to argue nor are we are going to fall into the trap of talking about side issues. We are just going to keep on employing

new police, having those police doing their job and driving the crime rate down in Victoria. We have the lowest crime rate in Australia, and I commend the Chief Commissioner of Police on the success of her first five-year plan. I also commend the second five-year plan to members of this house.

Mr THOMPSON (Sandringham) — The purpose of the bill before the house this evening is to revoke the permanent reservation of certain land at Yarrawonga, of land occupied by the Talbot Free Library, and of land at Marlo, Boorhaman, Brimin and the Mount Duneed Regional Primary School. The main provisions relate to the revocation of land that will be freed from all trusts, limitations, reservations, restrictions, encumbrances, estates and interests, and the appointment of any committee of management or trustee is revoked.

The member for Melton thought that this might be an exciting contribution. If he listens very carefully he may actually warm to the idea that, when we start speaking about police stations, the Labor Party has bad form in relation to this particular issue. He will recall that in September 1988, on the eve of an election, the then Labor candidate in the Sandringham electorate promised to the people — and this was published on the front page of the newspaper, days before the election — that if a Labor government was elected a new police station would be built in Sandringham. Twenty years later there is vacant land and, but for the consistent, persistent and continuing campaign waged by the local member, there would be vacant land in the future and for posterity if it was not otherwise sold up.

But I have good news for the house and for the member for Melton, who I think might have just been dozing off before. He has sparked to life with the good news that there will be a new police station in Sandringham. It may be related to the fact that it is right next door to the Sandringham Masonic Lodge, which is the main polling booth in Sandringham. At the last state election there was a big sign almost the size of this very chamber which had on it the words 'Site of broken Labor promise', and any of the upper house members who were campaigning in Southern Metropolitan Region — the Treasurer or the parliamentary secretary to the Premier — and who may have visited would have seen this sign on the skyline 'Site of broken Labor promise'.

The member for Murray Valley, who has been a hard-working member in this place for over three decades, has concerns about what will happen to this land in his electorate — and he has very good reason to be concerned. That is why the amendment which was ably moved by the member for Warrandyte aims to separate out that land from the bill so that we can consider the issues in a straightforward manner.

I look forward to inviting the member for Melton, the Minister for Water and other members of this chamber to Sandringham for the opening of the new Sandringham police station. It will be a lesson in history and a lesson in following through.

The next item in the bill relates to a number of other areas of Victoria. The member for East Gippsland dealt with the McKeown land at Marlo and spoke about longstanding family farmers in that area, dairy farmers, having sought the higher ground on which to build their farming sheds and encroached upon a reservation of land. This is a chance to clarify that local circumstance, and I understand a sensible outcome will be achieved. There is also the land at Mount Duneed, which the member for Mornington ably referred to, the land at Brimin and the land at Boorhaman, which are straightforward matters.

As a matter of general interest I note that one of the place names, Brimin, is an Aboriginal word that means 'spring of water'. Boorhaman may have some reference to initiation ceremonies. According to *Place Names of Victoria*, a publication by Les Blake, Yarrawonga has some correlation to the place where the Wonga pigeon nested. Marlo may have a connection with the Irish birthplace of a local settler. Marlo is a great place in Victoria to visit. They will not hear clichés down there, because they are people who have worked the area over many generations and they are not interested in the clichés that are regularly parroted by the current government. But in relation to the Marlo land there will be an effective solution. The opposition does not oppose the bill. However, it will move an amendment in the consideration-in-detail stage, which in light of my experience as the member for Sandringham I consider to be a very sound one, as otherwise the member for Murray Valley would have much to be concerned about.

Mr SEITZ (Keilor) — I rise to support the Land (Revocation of Reservations) Bill 2008. The purpose of the bill is to revoke the permanent reservation of land at Yarrawonga, Marlo, Boorhaman and Brimin; to allow the government to sell surplus land and revoke permanent reservation on Crown grant land occupied by the Talbot Free Library; and to update the legal status of the land and allow new management arrangements to be put in place on the permanent reservation of land occupied by the Mount Duneed Regional Primary School.

The bill is actually tidying up some of the issues around who has management of, who has title to and who has the say on those properties and assets so that the government is able to manage the land and invest any proceeds where it desires through committees of management so that it has legal status and occupancy of the land and any property or buildings thereon. This is an important step. Most of those communities are in country towns, as we can see. Where the trustees have long since passed away, such as in the case of the free library, action needs to be taken to make it legal as to who today can be the legal manager of that particular building and the land surrounding it. Accidents happen, and we are all familiar with the sort of litigation that can ensue. That is when people start looking at who has legal responsibility for and ownership of the property or the management of those assets.

I commend the bill to the house. This type of bill comes before us every now and then because matters need to be cleared up as they arise over a period of time, otherwise it can become a vexed question as to who is responsible. Is it the responsibility of the local shire? Is it the responsibility of the trustees? Or does the responsibility fall back on the state government, which has had no proper say in managing the affairs of or in the delegating of authority or power to other committees, whether they be councils or just committees — we have the foreshore committees down on the Bellarine Peninsula — and similar areas which have legal responsibilities? We have gone through those processes in establishing those organisations. There the management has legal responsibilities and has taken appropriate steps in managing that land.

This bill does all the things I just mentioned, and it is important to say that most of those bills are initiated by local people and local communities. Many years ago in Mildura we had the same issue of a land revocation regarding high school land. In that case a trust was abolished and the money went to the high school so it could continue to give scholarships in that area. I am sure the bill will create benefits for the affected communities. I am sure that if land is sold, we will replace the buildings that were on it with other modern buildings in a different and more appropriate location, as in the case of the police station we have just heard about, where the old residence is no longer needed and a new one has been built at a new location.

Again, eminently sensible steps have been taken in this legislation so that the land managers in the government departments can deal with these issues, and so that where community organisations are effected they can legally have possession of the property and make decisions, particularly when it comes to alterations and maintenance. As I said, we had a case of a mechanics institute in Sydenham where the community handed the building over to the council on the basis that the council would maintain it, but the council did not do so. It bulldozed it at the end of the day. The land is still vacant because the council cannot sell it under the agreement through which it passed over to the local council when the Crown land was initially given to the institute.

The recommendation in the legislation is eminently sensible. I therefore commend the bill to the house and wish it a speedy passage.

Mrs POWELL (Shepparton) — I would like to speak on the Land (Revocation of Reservations) Bill 2008 just to say that these sorts of bills come into the house quite often, as other speakers have said. This bill changes the land status of six portions of land at Yarrawonga, Talbot, Marlo, Boorhaman, Brimin and Mount Duneed by revoking the permanent reservations of the land. The second-reading speech on the bill did not give much information. In fact even though the print size was quite large, it still took up only one and a half pages, and a number of members have commented on its length.

It is important to note that when members are trying to make contributions to debates on these sorts of bills, it is important that we have some information. As the member for South-West Coast said, probably one of the reasons we are able to speak on these bills is that most of us, as local members and as country members, actually do some research on bills when we are planning to speak on them, so we do know some of the background. Thanks to the government, there is not a lot of information in this second-reading speech, so we have had to do a lot of the research ourselves.

The member for Yuroke said no councils opposed this legislation. I am taking her word for it, because there is nothing in the second-reading speech that says these councils were approached on whether they opposed or did not oppose the proposals

. It would have been nice to have had some information in the second-reading speech indicating which councils were approached, what their concerns were, if any, and whether they did not oppose the bill. We will take it at face value that the councils do not oppose the bill.

I shall speak on just a number of the parcels of land. In regard to the land at Yarrawonga dealt with by the bill, as a former member for the then North Eastern Province in the other house, I represented Yarrawonga, which is a beautiful area and a growth area. I have a lot

of interest in making sure that areas of importance continue to be preserved. The police residence is one of those areas that I would like to — —

Business interrupted pursuant to standing orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house do now adjourn.

Emergency services: south-western Victoria helicopter

Dr NAPTHINE (South-West Coast) — The issue I raise is for the attention of the Premier. The action I seek is for the Premier to provide funding in the 2008–09 state budget for a locally based multipurpose emergency helicopter for south-west Victoria. The south-west is the only area without a locally based emergency helicopter, and every day lives are at risk without this essential service. Over 30 000 local people have already petitioned this Parliament, calling for funding of this vital life-saving service.

I wish to quote from an email I received recently, which clearly demonstrates the need for this local helicopter service. This email was sent by a health professional. It states:

> On Monday 10 March my friend suffered a massive stroke. He was treated by paramedics at his house at 12.30 p.m. and transferred to SWHC Warrnambool …

that is, Warrnambool hospital.

> At approximately 3.30 p.m. a decision was made to transfer him to a major Melbourne hospital for further —

life-saving —

> treatment. Air Ambulance Victoria were contacted and they informed SWHC there were no planes available.
>
> The situation did not change and at 10.30 p.m. my friend was transferred by road ambulance to Melbourne. This involved changing him from a Warrnambool ambulance to a Geelong ambulance outside Winchelsea hospital. He finally arrived in Melbourne at … 2.00 a.m.
>
> The time that my friend waited at SWHC and the fact he had to be transferred by road caused tremendous grief for his family. They were continually informed that no planes were available. This obviously angered and frustrated them.

It finishes:

> The Labor government is … 'playing politics' in regard to a helicopter in the south-west.

I quote another email I received from a person, who stated:

> … 16 March following minor surgery at Portland hospital on the 12th, I started to haemorrhage heavily at home.

He said that his wife:

> … took me to A and E and eventually admitted to north ward where the staff belatedly started to measure the blood loss. Measured 800 mls in 2 hours and estimated that I had lost about 3 litres by then. Another colonoscopy was being considered to inspect and repair the bleed … At that point my heart problems kicked in a couple of notches and it was decided to transfer me to Geelong by air.

But Geelong had no beds and there was no air ambulance available. He continued:

> Local ambulance staffed by one paramedic and one volunteer refused to take me as it was considered unsafe. It took 2 hours to get a … MICA from Warrnambool and it was like riding in the back of a cattle truck and … using lights all the way.

These are real life-and-death cases, where a helicopter is needed.

If members want further proof, a report prepared for the Portland and District Hospital by Aspex Consulting says with regard to ambulance and medical retrieval:

> Due to its distance from Melbourne, Portland faces particular issues in relation ambulance and medical retrieval.

It goes on to say that Portland's distance requires special attention and what it needs is a locally based multipurpose emergency helicopter to save people's lives.

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

Victorian Farmers Markets Association: government assistance

Mr FOLEY (Albert Park) — I wish to raise a matter with the Minister for Regional and Rural Development. The action I call on the minister to take is the implementation of the commitment made in September 2007 for a package of support measures for the Victorian Farmers Markets Association (VFMA), a commitment I note the minister made at the wonderful Veg Out St Kilda Farmers Market in the district of Albert Park. This commitment was a component of the $2 million package for the growth and support of all farmers markets across the state, which formed part of the government's 2006 election policy.

It has been eight years since the first of the farmers markets opened across provincial and metropolitan Victoria offering producers an alternative and direct

path to market to promote and sell their produce — that is, from the farm gate straight to the consumer. Whilst farmers markets have grown and blossomed in that time there remain many challenges, and these are the challenges of growth. Victoria has led the way in developing farmers markets, with more than 30 markets now operating on a regular basis. These provide an option to help contribute to the economic development of many regional communities and provide paths for consumers interested in the values and qualities of their food to engage directly with the producers of that product.

Under this government I am aware that the Department of Primary Industries has supported the farmers market movement initially in building its capacity through its innovative agribusiness program. I now note that the business of the farmers markets has matured to the point where it is dealt with through the minister's portfolio of regional and rural development. Part of this support to date has included building the capacity and leadership of the farmers markets association to take its movement onto a sustainable business path while maintaining standards so as to ensure the clean, green and direct brand of the market and the product is maintained.

One of the outcomes of the government's package of support measures has been to provide that the farmers markets association is able to ensure that its markets are the creatures of producers, with local, farm-grown focus, direct from the producer to the consumer. The growth of this niche market shows no sign of easing up as consumers increasingly demand access to a direct relationship with the producer of the food and a knowledge and understanding of the product, its method of production and its path to market. This trend is only likely to increase in the future as concerns around the impact of climate change and carbon footprints in the production of food grow.

In this respect consumers will be increasing their demands and looking for certainty of accreditation of farmers markets. Farmers markets will need to ensure that consumers are getting genuine locally produced products. Hence the role of accreditation and leadership by the peak body — the farmers markets association — becomes increasingly important. It is a task that I am sure the association will be more than active in achieving.

I know this is a matter the minister is directly aware of because of her involvement in the most hands-on way when she visited the Melbourne farmers market organisations in both St Kilda and Albert Park last year. The Victorian Farmers Markets Association will, I am sure, welcome the minister's interest at this time.

Drought: Benalla outreach worker

Dr SYKES (Benalla) — My issue is for the Minister for Mental Health. I ask the minister to immediately confirm ongoing funding for Ivan Lister, the drought outreach worker at Benalla. Northern Victoria is entering its 11th tough year as signs of an early autumn break disappear. Even the most financially and emotionally robust people have become very fragile and many are in need of professional support.

Locally, Ivan Lister, a knockabout bloke, is outstandingly successful in seeking out people in need, winning their confidence and connecting them to professional support. Ivan and I are in frequent contact, sharing our views on the situation and striving to help people survive the toughest times in living memory. It is therefore extremely frustrating and distracting for Ivan and others to have to plead every few months for a continuation of his funding. I was involved last year, and it took several weeks and repeated contact by me with the minister's office to win $15 000 funding to ensure Ivan's full-time employment until 30 June 2008. Regrettably, as at today, Ivan is not assured of full-time employment beyond 30 June, even though the need is bleedingly obvious to anyone connected to country people.

The Labor government is either totally disconnected from country people or is extremely callous. The Brumby government's policies and inaction are placing additional stress on country people. The current package of drought assistance measures, which includes the funding for mental health, is discriminatory. For example, the rainwater tank rebate is restricted to households on reticulated water supplies, so people in small country communities and those on rural lifestyle properties miss out. Similarly, funding for local government drought coordinator positions does not include all shires where exceptional circumstances have been declared. Murrindindi shire is one of those that has made several requests for funding for a drought coordinator without success. The on-farm productivity grants only apply to the 20 most severely affected shires.

This discrimination really angers people. It is tough enough battling drought and bushfires, but when you have an unsympathetic, city-centric government, it leads to absolute despair. The north–south pipeline is the last straw. People in northern Victoria cannot comprehend the Premier's plan to pipe water from drought-stricken northern Victoria to Melbourne to

flush the toilets. This particularly galls people when there are other options for solving Melbourne's water problems, in particular increased use of recycled water and stormwater capture. And of course the Auditor-General's report on the whole project has highlighted the deceit and incompetence of the Brumby government.

The Brumby government's inaction and/or discriminatory policies on drought assistance are adding to an already stressful situation. I therefore call on the Minister for Mental Health to immediately ensure ongoing funding for outreach worker Ivan Lister to help connect mentally fragile people with appropriate professional services. It would be extremely helpful if the Labor government reviewed its drought assistance and water policies to remove significant factors contributing to mental ill health.

WorkHealth: access

Dr HARKNESS (Frankston) — Tonight I wish to raise a matter for the attention of the Minister for Finance, WorkCover and the Transport Accident Commission. Last month the minister launched WorkHealth, a $600 million, world-first initiative to screen Victorian workers for chronic diseases. The action I seek is for the minister to ensure that employees in small businesses have the same opportunities to access WorkHealth as those in larger businesses.

The problem of chronic diseases in our workforce is one of the greatest health challenges of our generation, and it requires urgent attention. Over one million Victorian workers are at risk of developing preventable chronic diseases such as cardiovascular disease and diabetes. I was surprised to learn last week that I am one of these people. Visiting my local GP in Frankston I was told that my cholesterol level had increased and that I am approaching a level which if left unchecked would put me at risk of diabetes. My doctor also informed me that because this risk has been identified early it is preventable, and I was given a range of steps to take. These steps may prevent me from developing potentially fatal heart disease.

I am delighted to see that this advice will be given to all at-risk Victorian workers through the WorkHealth initiative. Under the program Victoria's 2.6 million workers will have the chance to undergo screening for a wide range of serious chronic diseases. WorkHealth staff will visit workplaces and regional centres to carry out the screening of workers in smaller businesses. Larger employers can apply for grants to cover the cost of screening and associated advisory services. This will not only save lives, it will also save our health system and broader economy hundreds of millions of dollars. Each year absenteeism from work costs the Victorian economy about $440 million. In addition to this, cardiovascular disease and diabetes alone cost our health system $600 million.

Taking proactive steps through preventive health-care programs such as WorkHealth is a crucial economic initiative. It will make our businesses and hospitals more efficient. I am pleased to see the Brumby government yet again recognising that a healthy workforce is a productive workforce, and that an investment in health is an investment in economic productivity. The feedback I have received in my electorate of Frankston has been overwhelmingly positive. People are concerned about the risk of chronic disease for themselves and their families, and see WorkHealth as an important step in fighting these diseases.

The one way in which this program can be most beneficial for individuals and in a wider policy sense is to ensure working Victorians have access to it regardless of the size of the business in which they are employed. I know the minister is well aware of the importance of this issue, and I am keen to see him take action to ensure that the benefits of this visionary WorkHealth program are as widely accessible as possible. I look forward to monitoring the implementation of WorkHealth across the many workplaces in my electorate of Frankston and seeing the numerous benefits that it will bring to all Victorians.

Ferntree Gully Road, Wheelers Hill: safety

Mr WELLS (Scoresby) — I would like to raise a matter of concern with the Minister for Roads and Ports in regard to the northern service lane that runs parallel to Ferntree Gully Road in Wheelers Hill. The action I seek is for the minister to investigate the safety ramifications of the VicRoads proposal to change the service lane along Ferntree Gully Road, Wheelers Hill, from a two-way service road to a one-way service road. This proposal has become a large issue for many of the residents affected by the plans to triplicate the Ferntree Gully Road eastbound carriageway to accommodate the projected traffic increase because of the EastLink project.

None of the residents who have contacted my office have objected to the widening of the road. However, they have real concerns about the changes to service lane access points. It is feared that some of these changes will expose local drivers to a serious increased risk of collision. I ask the minister to explore the

residents' preferred option on the northern side of Ferntree Gully Road, which is to use Petronella Avenue and to leave the estate via the Jells Road exit.

The current VicRoads proposal would compel residents to enter Ferntree Gully Road halfway down the hill or at the bottom of the hill. As users of Ferntree Gully Road would be aware, the area of concern involves one of Melbourne's steepest hills and busiest roads. It is already the scene of serious or frequent accidents, especially where Petronella Avenue enters Ferntree Gully Road. Under the concept plan, drivers travelling east down the hill intending to cross the face of Petronella Avenue and then turn into the service lane would face significantly greater safety issues.

As the minister would be aware, Ferntree Gully Road is being increased from four lanes to six lanes. This was a Liberal Party policy at the last election, and the Labor Party copied it a number of weeks later. That aside, we are pleased that this triplication is going ahead.

If drivers are facing a difficult and dangerous situation performing a U-turn at the bottom of the hill when the road is four lanes, it is going to be even tougher when they are trying to do a U-turn when the road becomes six lanes. In other words, they are going to have to cross three lanes in heavy traffic to perform a U-turn and then make the turn coming back up the hill. However, if the service road is allowed to remain at two lanes, residents could drive 50 metres or less to Petronella Avenue and perform a right turn there. I ask the minister to consider the proposal being put forward by the residents to ensure that this will be a safer situation.

Kingston: sporting facilities

Ms MUNT (Mordialloc) — The issue I raise this evening is for the attention of and action by the Minister for Sport, Recreation and Youth Affairs. I am aware that Kingston City Council has put in an application for further funding to help it to further implement a warm season grass conversion program on some more sportsgrounds in Kingston. This involves the renovation of each ground from cool season grasses to more drought-tolerant, water-efficient, warm season turf types. I ask the minister to support the Kingston council's application for this further funding for these sportsgrounds.

The particular sportsgrounds I refer to are the Gerry Green Reserve in Parkers Road, Parkdale; the Grange Reserve in Osborne Avenue, Clayton South; Le Page Park oval 1 in Argus Street, Cheltenham; and Kingston Heath pitch 3, which is in Centre Dandenong Road, Cheltenham, near Heatherton. I know Kingston council has been working with the state government under the drought relief for community sport and recreation program to implement this work at a number of other sportsgrounds within the municipality. Work has already been completed on the Mentone football and cricket ground. I am told by Peter Davis, the president of the club, that the works are now completed and that there is lush grass on the oval.

This is a great program for our local sports clubs, which are absolutely thriving at the moment. There are many participants, particularly children, who are playing football and cricket on these grounds, and it is wonderful for children and adults to be involved in these sports activities. Any way that the state government can work with the Kingston City Council to allow sport to continue to be played on these sportsgrounds during a time of drought and determine where these drought tolerant grasses can be planted is good for the local community and also for the council and the state government.

I ask the minister to support this application from Kingston City Council for this further funding so that it can continue with its good work for our local sportsgrounds. Many of the local sportsgrounds have management committees run by volunteers who put a lot of effort into providing sport for our community. It is a good way for governments to put a dollar into the community and keep the community, and particularly our children, playing sport.

Community services: kinship carers

Mr R. SMITH (Warrandyte) — I rise to ask for the assistance of the Minister for Community Services in conferring the status of kinship carer on two of my constituents who are looking after their daughter's children. Two boys in my electorate, Calum, aged 12, and Liam, aged 4, have had an enormous amount of turmoil in their young lives. Their mother has suffered from a serious drug addiction since 1999 and neither of the boys' fathers have, to date, been a positive influence on their lives.

The boys have in the past been subjected to chronic neglect and have been exposed to drug use and violence in their household. On several occasions in the past both boys have been woken in the middle of the night by their mother and her partner and driven from their mother's residence in Numurkah to Melbourne to buy drugs. After shooting up in the front seat, the parents have turned around and driven straight back home again. It is a miracle that none of the many accidents that occurred on these occasions resulted in serious injury to the boys. I am aware of other stories in

relation to this case that would horrify members of this house. Fortunately these boys were lucky. They had people in their lives who saw the problems and were willing to help.

Paul Laister and Beth Parker, the boys' grandparents, took the boys into their care and have been looking after them for the past two and a half years. In this time their mother has missed birthdays and made no contact whatsoever in the past year, while Paul and Beth have turned two withdrawn and angry boys into part of a loving and caring family. Calum now plays soccer and works hard at school, and Liam is a delightful little boy. However, unless the Department of Human Services helps Paul and Beth it seems the boys will soon have to go into foster care. The DHS refuses to recognise Paul and Beth as kinship carers saying that this status is not appropriate as the boys are in no immediate danger.

The funding and services that would come as a result of becoming kinship carers would help this family enormously. Paul and Beth are at a time of their lives when they should be thinking about retirement, not about raising a new family. The stress that comes with the financial pressure that Paul and Beth are experiencing has led them towards this extremely difficult decision. Even from a dispassionate economic point of view it must be obvious that the cost of putting these boys into foster care would be much greater than leaving them where they are now. Why would we use up such a valuable commodity of foster parents when these boys have family who, if properly resourced and assisted, are happy to care for them?

This case should resonate with every member of this house. If we are not here to protect people like Calum and Liam, then we must question why we are here at all. The former Minister for Community Services in the other place, Gavin Jennings, did a lot of work to help this family last year; I thanked him then and I thank him again now. The family, however, needs this government's help again. I ask the minister to take the lead from the former minister to become intimately acquainted with this particular case and ensure that this family receives the help it needs.

Community organisations: funding

Mr HUDSON (Bentleigh) — I would like to raise a matter for the Minister for Community Development. I call upon the minister to take action to help community organisations retain their staff and grow into the future so that they can continue the valuable work they do within our communities. I think most members of the house know that Victorian community organisations are an important part of the landscape. They provide valuable community services and are central to the way in which we deliver services and programs here in Victoria.

There are about 120 000 such community organisations in Victoria, and they do a fabulous job not only in providing those services but in helping to make connections into communities, linking people to government and helping us to build a more inclusive society. It would be hard for members to imagine what Victoria would be like today if we did not have family support agencies like Kildonan Child and Family Services, financial counselling agencies, welfare and emergency relief agencies like St Vincent de Paul, groups like the Brotherhood of St Laurence delivering services to high-rise flats, services like Scope for people with a disability, tenants advice and community housing programs like Hanover Welfare Services, or drug and alcohol agencies like Turning Point.

These organisations are critical not only to developing the social wellbeing of the Victorian community but they also add significant economic value to the state and the country. Figures from 1999–2000 show that community organisations contribute about $20.8 billion to the Australian economy, which is about 3.3 per cent of our gross domestic product, and undoubtedly these figures have grown since then. They employ over 600 000 people, and voluntary work in the sector is also significant.

However, the sector faces a number of enormous challenges in recruiting and retaining staff at a time when there is a competitive market for people who have skills. There are the challenges arising from a rapidly changing population, particularly in the outer urban areas, and the challenges that result from an ageing population with diminished mobility, increasing social isolation and higher levels of frailty as people live longer. Changing work patterns means that the nature of volunteering has changed as more women enter the workforce. There is a need to focus on these organisations and to help them to build their workforces, to retain staff and build their skills, and I call on the minister to help these community organisations do this into the future.

Multicultural affairs: cultural precincts enhancement initiative

Mr KOTSIRAS (Bulleen) — I wish to raise a matter for the Premier in his capacity as Minister for Multicultural Affairs. I ask the Premier to investigate what has happened to the $8 million that this government promised as part of the cultural precincts enhancement initiative. According to the 2007–08

budget papers, $1 million was to be spent in 2007–08. With just two months to go, people are asking where this money has gone. I ask the Premier to investigate how this money has been spent and whether it has been wasted on consultants and advisers.

We have to remember the history of this promise made by this government. The Premier, when he was the Leader of the Opposition in 1996, promised to enhance the Lonsdale Street Hellenic precinct by building a Hellenic park, an amphitheatre and a Hellenic cultural centre. Indeed, in the Greek newspaper *Neos Kosmos* there is a picture of the then Leader of the Opposition with the former member for Richmond, Demetri Dollis, and a heading that said — it is in Greek — 'We will build a Hellenic park'. That was what the Premier said in 1996.

In 2006 the Labor Party promised $8 million under the cultural precincts enhancement initiative. According to the government's web page, expressions of interest for stage 1 closed on 20 August 2007. Stage 2, which is the application stage, closed in December 2007. Unfortunately nothing seems to have been done by this government since the announcement of stages 1 and 2.

I ask the Premier to investigate how much has been spent to date and what this money has been spent on, because the $1 million the government promised to spend in this financial year would have bought many tiles — if someone were to walk into Bunnings and buy tiles — or shrubs or trees. Unfortunately, I am advised that $1 million has been spent on consultants and advisers and not on the three precincts. I ask the Premier to investigate where the $1 million has gone and where the $7 million is going to be spent over the next two years.

Government members promised the community that Lonsdale Street, Lygon Street and Chinatown were to be enhanced. Unfortunately they are spending the money on advisers and consultants and not on the precincts as they promised.

Hepburn Health Service: Trentham campus redevelopment

Mr HOWARD (Ballarat East) — I raise an issue with the Minister for Senior Victorians. The action I seek of the minister is that she support the redevelopment of the Trentham campus of the Hepburn Health Service. The Trentham campus currently provides 35 residential aged care beds in two separate buildings on the one site. It also runs community health services and a general practitioner clinic, which operate out of a separate site altogether. The services are accommodated in a collection of buildings of diverse fabric and infrastructure quality.

The main building, originally a bush nursing hospital constructed in 1963, now accommodates the high-care residents. The infrastructure is very old, has poor functional layout and is unsuitable as a residential aged care facility. This building is inappropriate for the care of residents, causing occupancy concerns and operational inefficiencies, and has high maintenance costs. This facility is not contiguous with the low-care aged care facility that operates next door.

The low-care residential aged care building was constructed much more recently — in 1995. The functional relationship between the two buildings has caused many problems, as they are on different levels, creating occupational health and safety issues for staff going from one area to the other. Currently neither the GP clinic nor the health centre is located on the same site; the community health service is on a site about 1.5 blocks away. It is proposed that they all be co-located on the original site. Hepburn Health Services wishes to redevelop 15 high-care residential aged care beds and the primary care services. The project will include a medical consulting suite, an emergency stabilisation area, a primary care and community activity centre and a kitchen and laundry, all on the one site, with a proposed budget in the order of $8 million.

I have been pleased to visit the present facilities with the chief executive officer of Hepburn Health Services, David Lenehan, and board members and see the need for this facility. It is a highly valued facility and home for residents at the site. I have been pleased to visit couples who have had wedding anniversaries on the site and others who have had birthdays there. I have also seen that the people living there, particularly in the more updated hostel, really enjoy living there. It will be great to see redevelopment of the other part of the site.

I was also delighted when our government agreed to offer support for the redevelopment in 2006. I ask the minister to see that this comes to fruition in the near future.

Responses

Mr BATCHELOR (Minister for Community Development) — The member for Bentleigh raised with me the need for the government to take action to help community organisations meet important challenges such as helping an ageing population, the changing work patterns and rapid population growth. He sought this action so that community organisations could adapt and prosper and continue to make our

communities livable, inclusive and fair. I know the member for Bentleigh has a special interest in this area. He is a man of great compassion and is right in asserting just how important the community sector is to the social and economic wellbeing of not just Victoria but Australia as a whole.

The action the government will take will be broad and comprehensive, and it will consist of a $13.87 million package to help the community sector grow and prosper. Of these funds, around $6.6 million will go to actions to increase the capacity of the community sector by helping to develop the skills of its workers and through that help retain the skill base of the sector as a whole. This will be done through a number of initiatives, which will include the establishment of a new office of the community sector as a focal point across government to enhance work in community organisations and which will be set up to operate for the next three years.

We will also set up a portable long service leave scheme, which will help the sector retain skilled workers and share those skilled workers across a number of important community organisations. We will also be expanding access to information and support services that help the not-for-profit organisations meet challenges such as performance, long-term strategies, capacity development and the like. We will provide funds for the sector to consider establishing a new representative body for community organisations. We intend to fund a feasibility study for a national academic centre for leadership excellence for this important sector, and we propose to develop a community services workforce capability framework. This is going to focus on the ways that not-for-profit organisations can develop the skills and capabilities that they need to improve their own service delivery.

Furthermore, as part of the plan the government intends to invest $2 million to establish a community enterprise catalyst to give emerging community enterprises the support that they need to firstly get started and, once they are started, to succeed. We have also committed some $5.3 million to establish 12 local community foundations in disadvantaged areas, which will bring community agencies and business supporters together. They will identify needs and fund local community projects.

The member for Bentleigh will agree that this is a sizeable suite of initiatives, a sizeable suite of investments, and a great vote of confidence in the community sector by the Brumby government. It is a clear acknowledgement of the growing importance of the community sector, which delivers a whole range of important services. They address problems of social exclusion, and these community organisations also encourage the all-important aspect of community participation.

Yesterday morning the Department of Planning and Community Development met with around 30 community organisations to discuss this new action plan. It was very well received and attracted a great deal of enthusiasm and support. It is the sort of action that the member for Bentleigh was calling for. These groups are keen to congratulate the Brumby government on its foresight and its commitment to the community sector and acknowledge the leadership Victoria shows in this area, not just in the state but around Australia.

As the Minister for Community Development I look forward to working with the member for Bentleigh and Victoria's wonderful set of community organisations to build a sustainable, robust and active community sector here in Victoria, one that continues to deliver great benefits for the people of this state.

Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission) — I thank the member for Frankston for raising an important issue with the house this evening — that is, the government's recent announcements in relation to the establishment of the Victorian WorkHealth initiative, an initiative that will be driven and financed by the extraordinarily strong financial result that the Victorian WorkCover Authority has been able to achieve in recent years.

What the WorkHealth initiative recognises — and the member for Frankston is aware of this and covered it appropriately in his contribution this evening — is that chronic illnesses and chronic diseases are very much the issue of our age in much the same way as communicable diseases were tremendous challenges for communities in previous decades, particularly at the turn of the 20th century. Today in our community the issues that we face are very much built from a health perspective around the high and growing incidence of chronic conditions, particularly those connected with obesity.

It is with that in mind, and looking at what the statistical data that has been provided to the government shows, that I refer to the large and growing number of Victorians with adult onset diabetes, or type 2 diabetes. There are something like 190 000 currently diagnosed cases. It is estimated that there are another 190 000 cases that have not been diagnosed. There are 15 000 new diagnoses each year just for type 2 diabetes. Add to that the very high incidence of obesity and the number of Victorians who are overweight —

something like 2.5 million — and we recognise not just that we have a problem now but that there will be a significant problem for the community in the decades ahead.

The question is: what do we do about it? What practical programs can we put in place to enable the community to respond? How do we finance those programs? And what are the best mechanisms for delivering effective programs to the Victorian people? It was with that in mind that the Premier drove, with the Minister for Health and me as the minister with responsibility for the Victorian WorkCover Authority, the development of a program that could be funded by the accumulated surplus from the Victorian WorkCover Authority. When we came to office the Victorian WorkCover Authority had $1 billion in unfunded liabilities. We have been able to turn that financial position around and now we can put $600 million aside in a fund, the interest from which will support the WorkHealth initiative.

As members know, the WorkHealth initiative will enable us to provide services, support and screening essentially to help us identify those workers who might be at risk and to provide them with life change and prevention programs which will enable them in turn to access, we hope, the services of a GP or others who can provide them with advice and treatment where appropriate.

I acknowledge the member for Frankston's own visit to a GP and the issues raised in the context of his own cholesterol level. It just shows that members can access these sorts of services, but how can we ensure that these services are provided as comprehensively as possible for all members of the Victorian community, particularly those in the workforce? The member asked specifically how we can ensure that those employees who are in a small business or in a medium-sized enterprise will have the same access to services, programs and screening tests et cetera that those who work for larger employees will have.

This evening I can assure all honourable members, particularly the member for Frankston, that not only will those workers have the same level of access but we have structured the program to ensure that it is more financially attractive for employers in regional Victoria or for those in small and medium-sized enterprises to access these programs. We have put aside $218 million for the first stage of the program, which will provide $60 million for employers in regional centres or for small and medium-sized businesses throughout Victoria to access the onsite screening programs and an additional $28 million for larger employers — those with a payroll of $10 million or more — to access grants on a dollar-for-dollar basis. It will be more attractive for small and medium-sized enterprises, which will have the whole cost of the screening program met for them, to choose to take up the opportunity than it will be for those from larger enterprises, which will be able to access the dollar-for-dollar support.

In answer to the member for Frankston's question, I can assure the house that not only will employees in small and medium-sized enterprises have the same level of access, they will actually have a more attractive financial package presented to them as part of this WorkHealth initiative.

We think it is a great initiative. We think it is a great, positive step in tackling one of the great challenges our community will face. This program will provide a legacy of improved productivity in workplaces right around the state and have the capacity to touch every workplace in Victoria over the life of the program, not only leaving a productivity dividend for Victoria but, more importantly, raising the standard of health of Victorians generally and providing a social benefit which will be left for this state for many decades to come.

Mr ROBINSON (Minister for Consumer Affairs) — The member for Ballarat East raised an issue for the attention of the Minister for Senior Victorians in respect of the redevelopment of the Trentham campus of Hepburn Health Service, and I will pass that on.

The member for Bulleen raised an issue for the attention of the Premier in his capacity as Minister for Multicultural Affairs. He is seeking an investigation into the progress of the Cultural Precincts Enhancement project, in particular the Hellenic aspect of that. I will pass that on. I might add that this Thursday sees the Spirit of Anzac program school group heading off to Greece and Crete to commemorate the service of Australians there in 1941. That connection remains very important to this state.

The member for Warrandyte raised an issue for the attention of the Minister for Community Services. He is seeking assistance for carers who he specified as being the grandparents of two children in his electorate. Those children are dealing with very challenging family situations. I think all members who have been in this place for a period of time come across situations like that. They are most distressing for families and those who have to deal with them. The member for Warrandyte was gracious enough to acknowledge the

work of the former minister; I will certainly pass this matter on to the current minister.

The member for Mordialloc raised an issue for the attention of the Minister for Sport, Recreation and Youth Affairs regarding the Kingston City Council's application for funding of the warm season grass conversion program. Programs like this are becoming more important as we battle with protracted drought. She referred to reserves such as Gerry Green Reserve, the Grange and the Kingston Heath pitch 3; I will ensure that that matter is referred.

The member for Scoresby raised an issue for the attention of the Minister for Roads and Ports in respect of the northern service lane of Ferntree Gully Road in Wheelers Hill. That road is currently a two-way road and VicRoads has a proposal to make the road one way, and that is causing some difficulty.

Mr Wells interjected.

Mr ROBINSON — I know. I have been up and down that road many times. There is the hotel which is on top of the hill. The arts centre is on the other side. I am very familiar with that road. I will make sure that that matter is passed on.

The member for Benalla raised an issue for the Minister for Mental Health regarding funding for Ivan Lister, a drought relief worker in the Benalla area. I will pass that matter on.

The member for Albert Park raised an issue for the attention of the Minister for Regional and Rural Development relating to the Australian Farmers Market Association and the farmers market. He is seeking support for that association, which has been undertaking metropolitan farmers markets for some eight years. I will pass that matter on.

Finally, the member for South-West Coast raised an issue for the attention of the Premier relating to funding for an emergency helicopter in the south-west of Victoria. I will pass that matter on.

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

House adjourned 10.45 p.m.