

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Wednesday, 16 April 2008

(Extract from book 5)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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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 Elasmarr 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.

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

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.

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Parliamentary Services — Secretary: Dr S. O'Kane

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FIFTY-SIXTH PARLIAMENT — FIRST SESSION

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Deputy Speaker: Ms A. P. BARKER

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The Hon. J. W. THWAITES (to 30 July 2007)

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Mr P. J. RYAN

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

¹ Resigned 6 August 2007

² Elected 15 September 2007

³ Resigned 6 August 2007

⁴ Elected 15 September 2007

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Wednesday, 16 April 2008

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

**ENERGY AND RESOURCES
LEGISLATION AMENDMENT BILL**

Introduction and first reading

Mr **BATCHELOR** (Minister for Energy and Resources) introduced a bill for an act to amend the Electricity Industry Act 2000, the Electricity Safety Act 1998, the Electricity Safety Amendment Act 2007, the Geothermal Energy Resources Act 2005, the Mineral Resources (Sustainable Development) Act 1990, the Petroleum Act 1998 and the Pipelines Act 2005 and for other purposes.

Read first time.

CANCER AMENDMENT (HPV) BILL

Introduction and first reading

Mr **ANDREWS** (Minister for Health) introduced a bill for an act to amend the Cancer Act 1958 and for other purposes.

Read first time.

**GAMBLING REGULATION AMENDMENT
(LICENSING) BILL**

Introduction and first reading

Mr **ROBINSON** (Minister for Gaming) — I move:

That I have leave to bring in a bill for an act to amend the Gambling Regulation Act 2003 with respect to certain gambling licences and for other purposes.

Mr **O'BRIEN** (Malvern) — I ask the minister to give a brief explanation of the content of the bill.

Mr **ROBINSON** (Minister for Gaming) — The bill will amend the Gambling Regulation Act 2003 to put in place the legislative provisions to support the competitive licensing processes for keno and wagering and related governance arrangements. It of course flows from last week's very well-received announcement on the post-2012 gambling industry restructure.

Motion agreed to.

Read first time.

BUSINESS OF THE HOUSE

Notices of motion: removal

The **SPEAKER** — Order! I advise the house that under standing order 144 notices of motion numbers 14 to 23 and 142 to 165 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

Notices of motion given.

Mr Carli having given notice of motion:

The **SPEAKER** — Order! I suggest to the member for Brunswick that while one frivolous notice of motion snuck through without the Speaker's wrath, the second one has not.

Dr Sykes having given notice of motion:

The **SPEAKER** — Order! I suggest to the member for Benalla that his notice of motion will be checked by the clerks to make sure it is in order.

Further notice of motion given.

PETITIONS

Following petitions presented to house:

Climate change: greenhouse gas emissions

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house the report *Climate Code Red — The Case for a Sustainability Emergency* and urges its immediate reading. The petitioners therefore request that the Legislative Assembly of Victoria commit Victoria to the recommendation of the report that greenhouse gas emission targets be set at a level that facilitates the large-scale and rapid transition of Victoria to a post-carbon economy and society.

By Mr CAMERON (Bendigo West) (262 signatures)

Frankston bypass: Pines Flora and Fauna Reserve

To the Legislative Assembly of Victoria:

The petition of the people of Victoria draws the attention of the house to Frankston's Pines Flora and Fauna Reserve as being the most botanically significant Crown land in Melbourne's south-east; the closest home to Melbourne of the nationally endangered southern brown bandicoot, swamp

skink, the black-faced wallaby and over 30 species of indigenous orchids.

The petitioners therefore request that the Legislative Assembly direct that an alternative route be found for this road and that all the Crown land within the reserve's boundaries be set aside as a national park.

By Mr PERERA (Cranbourne) (572 signatures)

Port Welshpool: long jetty

To the Legislative Assembly of Victoria:

The petition of the community of Port Welshpool, but incorporating the Central Gippsland region, draws the attention of the house to the current state of the long jetty at Port Welshpool. The long jetty was closed to the public in 2003 after a lack of maintenance saw the structure fall into a state of disrepair. The long jetty is an iconic piece of regional history and one of the most significant jetty structures on the eastern seaboard. Managed properly, the long jetty at Port Welshpool could provide a significant boost to regional tourism and inject much-needed support to the surrounding country towns.

The petitioners request that the Legislative Assembly of Victoria call upon the government to remedy this problem by funding the immediate restoration of the long jetty at Port Welshpool and commit to a long-term strategy to ensure its continued preservation and maintenance.

By Mr RYAN (Gippsland South) (1845 signatures)

Tabled.

DOCUMENTS

Tabled by Clerk:

Auditor-General — Delivering HealthSMART — Victoria's whole-of-health ICT strategy — Ordered to be printed

Statutory Rules under the following Acts:

Firearms Act 1996 — SR 22

Liquor Control Reform Act 1998 — SR 20

Subordinate Legislation Act 1994 — SR 21

Subordinate Legislation Act 1994:

Minister's exception certificate in relation to Statutory Rule 21.

Minister's exemption certificate in relation to Statutory Rule 20.

MEMBERS STATEMENTS

Princes Highway west: upgrade

Mr MULDER (Polwarth) — I bring to the attention of the house the urgently needed upgrade of the Princes Highway west. The communities of south-west Victoria are eagerly awaiting this year's budget and the state government's commitment of 50 per cent funding towards the upgrade for the Princes Highway section between Geelong and Winchelsea along with a time line for the completion of the project.

However, I was alarmed at an article in the yesterday's *Australian Financial Review* which states that the federal government was considering an overhaul of the AusLink transport plan and directing funding away from roads and towards ports. The Princes Highway is supposed to be funded via AusLink. The then opposition and now federal government gave a pre-election commitment to provide \$110 million towards the project, and if the state does not match this funding then these funds will be lost to a port-related project. To date the people of south-western Victoria have been snubbed by the Premier in that the state government refuses to fund the vitally needed south-west emergency helicopter, and it would be confirmation of his bias against the south-west of the state to see the Princes Highway upgrade project go under because the state government refused to provide its half share of the funding needed for the project.

Each and every day travellers on the Princes Highway west put their lives at risk driving along one of the most dangerous sections of highway in Victoria. Local police do as good a job as they can with their stretched resources by patrolling the roads but accidents still occur and lives are lost. Even more concerning is that the new federal member for Corangamite's previous rock-solid commitment to the road seems to have been downgraded to a good dose of optimism to the point that he is now speaking through a spokesperson on this project. Until recently, the message has always been loud and clear: Labor would match the federal government dollar for dollar on the Princes Highway upgrade. I say to the Premier —

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

National Youth Week

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — Last Saturday another highly successful National Youth Week came to a close. It began with the launch of Young People Direct, the

latest initiative from the Brumby government to connect with and hear the voice of young people. Throughout the rest of the week, in partnership with beyondblue, the Brumby government funded over 80 fantastic events ranging from hip-hop concerts to stage shows, treks, skate competitions, youth forums and leadership workshops. I visited several and was again impressed by the creativity and enthusiasm of Victoria's young people. The week certainly showed the community the talents and amazing contributions young people make. Congratulations to everyone who worked so hard to make National Youth Week a great success.

Dandenong Ranges: visitor information centre

Mr MERLINO — I would also like to congratulate Dandenong Ranges Tourism on the 10th birthday of its visitor information centre. There is little doubt the Dandenong Ranges area is one of country Victoria's most beautiful places. Based in Upper Ferntree Gully, the visitor information centre provides a gateway to this part of the world for the many thousands of tourists who visit annually.

Since 1998 the centre has been a fantastic community asset. It is a product of the dedication and vision of its core group of volunteers. Seven days a week people at the centre provide advice on all things tourism, from accommodation booking services to the promotion of icons like the township of Olinda, Puffing Billy, the National Rhododendron Gardens, the William Ricketts Sanctuary, and Sky High Mount Dandenong. Particular congratulations should go to 13 of the original volunteers who are still at the centre today. They include: Carolyn Ahern, Kay Bakes, Ray Boatman, Cherry Fuller, Jim Healy, Tricia Juster-Schofield, Val McPherson, Linda Nel, Margaret Coppin, Peter Schofield, Carol Smith, Dorothy Watson, and Nola Wernicke.

Community cabinet: Southern Grampians

Mr DELAHUNTY (Lowan) — The Lowan electorate will be looking for some positive announcements when state cabinet visits the Southern Grampians shire next week. The community would welcome funding for a multipurpose rescue helicopter to service Western Victoria, the only area in Victoria without this service; for the redevelopment of community infrastructure such as the Dunkeld Preschool; for many community facilities such as the Dunkeld Hall; and many sport and recreational facilities. We would also be looking for further support for our many volunteers who are the backbone of our country communities.

Ministers and their staff in their 25 cars will be travelling on our country roads, which are in critical need of repair. We all know if you fix country roads you save country lives. The region is also wanting to know the government's plan for the Ararat to Portland rail line, and freight services for such things as grain and mineral sands. Tourism numbers have declined under this government and more needs to be done to assist this sector and to encourage visitors to our great region.

Youth are our investment in the future, and with skill shortages and a worrying trend that our country students are less likely to participate in higher education this government needs to do more to address increasing costs and lack of access and to provide greater support for our young people and give them the opportunity to remain in and build their futures in western Victoria. It is a disgrace that there will be more car parks required than invitations issued to community members for a civic reception, and many people and community groups have voiced their disgust at not being able to meet and discuss matters of importance when ministers are in our great region.

Bill Cooper

Ms MORAND (Minister for Children and Early Childhood Development) — I am pleased to take this opportunity to acknowledge the 100th birthday of a long-time resident of Glen Waverley, Mr Cyril Ernest Cooper, known as 'Bill'. Mr Cooper is turning 100 on Wednesday, 23 April. One hundred years is certainly a remarkable achievement and one that not many of us will achieve. This sort of milestone presents an opportunity to acknowledge his life and rich personal history. In this case I have been advised that Bill Cooper and his family have a particularly strong historical connection with Glen Waverley.

Bill Cooper moved to Glen Waverley in the early 1930s to establish a market garden in Watsons Road. In fact Cooper Avenue, which runs off Watsons Road in Glen Waverley, was named after Bill. His family still lives in Watsons Road, near Cooper Avenue. I would like to wish Bill Cooper a very happy 100th birthday for next Wednesday and hope that he has a wonderful celebration with his family and friends.

Marion Mackenzie

Ms MORAND — I would also like to acknowledge the recent 95th birthday of Mrs Marion Mackenzie of Glen Waverley on 15 March. Mrs Mackenzie has been an active member of the local community for many decades and was the recipient of a Premier's Council on

the Ageing seniors achiever award in 2006. She has been actively involved in the local community for a long time, including helping at St Christopher's Primary School in Glen Waverley.

Many families in Mount Waverley and Glen Waverley have long connections with the local community, and they often talk about the changes which have occurred in the local area, progressing from market gardens, orchards and the like to the vibrant, fantastic multicultural community that Waverley now is. It is important that we recognise the contribution of seniors in our community.

Racing: industry funding

Dr NAPTHINE (South-West Coast) — The Victorian racing industries are literally numb with fright following the sudden decision as part of the changes to poker machine licences to take from the three racing codes from 2012 and beyond a revenue stream which is worth \$100 million per year and which is growing at 5 per cent annually. The Racing Victoria Ltd acting chief executive officer, in a media release of 10 April, is quoted as saying:

While we have only been informed of this decision this morning ... there are serious ramifications for the racing industry.

The Minister for Racing told Parliament last week that the new wagering licence will make up the \$100 million shortfall for the thoroughbred, harness and greyhound racing industries. But the recent High Court decision in favour of the Hobart-based Betfair and against Western Australian legislation seeking to restrict wagering on Western Australian races, together with Betfair's new link to TOTE Tasmania, raises very real doubts about the revenue potential from Victorian wagering licences.

The Victorian racing industries deserve real answers and not hollow 'trust us' promises from this Labor government, whose track record is very poor on racing. The Victorian racing industries are worth over \$2 billion annually and employ over 74 000 people. These industries are being treated with contempt by an uncaring racing minister and the Labor government. Labor's track record on racing is poor. It has closed harness racing tracks, taken away country race meetings and it has failed to act decisively on the Allanson betting scandal. The Labor government simply cannot be trusted. This minister and this government —

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

Piergiorgio Cappellotto

Mr CARLI (Brunswick) — The Australian-Italian community lost a major figure in the last couple of weeks with the death of Piergiorgio Cappellotto. His illness was so swift that his desk at the Italian Australian Institute at Latrobe University is still as he left it, with phone messages and to-do lists littering the surface.

Piergiorgio had a major involvement in the local Italian community. He was a member of the executive of the Italian Chamber of Commerce and Industry in Australia, a member and also a former manager of the Veneto Club, Bulleen, a founder of Vicentini nel Mondo, a delegate in Italy to the Veneto region committee on migration where his advice was sought on not only migration issues here but also the massive immigration of people into Italy to work in Italian firms.

Piergiorgio came to Australia in 1968 for three years. He promised his family he would return, which he did with his wife, Carmela, whom he met in Melbourne. He finally settled in Australia and they had four children. He was born in 1944 and was only 64 years old at the time of his death. He was devoted to his family and his community. He was a tireless and passionate man of strong faith. That was recognised in the service that was held at St Brigid's Catholic Church in Fitzroy North this week, which was attended by many members of the community and people of the church, who celebrated his life and his wonderful contribution to Melbourne's Italian community.

Police: Brighton station

Ms ASHER (Brighton) — I wish to draw to the attention of the house the appalling decision by the government to close the Brighton police station simply to sell the highly valuable land in Carpenter Street and Asling Street, Brighton. No wonder police morale is so low.

I have a leaked document from the police which looks at unplanned leave within the bayside area. The document says:

The amount of unplanned leave across all units within the Bayside PSA is significantly above the state average.

It also says:

In 2007, all units within the Bayside PSA are still exhibiting a higher use of unplanned leave than desired ...

In the section headed 'Summary' the document also points out:

... in 2007 —

year to date —

... 14 per cent of our staff are responsible for 50 per cent of the unplanned leave ...

The document refers to the fact that unplanned leave is normally taken during weekdays. The document also flags a combined roster for Sandringham and Brighton police stations, presumably in preparation for the merger that will occur if the Brighton station is closed.

I am also in possession of a document obtained through FOI which shows that the number of staff between the Brighton and Sandringham police stations will be reduced if the new station proceeds. I call on the government not to close the Brighton police station and to reverse its ill-considered decision which is having an impact on police morale in the area.

Nunawading City Football Club

Ms MARSHALL (Forest Hill) — I was given the great honour this year of being asked to be the no. 1 ticket-holder for the Nunawading City Football Club, and on 5 April I led the referees out for the round 1 home game against the Old Melburnians Football Club at Mahoneys Road Reserve, located in the electorate of Forest Hill. Tossing the coin with both captains, I was then given the wonderful job of having the first kick-off for Nunawading City's season.

The Nuna boys, following a gruelling pre-season training regime under the brilliant tutelage of former New Zealand International Billy Wright, won the game 2 to 1 and got the 2008 campaign off to a winning start. The family atmosphere was terrific and I look forward to many more games and to yelling my support from the sidelines. Many thanks especially to John Papas for making my entire family feel so welcome.

AFL SportsReady: graduation dinner

Ms MARSHALL — On 4 April I was a guest speaker at the AFL SportsReady graduation dinner held at the Melbourne Cricket Ground. AFL SportsReady is a not-for-profit organisation that is dedicated to sourcing and facilitating employment and training for students in their final year of school. Started in 1995 and initially conceived by Australian Football League legend Kevin Sheedy, SportsReady has now facilitated employment traineeships and training for over 4000 school leavers. On an evening attended by nearly 320 people, including many proud mums and dads, I

presented certificates to 100 people who had successfully completed their traineeships.

The JobsPLUS trainee of the year award was won by Matt Jones from Nicholson Media Group. It was a great result for Matt and a testament to the hard work he put into his 12-month traineeship placement. Congratulations to everyone at SportsReady for the fantastic job they do in making such a positive contribution to our community.

Rail: Gippsland freight terminal

Mr NORTHE (Morwell) — On 1 October 2007 I wrote to the Minister for Public Transport requesting a briefing from the minister or her staff in relation to the Gippsland intermodal freight terminal (GIFT) in Morwell, which currently remains inactive. To this day no response has been received from the minister or her department despite repeated attempts, and this is extremely disappointing, given that the terminal has effectively remained dormant since 2002.

The City of Latrobe has long believed the terminal would provide significant opportunities and investment for the Latrobe Valley and Gippsland and has sought to negotiate a lease of the facility. The Victorian Rail Freight Network Review recommended the Morwell GIFT lease be transferred to the council to enable it to expand the hub into the council's land earmarked for industrial development. Unfortunately the government continues to procrastinate on the issue while the terminal remains idle.

Major industries in the Latrobe Valley and Gippsland, along with small and medium businesses such as Fishers Timber and Kiel Industries, are either already exporting products or have the potential to export products, and the Gippsland intermodal freight terminal would only enhance logistic opportunities to existing and prospective businesses. The minister needs to urgently provide leadership and direction on this matter and ensure further opportunities are not lost to the Latrobe Valley and Gippsland. The minister therefore should implement the Victorian Rail Freight Network Review Committee's recommendations and negotiate a lease with Latrobe City as a matter of urgency.

Puckapunyal Primary School: upgrade

Mr HARDMAN (Seymour) — I rise to congratulate the Puckapunyal Primary School on its excellence, which is recognised by army personnel across Australia. For young army families that move around the country the primary school education their children receive at Puckapunyal is seen as a real bonus

in moving to the area. This standard of excellence is due to the school's fantastic leadership and the staff who work there as well as the parents and the support the school receives from the army.

Over the past few years I have had several discussions with the school council and have made representations on the school's behalf to the education minister about the school buildings, which do not reflect the fantastic school that it is and the excellence in education that it provides. I thank the education minister and the department for recognising this need and providing \$400 000 in a Better Schools Today grant, which will assist the school in modernising its classrooms and creating learning areas around the school. The classrooms are quite small, and it will be great to be able to expand them.

It was really wonderful to visit the school and talk to the school principal, Kevin Warne, the school council president, Carol Tullett, and school captains, John Frankl and Sam Harstedt, who were really excited by the news and are very keen to see Puckapunyal primary as not only excellent in education but also an excellent facility.

Steve Guest

Mr K. SMITH (Bass) — Today at 1 o'clock on the steps of Parliament House there will be a rally by people honouring the memory of Steve Guest. Steve was a relatively young man who suffered oesophageal cancer. He could not swallow and had to feed himself by injecting food via a tube into his stomach to try to maintain his energy and his life. He suffered intolerable pain and he sought help to end his life peacefully. In the end he was able to gain access to Nembutal and he died, suffering no further pain, in the presence of his family and loved ones.

Steve was fortunate that he was able to gain access to a drug that allowed him to die peacefully and with dignity. Yet today there are hundreds of Victorians who are also suffering intolerable pain from terminal or advanced incurable diseases, have no reasonable prospect of recovery and cannot get help to die peacefully. Some are able to gain access to palliative care, some remain at home with carers and family and some choose suicide, but none should have to suffer in this way with pain that cannot be described and cannot be relieved by massive doses of morphine that keep them doped up to the extent that they cannot function as human beings. No-one should have to live like this.

Marshall Perron, the former Chief Minister of the Northern Territory, will speak on the legislation that

was available briefly in the territory and allowed people to die peacefully — a right that I believe should be available to all Victorians and that 82 per cent of Victorians want. I invite members here today to go to the rally and listen to the opportunities that Victorians have to be seen as a caring society.

Roxburgh Park Cricket Club: achievements

Ms BEATTIE (Yuroke) — Today I would like to congratulate the Roxburgh Park Cricket Club in my electorate — also in the Premier's electorate, of course — which has achieved a fantastic result in the North West Cricket Association's 2007–08 season. The club was established in 1999 and has grown quickly and developed as a strong competitor in the local competitions. This strength was highlighted in the 2007–08 season with many great achievements, including making the grand final of the Luscombe Shield competition, having three other senior sides compete as finalists in the local league and having seven junior sides make it to the local league finals, with the under-12Bs and the under-14Gs taking out the premierships. What a fantastic result! I congratulate all the players who made the finals and in particular all those players who were victorious in their grand final.

Finally, I would also like to congratulate the hardworking and dedicated committee, whose hard work is to be commended: the president, Gerard Ryan, who this year became the first person to receive life membership of the club, and Stephen Ramadge, Tracy Brigham, Rachael Anderson, Kerri Michelini, Peter Petrovic, Robert McDiarmid and Danny Guichard. I wish to congratulate the Roxburgh Park Cricket Club. I wish it all the best for the upcoming season. I am sure its future results will be even better.

Pembroke Secondary College: funding

Mr HODGETT (Kilsyth) — I call on the government to deliver on its commitment to the Pembroke secondary school community and fund the upgrade of Pembroke Secondary College. The school community of Pembroke Secondary College has been waiting six or seven years for the planned replacement of its Cambridge Road and Reay Road campuses. The government has said that education is its no. 1 priority, but has so far failed to commit the funds. Pembroke Secondary College is an excellent school with strong leadership and committed teachers. The planning stage for the college master plan was funded in 2006 with \$1 million, allowing the college to further plan for the replacement of the Cambridge Road and Reay Road campuses with a completely new facility. The

government funded the master plan, but what comes next?

State government funding is required, and it must be announced in this budget. The government must include funds for the upgrade of this school in this year's budget so that it can continue to deliver to Kilsyth students the high-quality education for which it is recognised. The government's ongoing failure to provide the funds it has promised is depriving Kilsyth residents and students of access to modern and up-to-date facilities in the vital area of education.

Environment: container deposit legislation

Mr HODGETT — On another matter, I call on the Brumby government to support the introduction of a national container deposit legislation (CDL) scheme when the nation's environment ministers meet to discuss the issue tomorrow. I understand that the majority of Australian states have now expressed their willingness to support the introduction of a national system of beverage container deposits, and that interstate and overseas experience shows clearly that container deposit systems do not need to harm kerbside recycling. Kerbside recycling and a container deposit scheme can co-exist to improve the levels of recycling in our state, and I ask the government to support the introduction of a CDL scheme in Victoria.

Highbett Bowls Club: electronic security

Ms MUNT (Mordialloc) — As a child in Highbett I grew up around the corner from a lovely, gentle lady, Mrs Farr. On Saturday, 22 March, Mrs Farr was viciously attacked in the car park of the Highbett Bowls Club. A few weeks ago when she came into Parliament to play bowls with her bowls club she was still heavily bruised right down her right side. She told me that her attacker was 6 foot 6 inches tall, and that he threw her to the ground. She is now an elderly woman, and the attack was severe. This attack happened outside the Highbett Bowls Club, an area where the Highbett guides meet and where there is a little park.

In response to this attack Les Heimann, the chairman of the board of the Highbett Bendigo Bank, contacted the club. The Highbett Bendigo Bank has arranged for the installation of television recording and surveillance devices in this area, as well as full lighting. I think it has already been installed. This has cost just under \$10 000, including contributions from contractors, who are giving their services free. This is a wonderful example of people helping people and of the community coming together. I wish Mrs Farr all the best for her recovery

from the injuries she received in this attack, and I thank the Bendigo Bank.

Members: conduct

Mrs FYFFE (Evelyn) — The right to peacefully protest is central to a healthy democracy. Yet far from upholding this right, recently a member of Parliament is alleged to have assaulted a woman who was involved in a peaceful, democratic protest. On 12 February, when 16 female protesters from Timber Communities Australia were holding a peaceful protest at Yarra Junction, the member allegedly forcibly grabbed the left arm of Kersten Gentle and tried to pull her away — —

Ms Campbell — On a point of order, Deputy Speaker — —

Mrs FYFFE — Leaving, according to Ms Gentle — —

The DEPUTY SPEAKER — Order! The member for Pascoe Vale on a point of order.

Ms Campbell — On a point of order, Deputy Speaker, in relation to members of Parliament being impugned by others. I request you draw the member's attention to the standing order.

The DEPUTY SPEAKER — Order! It is correct that the member needs to be very careful not to impugn another member.

Mrs FYFFE — Thank you, Deputy Speaker. She forcibly grabbed the left arm of Kersten Gentle and tried to pull her away, leaving, according to Ms Gentle, scratch marks and bruises on her arm. The member had already turned her back on the logging industry — —

Ms Campbell — On a point of order, Deputy Speaker — —

Mrs FYFFE — She had refused to meet the delegation — —

The DEPUTY SPEAKER — Order! Stop the clock. The member for Pascoe Vale on a point of order.

Ms Campbell — I raise the same point of order, Deputy Speaker.

The DEPUTY SPEAKER — Order! I understand what the member is saying, but at this stage the member for Evelyn has not named a member of Parliament.

Ms Campbell — She mentioned the member.

The DEPUTY SPEAKER — Order! The member for Evelyn has not actually named the member of Parliament. I understand the point of order the member for Pascoe Vale is raising. I have asked the member for Evelyn to be aware of what the standing orders say about impugning another member. I have asked her to do that, and I will listen with care to her statement. Start the clock.

Mrs FYFFE — The Premier has been told about this but refuses to take action against the member for this alleged act of violence against a peaceful protester. The Brumby government has described protesters as ‘ugly, ugly people’ and ‘quasi-terrorists’, and yet it appears the only ugly people are those opposite. The member literally added insult to injury this week by claiming in the *Sunday Age* of 13 April that she had not left bruises, and also by making snide remarks about Kersten’s physical appearance.

Ms Campbell — On a point of order, Deputy Speaker, in relation to misleading the Parliament. The accusations that are being made by the member opposite are misleading, and I ask you to draw the member’s attention to the fact that she is not allowed to mislead this Parliament.

Mr Kotsiras — On the point of order, Deputy Speaker, the member has not misled the Parliament, and the member has not named any member of Parliament.

The DEPUTY SPEAKER — Order! Yes, I understand that.

Ms Campbell — Further on the point of order, Deputy Speaker, the member has in her hand and is showing to the Parliament and to me a press article that names the member of Parliament, and therefore I ask her to table that in order to assist you in your ruling.

The DEPUTY SPEAKER — Order! As I indicated before, the member for Evelyn needs to understand what the standing orders say in relation to impugning another member of Parliament. However, I again indicate that the member for Evelyn has not yet named a member of Parliament. I understand the member for Pascoe Vale’s concerns, but the member for Evelyn has not yet named a member of Parliament to impugn them, and she should not name the member of Parliament. If other members feel there have been misleading statements, there are opportunities for that to be attended to in terms of personal explanations and there are other forms of the house that can be used. Again I indicate that the member for Evelyn has not yet named a member, and I caution her not to do so.

Ms Campbell — And will she table the document?

The DEPUTY SPEAKER — Order! The member for Evelyn has indicated to me that she will make the document available to the house.

Mrs FYFFE — Following the recent public demonstration by decent country people, again in this Parliament the government described them as ‘ugly, ugly people’ and ‘quasi-terrorists’, and yet it appears the only ugly people are those opposite.

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

Melbourne Water: northern sewerage project

Ms CAMPBELL (Pascoe Vale) — The northern sewerage project has been an eye-opener for the Moreland community in terms of some of those involved in the project being unable to keep their word, even when it is given at public meetings. The latest saga to watch is the air treatment facility around the Pascoe Vale Road and Moonee Ponds Creek intersection. Melbourne Water has its sights set on bulldozing trees and taking over parkland when there are other options such as buying an adjoining block of land.

On 13 February a public meeting regarding the ATF (air treatment facility) was held and yet again it was clear that previous consultations were overlooked as Melbourne Water continued its endeavour, indeed its march, to acquire yet more public open space in Moreland. Melbourne Water attempted to ignore previous advice to residents that the ATF could be built with its exterior resembling a domestic home instead of an industrial brick. They also tried to skirt around residents’ preference for such an option.

Melbourne Water continues its conquest of Moreland’s precious and scant public open space. I cannot abide my constituents being played for mugs. It is not too much to request and expect Melbourne Water to be honest in its deliberations with those outside the walls of the northern sewerage project building consultations or to keep its word to council residents and to me. Before the project began, I thought the old days of Melbourne Water being engaged in environmental vandalism, such as concreting the Moonee Ponds Creek, were over. Not so; it still continues.

Police: regional and rural Victoria

Mr WELLER (Rodney) — I rise today to defend the needs of the regional police force and condemn the neglect of police stations in country Victoria. Our

policemen and women play a vital role in the community. The individuals who man our police stations and patrol our streets put their own lives at risk every day to service and protect the community. Often they are the first on the scene of tragic accidents, natural disasters and domestic disputes. Their job is a thankless one. Often the police who protect rural and regional areas are the only representatives of a regulatory body available when the rest of the town is asleep. When things go wrong, they are the front line.

Currently police resources in my district are so stretched that officers are forced to spread their services over two towns in one night, putting them under further great pressure. The state government has an obligation to protect country Victorian families and communities, and the recent cutback again reiterates its ineptitude. With limited resources local police are doing the best they can. They are an unassuming group who put their heads down and do not often complain about conditions most others would not tolerate, and they are deserving of much more support. The Minister for Police and Emergency Services should be ashamed of himself for this neglect of regional police services. It is yet again a case of out of sight, out of mind.

Last Friday I attended the police Blue Ribbon Foundation ball, which Echuca police held to raise money for the local hospital. It is a shame the government does not support the police like — —

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

United Way Geelong

Mr TREZISE (Geelong) — Recently I again had the pleasure of attending the annual general meeting of United Way Geelong. Annually, United Way raises funds for over 70 health and community organisations across the region. In 2007 it raised \$2.8 million, comprising \$2.1 million from the loaned executive program and \$720 000 from the Howard Glover Trust. From these funds tens of thousands of local people benefit each year, especially those who are sick or find themselves in a vulnerable position, including children, youths and families. I congratulate United Way and wish the United Way team well in achieving its goals in 2008.

Frankston bypass: route

Mr BURGESS (Hastings) — The state government modelling underpinning the need for the Frankston bypass is flawed, and therefore the preferred option chosen by the Southern and Eastern Integrated

Transport Authority is also flawed. For the section of the proposed bypass between Baxter and the point where Balnarring Road meets the Moorooduc Highway, SEITA has chosen to promote option 1, the route that follows the existing freeway reserve through the heart of pristine Moorooduc.

The DEPUTY SPEAKER — Order! I apologise for interrupting the member for Hastings. I thought the list I had was ongoing, but the time for members statements has expired.

Mr R. Smith — On a point of order, Deputy Speaker, there has been a previous ruling that points of order taken against members during members statements should be taken and dealt with at the end of the time set aside for members statements, and I ask the Chair why this was not done on this occasion.

The DEPUTY SPEAKER — Order! I understand the point of order being raised by the member for Warrandyte. However, as Chair I was also concerned about the members statement that was raised in relation to the standing order regarding the impugning of other members. That is why I chose to take a point of order at the same time as asking for the clock to be stopped to ensure that members' time was not taken up in that respect. I agree that normally points of order would not be taken during members statements. However, the member for Warrandyte needs to be aware that there are times when the Chair has to make a decision regarding something that has been raised in the chamber, and that was what I did today.

MATTER OF PUBLIC IMPORTANCE

Government: performance

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

That this house congratulates the Brumby government for ensuring Victoria is the best place to live, work and raise a family for a million more Victorians.

Ms GREEN (Yan Yean) — Victoria is not just a great place to live, work and raise a family but absolutely the best. The 1 million additional Victorians who will come to this state in the next decade will come here for many very good reasons, including the fact that Melbourne is continually rated as one of the world's most livable cities.

That is why, in relation to migration to this country, huge numbers of overseas migrants are choosing Melbourne as their destination over other capital cities. They are also choosing regional Victoria. It is not just about growing Melbourne. The Brumby government is absolutely committed to growing the whole state and to sharing the benefits of this increased population to drive economic investment, not just increasing jobs in Melbourne but growing communities across the state. That is unlike what the previous government did in the 1990s. It was concerned only about Melbourne and considered regional Victoria to be the toenails of the state. In those seven dark years, we had 40 000 people leaving this state every year. We have absolutely turned that around.

Mr Burgess — You listen too much to your boss. Have a look at the figures and you will see it is rubbish!

Ms GREEN — Since 2001 in particular the population growth in Victoria has been substantial — —

Mr Burgess — You are the only one that has gone backwards in the last 10 years.

Ms GREEN — The member for Hastings will get his turn.

Mr Burgess — Have a look at the figures — —

The DEPUTY SPEAKER — Order! I agree with the member for Yan Yean. The member for Hastings will be given the call at an appropriate time if he so chooses. In the meantime he should cease interjecting in that manner.

Ms GREEN — The Brumby government is committed not just to simple population growth in the boom that this state is in the midst of; its commitment is to growing livable communities in a sustainable and affordable manner. It is about having good-quality jobs and good-quality suburbs and towns and providing the infrastructure and community facilities that are required by those families moving to our great state. The government is investing in this. In the 1990s we saw an infrastructure spend in the state budget of under \$1 billion a year. We have now tripled that infrastructure spend, which is delivering hospitals, schools, roads and public transport improvements across the board — across Melbourne and regional Victoria as well.

At the outset I referred to the 1 million additional people coming to Victoria. In 2001, when we delivered our 2030 plan, we were planning for that level of growth to occur by 2030 but, because of the popularity

of our state and what this government has done with its infrastructure and its people, it is now expected that the population growth predicted in 2001 is actually going to be here in 2020 rather than in 2030. To express it in terms that those opposite would understand — 2020 is only 12 years away — it is like 1 million people coming around to your place next Sunday and expecting a sausage at a barbecue. I know there are a few sausages on the other side, so they might understand that.

We have to prepare for that growth. We have to be welcoming to those people who will come here. The economic growth in the Victorian economy for 2006–07 was 2.7 per cent. That is the highest of the non-resource states, well above New South Wales at 1.8 per cent, South Australia at 0.8 per cent and Tasmania at 2.1 per cent. Over the past eight years, despite drought and the other challenges to our economy, Victoria's gross state product has grown at an average rate of 2.9 per cent, again the highest of the non-resource states.

This state has always been the heart of manufacturing, but it has also been the leader in the agricultural sector, which is still thriving despite the drought. Exports of services grew strongly in this current financial year, at 8.3 per cent, which is well above the national average of 6.9 per cent. These sorts of figures are feeding that population growth. Families want to come and live in Victoria and be a part of it.

Well-known and respected demographer Bernard Salt has said that Melbourne leads the nation in household formation, which refers to families with adults in their childbearing years, and it can include couples without children who are likely to have children and couples with children. The net growth of households by household type between 2001–06 showed that Melbourne had an increase of 86 613 compared to an increase of 56 607 in Sydney. Bernard Salt projects that in the late 2020s Melbourne will again become Australia's largest city. This means that we have had to make some changes to our planning systems.

I welcome the Premier's recent announcement of zoning changes and the speeding up of zoning within the urban growth boundary which will allow Melbourne to accommodate family growth. Those changes mean that about a year will be taken off the time required for building lots to come onto the market. We will ensure that affordability is maintained so that there will be no drift like the one that occurred in Sydney due to the expensive houses there. Within those changes there will be precinct structure plans. The infrastructure and community facilities will be included

in those plans so that when lots are released, those services and facilities will be there for communities.

My electorate is part of a growth corridor, and I commend the Whittlesea City Council. A lot of the government's proposed changes will have some impact on the city of Whittlesea but many changes have been led by that council, because it has been forward looking and strategic in the planning of its suburbs.

Recently I had the pleasure of visiting Mernda Villages, which is a Stockland development. I opened a new road called Mernda Village Drive. People might think it is just a road, but it opens up a whole new subdivision and leads from the arterial roads of Plenty Road and Bridge Inn Road to a new town centre, which has been planned from the beginning. It will have a Catholic school, a child-care centre, a community facility and a shopping precinct. I was pleased to be at the opening of that road with representatives of the council, the Catholic Education Office, the local priest, Maurie Cooney, and local residents who welcomed and embraced the new road. The new road means that we can deliver the new bus services which have been recommended in the Whittlesea bus review. Connectivity means that that area will have great livability. The wonderful environmental features and the gorgeous red gums of Mernda will be retained.

Earlier I referred to the government's infrastructure spending. The funds are from the state budget, and we are spending more than three times what the Kennett government spent. Where appropriate, we are also indulging in partnerships. We are not in a mad rush to privatise and to sell the family silver, which is what happened in the 1990s. Where the delivery of benefits and value for money are concerned, we are partnering with the private sector to form public-private partnerships (PPP), whether it is in regard to road construction, hospitals or schools. Mernda will have a new primary school under the PPP arrangement.

I refer to the synchrotron at the Monash University precinct. Our universities in Victoria are another reason why families are choosing to move here. I refer to the quality of further education. In Victoria we train more apprentices and trainees than are trained in any other state in Australia. We have a good quality workforce, and those who want to enter the workforce have access to good training.

Victoria's secondary school system — its 15-year olds — is rated fifth or sixth in the world. That is something that we should be proud of. The Minister for Education has issued a blueprint for education which

indicates that we do not rest on our laurels. We want to improve and do better with our schools.

The private sector is investing in our state. The government has relocated the wholesale fruit and vegetable market from the congested port area, which was landlocked so the market was not able to expand. It has been relocated to the growth corridor of Epping, with a great road network connecting it to other areas. It will create 10 000 new jobs in my community and across to Hume — I know the member for Yuroke is pleased with that. Our farmers will be able to get a very quick turnaround because 70 per cent to 80 per cent of the product that goes to the wholesale fruit and vegetable market comes down the Hume Freeway. It will quickly come to the edge of Melbourne, turn around and go back. It will free up capacity on the Western Ring Road because trucks will no longer need to travel on that road.

I mentioned the City of Whittlesea before. Being a very progressive local government it is not just building houses but has set a target that for every new house there will be one new job. The City of Whittlesea is actually running ahead of that one new job target, because for every new house it has 1.35 jobs. The Victorian government has assisted with that by the relocation of the market, and others are investing in the precinct. I commend the McMullin group. Next week with the Minister for Health I will be attending at the sod turning of a new private health facility opposite the fantastic state-run Northern Hospital. We will have a huge specialised facility setting up across the road. It is a great example of partnerships between the government and the private sector.

Only this week in Geelong we have seen massive investment in information and communications technology. We are seeing 2000 new jobs based in Geelong through a partnership with Deakin University, which is a massive investment in that town. Hamilton did not grow in the 1990s, but we have seen it growing in a way you would not believe through the mineral sands investment. It is clear that the million new people moving to this state are moving here for a very good reason: it is because of our livability, our affordability and our commitment to sustainability. Melburnians have some of the highest recycling standards anywhere and are using less water per household than they did in the 1940s, which is a fantastic thing. It means that despite 10 years of drought and climate change we are able to adapt. The infrastructure and investment that we are putting into our water system and essential services are assisting in driving this growth.

I commend this matter of public importance to the house. It is important that we are forward-looking and do not sit on our hands and say, 'Well, we will say "G'day" to these people coming round to the barbecue on Sunday'. We have to do more than be welcoming, although I know Victorians and Melburnians are welcoming. We are a very culturally diverse community, which is another reason why people are moving to the state. We are a government that is forward-looking, investing in these people and being welcoming, while retaining our livability at the same time.

Mr WAKELING (Ferntree Gully) — How disappointing that, with all the things the government could deal with in this house — the problems with public transport, problems with the health system, and the problems with education — the most pressing issue it can find facing this state at the moment is to congratulate the Brumby government on making Victoria the best place to live, work and raise a family. What a disgrace; what an absolute sham! For those people expecting this government to start listening to the concerns of the Victorian community and identifying ways to improve our services, this is the best that those opposite can come up with.

This has all the signs and hallmarks of a government that is arrogant and out of step with the Victorian community; this has all the hallmarks of a government that has no clear direction as to what it will do to fix the problems with health, to fix the problems with public transport, and to fix the problems with law and order.

This is a government that spends its whole time blaming other people. It spent eight years blaming the Kennett government and the Howard government. It finally decided it could no longer blame the Kennett government or the Howard government, so who is now at fault? It is the new migrants who are coming to the state. The government is blaming people for coming to Victoria. This government is all about shifting responsibility away from those who have responsibility: those people opposite sitting on the front bench. One has only to listen to the Minister for Public Transport when answering questions in this house to realise this. The problems besetting the public transport system are not hers; no, they are everyone else's problems. They are the quasi-government departments that apparently do not fall under her control. Heaven forbid, it is the problem of the people who use the public transport system! The trains are late because people are using the public transport system. How arrogant and out of step is this state government.

When the government was elected in 1999 the previous Kennett government handed it a state that was economically sound, with debt at record low levels. As a consequence, eight years later we have a state government that is increasing its expenditure from \$19 billion in 1999 to upwards of \$34 billion a year. Every day this state receives \$77 million in state taxes and charges. This is a government that is rolling in money. Those opposite have not got the excuse to say there is no money because the government is receiving \$77 million a day. Talk to people who are waiting on hospital trolleys; talk to people who are being assaulted in our local streets; talk to our teachers, who are the lowest paid in Australia, and tell them that this is the best place to live, work and raise a family.

I will tell members one thing: it is the worst place to live, work and wait for a delayed train. It is also the worst place to live, work and have reduced police on our streets; the worst place to live, work and be stuck on a trolley waiting for surgery; and the worst place to live, work and be educated by this country's lowest paid teachers. Those opposite should hang their heads in shame. While those opposite sit and laugh about the plight of teachers and about the problems besetting public transport, police and other important issues in this state, we on this side of the house are out there listening to the concerns of the community and expressing those concerns in this house. I call upon those opposite to follow the lead and to take on board the concerns of the Victorian community.

It is not just members of the Liberal Party who have concerns. They are shared by police, teachers, commuters and — heaven forbid — members of the Labor Party who are high-ranking officials in the trade union movement. A report states:

The Australian Education Union's (Victorian branch) president, Mary Bluett, said the coalition led the way on teacher quality and pay and was embarrassing the government.

... it had been a long time since politicians had talked up the teaching profession, saying the coalition pay plan was good news for teachers and principals.

'The pay announcement exposes the Premier and education minister Bronwyn Pike as dragging their heels' ...

I cannot recall the last time the president of the Australian Education Union actually went to a Liberal Party branch meeting, but I can say one thing: she understands our concern about teachers. More importantly, she understands what those opposite are not doing. Don't take it from just the president of the AEU. What about the national secretary of the Health

Services Union, which is another union strongly linked to those opposite? The same report states that:

... national secretary, Kathy Jackson ... slammed the Brumby government as being arrogant and unable to manage industrial disputes.

Do not take it from the Liberal Party or the Victorian community, take it from members of the political party of those opposite.

I will touch very briefly on the member for Yan Yean's comments about Melbourne 2030. What an unmitigated disaster! Melbourne 2030 is the planning blueprint to take the state forward to the year 2030, but the government made one slight mistake: it got the figures wrong. It was not one year out, it was not two years out, it was not three years out — —

Mr Burgess — How many?

Mr WAKELING — It was 10 years out — in its own 30-year plan. What a disgrace! Melbourne 2030 is predicated on infill development and unit development in local communities. It was going to include the provision of upgrades to infrastructure — that is, public transport. My community got the worst of both worlds. It got the infill development and, more importantly, it did not get any public transport. Those opposite should hang their heads in shame because they know this system is a complete sham. I could talk all day about public transport. The Minister for Public Transport has clearly been hung out to dry. Those opposite are not prepared to defend her, and we will watch for the Premier's cabinet reshuffle in the near future, because I am sure there will be a new person sitting in the chair directly opposite me.

The myki ticketing system is symptomatic of a government that does not know how to handle public transport. It is over time and over budget and there is every chance the system will never be delivered. Now we have bureaucrats deserting the sinking ship. This government comes up with blueprints. Two years ago we had the livability statement which was the blueprint for the future. It was meant to provide the public transport solutions for this state. Now, two years later, it has been scrapped. Livability is no longer even on the agenda.

Then the government brought in Sir Rod Eddington, who proposed a new blueprint, which includes an \$18 billion expenditure, and three key components of which have already been rejected by this government. Members opposite reject key aspects of the government's own plan. There is nothing in the Eddington report for anybody who lives in the eastern

suburbs beyond Caulfield or — heaven forbid! — in the country. I remind those opposite about the government's 1999 election promise. What it promised to my community with its hand on its heart was that it would commit \$19 million to extending the East Burwood tram route to the Knox City shopping centre. The government built a tram line, but it forgot where Knox is and the tram line went as far as the Vermont South shopping centre. I can tell you, Deputy Speaker, that Vermont South is a long way from Knox. Clearly this government has no plans to deliver on its promise.

The government also planned to provide specifically for a feasibility study into a rail line to Rowville via Glen Waverley or Huntingdale. We have been waiting for only nine years! At the last election the Liberal Party committed \$2 million. We are not talking — —

Mr Andrews interjected.

Mr WAKELING — It committed \$2 million for a feasibility study. I would have thought the Minister for Health, who is the member for Mulgrave, would have wanted better public transport for his community.

Mr Andrews — I do!

Mr WAKELING — I am glad to see that, unlike those opposite, he at least supports the need for a study into the feasibility of a rail line to Rowville. The Liberal Party is leading the way on this very important issue.

Let me come to education. I could spend hours on this issue because there are so many failings of this government. Education is a farce. As I pointed out before, we have the head of the Australian Education Union in this state outlining to the Victorian community that this is a government that does not care for teachers, and it does not care for parents who have children in the Victorian education system.

Members opposite bleat about the fact that this is not a government that closes schools, but I encourage them to drive down Dorset Road in my electorate and look at what were the sites of the former Ferntree Gully Primary School and the former Ferntree Gully Secondary College, which were closed on the watch of this government. They did not spontaneously combust; they were closed on the watch of this government. Two and a half years later, what do we have? We have bare earth at the primary school site, and at the secondary college site we have an old remnant school with a cyclone fence around it. That is the clear indication of the commitment of this government to education in my community.

My community is waiting to hear the announcements on the 10-year rebuild program. I have schools that need to be rebuilt, but they have no clear indication from this government as to when that rebuild will occur. They are in the invidious position of not knowing whether they should spend school money on fixing problems within their schools because they have no idea whether that money will be wasted. The school might be rebuilt with money from this year's budget, next year's budget or the following year's budget. Do not get me started on the school maintenance backlog! This is a government that has done very little on the school maintenance backlog in my community. Members should go out and talk to the parents of children at Wattle View Primary School. Current statistics show that the school needs to spend \$331 000 just on the school's maintenance backlog. What a disgrace! What a shame! Those opposite should hang their heads in shame!

Now let me get started on police. Those opposite proudly stand up and say that this is a government that has provided over 1000 new members to the Victorian police force — —

Mr Andrews — Fourteen hundred!

Mr WAKELING — I am glad the Minister for Health is proud to talk about the figure, because the Victorian community wants to know — —

Mr Andrews interjected.

Mr WAKELING — Where are they? I make the point very clearly that members of my community are greatly concerned about the lack of police presence on our streets. We are faced with a situation where we have hardworking police members who are on secondment or long-term leave. You can go to any station in the state — they are not being replaced.

What is the first thing that goes as a consequence? It is front-line policing. What has happened under the watch of this government? We have seen the incidence of serious crime rise and the number of police members on the beat fall. One need only look at the incidence of rape. Rape is up 39 per cent and assaults are up 56 per cent. Those opposite laugh and think it is hilarious, but the 70-year-old woman who was stabbed at Boronia shopping centre whilst taking money out of an automatic teller machine was not laughing. She was not laughing when she was assaulted because there was a lack of police presence in that community.

I do not blame the Boronia police, because they do a great job. I have spoken to people in that community, and what they want is more police out on the street. I

ask the Premier to come out to my community. I will organise a public meeting; I will hire the hall and put out the flyers. I would be very pleased for the Premier to come out to my community and explain why he has not delivered on a Rowville rail feasibility study, why he is not prepared to do anything about police and why he is failing my community in regard to education and health. I believe that it behoves those opposite who call themselves leaders in this state to get out of their offices and to talk to the Victorian community — the people who pay taxes and who are affected. Instead of laughing about the situation, they should get out there and talk to people, find out what the problems are that the community faces and put the measures in place to ensure that our state has the services it so rightly deserves.

Ms BEATTIE (Yuroke) — Thank you, Deputy Speaker, for the opportunity to redress the balance following the hysterical contribution to this debate by the member for Ferntree Gully. May I also congratulate the member for Yan Yean on putting this matter of public importance before the house. It reads:

That this house congratulates the Brumby government for ensuring Victoria is the best place to live, work and raise a family for a million more Victorians.

First of all, let me say how disappointed I am in the contribution from the member for Ferntree Gully, because in his first few lines he homed in on the multicultural community. This house has always had a bipartisan approach to multicultural affairs, but the Liberal Party and The Nationals, the union of people opposite, have trashed that bipartisan approach to multiculturalism. I see it when I go to functions. It is just a trashing, and opposition members should hang their heads in shame for trying to use that as a divisive approach.

I want to talk about Victoria, which is the best place to live, work and raise a family and also the best place to invest. I am going to talk about some of the terrific things that are happening in my electorate, but as the Minister for Health is at the table I feel obliged to talk about what we have done and what the minister has done for health in Victoria. We have done some fantastic things in health, and I want to inform this house that since 1999, since the Bracks and the Brumby Labor governments were elected in Victoria, we have increased recurrent funding to health services by a staggering 96 per cent. That is just amazing. What that 96 per cent increase in recurrent funding means is that this year alone our health system will treat half a million more patients than it did in 1999. We all know we have an ageing population — I am getting younger but it seems everybody else is getting older. We had to

admit over 1.3 million more patients in 2005–06 — that is, 300 000 more since 1999.

It is taking me approximately 10 minutes longer to get into Parliament of a morning. Why is that so? I have to tell you it gives me 10 more minutes to sit in the car and look at the Royal Children's Hospital redevelopment, which is a fantastic project. I do not mind spending the extra 10 minutes in the car as I drive past the hospital and see trucks going in and out. That hospital is being built at a fantastic rate, and I congratulate the workers on that site for the speed with which they are building that hospital for the children of Victoria. It is just fantastic.

I do not mind spending the extra 10 minutes in the car, because I can tell the Minister for Health every day that I see progress. What do I see with that progress? I can visualise the hospital rising up out of the ground, because the fencing is there, and I can also visualise that it will attract the best health care professionals from around the world. They will come to this children's hospital to treat Victorian children, but they will also come to teach our doctors and specialists how to treat those young people. It is a project by this government for the future. It is a visionary project. It is a public-private partnership (PPP) project, and all over Australia people are talking about this project as the model PPP.

I will now move onto a couple of other things. The government has invested \$4.1 billion in other capital works, including the new Casey Hospital, the Austin redevelopment — it is a pity the member for Ivanhoe is not here because he is always trumpeting the Austin — and also the Royal Women's Hospital, commonly known as the women's, which is a great Victorian institution. Under the Bracks and Brumby governments a wonderful medical precinct has sprung up on that corner site, attracting to it the emergency department at the Royal Melbourne Hospital. The minister is quite anxious for me to get all these things on the table. However, I ask the minister, notwithstanding his anxiety to get the good things on the table, to cast his mind back to the dark years when 12 hospitals were closed in Victoria.

I also touch on some other health aspects, because we have upgraded 45 ambulance stations in Victoria. I know there are other country members here and I remind them that that is 33 rural stations and 12 metropolitan stations, so we are paying attention to rural and regional Victoria. That is why we see more people coming to Victoria, and the additional million people are not just coming to Melbourne but are going out into the rural and regional centres, because we

govern for the whole of the state. I will also mention the new ambulance stations. We have built 25 new ambulance stations, 8 in rural areas and 17 in the metropolitan area. There are 708 more operational paramedics, there are 101 extra ambulances on the road and there is a 25 per cent increase in fleet numbers.

I will now talk about health services in the outer suburbs, which is a subject that is near and dear to my heart. I note that the member for Melton is in the house. He and I were very pleased to have those first super-clinics in our areas. Craigieburn was the first to open and Melton was the second. There is one going ahead in the Yarra Valley in Lilydale and recently it was announced that there would be one in Sunbury. Before the redistribution I used to look after Sunbury, and I can tell members in this house that the super-clinic is much needed in that area. I congratulate the member for Macedon on her work towards that.

I will touch on a couple of other things, because the previous speaker from the opposite side of the house was ranting about public transport. I remind members about public transport initiatives in my area. There has been \$115 million spent to electrify the train services to Roxburgh Park and Craigieburn and now there will be another station at Coolaroo. Not only will we have new stations and new rail infrastructure but there will be bus services to complement that railway station. Most members opposite would get lost if they had to come to my area; they go back to their great mansions and do not pay any attention to the outer suburbs, where good, hard-working people live. I can tell them that people are voting with their feet. They are getting on buses in Craigieburn, Roxburgh Park or Broadmeadows and going to railway stations to catch trains when they want to take their kids to football and into the city to the cinema.

I congratulate the member for Yan Yean for proposing this matter to the house. I am sure other members want to focus on other aspects. I know I have not even touched on schools. Since I have been a member of Parliament three new schools have opened in my area and another one will be built very shortly. I know other members will expand on the massive building projects that we are undertaking in education. I also congratulate the hardworking men and women who live in my electorate; I will not have them constantly put down, which is what those opposite seek to do, much to their eternal shame.

Mr NORTHE (Morwell) — It gives me great pleasure to make a contribution to the debate on the matter of public importance proposed by the member for Yan Yean. The assertion is that in the near future

Victoria will have a population growth of some 1 million residents. That begs the question of how well Victoria is positioned to cater for those future additional residents, and from my perspective, what impact it will have on the growth of regional Victoria. Of course population growth equates to an additional demand upon essential services and infrastructure, and issues arising from that have been highlighted in recent times. They include the congestion on our roads, the overcrowding on our public transport, the waiting lists in our health system, the shortage of police resources, and disputes that are ongoing with the nurses, police and other public servants.

An increase in population will create additional pressures in all these areas and will create increased demand for electricity, gas and water. This city-centric government could do far worse than promote regional Victoria by strategically placing some of the government departments in regional areas. Given today's technology, that should be promoted more by this government. In my electorate of Morwell we have an unemployment rate twice the national average, so I encourage members opposite to lobby the Premier to ensure that government services are provided in regional areas.

The populations of the major centres in the Morwell electorate, particularly Morwell and Churchill, have declined over of time, whereas the population of Traralgon has increased. For example, between 1998 and 2006 the Traralgon population increased by around 2700 people, which is a 14.2 per cent increase. This is all about the government saying that it is encouraging people to go into regional areas, and the statistics I have just referred to verify that, but on the other hand I make the case that the government is actually stifling population growth in the Morwell electorate in particular. I make that assertion by — —

Mr Nardella interjected.

Mr NORTHE — If the member for Melton listens, he will hear me say why. The Latrobe Valley has an abundance of coal resources, and we need to be respectful of that, but at the same time we need to encourage population growth in our region, such as has occurred in Traralgon. I refer to the Traralgon bypass decision. In 2004 the Traralgon bypass route was determined and verified by the Department of Primary Industries, local council and the community. The proposed development to have come out of that by Rural Outlook, a local consortium, provided the prospect of having 3000 people living in a township between Traralgon and Morwell. We believe that was a really important aspect socially for the people of

Traralgon and Morwell, who historically have been parochial about their townships; and socially that would have provided a significant outcome in investment for the local community.

In 2005, in a report entitled *Latrobe Valley 2100 Coal Resources Project*, known as the LV2100 report, the Department of Primary Industries tendered its evidence to say it did not agree with the route. In 2006 a new inquiry was convened, and it overturned the previous decision. Now the bypass route sits adjacent to the current Princes Highway, so effectively all the land that was earmarked for future residential development is lost to the local community. The way the government justified this decision was to say that the new route was determined on the basis that it would provide new jobs within the clean coal and power industries. This is absolute rubbish. The particular land we are talking about was 2 per cent of the coal reserves; the coal was so deep and lacking in quality that it could not be mined using current practices. It was an absolute joke. The inquiry and the governments did not listen to the evidence that was provided by the Latrobe city and the developers; local expertise was ignored through this decision.

Essentially what we have through this MPI (matter of public importance), is the government promoting the fact that we want additional residents in Victoria, but we have an example of the government recently ensuring that a proposal for a 300-residence development was knocked on the head. It is ridiculous. As a result of that the developers within the Latrobe Valley and Gippsland have lost confidence in committing to projects in the area. If the government can do this on this occasion, what is stopping it from doing something similar in the future? We have some other developments, such as the Morwell north-west residential development at the moment, also suffering similar consequences as we speak. Hopefully that matter can be resolved in the future.

On the water issue, we are all well aware of the proposals for the north-south pipeline and the desalination plant. We know that with the population growth our demand for water into the future will increase. I am very pleased to see this morning that The Nationals upper house leader, Peter Hall, is proposing a private member's bill called the Victorian Water Substitution Target Bill. This is one measure that I hope the government will embrace. It is targeted at major industry and the Melbourne water authorities to ensure that targets are met to reduce the need for potable water into the future.

Melbourne currently uses somewhere in the vicinity of 412 gigalitres of water per year, and about 273 gigalitres ends up as wastewater. Of that, only about 61 gigalitres is currently recycled and reused, while the remaining 210 gigalitres is pumped out to sea. So the state government has not even scratched the surface in terms of what recycling and stormwater options they have in Melbourne. This private member's bill will provide for water retailers and the larger water consumers to be locked into specific water substitution targets, along the same lines as what is being legislated for through the mandatory renewable energy target and the energy efficiency target.

The Gippsland Water Factory, which is under construction at the moment, is a good example of a local solution to a local issue: it is treating domestic industrial wastewater and reusing it for industry into the future. It is something this government needs to look at in regard to water consumption in the future. Also, in my members statement this morning I mentioned the GIFT — the Gippsland intermodal freight terminal — in Morwell, which currently sits idle just through a current dispute and lack of action from this government. I raised for the attention of the Minister for Public Transport this morning the fact that the City of Latrobe, the local council, is seeking a lease on that land, and while the government procrastinates opportunities are continuing to be lost throughout the Latrobe Valley and Gippsland.

The Minister for Health is at the table, and I note he has been to my electorate in recent times. He would be well aware of the growing waiting lists and the statistics that unfortunately are worsening with each revelation that comes out through the statistics. With population growth comes an additional demand on our health services. That is indicated by the population growth within Traralgon and the Latrobe Valley in recent times. It has put an enormous burden upon our hospitals and community health centres. That is indicated and verified by some of the statistics that are produced, not only by the Latrobe Regional Hospital, but also the Latrobe Community Health Service, and particularly the dental waiting list over time. It is very difficult for us to try to attract and retain health professionals in rural areas. So as the population grows it is imperative that we have systems in place to attract people to the health-care system in regional areas.

The important point is that if we do not have the health-care professionals, if we have long waiting lists, if we have a lack of police resources, if we have a lack of teachers, if we have increasing classroom sizes, all this will impact on people's decisions to move into regional areas of Victoria. It is important that we

acknowledge that fact. And particularly in the Morwell electorate we suffer from all those. Recently we have seen disputes with the police about the lack of police resources. I talk to police officers in my local area on a regular basis; they inform me they are struggling to make ends meet. They do not have the opportunity to be on the beat, where they should be, to protect the community, and they have grave concerns about that. An example is the town of Churchill, which has a population of somewhere in the vicinity of 5000 people, and does not have a 24-hour police station. That is of grave concern to the community of Churchill. If people want to live in regional Victoria it is important that these services are available to them so they will select regional Victoria as a place to work, live and raise a family.

Ms RICHARDSON (Northcote) — I am very pleased to rise and speak on the motion before the house today. I want to thank the member for Yan Yean for bringing it forward to the house for its consideration. The motion reads:

That this house congratulates the Brumby Labor government for ensuring Victoria is the best place to live, work and raise a family for a million more Victorians.

This motion provides us with the opportunity to highlight Labor's record, and to compare that with the Liberal-National party's record when it was in government.

Labor is committed to ensuring that Victoria remains the best place to live, work and raise a family, but achieving that aim obviously presents us with a new set of challenges, as Victorians confidently decide to grow their families and new Victorians decide to make this state their home. We are not, as the member for Ferntree Gully stated earlier in the debate, blaming new migrants for coming to Victoria. On the contrary, we welcome them and we welcome the challenge they present. But nonetheless they pose a new set of challenges for us to contend with.

The growing population rates we have seen have certainly been the subject of much debate. An additional 1500 people are coming to Victoria per week, which is an historically high rate. It is little wonder that people are talking about Victoria as the state to watch. This is because Melbourne's population growth rate is higher than that of Sydney, and if it continues, Melbourne is set to become the largest capital city in Australia by 2028. For example, in the year to June 2007 Melbourne's population grew by 61 719 people, compared with Sydney's, which grew by 51 995; Brisbane's, which grew by 37 194; and Perth's, which grew by 35 259. Members should

compare that with the figures that were achieved under the previous Liberal-National party government, when we saw 40 000 people a year exiting the state — leaving the state in droves as a consequence of the policies that were put in place by the previous government.

What are the reasons for the population growth that we are experiencing? Obviously there has been a baby boom. I will touch upon events in my own electorate of Northcote. We have seen a mini-boom in my neck of the woods. It is getting increasingly difficult just to walk along High Street and Station Street because the volume of program traffic is so tremendous. The Stuzzi cafe, next door to my electorate office, has become the venue for countless mothers groups. One fact basically sums up what is happening in my electorate, and that is this: the City of Darebin has the largest waiting list of any municipality in Victoria for child-care places. There is a running joke in my electorate that if you see a twinkle in your partner's eye, do not book the baby shower, book the child-care place.

The second reason for the population increase is obviously people voting with their feet to come to Victoria. We have attracted a larger share of overseas migrants than other states. A key reason for the increase in both the number of babies being born and the number of people choosing Victoria above other states is the confidence people feel in Victoria's economy. Other factors like our climate, our environment and culture, our love of sport and major events, all play a part in making Victoria very attractive, but it is our robust and growing economy that is the cornerstone of their decision-making processes and the reason they choose to come to this great state.

It is worth touching on some of the achievements in the Victorian economy. In the last financial year Victoria grew by 2.7 per cent. This is the highest growth rate of any non-resource state. In comparison, New South Wales achieved 1.8 per cent. Even though our population is booming, as I indicated earlier, we achieved a record low unemployment rate of 4.1 per cent. We also have the highest participation rate of any non-resource state at 64.5 per cent; the highest value of building approvals of any state; and the highest number of apprentices and trainees completing training of any state. Victoria has the highest proportion of first home buyer activity, and Melbourne is still the most affordable capital city on the Australian eastern seaboard. In response to the member for Ferntree Gully's attempt to say something sensible on the economy, it is worth noting that we still enjoy the lowest debt levels. All these economic indicators and more make our state very attractive for those

considering raising a family or setting up a business in Victoria. Labor has worked hard to get this economic framework right.

I want to touch on another area in this debate — namely, our commitment to schools. I take this opportunity to extend my heartfelt sympathies to the school community at Elim Christian College in Auckland, New Zealand, which lost six students and a teacher in a tragic accident in a national park yesterday. I am sure all members here would like to extend their support to that school at this difficult time.

Labor has worked to ensure that Victoria is the best place to live, work and raise a family, and it has made education its no. 1 priority in achieving that end. Labor recognises how important education is to working families. That is why we have invested record amounts in education and training — \$7.3 billion in fact — since 1999. These funds have provided for 8000 additional teachers and support staff; more than 400 major school building projects, including new and replacement schools; an increase in the number of schools receiving primary welfare officers from 450 to 573 in 2008; a \$300 School Start bonus and an increase in the education maintenance allowance; and improved literacy and numeracy programs.

The effort to modernise every school in the state with a \$1.9 billion investment is very worthy of note. It was particularly welcomed by working families across Victoria. These funds will see 500 schools across the state being rebuilt or refurbished by 2011. The member for Yuroke spoke in her contribution about this \$1.9 billion investment. It includes three new schools in the member's area, with one more to come. They are among 20 new schools that will be built in growth corridors across Melbourne. We are also undertaking major regeneration projects across entire localities, including Bendigo, Broadmeadows and Altona. We are constructing two new or replacement special schools, and undertaking major renovations for at least six others.

This investment will make a significant difference to our schools across the state. In my electorate it was recently announced that Northcote Primary School and Fairfield Primary School will each receive \$500 000 to upgrade their year 5 and 6 classrooms. This is a particularly welcome outcome for those local school communities.

Obviously the investment in our schools has seen tremendous education outcomes. Average primary class sizes have fallen compared to 1999. We also have the

highest proportion of young people completing schooling of any state.

I refer to the comparisons that should be drawn between our record and that of members opposite when they were in government. I want to talk about the school community and how important it is to the local community. The school is often at the very heart of what is happening in a local area, particularly in country areas. Lifelong friendships are born and developed at these schools. Students all work together. The school is the focal point for community opportunity. When members opposite were in government they struck at that very heart and closed as many schools as they possibly could. As we know, they voted 1150 times to do this.

The Nationals claim to represent the interests of country Victorians, but their members voted willingly to rip out the heart of country Victorians. Any member of the Liberal Party or The Nationals who claims that the electorate does not know what they stand for just has to look at their record in education. It is a shameful record, particularly in country areas of Victoria. I again congratulate the member for Yan Yean for bringing this important matter before the house.

Mr CRISP (Mildura) — I rise to make a contribution on the matter of public importance. Self-congratulation is the worst and lowest form of congratulation. The Brumby government has failed country Victoria. It has failed country Victoria on water, which is currently the most important public issue in country Victoria. The Brumby government's super-department, the DSE (Department of Sustainability and Environment), has failed country Victorians. It failed country Victorians in how it went about unbundling water. This has been an unmitigated disaster. The department took too long to confirm the water shares and delayed those water shares. Many people in northern Victoria paid penalty interest on their land and water transfers. The temporary water trade was delayed while DSE dithered with its system and growers stressed over their temporary water. They paid top dollar to secure that temporary water and then found it could not be delivered when they needed it. Some waited up to three months from when they made the transaction to receive that water.

DSE needs to do better. I am sure there would be a revolt if the Australian Stock Exchange took three months to do a share settlement. Water is now a commodity and that commodity should be actively traded. The Brumby government must get temporary water transfers right for the next year. If it does not, there will again be stress amongst growers, and

problems will result from that stress. Stressed growers will not buy their water on three months notice — they cannot afford to buy it on three months notice. They need to buy it as they need it, and it needs to be delivered speedily so they can use it. They have been asked to better manage the water risk. You cannot manage water risk if you have to buy so far in advance. This year's water market has clearly shown that there are fluctuations. Growers will not be able to afford to buy all at once, as they did in September. They cannot buy at the top of the market and remain in business.

Carryover water is a vital component in managing risk for growers. When we are looking at zero allocation at the start of a year, we will need access to that carryover water. Last year there was damaging speculation about the availability of carryover water. I thought it was sorted out, but there is again concern amongst grower groups, emanating out of DSE, that carryover water will not be available. We must do better with that. The allocation system, even if it is zero, must take into account and deliver our carryover water.

At last Victoria has signed up to the national water initiative. That gives growers some confidence that there is a future. However, what has this one-year delay achieved? Very little has been achieved by the one-year delay. We are now one year behind in the solutions. The Brumby government failed our irrigators by waiting that one year to sign. There are serious concerns over how the memorandum of understanding (MOU) will be transcribed or moved into the intergovernmental agreement (IGA). This transition needs better stakeholder involvement. There are concerns out there with the evolution of the MOU to the IGA. Members need to take heed and the Brumby government should learn the lessons on better stakeholder consultation as set out in the Auditor-General's report *Planning for Water Infrastructure in Victoria*.

If growers and irrigators are to manage their risk better, they need to be consulted and they need to understand this transitional process. The Auditor-General has delivered a damning report on this issue, and the lessons need to be learnt if country Victorians are going to be better off. There is anxiety over this, particularly in the section in the MOU entitled 'Risk assignment framework', and I draw attention to paragraphs 35, 36 and 37. There are very great concerns there about the future.

Honourable members interjecting.

The ACTING SPEAKER (Mrs Fyffe) — Order! I apologise for interrupting the member. I ask members

on the government benches to cease their interjections. They will have their opportunity.

Mr CRISP — Thank you, Acting Speaker. I remind members that some of our new Victorians may want to live in the country, and they are going to have to manage and understand these risks. As our growers deal with the future, there are climate change issues and risks associated with this that are causing them anxiety. I call upon the Brumby government to make country Victoria a better place by clarifying how paragraphs 35, 36 and 37 are going to affect us. This deals with the future for potential cap reductions within the Murray–Darling Basin; that is a risk that our irrigators are very concerned about, as is the issue of how compensation is going to be paid. Why would you take a risk in country Victoria if you did not have to?

Under paragraph 36, the other states have already lost, without compensation, 3 per cent of their high security water right, and they can lose 3 per cent every 10 years without compensation. Does that fate await Victorian irrigators? If it does, will that no-compensation issue get in the way of building people's confidence to invest in country Victoria? There are huge concerns about the risk equalisation issues between the other states. Will the other states pressure Victoria into surrendering that 3 per cent without compensation? Has our Premier secured that? He spent 12 months developing this acceptance of the national water initiative. Has he done his job properly? We do not know.

Similarly, there are concerns about how the ACCC (Australian Competition and Consumer Commission) and new trading rules will impact on country Victorian irrigators and their confidence to live in country Victoria. Will the ACCC, with its new trading rules, allow urban dwellers access to country water? The pain that has been caused by the north–south pipeline will be made worse if the urban areas get access to country water and start to go way beyond the 75 gegalitres allocated for Melbourne. We need those savings from the north–south pipeline and the food bowl modernisation project to remain in the Murray Valley to secure our future allocations against climate change, to secure the sustainability of our river systems and for our environment. Those savings are needed to grow food, food that has now become an issue in the world. Water is needed to sustain that food production.

The national water plan's \$1 billion for stage 2 of the food bowl modernisation project is not enough. There is \$6 billion up for grabs and Victoria should be getting \$1.5 billion to \$2 billion. That extra money — that \$500 million to \$1 billion more — needs to come to Victoria to fund other infrastructure, to save water, to

grow food, to meet our commitment to feed these extra Victorians. Surely we do not want those extra Victorians to be dependent on imported food. We should be able to feed ourselves. Country Victorians deserve better, and in water they deserve a far better go than they are getting.

In the brief time I have left I would like to touch on health services and the fact that Mildura has outgrown its hospital. I am pleased that the Minister for Health is present in the chamber. The Mildura Base Hospital has outgrown its budget and needs a budget solution. It needs solutions for its accident and emergency (A and E) department, it needs solutions for maternity, and it needs solutions for post-operation and ambulance transfers. The health minister has stated that the A and E department is the most efficient in Victoria; and yes, it has to be because of the huge numbers it is dealing with. If the department was not dealing with the situation, the staff would go mad or send sick people away. Our accident and emergency department needs another \$5 million expended on it, maternity needs about \$3 million, post-operation needs \$3 million and our ambulance transfer service needs another \$2.2 million. These plans have been well discussed with the health minister, and I expect them to be in the next budget just so the hospital can meet the demand.

In the longer term, we need much more to meet the growing populations in our country areas. The disparity between being treated in Melbourne and being treated in the country is growing. If you have a heart attack, your chances are much better in the city. Country Victorians grieve for that disparity. It is a real problem. Victoria's budget has doubled since the Mildura Base Hospital opened, and we need to do better.

The Brumby government should leave the last century behind, stop self-congratulating and fix the health and water problems. Every Victorian deserves better. Every country Victorian deserves better. Every country Victorian deserves a fair go.

Mr HUDSON (Bentleigh) — It is a great pleasure to speak in support of the matter of public importance, and particularly to speak about what the Brumby government is doing to expand our transport system to meet the needs of the growing population here in Victoria. We have just announced changes to the metropolitan train timetable which are going to provide for the overwhelming number of Melburnians who are using public transport across this great state. We have scheduled an extra 200 services that are going to be implemented this year. That comes on top of the services we have added since 1999.

An honourable member interjected.

Mr HUDSON — The member says, ‘What about the services you have taken away?’. We have added 1000 extra services since 1999. We have provided for an extra 800 000 commuters per week since 1999. We have done an enormous amount to expand the public transport system. On top of that, we are also building for the future. We have committed to — and ordered — 18 extra new trains, which will cost \$612 million and will provide services from late 2009 and so provide that extra capacity we need to cater for those extra Victorians.

We have also upgraded vital interchanges and removed bottlenecks in the system. We are currently upgrading North Melbourne station. We are in the process of upgrading the track to Clifton Hill, which will not only improve reliability but will allow for additional services to Epping, Greensborough and Hurstbridge. We have built new track, spending \$115 million to electrify the Craigieburn line and complete the new Roxburgh Park station.

In addition we have introduced initiatives to reduce congestion and encourage off-peak travel. Look at how successful early bird travel has been! We have seen a major shift of people to early bird travel, and people have done that because they can save up to \$1100 a year on the ordinary cost of travel.

Mr O’Brien interjected.

Mr HUDSON — I do not think the member for Malvern has ever caught a train!

Mr O’Brien — You would be surprised.

Mr HUDSON — Whilst the member for Malvern is talking about public transport, let us have a look at what the Liberal Party promised at the last state election. The Liberals made some Thomas the Tank Engine-type commitments. The Liberal Party claims it has had a policy to create no new level crossings, but it said it was going to build a new line to South Morang for \$12 million and a line to Cranbourne East for \$6 million. To build a train line to South Morang that would cross Cooper Street, McDonalds Road and Pindari Avenue, the Liberals would have had to create three new level crossings — and we know that grade separation on these level crossings costs a significant amount of money. But the Liberals could build it for \$12 million!

Mr O’Brien interjected.

Mr HUDSON — Come on, Gordon, I think you can! No, you cannot! You cannot do it for \$12 million. It is the same with the promise to build the Cranbourne East extension across the South Gippsland Highway and the Narre Warren–Cranbourne road for \$6 million. That would have been really something to see!

This government has also made a major investment in local buses. We have been progressively upgrading buses. We have made an unprecedented commitment to buses, with \$646 million to boost metropolitan local bus services over 10 years. By the middle of this year we will have delivered improvements to 111 metropolitan bus routes. They will include route extensions, increased frequency and extension of the operating hours to 9.00 p.m. seven days a week. Many buses will run on Sundays for the first time. There are a lot more local bus improvements to come.

On top of that we have introduced SmartBuses on some of our major routes. The member for Polwarth described SmartBuses as failed technology. That failed technology has delivered a 50 per cent improvement in patronage on those services where it has been introduced.

In March this year the next stage of the orbital bus network began operating, with the yellow orbital bus service linking Ringwood to Frankston via Dandenong. These SmartBus services run more often for longer hours, and on weekdays they operate every 15 minutes between 6.30 a.m. and 9.00 p.m. and every 30 minutes at other times between 5.00 a.m. and midnight. These are the kinds of improvements the coalition can only dream about. They could not introduce them; they are not committed to them. You only have to look at their commitments at the last state election to know they are not serious about public transport extensions to cater for the million extra people who will be living in Victoria.

At the last state election the Liberal Party made the grand commitment of \$71 million over four years for public transport extensions. That is how serious the Liberals were about it. That is how serious they were about catering for the million extra people living here in Victoria.

Let us have a look at regional passenger transport. This government, unlike those opposite —

Honourable members interjecting.

Mr HUDSON — Already they scoff! Those opposite have not supported the upgrade of the regional fast rail service; they have not supported those links between the major labour markets in the Latrobe Valley, Bendigo, Ballarat and Geelong. Yet look at

how successful those services have been and at the huge number of additional passengers now using those services.

Look what is happening with V/Line. As a result of our investment in V/Line services, patronage has increased by 30 per cent in 12 months. We are now carrying over 800 000 passengers a month on our V/Line services — and we have reduced V/Line fares by 20 per cent. We have ordered 22 intermediate carriages to boost capacity on regional trains, and we have commenced the delivery of 34 refurbished V/Line trains as part of our \$13 million refurbishment project. People in country Victoria have voted with their feet. They know that the very fast trains and V/Line services are better, more frequent and more reliable, and that is why they are using those services.

Let us have a look at action on roads to cater for the growth we are experiencing across Victoria. Since 1999 we have invested \$5.8 billion into our state road network. We have completed 44 significant road projects in outer metropolitan Melbourne at a cost of \$1.1 billion — where that growth is. We are also in the process of completing a further 19 outer metropolitan road projects at a cost of around \$410 million. These projects are improving the road infrastructure in those growth areas in Cranbourne, in Dandenong, in Sunbury, in Narre Warren, in Carrum Downs, and in Wheelers Hill. We are in the process of upgrading the M1 corridor to provide better cross-town movements on the Monash Freeway, the West Gate Freeway and CityLink. Despite the fact that the opposition derided the project, EastLink is going to open in the middle of this year — a fantastic road project that will provide a major piece of transport infrastructure to people living in that corridor, a population corridor that is the same size as Adelaide. It will open to the Victorian community months ahead of schedule.

What we have seen is a substantial increase in the level of capital roads expenditure. We had a paltry \$217 million provided by the Kennett government in 1988–89; now we have spent around \$880 million in 2006–07, a fourfold increase in our road expenditure. The Victorian community knows we are catering for the growth; the Liberal and National parties have no plans. I commend the government for raising this matter of public importance in the house.

Mr THOMPSON (Sandringham) — One of the great political lies perpetrated on the Victorian people in the last decade was the Labor promise that it would build the Scoresby freeway, the EastLink freeway, toll free. Victorians for the next 30 years will be paying an exorbitant amount as they commute from their local

suburb. The matter of public importance (MPI) today really should be under the heading of a grievance motion. The topic is that the house congratulates the Brumby government on making Victoria a great place to live, work and raise a family for a million more migrants. Fundamentally it should be retitled ‘a great place to live, work, raise a family and speak in clichés’, because that is what the Labor Party regularly does and treats this house with disdain.

We have seen other jurisdictions around the world where people speak in clichés. They speak in mottos — be it China, be it the Soviet Union or other regimes around the world. It makes a mockery of this Parliament to parrot these clichés on a regular basis. If one googles the phrase, one will find how many other countries around the world use the cliché, the phrase ‘a great place to live, work and raise a family’. I could refer to the United States of America and the town of Annapolis, where the residents regard it as the ‘greatest place to live, work and raise a family’. One could go to the area of Cary in the United States, where the locals promote their town and region as the ‘greatest place to live, work and raise a family’. One could go to the township of Saskatchewan in Canada, where the state is promoted as the ‘greatest place to live, work and raise a family’.

One could go to Alexander County in the United States and find that there again it is described as the ‘greatest place to live, work and raise a family’. One could go to Dryden in the United States, where they describe the town as the ‘greatest place to live, work and raise a family’. One could go to Rogers Park, which is described as the ‘greatest place to live, work and raise a family’. One could go to Montgomery County and note that Maryland is regarded as being the ‘greatest place to live, work and raise a family’. One could go to Amityville — I understand there is a film called the *Amityville Horror* — where again people find it to be the ‘greatest place to live, work and raise a family’. It may be from this very township that the spruikers for the Bracks and Brumby governments found the phrase in a Hollywood film script. Continuing on, one could go to Putnam and find that it is the ‘greatest place to live, work and raise a family’.

One could go to the website and google ‘greatest place to live, work and raise a family’ and find that the United States of America is being promoted as the ‘greatest place to live, work and raise a family’. One can google, one can giggle — —

Mr Nardella — That was a good one.

Mr THOMPSON — I am pleased to see the member for Melton is bright-eyed in the chamber today, too! The Labor Party is speaking in clichés. It makes an absolute mockery of this chamber. In terms of the matter of public importance before the house, we as Australians should value the opportunity to live in a wonderful country which allows us freedoms and advantages not experienced in many other parts of the world. The member for Bentleigh was speaking about public transport, and it will not be long before the commuters going on the Frankston line through his electorate will not have room on board the train with the seats removed, and they will not have room anywhere else. They will have to climb on the roof and follow the New Delhi trains there by way of a precedent in looking at good public transport examples. Our pioneers in Victoria had the courage and foresight in setting up infrastructure and social supports to build a strong and cohesive community.

Do I believe this state has the capacity to absorb a million new migrants in the short term? I do not believe so. Why is that? I will outline why. We are still waiting on the delivery of better water infrastructure, better roads and better public transport, real tax reform, and a vision for manufacturing which will provide a fundamental employment base for Victoria, drawing on our energy reserves.

It's disastrous. I am going to have to do my sums this June to see whether or not it is worth doing horticulture in this area along the Murray.

These are the words of Mr Cosimo Cirillo on 27 March. He is a fifth-generation Murray River farmer. We have water shortages that have not been envisaged by the current government. It has been in office for 19 out of the last 26 years in this state. There was provision for better water infrastructure 25 years ago, but the Labor Party has failed to deliver.

There is a chronic shortage of teachers in Victorian schools. A teacher in a Victorian state school could only hope to earn \$65 000, in sharp contrast to the policy of the Liberal Party with the announcement over the weekend that it will make Victorian teachers the best paid in the nation. We need a plan for our electricity supplies and to make clean use of our coal resources, but we have seen recently a decline in the service reliability of power companies. A number of senior citizens in my electorate experienced power blackouts for 48 to 72 hours.

We need affordable housing.

Mr Nardella interjected.

Mr THOMPSON — The member for Melton is a great champion of his constituency and the need for affordable housing. Yet young families are being priced out of the housing market. The Brumby government refuses to recognise the effect of the huge stamp duty windfalls as part of this process. We have the highest stamp duty in the nation. The government continues to collect the money and impose that burden affecting the fertility rate of the next generation and the ability of working families to maintain an affordable quality of life in addition to meeting their housing repayments. Looped into their mortgage repayments is the money borrowed to meet the stamp duty commitment.

Public housing lists are blowing out, with no addition to the public housing stock. There is a disability housing crisis. We confront as a community increases in the cost of petrol, water, power and food, and these are adding to the household budgets of Victorians. The housing boom on the fringes of Melbourne requires hundreds of extra doctors and hospital beds and dozens of new schools as well as billions of dollars in infrastructure spending to supply new roads, public transport, schools, hospitals, shops and child-care centres, but there has been a lack of planning on the part of the Bracks and Brumby governments to provide appropriately for these needs.

Victoria will get only \$34.2 million, or 22.8 per cent of the federal government's \$150 million in funding to address the national elective surgery waiting lists. This allocation is well below Victoria's 24.8 per cent share of the national population. If \$34 million were enough to fix the waiting list crisis in Victoria, why would a government with an \$800 million surplus wait until now to do something about it? I will repeat that: out of Mr Rudd's elective surgery short-term solution Victoria got \$34 million to fix the problem — \$34 million, which is less than our per capita entitlement. Yet the government has had an \$800 million surplus, so one has only to look at the maths to find out how the government has been sitting on its hands.

We need to address waiting lists with an increased investment in hospitals, an increased investment in professionals and the support the government has to provide.

These are the words put forward by the Leader of the Victorian Liberal Party. They touch upon this very important issue of patients waiting on the elective surgery lists for basic treatment. Then we have the example in south-west Victoria of the government's blatant refusal to fund a rescue chopper service in that region, and a number of tragic outcomes were presented to the house when there was a demonstration at the front of Parliament House recently. The critical

time delays in transporting people for treatment in Melbourne have had a tragic consequence.

We see the gaming industry continuing to expand in Victoria. There was a once-in-a-generation opportunity to reduce the reliance upon the gambling dollar and to reduce the number of machines in Victoria by 5000 — which may have enabled a few mums to bring food home for their kids rather than putting it into poker machines and a few dads to go home at night without putting money into pokie machines — rather than continuing to underpin what was described by leading Labor luminaries from the late 1980s and early 1990s as being the way forward to establish a gambling-led recovery, as a way forward to provide jobs for Victoria and as a way to provide a new industry for Victoria.

We have seen the realignment of the gaming industry and the end of a duopoly which was initially set up to enforce strong probity measures. Who knows how country sporting clubs will bid against larger players and pay a lot of money — millions of dollars — to gain a gaming licence. What will they seek to do to meet the burden of trying to provide services to the local community and repay debt? They will probably encourage an environment of irresponsible gambling just to meet their debt requirements. There will be a continuing expansion of the gaming industry in Victoria by a company backed by prominent business names who will gain approval from the Brumby government to launch a new subscription TV betting system in Victoria. The Brumby government has failed to deliver with regard to gaming and not hitting families hard.

I googled the phrase ‘a great place to live and raise a family’ and found a story from the United States of America. There is a place called Naperville —

The ACTING SPEAKER (Mrs Fyffe) — Order! The honourable member’s time has expired.

Mr EREN (Lara) — I am very pleased to support the motion before the house today. I wish to congratulate the Brumby government for investing in infrastructure projects and programs to augment and conserve Victoria’s water supply so that Victoria will remain the best placed to live, work and raise a family for an extra 1 million Victorians. As members may be aware, Geelong has received a lot of attention from this government. All of the people of Geelong agree with this. They have shown this since 1999 by voting with their feet in terms of whom they want to represent them in this place.

Since 1999 this government has proudly spent to the tune of \$1.8 billion on the Geelong region. Obviously that is quite justified, because Geelong is the second largest city in Victoria. It is a great place to live, work and raise a family because there are a lot of things happening in Geelong and it is a growth area. Wyndham Vale is one part of my electorate that is earmarked as a growth area. The township of Lara is attracting a lot of attention from investors; people want to live there. The Armstrong Creek development will occur in the course of the next few years and will accommodate some 70 000 extra residents, which is the population of Ballarat — a huge number of people will be moving to Geelong. Clearly this government has the foresight to invest in such an area, and it has done well in all aspects.

On Monday a tremendous announcement was made by the Premier and the Minister for Information and Communication Technology in the other place, Theo Theophanous, about an extra 2000 jobs. The people of Geelong are ecstatic about that. No doubt we have had our share of bad news in terms of job losses in relation to Ford — and I wish the Leader of the Opposition would sit down and listen to my contribution but he is now leaving the chamber! — but clearly this government is about ensuring that we have incentives to make sure Geelong is a good place to do business.

One of the largest IT companies in India, Satyam Computer Services, has decided it wants to make Geelong its home. I congratulate that business on making that decision. This will create some 2000 jobs over the course of the next 8 to 10 years. We are very happy about that. The decision to move the Transport Accident Commission to Geelong shows that the government is not Melbourne-centric. That is a fantastic decision that will result in some 600 new jobs for Geelong. The business community thinks it is worth doing business in Victoria and Geelong. That is good to see.

I have noticed that some opposition members have said that this government is not doing enough in terms of the investments it has made, but we say we are doing enough. However, when we say that, the opposition says, ‘You are not doing enough’. We admit it— there is more to be done. Members of the community realise that we do not just speak and that we put words into action to make sure that things happen. I go around Victoria as the chair of the Road Safety Committee. When you visit various regional cities such as Mildura, Shepparton, Bendigo, Ballarat and all of those regional cities, including Geelong, you notice that there has been a tremendous change. Those areas are vibrant and full of activity.

Unfortunately at the moment we are having what is supposed to be a 1-in-100 year drought, but we have had two of them consecutively. This government can best deal with this dilemma. In terms of my electorate and water projects, an investment was made recently in Geelong in a Smart Water project. A recent media release in relation to the project says:

City of Greater Geelong and Corrections Victoria's Barwon prison will share in \$175 000 in grants for a joint water saving project from the Brumby government's Smart Water Fund.

Water minister Tim Holding today said the grant was part of \$5 million awarded to 26 water saving and water recycling projects across Melbourne and regional Victoria.

...

Corrections Victoria will use a \$75 000 grant to upgrade the current class C sewage treatment plant at Barwon Prison in order to supply class A recycled water for toilet flushing, laundry and boiler-room operations.

The City of Greater Geelong will use its \$100 000 grant to divert water from the Barwon Prison sewage treatment plant to nearby Elcho Park golf course for irrigation purposes.

The \$630 000 project will save up to 87 million litres of water per year across the two facilities.

That is what you would call initiative. With a combination of funding from both state and council sources it will cost \$630 000, but at the end of the process we will save 87 million litres of water per year. These are the sorts of initiatives that are happening right across the state. When I say the government is prepared for the worst, this government is making sure that the public of Victoria is protected from any drought. That is a tremendous project, and I congratulate John Coggle, the president of the golf club; Sue Burns, the ladies president of the golf club; and Konrad Vinken, the secretary of the Lara Sporting Club, for their support for this project.

Returning to the issue of making sure that we are prepared for the future regarding our water initiatives, Acting Speaker, as you may know, since it came to office in 1999 this government has invested \$5 billion in upgrading water infrastructure across the state. Some of the projects include recycling plants to augment supplies in Ballarat, Bendigo and Gippsland; irrigation channel upgrades in Gippsland, northern Victoria and Sunraysia; the goldfields super-pipe and the Wimmera-Mallee pipeline; 140 000 rebates on water-saving devices for the home and garden; 66 stormwater projects delivering 2100 megalitres; and reconnecting Melbourne to the Tarago Reservoir to supply an extra 15 billion litres of water a year.

It is fantastic for Geelong that a pipe will be built between Melbourne and Geelong. The huge corridor of the Armstrong Creek development that is about to be created and the investment of Satyam Computer Services, will assure Victoria, Australia and the world that Geelong's future is secure. The proposed \$3.1 billion desalination plant that will supply Melbourne with up to 150 billion litres of water a year does not rely on rainfall. That is great news for Geelong. I congratulate the Minister for Water and my parliamentary colleague the member for South Barwon, the Parliamentary Secretary for Water and Environment, for making sure that not only Geelong's but the whole of the state's future needs for water are secure.

The proposed reclamation plan for Shell land in Geelong is a project that involves Shell, Barwon Water and the state and federal governments. We have committed money to make sure that that project goes ahead, and obviously discussions are being had in terms of time lines and all that. Members can rest assured that once the water recycling plant is up and running it will obviously mean more drinkable water for Geelong and that we will make sure — —

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

Mr TILLEY (Benambra) — I rise to participate in this debate on the matter of public importance relating to the claims of this government that Victoria is such a great place to live, work and raise a family for 1 million more Victorians. With the claims of population growth that we hear day after day and time after time from the Premier, comes the need for planning. This government is failing dismally with that across both metropolitan Melbourne and country Victoria. The failed planning and lack of vision is extraordinarily poor. The government has failed to address the rising violence, the water needs, the energy needs, the health needs, the housing needs and the public transport needs of all Victorians. Any further increase in population will only expose Victoria to the lack of planning and will create further pressure on Victorians right across the state throughout metropolitan and regional Victoria.

We talk about growth but in the electorate of Benambra we are looking at growth of only about 0.8 per cent. There are terrific opportunities for growth by putting projects and infrastructure in regional Victoria that are not continuing. There have been continual claims over successive Labor governments, with false and empty promises that have not come to realisation. It is bitterly disappointing to try to explain this to your constituents and to try to continue that drive to make our part of

Victoria an even better place. We have to work with government. We recognise that the Brumby government is the government of the day and we have to try to work with it in the background. I am a firm believer that at times you get more bees with honey than you do with vinegar, but it becomes quite energy sapping when you do not get any response from ministers or you have to wait an extraordinary length of time to get any response so that you can reassure your community that this government is genuine in its drive to do something for Victoria.

On the subject of the debate, Victoria might be a great place to live, work and raise a family, if you are a Labor member of Parliament, but not if you are a police officer. We have seen spending in Victoria on police officers per capita is the lowest in Australia. Last year alone 16 500 days, or two-thirds of all days lost to injury last year, were lost to stress. Last week we saw the results of the *Herald Sun* survey which revealed that 97 per cent of officers who responded believe there are not enough front-line officers. I can attest to that, because in recent years I was one of those in the lead-up to my successful election as member for Benambra. I can tell members that it is absolutely zapping trying to assist your community when you know you do not have the backup, the resources or the support from a government while you are out there trying to uphold the rights of the community throughout Victoria. It was interesting reading.

Last week we also saw Police Association members march on this place. I understand in excess of 3000 police officers — 3000 association members — attended a rally down the street and marched up through the centre of the city of Melbourne to state their case. Members know full well that this government fails to understand and appreciate the hard work and effort of all members of Victoria Police, whether they be sworn members, our protective service officers or unsworn members, in trying to uphold what is right and protect the community of Victoria. We also saw that senior officers in Wodonga and Wangaratta had the courage of their convictions and spoke up about the lack of resources. And do you know what? They got a phone call saying, ‘Shut your mouth’.

Mr Nardella — They did not!

Mr TILLEY — Absolutely. But in response they had enough courage to turn around and say, ‘Take your best shot’. They will not stop; they will continue to support Wodonga with what resources they have left.

Whilst we are talking about gagging, we have seen officers on the Mornington Peninsula who have been

speaking out about the front-line resources gagged by Victoria Police. They have been threatened that if they speak to any other organisation outside Victoria Police, they stand the chance of suffering disciplinary action and a \$5000 fine or dismissal. They have been threatened and intimidated, and they have simply had enough. It is time to let the community know and ensure that this government is under sufficient pressure so that members will get off their damn bums and do something about it. I call on the minister, if he is not listening today, to take the opportunity to read the contributions we have made today about Labor failing to make Victoria a great place to live, work and raise a family.

Turning from the police to education, if you are a schoolteacher in Victoria you are the lowest paid in Australia. On Sunday there was a call by the Liberal-Nationals coalition to make teachers in Victoria the best paid in Australia. It was a terrific opportunity, but yesterday during question time, when the government was asked whether it would give any commitment whatsoever to making our teachers the best paid in Australia, it fell on deaf ears. There was no response. The government could not even answer the question, yet there were teachers listening in the gallery. I am sure they went back to their colleagues and mentioned that this government will fail to ensure that our teachers are the best paid in Australia. What a terrific opportunity that was, provided under the leadership of Ted Baillieu. The man has my respect. In the next election in 20Ted we will see some terrific policies come from the Liberal-Nationals coalition under Ted Baillieu’s leadership.

Victoria is a great place to live, work and raise a family, but not if you are walking the streets. I will go back to the violence. Not so long ago, on Valentine’s Day, I got a tram from Spencer Street up Flinders to Collins Street. I saw two fights, and I saw a male exposing his genitals and urinating in the street in public where people were trying to go to restaurants — they had to walk around him — but do you think I saw one police officer? No. Unfortunately there are no police officers walking the beat in the central business district. That is an absolute disgrace. What can you do about it? You can resource the police.

Victoria is a great place to work or raise a family, but not if you are a farmer in northern or north-east Victoria. There is no security of water, given the dodgy savings and figures spun by this government in relation to the north–south pipeline. There is a guaranteed release of water to Melbourne by draining it through the garden hose called the north–south pipeline. Victoria is a great place to live, work and raise a family, but not if

you use electricity. After the last lot of wild weather conditions, when strong winds came through the state, we saw people left with no power and many offline for in excess of 48 hours. Where are the resources to prevent such things happening? Victoria is a great place to live, work and raise a family, but not if you are a first home buyer. Housing affordability is at its lowest in Victoria, and the cosmetic, bandaid solutions of this government have no impact on the price of land according to the departmental advice to this government.

Victoria is a great place to live, work and raise a family, but not if you use public transport. For nine years we have been waiting for the relocation of the rail line out of Wodonga. For nine years nothing has happened. We have heard promise after promise but nothing has happened. I am glad the minister is in the house at the moment. A month ago we heard that the minister was going to make an announcement giving the community of Wodonga some assurance about how far the project had gone. That month has now expired, and I hope the minister will stand up and tell the community of Wodonga exactly what is happening with the relocation of the rail line and whether we are getting our train services back — whether we have to continue to catch buses from Wodonga to Wangaratta or whether we are going to be able to pay for a train ticket and get a train service.

Victoria is a great place to live, work and raise a family, but not if you are sick. Massive numbers of people are waiting on hidden waiting lists in hospitals all over Victoria. There is a terrible shortage of doctors — you cannot get on a doctor's list in Wodonga. We have a severe shortage of GPs, and we need to — —

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

Mr NARDELLA (Melton) — Victoria is the greatest place to live, work and raise a family. A great problem within this house is that for the last 1½ hours all honourable members on the other side of the house have been able to do is put Victoria down. They have put down the police, put down the government, put down the public servants who are out their working their butts off, put down the teachers and put down everybody else who forms part of this great community that makes Victoria the greatest place to live, work and raise a family.

We have had some absolutely atrocious contributions from members on the other side of the house. Let me go through some of them. The member for Ferntree Gully needs to use the Australian Education Union (AEU)

and the current teacher enterprise bargaining agreement dispute to bolster the opposition's policy position to try to put down education. The opposition has never supported education and public education in this state. Let me go through the atrocities of the seven long, dark years when the opposition was in government, when 9000 teachers were sacked, and 3000 cleaners were sacked just before Christmas in 1993. The Kennett coalition government closed 368 schools, and members on the other side of the house cheered that on. Of those, 178 rural schools were closed under the Kennett government. What a disgrace! At every opportunity under the leadership of Geoff Spring — remember Geoff Spring, that dirty dog of a director in education — it was out there putting down teachers, and opposition members have the gall to come in here today and say they support teachers and are backing the AEU.

Who else are opposition members getting to support their argument today? The Liberal Party and The Nationals are out there hand in hand. You can see them walking down the road with Paul Mullet and the Police Association. Those on the other side of the house support Paul Mullet. They are walking hand in hand and listening to his policies of running down the Chief Commissioner of Police, Christine Nixon, and the great work of the police force in Victoria. Opposition members say, 'Where are the police?' — the 1400 police that we have put in place and the 350 police that we will be putting in place. Opposition members have no understanding of police operations within Victoria. The day we have police allocated according to the whims of the police minister and the whims of a marginal seats group will be the saddest day in Victoria, but that is what the Liberal Party and The Nationals are advocating. It is actually worse than that. They are advocating that Paul Mullett and the Police Association make that allocation within Victorian communities. They have no understanding of what that means.

The member for Morwell is quite new to this place, and he get things wrong constantly. What were his figures? He said Melburnians had used 416 gegalitres of water over the last 12 months. That is absolutely wrong. The figure is 368 gegalitres, because we have been out there saving water, recycling water, doing the hard yards, consulting and ensuring we are looking after our local communities to make sure Victoria remains the best place to live, work and raise a family. The member for Morwell is consistently wrong. He then called for a 24-hour police station in Churchill, and we will pick that up at some later stage.

The member for Mildura — the New South Wales member of Parliament in this house — says the Brumby government has failed its irrigators by waiting on the Murray–Darling water plan. He said there is no benefit for irrigators. He thinks the \$1 billion from the federal government and \$1 billion from the Brumby government is no benefit to the irrigators. What is he saying? That we should have sold them out as The Nationals said we should 12 months ago under the former Howard government — that is, we should have sold out the irrigators and the food bowl? He comes into this house having no understanding of what the reality is within Victoria.

We then heard from the member for Sandringham. Wasn't he a beauty, Acting Speaker? He does not believe Victoria can absorb 1 million new people. That is the view of the coalition. It does not want to see 1 million new people in Victoria. Then we heard from the tail end. The nightwatchmen had their say. The member for Benambra and the rest of them just took up time.

Let me go back to the seven long, dark years when people left this place in droves. The figure was 40 000 people a year in the early 1990s. Opposition members have the gall to say that electricity and those sorts of services are not like they used to be. Of course they are not like they used to be — because the mob across the way, the coalition, sold them all off! Of course it does not work when the only solution under the Kennett government — under the Liberals and The Nationals — was to flog off everything. You do not take responsibility when you flog off things.

Let me go through some of the other policies that the opposition implemented when in government and that the Leader of the Opposition, through his shareholdings, perpetrated within Victoria. Remember the 368 schools that were sold off? Remember the 9000 teachers who were sacked? Remember the school cleaners who were sacked and the six railway lines that were closed? Opposition members have the gall to come into this place and say that public transport is not like it used to be. Of course it is not like it used to be — because they closed six rail lines. Let us go through them. They include the lines to Corowa, Bairnsdale, Mildura and Ararat. They closed 12 country hospitals. In 1996 they promised 1000 more police, but they have form in regard to police — they reduced police numbers by 800. People left this state.

The other thing that members on the other side of the house forget is that they were gagged under the former Premier, Jeff Kennett, and former Deputy Premier, Pat McNamara. Not only were members of Parliament

gagged but the police and public servants were gagged. They were all gagged. They could not say anything until they got the big tick from General Jeff.

Have a look at the things we are doing to make and retain Victoria as the best place to live, work and raise a family. We have the regional rail upgrade with \$250 million, the new V/Locity trains and the new carriages, the super-clinics, the hospitals, and an unemployment rate that is the lowest in 60 years. Victoria is vibrant, and all the opposition can do is put Victoria down, put down teachers, put down police, and put down the Chief Commissioner of Police. It is just a disgrace.

The ACTING SPEAKER (Mr Seitz) — Order! Time for debate on the matter of public importance has expired.

STATEMENTS ON REPORTS

Public Accounts and Estimates Committee: strengthening government and parliamentary accountability in Victoria

Mr FOLEY (Albert Park) — I rise to pass some comments on the recently tabled Public Accounts and Estimates Committee's *Report on Strengthening Government and Parliamentary Accountability in Victoria*, dated April. This is a fine report and one that has much to commend it to the executive arm of government. The members of the committee are to be congratulated on its content, and in due course I look forward to the government's response.

There is one element in particular that I wish to focus on in this contribution. Under chapter 6 of the report, 'Modernisation of Parliament', the committee recommends at recommendation 22, pages 59 through to 60, that:

The Victorian government introduce legislation to amend the second schedule of the Constitution Act 1978 (Vic.) to include an additional oath or affirmation of choice and incorporate the following wording:

Oath

I swear by Almighty God that I will be faithful and bear true allegiance to Australia and the people of Victoria according to the law.

Affirmation

I do solemnly and sincerely affirm that I will be faithful and bear true allegiance to Australia and the people of Victoria according to the law.

The report notes the receipt of two submissions on this issue, and I confess to being one of those submitters. As I indicated in my brief contribution to that committee, I was somewhat surprised when I took my place recently in this house — that is, in late 2007 — to learn that I was required to deliver my affirmation to a resident of another country, Her Majesty Queen Elizabeth II, the ruling monarch of the United Kingdom of England, Scotland and Wales. I am prepared to take the word of those who have met her that Her Majesty is a fine person who has contributed much to her country, but she is not a resident of this country nor even a citizen. She is at best an occasional visitor.

It struck me as peculiar that as a member of Parliament who is accountable to my local electorate and the constitutional laws of Victoria and Australia — itself a sovereign country — that I should be required to pledge allegiance to the monarch of a foreign country. To this end I put forward the suggestion to the committee that this would be a matter that might be appropriately considered in 2007–08 in terms of the workings of a modern, mature Parliament.

Well into our second century in this Parliament, this state and this nation are well and truly able and mature enough to look to our own people as the source of our own legitimacy in this place. We do not owe our position to Her Majesty the Queen of the United Kingdom. We owe our position to the sovereignty of the people of Victoria. Our first symbolic commitment in this Parliament should reflect that fact. I note that this arrangement is currently in place in jurisdictions elsewhere in Australia, particularly in New South Wales, Western Australia and the Australian Capital Territory. I look forward to the day when this arrangement is in place in this Parliament, when our first loyalty is to the sovereignty of the people of Australia and the people of Victoria as a representative democracy, and when all parliaments in Australia are operating under a model of sovereignty of the people of Australia — that is, a republican model.

I note the recent announcement by the Rudd Labor government of the new Governor-General of Australia to take office later this year, Ms Quentin Bryce, the Governor of Queensland. It is my hope that she is successful in her role, that she oversees the process by which the federal Labor government has committed to seek to establish the views of the Australian people on the issue of a republic and that over time, a timetable will be discussed with the people of Australia on the issue of Australia becoming a republic being put to a referendum. In that regard I wish Ms Bryce the best of luck in her new role, and it is my fervent hope that she will be able to see the position of Governor-General

under the Australian constitutional arrangements to its logical conclusion, that of being a republic.

There are many other important elements of *Report on Strengthening Government and Parliamentary Accountability in Victoria* from the Public Accounts and Estimates Committee which are worthy of careful consideration by the government. The inquiry process deals with all manner of practices and procedures under which this Parliament operates. The report has much to commend itself to both this Parliament and to the executive arm of government.

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

Public Accounts and Estimates Committee: strengthening government and parliamentary accountability in Victoria

Mr WELLS (Scoresby) — I also join the debate on the Public Accounts and Estimates Committee's *Report on Strengthening Government and Parliamentary Accountability in Victoria*. I am also part of that committee in the role of deputy chair. Last week I mentioned that this reference should have been given to the Standing Orders Committee and the House Committee and not to the Public Accounts and Estimates Committee. I think it would be fair to say that the Public Accounts and Estimates Committee has the heaviest workload of all the committees, and I thought that putting this particular reference to the committee was wrong.

I mentioned last week the issue of supplementary questions, which is covered in recommendation 5, and that is that:

The Legislative Assembly Standing Orders Committee revise its standing orders to allow supplementary questions without notice.

I made the point that in the eight or nine years that the Labor government has been in government, the opposition has struggled to get any realistic answers with any facts to any of the questions that it has asked. Invariably the opposition will ask a straightforward question, as it did yesterday. We asked a question which only required a yes or no answer. It was a pretty straightforward question by the Leader of the Opposition. We could not even get a simple yes or no to that question.

The recommendation allows for supplementary questions to be asked. Initially the opposition will ask a question, there will be a response and then the opposition will ask a supplementary or follow-up

question. The point here is that if you have not had an answer to your first question, how in blue blazes are you going to get an answer to your supplementary? But I am one who thinks that we should at least give it a go to reinforce what the question was all about in the first place.

Recommendation 26 is in regard to lodging petitions, and this is an important one. It recommends that:

The Legislative Assembly Standing Orders Committee ... consider revisions to the standing orders requiring the relevant minister to give a response to a petition lodged or presented by a member to the Clerk of the house.

An issue that has intrigued many of us is: what happens to petitions once they have been tabled? A member may receive a petition with a couple of hundred or a couple of thousand signatures on it. It comes to the Parliament, but what happens to it after that? The petition just sits, gathers dust and nothing effective is done. From memory, the Scoresby freeway petition was signed by about 20 000 people. That petition called for an explanation and a reversal of the toll introduced by the Bracks government, contrary to a previous election promise. The problem was that the petition just sat here. Nothing happened to it; it was ignored by the government.

Recommendation 27 of the report is in relation to e-petitions. It says that the committee should examine the procedural and technical requirements for the implementation of e-petition facilities. I obviously support this recommendation, but there was a concern that the Victorian Parliament could be bombarded by a number of people from overseas, whether they be from Canada or America, over a local issue. We all saw that happen when the home schooling debate took place. The number of emails we received from overseas was extraordinary. The then Minister for Education and Training, who is now the Minister for Public Transport and is at the table, would have received more than most. It makes a mockery of the petition system if you allow open slather and have petitions coming in from all over the place. They can be mass produced, and that is not the original idea behind being able to lodge petitions.

I also touch quickly on recommendation 2. In relation to public submissions, it recommends allowing a committee which is conducting a public inquiry a minimum time of four weeks to call for submissions, which is a reasonable time to allow.

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

Law Reform Committee: property investment advisers and marketeers

Mr BROOKS (Bundoora) — I refer to the final report of the Law Reform Committee's inquiry into property investment advisers and marketeers, dated April 2008. In speaking to this report, I mention that it is the first inquiry report produced by this committee during my time in this Parliament. I acknowledge and thank members of the committee for their work; in particular the chair, a member for Eastern Victoria Region in another place, Johan Scheffer, the member for Box Hill, who was the deputy chair, and the other members of the committee who contributed to the finalisation of the report.

I also acknowledge the significant effort and the excellent advice provided to the committee in the preparation of this report by the staff, in particular the executive officer, Kerry Riseley, and the research officer, Susan Brent, who had primary responsibility for the preparation of this report. I also acknowledge the research officer, Kate Buchanan, who assisted and is also working on another different reference for the committee; a legal policy intern who helped the committee for a period of time, Christian Farinaccio; and the excellent organisational work of the administration officer, Helen Ross-Soden.

The terms of reference of the committee are set out in the report. The committee was asked to report on property investment and property marketeers with particular regard to the regulatory framework for the provision of property investment advice, with the objective of establishing how best to control the exploitation of Victorians in the context of keeping the burden on business as low as possible. Secondly, it was asked to review the commonwealth's role in regulating financial advice and the ongoing work of the Ministerial Council on Consumer Affairs in considering regulation of this area.

It is fairly obvious from the terms of reference that the committee was given, and certainly obvious to members of the committee who read the submissions that came into the committee and heard the evidence at the public hearings, that there is a genuine concern that many Victorians may be victims of unscrupulous practices in the property industry. Certain examples were given which I will not go into, but there are some shoddy practices among property marketeers and in the provision of property investment advice throughout the community.

The committee heard evidence from a range of witnesses about industry practices and considered how

it should respond to those concerns. It considered six basic options, or general themes. The first of those was retaining the existing regulatory framework, essentially the status quo; the second was stronger general consumer law; the third option was a self-regulatory option, where there would be codes of conduct and an accreditation scheme; the fourth option was co-regulation; option five was headed 'Additional obligations', but essentially included the creation of disclosure requirements about things like conflicts of interest and conduct requirements et cetera; and the sixth option was a licensing conduct and disclosure regime.

For the recommendations contained in the report the committee came to the conclusion that the best option was for a national approach to be taken to regulating property investment advice. In fact it was recommended at the ministerial council that the state of Victoria should put the position that the financial services regime that currently regulates financial service financial investment advice be extended to include property investment advice.

It is interesting to note the advice provided to the committee by Consumer Affairs Victoria, which indicated that a national approach is likely to minimise the cost for businesses and regulators and identified that:

it makes consumer protection easier by eliminating confusion amongst businesses and customers about standards in different jurisdictions;

it minimises duplication and reduces the costs of administering licensing schemes and conducting education programs;

it increases the potential for competition amongst operators in different states and territories;

it reduces costs for businesses that operate across different states and territories ... which move interstate.

Before I run out of time, it is important to note that the committee adopted a similar position to that presented in the report by the federal Joint Committee on Corporations and Financial Services, which inquired into a similar issue — that is, that real estate agents be exempted from the recommendations. I commend this report for the consideration of members.

Public Accounts and Estimates Committee: strengthening government and parliamentary accountability in Victoria

Dr SYKES (Benalla) — I wish to make a contribution on the report on of the Public Accounts and Estimates Committee on strengthening government

and parliamentary accountability in Victoria. I would like to start by congratulating the staff of the Public Accounts and Estimates Committee for putting down this information under very difficult circumstances. One of the key recommendations of the committee is that there should be adequate funding for joint parliamentary committees. Thankfully the previous Premier, Premier Bracks, recognised the work done by this committee and allocated an increased budget to it. Unfortunately, due to procedural and administrative issues, a lot of that money has not been able to be spent, and as a result our staff have worked under very difficult circumstances. I look forward to that being resolved in the future.

In relation to other committee funding, there is an issue of inadequate funding for the work of other committees. For example, the members of the Natural Resources and Environment Committee have conducted a very productive inquiry into the bushfires, but they have not been able to have a trip overseas to evaluate other bushfire management strategies because insufficient funds have been available. The funds the committee had were used to visit and conduct public hearings in rural and regional Victoria, which was absolutely vital to that inquiry but should not be at the expense of an overseas trip to see what is happening in other countries. Similarly, that same committee wants to start an inquiry into Melbourne's water supply but unfortunately, due to a lack of funds, that very important inquiry cannot start at this stage. I should add that the Liberal-Nationals coalition has introduced a private member's bill in the upper house today looking to mandate recyclable water consumption. I hope the Labor government will consider that bill favourably because it would help to provide a local solution to Melbourne's water needs.

The report also makes recommendations requiring the government to respond to the committee's recommendations within a specified time frame, which again is important if we are to have open and accountable government. The current question time procedure or process is a debacle. We have an arrogant and vindictive Premier and ministers using bullying tactics to avoid at all costs answering the questions that are put to them by members from this side of the house. While even under standing orders a minister can choose not to answer a question, if he or she does answer, the response should be relevant and reasonable. That is not the case in the Parliament today.

There are recommendations aimed at reducing the number of frivolous points of order that can be made. I think members on this side of the house would support those recommendations if the ministers of the day were

brought into line, were held accountable and answered the questions that were put to them, so that the Parliament of Victoria can fulfil its function. Similarly, we have the debacle and absolutely disgraceful situation where ministers rarely turn up for the adjournment debate. If and when the responses come from the ministers, often they are well after the issue was current. We often have to wait many, many months and often the responses contain 95 per cent generic waffle, with only a passing reference to the specific question asked in the adjournment debate. Recommendation 20 seeks to increase accountability there.

Recommendation 26 addresses the issue of petitions and was touched on by the member for Scoresby. It would be fair to say that at the moment at best petitions are ignored and at worst they are treated with absolute contempt. The contempt for country Victorians shown by the government of the day, particularly by the Minister for Water — or the Minister for Not Running Water — and the Premier, is a disgrace. To ignore petitions bearing over 25 000 signatures, the seething and growing anger in northern Victoria, a couple of TV viewer polls that have shown that 97 per cent of people are against a north–south pipeline, and the *Age* poll last week which showed that 95 per cent of those polled said there was insufficient consultation, shows this government to be arrogant to the extreme and to be treating country Victorians with contempt. Therefore the recommendations of the committee on responding to petitions and having a response published within 90 days is a means of holding the government to account.

In closing, it is a good report put together by Public Accounts and Estimates Committee staff and endorsed by the committee members. I look forward to working further with the committee and also with the Auditor-General's office, which is working hard to hold this government of the day to account.

Law Reform Committee: property investment advisers and marketeers

Mr DONNELLAN (Narre Warren North) — I want to make just brief mention of the report by the Law Reform Committee on its inquiry into property investment advisers and marketeers. It is interesting in light of recent falls of companies in the stock market and so forth. If you look at the property market, you note that people can lose an enormous amount of money through making poor investment choices. A lot of people involved in the industry are not qualified in any way. Many of them are just salesmen or spruikers who have no specialist skills in property. They are not

valuers and the like. At the end of the day they are out there making representations to people regarding property investment, guaranteeing rents and so forth, and you will often find that the company making representations is the same company that is guaranteeing the rent for property investment. There are issues to do with where these people fall — what crack they slip through.

Victoria regulates valuers, and we have the Real Estate Institute of Victoria and the like. People undertake courses to be registered with the REIV or as valuers. There are other professional organisations as well — property marketers and so forth — that require members to undertake some studies and also to have a fair degree of experience. Unfortunately these spruikers actually fit between what is a state model and the federal model. The federal model does not take in the property marketeers or spruikers, so they sit in the middle of both models. They are not regulated at all, so they can pretty much make any representations they like without any recourse.

The committee looked at that and has made quite specific recommendations in its report. It has suggested that we look at a national regulation model under the Australian Securities and Investments Commission so that, pretty much in the same way that financial planners are trained and so forth, people would be required to undertake training so that they would not make absolutely outrageous and ridiculous representations. In many ways that would regulate property spruikers from one end of Australia to the other. Often you will find spruikers in Melbourne spruiking apartments on the Gold Coast, and if you make a bad investment and you get duded you have no recourse. So there is a need to put scrutiny of these people at a national level, which is what is recommended in the report. While the commonwealth may or may not accept that, that is the recommendation members of the committee have made.

We looked at other fallback areas if the federal government did not accept that. One is to strengthen Victoria's consumer protection laws under the Fair Trading Act. Others are to implement potentially a statutory code of conduct for property investment advisers and marketeers; to put forward legislative requirements for property investment advice so as to disclose conflicts of interest, which is never done in these spruiking sessions; and to have more proactive law enforcement. In other recommendations we encourage the industry associations to try to either rope in some of these people or highlight that they are not qualified, not experienced and have no professional liability insurance. We are encouraging the industry

associations to get involved in that. We also looked at putting together an advisory committee which would include relevant industry associations, to assist government to develop and implement new regulations.

This is a good report which was put together in a spirit of cooperation. I congratulate all the committee members, and I commend the report to the house.

**Drugs and Crime Prevention Committee:
misuse/abuse of benzodiazepines and other
forms of pharmaceutical drugs in Victoria**

Mr McINTOSH (Kew) — I just wish to raise a matter that has arisen out of the Drugs and Crime Prevention Committee's report into the misuse and abuse of benzodiazepines and other pharmaceutical drugs, which was tabled at the end of last year. I am also gratified by the fact that two members of that committee, including the chair, are in the chamber at the present time. The matter I want to touch on arises from recommendation 16, which is about the prescription reporting service. Indeed, while we await the government's response to this committee report, that is certainly one of the more important recommendations this committee made.

I know members of Parliament are often criticised for travelling overseas and observing the way other jurisdictions conduct themselves, but the opportunity of travelling to British Columbia and seeing PharmaNet in operation there, and also e-Kasper in Kentucky, was an important revelation for me, as I am sure it was for many other members of the committee. We also had the opportunity to speak to Queensland representatives of the Pharmacy Guild of Australia, and it is that aspect that I want to touch upon in my comment on this committee report.

One of the matters that was dealt with was Project Stop, which started in Queensland. It was developed not so much to deal with benzodiazepines or opiates, which this committee was reporting on, but pseudoephedrine. A more familiar name is Sudafed, which is dispensed in a large number of pharmacies around Victoria and this country. The concern from a law enforcement, and perhaps a medical, point of view is that Sudafed can be used in the manufacture of amphetamines. Project Stop was a mechanism of tracking in real time the use of Sudafed and pseudoephedrine-based products because of the ability for people to go around to different pharmacies and purchase enough of the product to cook in the production of amphetamines. As I said, it is not quite as closely aligned to the issue of benzodiazepines or opiates, but it is very much akin to what we saw with PharmaNet in British Columbia. PharmaNet is a

real-time prescription service that is now compulsory in all pharmacies in British Columbia. Many members of the medical profession are now taking up that system.

However, over the weekend I had the opportunity of talking to representatives here in Victoria of the Pharmacy Guild of Australia. Project Stop is being rolled out in Victoria. Apparently six pharmacies in the Melbourne central business district are currently trialling that project. I know the committee has reported and effectively that term of reference has been extinguished. However, an invitation was made to me and any other members of Parliament, but presumably members of the Drugs and Crime Prevention Committee, to observe the project working in a pharmacy. It is limited to a particular product, but it might be used as a basis for a much larger e-prescription service, as has been recommended by the committee. I was not able to attend on Monday, but this will be taken up with the committee.

One of the things that has intrigued me about this report produced by the committee is just how readable the document is. This is certainly a testament to not only the committee members but particularly the staff of the Drugs and Crime Prevention Committee. They took a very detailed and technical report and turned it into a very readable and easily understood report. I compliment both the committee and its staff on the report.

**CONSTITUTION AMENDMENT
(JUDICIAL PENSIONS) BILL**

Second reading

**Debate resumed from 15 April; motion of
Mr HULLS (Attorney-General).**

Mrs MADDIGAN (Essendon) — I rise to support the Constitution Amendment (Judicial Pensions) Bill 2007, or, as the Labor Party paging service prefers to call it, the judicial tensions bill! Possibly there are a few tensions in judicial circles as people wait to see if the Parliament in fact passes the bill.

Mr Clark — Or the content of the bill.

Mrs MADDIGAN — The Constitution Amendment (Judicial Pensions) Bill will provide for the division of constitutionally protected pension entitlements according to the separate interest method of dividing superannuation entitlements in divorce property proceedings under the commonwealth Family Law Act 1975, and for the provision of reversionary pensions for de facto and same-sex partners of

constitutionally protected officers irrespective of gender and marital status.

The member for Box Hill interrupted when I started speaking, but I will ignore him because he is out of his seat — and he should not be interrupting anyway.

The ACTING SPEAKER (Mr Seitz) — Order! Interruptions are disorderly, and the member should ignore them.

Mrs MADDIGAN — The bill supports the Charter of Human Rights and Responsibilities brought in by this government over the last couple of years. It is an attempt to bring some fairness into the judicial system. The pension schemes were set up a long time ago, in the 19th century — it is 19th century legislation. I think we can say that social conditions and people's views on a whole range of issues have changed quite substantially since that original legislation was set up.

A number of issues have been raised in contributions to the debate from members of this house. I want to go over a couple of those just to clarify what was perhaps the misunderstanding by some members of the content of this bill. I would like to refer firstly to the role the minister plays in determining whether a person is in a domestic relationship for the purpose of establishing a partner's entitlement to a reversionary pension. Under this bill the definition of 'domestic partner' requires the Attorney-General, as the minister responsible for administering part 3 of the Constitution Act 1975, to form an opinion as to whether the person was living with another person as a couple on a genuine domestic basis. In fact he does not do that just off the top of his head, as was perhaps suggested by some members in this house; quite a distinct process has to be followed.

The decision is an administrative one in nature, and it involves applying the statutory criteria set out in section 275 of the Property Law Act 1958. Such definitions are often used throughout legislation dealing with property, inheritance, injury compensation and pension benefits. It involves an objective and disinterested assessment of the facts and circumstances of the relationship.

What Victoria is introducing in this regard is not novel or unusual. Definitions of this nature are used in the legislative schemes governing judicial pensions in other states, such as New South Wales and Western Australia. Under those schemes, for the purpose of determining entitlement to a reversionary pension, the minister responsible for administering judicial pensions, who is the Attorney-General in New South Wales and the Treasurer in Western Australia, is also required to

apply statutory criteria and consider a number of listed factors to form an opinion as to whether a judge was living in a domestic relationship.

It will be necessary to establish a process for dealing with such applications, having regard to the sensitivity of the material being supplied and the need for such matters to be dealt with expeditiously. Departmental advice will be provided to the Attorney-General but the Attorney-General will make the determination. The decision will not be delegated, due to the sensitivity and particular role and status of judicial officers.

There are also appeal rights in relation to this. If a judge feels that their case has been unfairly treated by the Attorney-General, people have the right to appeal to the Supreme Court for a full hearing and investigation. There are a number of protections in this process to ensure that justice is being done. I must say that members have never suggested that the current Attorney-General would not act in a totally proper way. However, regardless of who the Attorney-General is now or in the future, this bill has very specific provisions to ensure that the process is fair, and there is an appeal process if people are unhappy with the decision.

The other interesting part of this bill is that it defines the terms 'spouse', 'domestic partner' and 'partner' explicitly for the first time in the legislation governing the constitutionally protected pension scheme. The bill replaces the term 'spouse' with the term 'partner' wherever used in order to make equal provision for reversionary pensions for the partners of constitutionally protected officers and their children irrespective of their marital status or gender. This is a significant move and something that will be very worthwhile not only for this legislation but for other legislation that might come through this house in the future.

It is a bill designed to bring fairness into the system. I do not think many people in the community would have a serious moral issue with same-sex partnerships. Therefore it seems to me a logical step to take in relation to judicial pensions. It is also significant that same-sex partnerships are lawful in this state. We need legislation that reflects the current laws of the state, particularly in relation to the Relationships Act which was passed recently, and not the legal situation which existed in the 1850s. This is an excellent bill, and I look forward to the vote in the house. I wish the bill a speedy passage to the upper house.

Mr LANGUILLER (Derrimut) — It gives me pleasure to rise today in support of the Constitution

Amendment (Judicial Pensions) Bill 2007. The bill contains amendments to the Constitution Act 1975, the Supreme Court Act 1986, the Attorney-General and Solicitor-General Act 1972, the County Court Act 1958, the Public Prosecutions Act 1994 and the Magistrates' Court Act 1989. I commend the Attorney-General and his department on the statement of compatibility. As members would be aware, I am a member of the Scrutiny of Acts and Regulations Committee. Legislation like this comes before the committee, which is ably chaired by the member for Brunswick.

I confirm that there are issues in relation to human rights which are to be protected by the Charter of Human Rights and Responsibilities Act 2006 and are relevant to the bill. Section 8(2) of the charter provides:

Every person has the right to enjoy his or her human rights without discrimination.

Section 8(3) of the charter provides:

Every person is equal before the law and is entitled to the equal protection of the law without discrimination and has the right to equal and effective protection against discrimination.

The relevant part of the bill relates to the pension schemes of Victorian constitutionally protected officers, which provide that upon the death of the officer who is entitled to or is receiving a pension, his or her spouse shall receive a portion of it as a reversionary pension. Currently these schemes do not provide a definition of the term 'spouse'. Reversionary pensions have only been available to married partners of judicial and other constitutionally protected officers. The amendments will replace the terms 'spouse' and 'widow' with the term 'partner', which will include de facto and same-sex couples, and this positively engages section 8(2) and (3) of the charter.

These amendments will remove discrimination on the basis of gender, marital status and/or sexual orientation and ensure that the de facto and same-sex partners of the Victorian constitutionally protected officers are afforded the same rights and entitlements as spouses. I support and commend that; I think it is a move in the right direction, and it reflects the changes that we have made over a number of decades. Members would be aware that the legislation currently in place was drafted around the 19th century and reflected community values at the time. But luckily things have moved on, and as a community and a nation we have moved on. We recognise more and more that everyone ought to be equal before the law. This is a move in the right direction.

To be consistent with the government's approach to other defined benefits in superannuation schemes, the bill will adopt a separate interest method of splitting superannuation entitlements in divorce property proceedings for Victorian constitutionally protected officers. This is an important matter in terms of family law, and it is an important amendment that this side of the house, and hopefully the other side of the house as well, will embrace and support.

The other important matter relates to the bill's provision for the replacement of the terms 'spouse' and 'widow' with the term 'partner'. Throughout the governing acts, the term 'partner' will be defined to include married, de facto and/or same-sex couples in the same way it has been defined in the State Superannuation Act 1988 and the Parliamentary Salaries and Superannuation Act 1968. It will include partners in registered relationships, which also includes partners as defined in the Relationships Act 2007, which was passed by this Parliament and which the government supported.

Incidentally, I am quite happy to place on record that at the ALP national conference I was the person who seconded the motion moved by conference delegate Peter Holding who had done a significant amount of work in order to change ALP policy and make provision to subsequently bring this legislation about. I supported that motion because I believe in equal opportunity, and I believe that where possible or necessary and warranted, we ought to remove discrimination, and this is one of those areas. That is not to say that it is the place of government to tell people how to run their private lives but simply that the government and the state has an obligation to ensure that every person, irrespective of gender, race, religion or sexual orientation, is treated equally before the law.

There will be objective criteria used by the Attorney-General and his officers in order to determine the relationship that a judicial officer may or may not have. Some of the components of these objective criteria will look at whether the persons are living together and how their relationship is perceived by the public. There are additional ingredients, if you like, that are put into the mix in order to determine — as happens in every other circumstance — whether the person meets the criteria of the relationship of a spouse, and these include factors like financial matters, as used in other jurisdictions, and every or any other relevant factors that may contribute to determining whether that person is in a genuine relationship.

We on this side of the house are delighted to be bringing this about. As has been pointed out by a number of speakers both on this side and the other side,

the bill affirms the separation of powers — the non-interference of the legislature and the executive with the judiciary. But of course we are being consistent with previous legislation that made provisions for superannuation as it has stood up until now. This is a further move in the right direction of removing discrimination. We are certainly cognisant that there is historical, constitutional independence provided for the judiciary, which includes the way its members are paid. I understand from contributions made in this house that that goes back to 1688. Judicial officers are appointed for life and their salaries are not to be affected, certainly not negatively, or in a downward manner, and every move ought to be made to ensure there is independence of the judiciary, both objectively in matters of fact and law and also subjectively as a matter of perception.

I am delighted to speak today in support of these amendments with respect to the Constitution Amendment (Judicial Pensions) Bill 2007. I am equally confident that the community I represent in the western suburbs understands and has a tradition of embracing equal rights and equal opportunities, of embracing social justice and of embracing those important Labor values which go to the heart of who we are. Those values ensure that every individual, irrespective of race, gender or sexual orientation is given a fair go and is treated equally before the law.

I am very confident that the members of the community I represent will support wholeheartedly our embracing as 21st century Labor values equal opportunity, social justice and giving every individual — sons and daughters of our families — the opportunity to have equal treatment before the law. It is in that spirit that I think this is an important piece of amending legislation. It affirms the separation of powers and the independence of the judiciary, but it also recognises there is an issue about equal opportunity. Why not make these provisions to ensure that everyone is treated the same?

Sitting suspended 1.01 p.m. until 2.03 p.m.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Community health centres: tax ruling

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Health. I refer the minister to a leaked copy of the minutes of the caucus meeting of the Victorian parliamentary Labor Party

held on 11 March 2008 and to the minister's statements to caucus on the impact of the recent Australian Taxation Office (ATO) ruling on people working in community health services, and I ask: why has the minister failed to take measures to ensure community health centres are not affected by the Australian Taxation Office ruling?

Mr ANDREWS (Minister for Health) — I thank the Leader of The Nationals for his question. As I made clear in an adjournment response to the honourable member for Shepparton a couple of weeks ago and to the honourable member for Benambra last week, following decision by the Australian Taxation Office (ATO) to revoke the public benevolent institute (PBI) status and other tax concessions of our stand-alone community health sector, I made it clear that I would make representations to the Assistant Treasurer in Canberra, the Honourable Chris Bowen, who has responsibility for these matters. I subsequently did that; in fact I made representations by personally speaking to the Assistant Treasurer in Canberra.

Following those representations I made announcements that I would review these matters with a view to full compliance with the tax office ruling. Following my announcement that I would review the legislative treatment of stand-alone or independent community health, the commissioner of taxation put a stay on his decision to revoke the PBI status and other matters that the honourable member referred to.

I put it to the Leader of The Nationals and all honourable members that I have at all times taken these matters seriously. I have taken the appropriate action, because I and the rest of this government have a proud record of supporting community health, most notably stand-alone community health.

Environment: climate change summit

Mr CARLI (Brunswick) — My question is to the Premier. I refer the Premier to the government's commitment to protecting Victorians from the impact of climate change, and I ask the Premier to update the house on any recent developments in the Brumby government's effort to deliver on this commitment.

Mr BRUMBY (Premier) — I thank the honourable member for Brunswick for his question. The honourable member will recall that on Friday of the week before last in this chamber I held a climate change summit, which was attended by more than 100 representatives from the Victorian community. We had representatives from environmental technology firms, the major industry organisations, the major

environment groups, the Committee for Melbourne and others, and all of the political parties were represented as well in what was an outstanding and successful day in terms of the community working together to tackle the issue of climate change.

During the day I announced a number of initiatives which are being taken by the government. The first is that the Parliament itself will be moving to green power. The second is that we will be signing a memorandum of understanding (MOU) with the Clinton Foundation on Climate Change. The third is that I announced an additional \$72 million to support renewable energy in this state.

If you look at renewable energy and what we are doing here with the Victorian renewable energy target, plus the \$72 million, plus the biggest Solar Systems generation plant anywhere in the Southern Hemisphere through our partnership with Solar Systems, you see it is Victoria which is providing the national leadership in this regard.

In that context I was pleased today, with Ira Magaziner, the chair of the William J. Clinton Foundation, and the Minister for Energy and Resources, to sign the memorandum of understanding on the Clinton climate initiative. What this does is identify a range of areas in which the Clinton climate initiative and the state government will work together. The first identified area in the MOU is carbon capture and storage. It is fair to say the Clinton climate initiative sees this as a top priority project. There is the work which is under way in south-west Victoria, the CO₂ trial, to which we have contributed \$6 million. As Ira Magaziner said today, if we can show the lead in this regard with the technology and the research and development and apply that in the Latrobe Valley, that will be an example that can be applied all around the world and make a significant contribution towards reducing global carbon dioxide emissions.

As part of the memorandum as well there are a number of areas that are identified in addition to the clean coal technology and carbon capture and storage. These include examining low-emission public transport technologies, such as hybrid buses. They include looking at our public lighting system. We have 460 000 street lights. Can we accelerate the transition of these to the new light-emitting diode lights and so substantially reduce the carbon footprint?

We are also looking at alternative waste treatment to reduce greenhouse gas emissions caused by landfill waste. All of these things, plus the retrofitting of old buildings, with a particular focus on our state

government buildings, are the subject of the MOU today. I think this is a positive step forward. It puts Victoria in a leadership position in tackling climate change. Significantly it is about not just improving the environment but also turning this issue into a climate of new economic opportunities for our state, turning these challenges into opportunities particularly in environmental technologies, the creation of new industries and opportunities to export that technology to the world.

Community health centres: tax ruling

Mr BAILLIEU (Leader of the Opposition) — My question is to the Minister for Health. I refer the minister to a leaked copy of a confidential departmental ministerial briefing of March 2007 which endorsed the intention of the Australian Tax Office to remove the charitable status of community health centres despite advice that this would ‘result in community health centres losing medical personnel as a consequence’ and ‘create uncertainty for the sector’. I ask: given that the briefing was approved and signed by the then Minister for Health, is it not a fact that the government was actually the cause of and a party to this ongoing crisis in community health services and has been deceiving Victorians?

Mr ANDREWS (Minister for Health) — As I said in my previous answer, I have been pleased to make representations to the commonwealth government following the decision of the Australian Taxation Office to revoke the charitable status of stand-alone community health. That is what I have done. Following my intervention and my announcement that I would commence a review of the legislative arrangements surrounding independent community health, the commissioner of taxation has put a stay on the decision he made earlier this year.

I stand by all that I have done in regard to this issue. We, as a government, are all about supporting community health. I reject the notion of the question asked by the Leader of the Opposition.

Mr R. Smith interjected.

The SPEAKER — Order! I suggest to the member for Warrandyte that he not continue in the same vein.

Mr ANDREWS — I absolutely reject the notion in the question asked by the Leader of the Opposition that there is a crisis in community health; there is not. This government has taken the appropriate action. We will conduct the review in an orderly way, and we will make the necessary changes to ensure there is certainty

for this sector in full compliance with tax law. I simply say that this government will stand by community health. This question represents the most interest that members opposite have shown in community health in years.

Climate change: government initiatives

Ms D'AMBROSIO (Mill Park) — My question is to the Minister for Energy and Resources. I refer the minister to the government's commitment to protecting Victorians from the impact of climate change. I ask the minister what the Brumby government is doing to help prepare Victoria's energy sector for the effects of climate change.

Mr BATCHELOR (Minister for Energy and Resources) — As the member for Mill Park knows — and I thank her for her question — this government has positioned Victoria as a leader in Australia and, as we heard from the Premier, around the world in a number of areas, but none could be better and more leading than clean energy development.

This government understands that climate change is real and is one of the biggest challenges confronting this community now and well into the future. That is why the government is taking action to clean up our energy sector. We are strongly investing in clean energy research and development, and at the same time we are putting Victoria on the global stage as a leader and major contributor to the valuable discussions which are currently taking place not only in Australia but elsewhere.

A couple of weeks ago the federal Minister for Resources and Energy and I launched the world-class carbon dioxide storage project, the Otways project, which is down in Victoria's south-west. This government, together with the commonwealth government, has invested money in this project. That has sparked worldwide interest in the outcome of the project. This technology has won the support of industry and green groups alike. We have seen the World Wildlife Fund, the Climate Institute and now the Clinton foundation being the latest to throw their support well and truly behind carbon capture and storage, or as it is sometimes called, geosequestration.

I have always said that there is no single or silver bullet solution to climate change. That is why the government has undertaken a portfolio approach to tackling this issue. It is also the reason we have engaged on the international stage to identify and hasten the development of a variety of different clean coal technologies. A couple of weeks ago I again welcomed

the seven nation Asia-Pacific Partnership on Clean Development and Climate to Melbourne, where representatives of those nations gathered from all around the Pacific to discuss the development and deployment of new and emerging clean energy technologies.

These all have the potential to deliver very significant reductions or cuts in our greenhouse gas emissions. Last week I travelled to Beijing to be present, alongside the Prime Minister, Kevin Rudd, and the federal climate change minister, Penny Wong, at the Global Foundation's China-Australia dialogue program. When I was there I met with delegates of Chinese government officials, industry leaders and scientists. They were all discussing exciting clean-coal energy initiatives. In particular they were discussing carbon capture and storage. It was a wonderful and very important opportunity for these and others to discuss matters on the international stage.

Another impact of climate change was felt in Victoria with the extreme wind event on 2 April. Today I am announcing that a review of this event will be undertaken by the emergency services commissioner, Bruce Esplin. This review, commissioned jointly by the Minister for Police and Emergency Services and me, is due to report by mid-August. The government wants all the participants to understand and learn the lessons from this extreme wind event so that when a similar event occurs in the future we as a community are better able to deal with it.

Alfred hospital: trauma surgeon

Mrs SHARDEY (Caulfield) — My question without notice is to the Minister for Health. I refer the minister to a letter dated 9 June 2005 from Professor Thomas Kossmann to the then Minister for Health's acting chief of staff, which states:

I have ... recently travelled as part of a delegation with the Minister for Health, the Honourable Bronwyn Pike, to Dubai.

And further, requests:

As I am asked to take part from time to time in DHS delegations abroad, I be issued with an official Australian government passport for use solely when I travel on official DHS business.

I ask: did the minister's office play a role in arranging an official or diplomatic passport for Professor Kossmann?

Honourable members interjecting.

Mr Mulder interjected.

The SPEAKER — Order! I suggest that the member for Polwarth cooperate with the smooth running of question time.

Mr Batchelor interjected.

The SPEAKER — Order! The minister!

Mr Batchelor — On a point of order, Speaker, the member for Caulfield was quoting from a document, and I ask her to table the document. Documents are being passed up and down the table now. We want the right document tabled. The member for Bulleen has just handed it to the member for Kew, who is making notes on it — scribbling on it. We would like the real document tabled.

Honourable members interjecting.

The SPEAKER — Order! I believe the minister has made his point. Is the member for Caulfield happy to table the document from which she was quoting?

Mrs SHARDEY — Certainly.

Mr Batchelor — No, don't separate it. Come on, the whole document.

Honourable members interjecting.

The SPEAKER — Order! The member for Caulfield should make the document available to the Clerk.

Mr Batchelor — On a further point of order, Speaker, it is long established by rulings from previous Speakers that when requested to table a document by a member of the house the member with the document must table the whole document. If it is clipped or attached to other parts of a file, the whole file must be made available. The member for Caulfield has been separating bits and pieces of paper. I ask that all the pages be tabled.

Mr Baillieu — On the point of order, Speaker, the government will go to great lengths to avoid answering a question. The member for Caulfield has indicated that she will table the document and the document comes with the question. If the minister would like a written copy of the question, I am sure the member for Caulfield will provide it. Answering the question is what we require.

The SPEAKER — Order! I uphold the point of order by the minister. The document should be tabled as a complete document and not separated. For the smooth running of question time, I ask the member for Caulfield to make the document available to the Clerk.

Mr ANDREWS (Minister for Health) — A stunning attack from the member for Caulfield!

The SPEAKER — Order! The minister will not provoke.

Mr ANDREWS — I thank the member for Caulfield for her question. I have been asked about an apparent — —

Mr R. Smith interjected.

The SPEAKER — Order! I suggest to the member for Warrandyte that if he wants to stay inside the chamber for the continuation of question time, he will not constantly interject.

Mr Wynne interjected.

The SPEAKER — Order! I suggest to the Minister for Local Government that the Speaker will decide.

Mr ANDREWS — I have been asked about an apparent request from Professor Kossmann to a former Minister for Health in relation to a passport. The state government does not issue passports.

An honourable member interjected.

Mr ANDREWS — The state government does not issue passports. That is a matter of fact. It is my view that — —

Dr Napthine interjected.

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

Mr ANDREWS — It is my understanding that no passport was issued to Professor Kossmann. That is a decision made by the appropriate authorities in Canberra; it is not one made by the state government, so I think that answers the question. Moving on from that though, I would say this. A process is being run at the moment by Bayside Health — —

Mrs Shardey — On a point of order, Speaker, on the question of relevance, the minister was not asked if the department arranged a passport, he was asked whether it played a role in arranging the passport — not if it issued the passport but if it played a role. I therefore ask you to ask the minister to come back to the question.

The SPEAKER — Order! As the member for Caulfield is well aware, standing orders ensure that the minister must be relevant to the question. He is being relevant.

Mr ANDREWS — We need to be clear about the fact that a process is being run by Bayside Health at the moment in relation to serious allegations that have been made against Professor Kossmann. I have said consistently that it is not my intention to run a public commentary on Professor Kossmann, on the allegations made against him or on the process that is being run. It is a robust process that ought be allowed to run its course, and that is the appropriate way to go forward. It is the fair way to go forward to get a proper outcome.

Mr Baillieu — On a point of order, Speaker, the minister has a duty to answer questions. It is not appropriate for the minister to say he cannot answer a question because it was about something other than the question that was asked. It was a piece of nonsense from the minister. He has a duty to answer the question.

The SPEAKER — Order! I remind the Leader of the Opposition once again of standing orders, which require the minister to be relevant to the question. The minister has completed his answer.

Water: goldfields super-pipe

Mr HOWARD (Ballarat East) — My question is to the Minister for Water. I refer to the government's commitment to making Victoria the best place to live, work and raise a family, and I ask: can the minister update the house on what the government is doing to secure water supplies for Ballarat and for other regional towns?

Mr HOLDING (Minister for Water) — I thank the member for Ballarat East for his question, because it is an opportunity to remind the house, to remind all honourable members, of the efforts that this government is going to make sure that Victorians can enjoy secure water supplies for many decades to come. It is particularly relevant for our regional towns, many of which have been on quite significant water restrictions for some time. This government has worked very hard with small towns, but also with large regional centres, to make sure that we have in place the infrastructure that is required to provide that level of water security.

It has been with a great deal of satisfaction that I have been able to travel to different parts of Victoria and to visit different towns, including Nowa Nowa, Buchan and Willaura, where I was recently, and to be involved in the launch of significant projects that are improving the water quality in those areas or alternatively are providing water treatment facilities which will enable the use of water that would otherwise have been unable

to be reused or be recycled and put to more productive use.

The member for Ballarat East referred specifically to some of our efforts to provide water security for Ballarat. I am very pleased to inform honourable members that this morning, along with the federal Minister for Climate Change and Water, I was able to lay the last section of pipeline on a very important leg of the goldfields super-pipe, and that is the Ballarat leg of that pipeline. Senator Wong and I were very useful in that construction process — she even had the correct ticket on site — and were able to lay the last section of the pipe to make sure that with this \$278 million project involving 158 kilometres of pipe connecting Ballarat and Bendigo those cities will now have water security that would not have been in place if it were not for the significant financial contribution of this government.

We are very pleased today also that the commonwealth was able to confirm its commitment of \$90 million towards the cost of the Ballarat leg of the goldfields super-pipe. This is a very welcome announcement, because it was not always the case that the federal government was committed to providing the full \$90 million that we believe it should provide to ensure that water security for Ballarat. In fact under the previous federal government the plan was to use a sneaky little interest rate subsidy, which would have had a very significant impact on water bills in the Ballarat area and would not have provided the same level of security. We are very pleased that the current federal government, as part of the commitments it made in the lead-up to the last election, has committed the full \$90 million to this project. The impact on Ballarat water prices of the Bracks and Brumby governments being able to secure this federal government commitment is that it will ensure that residents and businesses in the Ballarat region, in the Central Highlands region, will be \$180 a year better off.

We are really pleased about that, but it took a Brumby government to deliver the Bendigo leg of the goldfields super-pipe and it took a Brumby government to deliver now the Ballarat leg, providing water security for those regions. We remember it was the policy of those opposite to cut Geelong off from the Lal Lal Reservoir to provide security for Ballarat. That plan would not have worked and would not have provided water security for Victorians. Instead we have in place a strategy to connect the state in a statewide water grid, to provide upgrades to irrigation infrastructure and to return the savings to irrigators, the environment and urban communities.

We have in place a commitment to water recycling, which extends to water recycling in regional centres such as Ballarat, Bendigo and Hamilton. We have a commitment to support ongoing conservation efforts. Those conservation efforts have been well responded to by businesses and households in regional Victoria. We are committed to providing water security to all Victorians, and that commitment extends to regional centres. It was with great pleasure that we were able to provide that water security today as part of the goldfields super-pipe, a great legacy that will leave the people of Bendigo and Ballarat with water security for many decades to come.

Alfred hospital: trauma surgeon

Mr BAILLIEU (Leader of the Opposition) — My question is to the Minister for Health. I refer the minister to a statement in the media by Professor Thomas Kossmann on 7 December 2007, when he said:

I am a political adviser for the state government and the health minister. I went on several trips with them to advise them; my role is enormous.

I ask: did any Victorian health department official, the then minister, the then parliamentary secretary or their officers make any representations to the Royal Australasian College of Surgeons to secure the accreditation of Professor Kossmann?

Mr ANDREWS (Minister for Health) — I thank the Leader of the Opposition for his question. The first point I make is that it is my view that the Royal Australasian College of Surgeons makes its own judgements and does so in an independent and proper way. That is the first point. The second point is that there is an ongoing process in relation to this matter, as I have said, and it is manifestly unfair to all those concerned to run a commentary on it. It will be allowed to run its course in the interests of all concerned.

Mr Baillieu — On a point of order, Speaker, the minister is debating the question again to avoid answering it. It is not a question about Professor Kossmann, it is a question about the role of the government.

The SPEAKER — Order! I do not believe that the minister is debating the question. I believe he is being relevant to the question.

Mr ANDREWS — As I have indicated, it is my view that the Royal Australasian College of Surgeons makes its own judgements and does so within a proper framework. That is the first point. The second point is

that there is a process ongoing in relation to allegations made against Professor Kossmann, and in my view it ought to be allowed to run its course. That is in the interests of all concerned, and might I say in the interests of a fair, decent and reasonable outcome. The third point I make is that the description of Professor Kossmann's role as reported in the *Age* is in my view not accurate.

Emergency services: tributes

Ms GREEN (Yan Yean) — My question is to the Minister for Police and Emergency Services, and I ask: can the minister update the house on the efforts of Victoria's fantastic emergency service workers during the past fire season and the recent storm event?

Mr CAMERON (Minister for Police and Emergency Services) — I thank the honourable member for Yan Yean for her question, for her enthusiastic support of emergency service personnel and for her role as an emergency service personnel member.

During summer and in the early part of April significant events occurred across Victoria. We had many wildfires during summer, and we had very large storm events a fortnight ago and just before Christmas. That has meant emergency service personnel have been extremely busy and comes on top of the more routine types of fires, such as house fires, which take a lot of time to deal with. For the State Emergency Service (SES) in particular, that came on the back of the significant floods that occurred last year in the electorates of the honourable members for Gippsland East and Gippsland South. A fortnight ago a very large storm event which hit southern Victoria was accompanied by very strong wind gusts. That wind resulted in 5380 tasks involving 102 units, 1000 volunteers and 40 staff being undertaken by the Victorian SES. In addition, New South Wales contributed relief personnel as part of the interstate arrangements, just as Victoria, for example, sent SES volunteers to New South Wales last year when it had floods.

We know that these events resulted in other emergency service personnel being used to help. The police were extremely busy, and as well the Country Fire Authority (CFA) and the Metropolitan Fire Brigade (MFB) attended around 1000 jobs each. Climate change will bring more of these events to Victoria, and what it is going to mean is that the excellent preparation our emergency services undertake will become even more critical in the future.

During the bushfire season a lot of people may have said things were pretty quiet, and when you compare it to the year before it was quiet because we did not have any large campaign fires, but despite that the CFA attended 3100 wildfires — outdoor fires — which involved over 16,000 hectares of land, and Department of Sustainability and Environment officers attended 410 outdoor fires involving 30 000 hectares of land. Although we were blessed with better weather conditions, we have to say thank you very much to those personnel for getting on top of those outdoor fires early, thus preventing them from becoming very large fires.

The government has been pleased to assist our emergency service personnel by essentially doubling their budgets. We have seen under the Bracks and Brumby governments 520 firefighting appliances provided to the CFA. We have also seen an increase in the number of full-time CFA career firefighters by an additional 181, taking the number to 494. We have seen the SES budget more than double, and we have seen information technology systems put in place. An additional 62 firefighting appliances have been provided to the MFB.

We are very fortunate to have tremendous volunteers and career and emergency services personnel in our state. I am sure that all honourable members will join me in saying thank you to them for their work over recent months.

Questions interrupted.

DISTINGUISHED VISITOR

The SPEAKER — Order! I welcome in the gallery the former Chief Minister of the Northern Territory, Marshall Peron. Welcome to question time today.

Questions resumed.

HealthSMART: project funding

Mr BAILLIEU (Leader of the Opposition) — My question is to the Minister for Health. I refer the minister to the Auditor-General's report entitled *Delivering HealthSMART — Victoria's Whole-of-Health ICT Strategy*, which found that the project was at least two years late, had spent nearly 60 per cent of the budget already with little to show, would 'divert significant funds from the Department of Human Services service delivery budgets' and is being rejected by hospitals, and I ask: does the minister have full confidence in the HealthSMART project, or is ongoing chaos just part of the plan?

Mr ANDREWS (Minister for Health) — I thank the Leader of the Opposition for his question. I welcome the report of the Auditor-General today in relation to HealthSMART. This is an important report and a very important project. When we came to government there was no IT system across our health services. It was a situation where, after years of underinvestment, more needed to be done. As a government we have proudly set aside more than \$300 million to support the development and rollout of an integrated information technology service system, an integrated architecture, a platform that can deliver better results — better outcomes both clinically and also in terms of the business affairs of our health services.

We have indicated that we will provide in-principle support to each of the recommendations made by the Auditor-General in his report. As I said, this is an important project, and we will look in detail at the recommendations made by the Auditor-General. At the end of the day the Auditor-General finds that whilst the project is over time, it is operating within the budget allocated, and that is an important point to make. It is unacceptable to me that the project is running as much over time as it is, and I have made it clear to the Department of Human Services and the secretary of the department that it is my view that the project needs to be brought back on time. It will be the subject —

Mr Baillieu — On a point of order, Speaker, the minister is debating the question. I asked the minister whether he had confidence in the project. I note that he has not said he has confidence in the project. I invite you to ask him to address the question.

The SPEAKER — Order! I do not uphold the point of order. I believe the minister was being relevant to the question.

Mr ANDREWS — As I indicated, the Auditor-General finds that whilst the project is operating within its budget, it is running over time. That is not satisfactory. It is my view that we need to improve the way in which this program is rolled out. I have confidence in this project. It is an important project. I have indicated to the secretary of the department —

Dr Napthine interjected.

Questions interrupted.

SUSPENSION OF MEMBER

The SPEAKER — Order! I have warned the member for South-West Coast. Under standing

order 124, I ask the member to leave the chamber for 30 minutes.

Honourable member for South-West Coast withdrew from chamber.

Questions resumed.

Mr ANDREWS (Minister for Health) — I have indicated to the secretary of my department that the recommendations of the Auditor-General need to be looked at, we need to ensure that this project is back on time, and we need to make sure that we deliver this project and all the benefits that will flow from it. This is an important project and one that, after my intervention, will now be the subject of monthly reporting from the secretary of the department to me.

Climate change: regional and rural initiatives

Mr TREZISE (Geelong) — My question is to the Minister for Regional and Rural Development. I refer the minister to the government's commitment to protect Victorians from the impact of climate change, and I ask the minister to detail for the house what the government is doing to assist regional and rural communities facing the impact of climate change.

Ms ALLAN (Minister for Regional and Rural Development) — I thank the member for Geelong for his question. It has been a big week for Geelong and it is one that is certainly great news for the region. But we also heard on a number of occasions today about how the Brumby government is taking action on a number of fronts to tackle that very important issue of climate change. We particularly recognise the impact this will have on our regional and rural communities and that this demands particular attention from the Brumby government. That was why, when the government hosted the Victorian climate change summit in this very chamber, the impact on Victoria's regions had a very high priority throughout the discussions and debate on that day.

It had high priority because we know that regional and rural areas of the state need to be supported to enable them to adapt to climate change and the challenges that presents, but also because regional communities are in a unique position to be able to capitalise on the new jobs, new technologies, new industries and markets that will present particularly in the renewable energy sector, and that will flow from moving towards a low-carbon economy.

The Brumby government is absolutely committed to working with regional communities and industries to take advantage of these new opportunities that are

presenting themselves. A great example of this is that just recently, along with the Minister for Energy and Resources, I announced a \$200 000 grant to assist a manufacturing company in Portland, Keppel Prince Engineering. This grant from the Brumby government — —

An honourable member interjected.

Ms ALLAN — There is a bit more hot air down in Portland, but unfortunately he has left the chamber. This grant supports a \$6 million investment that will enable Keppel Prince to expand its production of wind towers that is going to play a major role in the renewable energy in this state, but significantly for people in the Portland community, it is going to create a further 40 new jobs in the region.

Regional industries themselves also recognise that they have a role to play in reducing their own greenhouse gas emissions, and that is why the Brumby government established a \$2 million Planning for Change Fund. The very first recipient of funding under this program is the Maine's Power project, which the member for Bendigo West knows very well. It is a project that the Brumby government has backed with \$50 000 in support to help drive an innovative new approach to tackling climate change within the Castlemaine community.

This is a project that has brought together more than 12 local groups, including the four big employers in Castlemaine, to investigate ways they can reduce their greenhouse gas emissions by 30 per cent by 2010. That is a significant investment in that local community that is making a significant contribution to addressing the greenhouse and climate change challenges.

As we have heard throughout question time today, it is the Brumby government that is working hard across a range of different areas to tackle the impact of climate change and grasp those opportunities that present themselves for Victorians, Victorian industry and Victorian communities. This is the responsible approach that has been taken by the Brumby government, compared to those opposite, who unfortunately continue to be in denial and have not made any meaningful contribution to addressing one of the biggest challenges Victoria faces.

The Brumby government is taking action. We are taking action to address the challenges around climate change because we know that we have to address this issue and invest in Victoria's future to make Victoria continue to be the best place to live, work and raise a family.

CONSTITUTION AMENDMENT (JUDICIAL PENSIONS) BILL

Second reading

Debate resumed.

Mr HULLS (Attorney-General) — I am very pleased to sum up the debate on the Constitution Amendment (Judicial Pensions) Bill. The Brumby government is certainly committed to promoting equal opportunity and the rights of all Victorians, regardless of their background, regardless of their race, regardless of their creed, regardless of their gender and regardless of their sexual orientation.

This bill is about treating all people with dignity, respect and fairness. It is a fact that currently some judges and their partners in longstanding relationships do not have the same pension entitlements as judges and their partners who are married or indeed are in longstanding heterosexual relationships. This bill addresses this unfairness. Without these proposed changes the partner of a judge who has passed away could well be left without support. As a government we find this situation totally unacceptable. It is time, we believe, to do the decent thing and end this financial and legal discrimination. The legislation will provide surviving gay partners with the same pension rights as widows and widowers.

We can and should treat such same-sex relationships with the respect they deserve. This bill will ensure that we treat people with fairness, and I believe it will be supported by fair-minded Victorians. In fact this bill is consistent with the package of the 2001 reforms, where we amended some 57 pieces of legislation to end discrimination against people based on their sexual orientation. Those amendments ensured same-sex couples received the same legal rights as heterosexual couples.

It has come to light during the debate on this bill that the opposition has allowed its members a conscience vote on this legislation and that indeed some opposite are not prepared to support this bill. I am pleased to say that many opposite do support it. I have to say it is certainly my view that it appears that those who oppose the bill are content to treat judges in same-sex relationships as second-class citizens. I note the shadow Attorney-General indicated that in his view this bill raises many of the same issues that were raised with the relationships legislation, and in debate on that legislation he said his view was that the bill was not about overcoming inappropriate discrimination but rather it was a legislation designed and intended to put a

wide range of uncommitted relationships on a basis as close as possible to that of marriage and other committed relationships. He said it would send a message to the community that would further undermine support for marriage and other committed relationships as invaluable social institutions, and therefore he voted against that legislation and he has indicated that he will not be supporting this bill either.

I have to say that I totally disagree with that point of view. I absolutely take the view that this legislation is yet another step in ending discrimination against members of our society because of their sexual orientation. We remember the debate that took place at a federal level over a year ago in relation to that great jurist, Michael Kirby, and the fact that the then federal government refused to move in this area of entitlements for judicial officers who happen to be in a same-sex relationship. At a federal level the then Howard government refused to alter the legislation to end discrimination against judicial officers through their pension entitlements because they lived in a same-sex relationship. We on this side of the house believe that is totally inappropriate, and that is why we are introducing this legislation.

I might note that the shadow Attorney-General raised some issues in relation to multiple partners of a deceased judge and whether pensions could be paid in those circumstances. The bill makes it quite clear that only one spouse or domestic partner can claim a reversionary judicial pension. Where a retired judge has had multiple spouses or domestic partners any right to claim a share of the judge's pension obviously crystallises on separation and is determined by the new family law procedure. In other words, if judges and their spouses or partners separate, any pension entitlement becomes an asset to be divided in accordance with the separate interest method.

I also note that some contributors from the other side of the house believe this legislation is appropriate. I know that during his contribution the member for Kew was not sure whether he was prepared to support the bill, but I note that the member for Malvern, I think, made it quite clear that he thinks this is appropriate legislation and he does support it. I will be interested to see how the member for Kew decides to vote on this matter.

The member for Kew raised the issue as to whether this particular legislation infringes on judicial independence. As members have correctly pointed out, the Attorney-General determines whether a person is a judge's domestic partner. That was used as a reason for saying that that therefore is a breach of the principles of judicial independence. In practice in such a situation the

Attorney-General, as some members have already pointed out, is guided by the advice of the relevant head of jurisdiction, but the Attorney-General is already responsible for making a range of decisions in relation to the administration of the judicial pensions scheme in any event — where a judge seeks early retirement on the ground of permanent incapacity, for instance. These kinds of decisions are part of the normal operation of the judicial pensions scheme and do not give rise to judicial independence issues.

A number of other issues were raised. I think an issue was raised in relation to the pension of the Director of Public Prosecutions (DPP), provided under subsection 87AF(1) of the Constitution Act. Any changes made to the pension entitlements of Supreme Court judges will automatically apply to the DPP, except to the extent that they are inconsistent with part IIIA of the Constitution Act. I think the interpretation of section 87AF by the member who raised that — I think it was the member for Box Hill — would leave the DPP's entitlements actually frozen in time. This is certainly not the intention of Parliament, and in my view it does not reflect the plain reading of the subsection.

I think an issue was raised in relation to clause 7, and whether it creates an entitlement for children of deceased judges where the surviving partner enters into a new domestic partnership. The bill retains the existing reversionary pension entitlements for the children of judges where both parents are deceased. Where the spouse or domestic partner of a deceased judge enters into a subsequent domestic relationship, his or her entitlement to a reversionary pension ceases, as do any children's potential entitlements.

This is appropriate legislation. It is legislation that shows the Brumby government is committed to promoting equal opportunity and the rights of all Victorians. This bill is about treating people with dignity, with respect and with fairness. As I said, same-sex partnerships and heterosexual partnerships are lawful in this state, but outdated and outmoded laws do not always provide equal access to the rights, benefits and responsibilities that these relationships establish. We believe that people in this state are entitled to equal treatment, no matter what their race, as I said, their gender or sexual orientation.

This legislation brings the law in relation to judicial entitlements, judicial pensions, into the 21st century. Despite the views the member for Box Hill has in relation to the recognition of same-sex partners and his views about the relationships register, which no doubt have been carried on to this legislation, I have to say to

him that we will not be deterred by his views, which I believe are outmoded and outdated, from continuing to reform the law to end discrimination against people because of their sexual orientation. I wish this bill a speedy passage.

Motion agreed to.

Read second time.

Consideration in detail

Clause 1

Mr HULLS (Attorney-General) — I move:

1. Clause 1, page 2, line 6, omit “2007” and insert “2008”.

In relation to the amendments generally, the Constitution Amendment (Judicial Pensions) Bill provides for the division of constitutionally protected pensions upon divorce, and equal entitlement to reversionary pensions for the partners of constitutionally protected officers irrespective of their marital status or gender. The bill inserts definitions of the terms ‘spouse’, ‘domestic partner’ and ‘partner’ into the acts governing the constitutionally protected pension scheme. Part 6 of the bill contains amendments consequential upon commencement of the Relationships Act 2008, which will commence on 1 December 2008 or a day or days to be proclaimed. These amendments will amend the definition of domestic partner to include a person who is in a registered relationship as defined by the Relationships Act 2008.

The current bill before the house was drafted in 2007 and introduced into the Legislative Assembly on 4 December 2007, and therefore refers to the Relationships Act 2008 as a 2007 act. The Relationships Bill 2007 was passed by the Assembly on 12 March 2008, so the proposed house amendment replaces references to the Relationships Act 2007 with the Relationships Act 2008 in the current draft of the Constitution Amendment (Judicial Pensions) Bill. It is a technical amendment to reflect the anticipated enactment of the Relationships Bill.

Mr CLARK (Box Hill) — In speaking to the proposed amendments and clause 1, I indicate that the opposition understands the reasons for the amendments. However, I would also like to refer to some of the matters raised by the Attorney-General in responding to concerns raised by the opposition during the second-reading debate, and to indicate that, notwithstanding the Attorney-General's response, the opposition continues to have concerns about the powers

being vested in the minister in relation to discretions as to reversionary pensions. The Attorney-General drew the analogy with incapacity, but I would submit that that is a much narrower issue than that of assessing domestic relationships.

I should also indicate that, from the explanation provided to the house by the member for Essendon, it is intended that the Attorney-General will be seeking departmental advice on the issue — —

Mr Hulls — No, he's not, actually; it's just a chat.

Mr CLARK — I think the Attorney-General misunderstood me. Let me repeat: the member for Essendon stated during the course of her remarks that when it fell to the Attorney-General to make a decision on the exercise of his or her opinions, the Attorney-General of the day would be seeking departmental advice but that the matter would remain the Attorney-General's decision due to its sensitivity. In a sense that could give rise to the worst of all worlds in that if the concern is with the privacy of the personal affairs of the individual judge, then the departmental officers concerned would have been fully involved in those matters, but on the other hand, according to the member for Essendon, it will be the minister himself or herself who makes that decision.

My understanding, and I would be interested in the Attorney-General's response on this, is that there is concern about this provision at a very senior level among judges in this state. As far as I can see that concern has not been resolved. It has been argued that there will be a right of appeal from the Attorney-General's decision, but it is worth making the point that this right of appeal will be on administrative law grounds, which means that anybody challenging the decision does not get to re-argue the merits of the case before the court. The person appealing has to show that the minister's opinion was unreasonable or in some other respect failed proper processes and procedures of an administrative law nature. That still leaves a very broad discretion with the Attorney-General.

The Attorney-General also made reference to the fact that in his view there could not be two pensions payable under the legislation. He referred to what I took to be the provisions being inserted into the existing legislation by the bill in relation to the separate interest method of dividing pension entitlements in divorce proceedings. I am not sure if those will kick in if divorce proceedings are not on foot at the time of the death of the judge or other officer. The Attorney-General may care to comment on that. In addition, these provisions would not seem to apply in

the case where there are two domestic partnerships, including where there is a registered relationship and an unregistered relationship. That does not seem to resolve the problem.

In relation to the pension position for the Director of Public Prosecutions, on my reading of the bill it does not amend the relevant section relating to the Director of Public Prosecutions and the DPP's spouse's entitlements — namely, section 87AF of the Constitution Act, which continues to refer only to 'spouse'. There may be a drafting difficulty with the bill in that respect.

In conclusion, let me make the point that the pensions involved here are not pensions that come out of an accumulation scheme where one can consider that they are an entitlement of the office-holder and are to be disposed of as that office-holder thinks fit. Pensions awarded out of the Consolidated Fund are a matter of public policy, and the decision as to who should receive such pensions and in what circumstances is a matter of public policy for this Parliament to decide.

Mr HULLS (Attorney-General) — In relation to the issues that have been raised by the shadow Attorney-General, I believe that they have been covered. The member may have a different view. We already know that his view in relation to this bill generally is that he does not support it. I believe I have addressed the issues he raised.

However, he raised a further issue in relation to his view that people in the highest echelons of the judiciary have grave concerns about this legislation. With any legislation my department and I consult with heads of jurisdictions, and it is absolutely my understanding that this bill is supported by the judiciary. In fact, I might say that quite some time ago there was a request for this bill to be brought forward. It was important that we got the bill right, and there are always discussions in relation to the actual drafting of the bill and the like, and those issues that are raised are addressed.

This bill, and the philosophy underlying it, are supported by the judiciary and I expect will be fully welcomed by the judiciary. I do not believe it infringes upon the independence of our judiciary, and any decisions that are made would be made in consultation with the heads of the judiciary. But I believe this brings our pension system for judges into the 21st century, and it will be widely supported by the judiciary.

Mr CLARK (Box Hill) — In view of the Attorney-General's claims, I wonder if he would be prepared to make public whatever written advice he has

received from judges of the Supreme Court, County Court or the magistracy in relation to this legislation to see the extent to which that will support the claims he has made to the house.

Mr HULLS (Attorney-General) — First of all, the shadow Attorney-General is assuming that I have received written advice from judges. That is his assumption. Any correspondence or any conversations that I have with members of the judiciary are obviously not matters that I intend to make public to the shadow Attorney-General, save to say that I expect this legislation will be warmly welcomed by the judiciary. I might go a little bit further and say that way back in 2001, when we amended some 57 pieces of legislation, this bill was one of those pieces of legislation that we were going to amend at that time, but there were particular attitudes that existed at that time that meant the government gave further consideration as to whether or not we ought introduce that legislation at that time. Thankfully, attitudes have changed, and I expect this bill will be warmly welcomed.

Amendment agreed to; amended clause agreed to.

Clause 2

Mr HULLS (Attorney-General) — I move:

- Clause 2, line 12, omit “2007” and insert “2008”.

Amendment agreed to; amended clause agreed to; clauses 3 to 21 agreed to.

Part heading preceding clause 22

Mr HULLS (Attorney-General) — I move:

- Part Heading preceding clause 22, line 2, omit “2007” and insert “2008”.

Amendment agreed to.

Clause 22

Mr HULLS (Attorney-General) — I move:

- Clause 22, line 23, omit “2007” and insert “2008”.
- Clause 22, line 32, omit “2007” and insert “2008”.

Amendments agreed to; amended clause agreed to.

Clause 23

Mr HULLS (Attorney-General) — I move:

- Clause 23, line 21, omit “2007” and insert “2008”.
- Clause 23, line 30, omit “2007” and insert “2008”.

Amendments agreed to; amended clause agreed to; clause 24 agreed to.

Bill agreed to with amendments.

Third reading

The DEPUTY SPEAKER — Order! I advise the house that I am of the opinion that the third reading of this bill requires to be passed by an absolute majority and a special majority. As there is not a special majority of the members of the house present, I ask the Clerk to ring the bells.

Bells rung.

Members having assembled in chamber:

Motion agreed to by absolute and special majorities.

Read third time.

COURTS LEGISLATION AMENDMENT (ASSOCIATE JUDGES) BILL

Second reading

Debate resumed from 15 April; motion of Mr HULLS (Attorney-General).

Mr HULLS (Attorney-General) — In summing up on this bill, I thank all members for their contributions to the debate on this bill, which is about modernising our courts and getting rid of the position of master and making masters associate judges. Masters will now be able to involve themselves in a whole range of work, including mediation and the like. Already there is master-led mediation, but this will assist in reducing court delays.

I noted that speakers on the other side, whilst not opposed to the bill, made a number of accusations, including the accusations that elevating masters to the position of associate judges might be a way of providing judges on the cheap, that there had been an paucity of judicial appointments by the Labor government and that we were embarking upon the abolition of tradition just the sake of it.

Since coming to office, we have made 133 judicial appointments. I think what really upsets those opposite is that something like 43 per cent of those have been women. We make no apologies about that, because we want to appoint the best and brightest — though we kid ourselves and continue to think that the best and brightest are white Anglo-Saxons from private schools. We will continue to make appointments based on merit,

and we are very proud of each of the 133 judicial appointments we have made.

It has also been alleged that we are not properly supporting the judiciary. I am very proud of the fact that we have set up a judicial college in this state. In addition to that, we have aligned judicial salaries with those of federal judicial officers. We have made major investments and upgrades to modernise our court system. In Melbourne and right around the state we have built new court complexes; we are in the business of opening courts, not closing them like the mob opposite did. We have improved court security and technology. We are proud of modernising our court system and will continue to do it. If those opposite think the reforms have ended, they are in la-la land. There is more reform to come in relation to access to justice and modernising our judicial system.

I notice the member for Kew is licking his lips, because he is waiting for that tap on the shoulder. He is desperate to become a judicial officer. I have told him I am more than happy to make him a tipstaff as a first step — but we will just have to wait until we receive his application!

We are proud of this legislation. It is about modernising the justice system. It is supported by the judiciary, and I wish this bill a speedy passage.

Motion agreed to.

Read second time; by leave, proceeded to third reading.

Third reading

The SPEAKER — Order! I advise the house that I am of the opinion that the third reading of this bill requires to be passed by an absolute majority and a special majority. As there is not a special majority of the members of the house present, I ask the Clerk to ring the bells.

Bells rung.

Members having assembled in chamber:

Motion agreed to by absolute and special majorities.

Read third time.

**ENVIRONMENT PROTECTION
AMENDMENT (LANDFILL LEVIES) BILL**

Second reading

Debate resumed from 12 March; motion of Mr BATCHELOR (Minister for Energy and Resources).

Ms ASHER (Brighton) — The opposition does not oppose the Environment Protection Amendment (Landfill Levies) Bill 2008. I apologise for the state of my voice in advance to members of the chamber and to Hansard more particularly, but I will attempt to outline why the opposition does not oppose this particular bill.

The bill is comprised of two small amendments to correct a number of errors. The first error is corrected by clause 3. It very clearly substitutes ‘under section 52’ with ‘from the Environment Protection Fund under section 70’. This reference is redundant and the amendment corrects errors made previously.

The second small amendment in this bill is in clause 4, which corrects the regulation-making head of power. It allows the Environment Protection Authority (EPA) to amalgamate licences of companies with multiple sites. It will legitimise something called ‘corporate licensing’, which the government has embarked upon. I just want to quote from a sheet put out by the EPA which explains corporate licensing and which I might say the opposition supports in theory, because it does appear on the face of it to be a diminution of red tape. According to this sheet put out by the EPA headed ‘Corporate licensing — a world first’, corporate licensing is referred to as follows:

Companies holding two or more EPA licences can now voluntarily amalgamate these into a single ‘corporate licence’. A corporate licence retains and simplifies all compliance requirements into a single, easier to understand document. In this way, all existing compliance requirements are maintained.

The document goes on to outline that this government anticipates that this will cut the number of EPA licences by up to 30 per cent. The document claims that:

Victorian businesses will save at least \$15 million per annum.

The document goes on to refer to a case study of Goulburn Valley Water and states that:

Goulburn Valley Water (GVW) has been issued the world’s first corporate licence.

The document goes on to outline that:

... GVW held 26 EPA licences, totalling 226 pages of licence requirements. Its new corporate licence is an eight-page document.

The claim is that this will save that water business at least \$50 000 a year in administration. I hope that is the case. The government can expect some questions from the opposition on that in the future.

The main part of the bill raises the levies for industrial waste, and they are found in schedule E to the principal act. In essence what schedule E and the amending bill before the house do is increase the levy for category B waste to be put into landfill from \$130 to \$250 per tonne, and for category C, which is waste not including asbestos, the levy will be raised from \$50 to \$70. That is the impact of the bill before the house. I have to say that the rationale for this, as presented by the government in the second-reading speech, is very grandiose. I want to refer to it for members' benefit:

This bill represents an important next step in achieving the government's vision for a resource-efficient society: a society that understands that the waste that ends up in our landfills not only presents potential hazards to our environment and our health, but that it represents wasted energy, wasted water and wasted materials; a society in which hazardous waste is no longer sent to landfill; a society that values the innovation, ingenuity and creativity required to turn waste into a resource. That is the society we aspire to.

That sounds slightly Martin Luther King-ish, and I am amazed that the government has set this bill in that context, because we have heard all this before from this government and very little of it has actually happened.

The government's aim, from the second-reading speech, is to have zero high-hazard waste by 2020 — they are its exact words. After these fees have been increased the government proposes to use the money collected for recycling and like activities. I want to convey to the government the views of business organisations, such as the Australian Industry Group and the Victorian Employers Chamber of Commerce and Industry. These organisations are wanting hypothecation of those revenues and they want to make sure that the moneys are expended where the government says they will be expended. For example, I draw the house's attention to the environmental levy on water authorities. That is an example of the government saying money would be expended in a particular area but failing on that count. We know that the reporting of this will be in the EPA's annual report. I am not so sure that that will be as thorough as the opposition would like.

This bill has a very unusual history. I commend the government on its honesty in the second-reading speech in mentioning the history of the whole abandonment of the toxic waste dump proposal. I want to take the house — briefly, I hope — through the history of this particular bill. We start with Labor's 1999 election policy, *Greener Cities — Labor's Plans for the Urban Environment*, from which I will quote. It says:

Labor will:

...

introduce a comprehensive industrial waste management strategy that will make toxic waste dumps obsolete.

The policy then goes on to say:

The disposal of waste is a rapidly growing problem for industrialised societies.

Further it says:

Under the Kennett government mountains of waste have been dumped in landfill and the natural environment bears the brunt of this short-sighted approach to waste disposal.

I make the observation that if waste going into landfill was a short-sighted approach and a cost to the environment in 1999, then it still is a short-sighted approach and a cost to the environment, but that, of course, is what Labor is doing with this bill before the house. The policy also goes on to repeat that:

Labor will introduce a comprehensive industrial waste management strategy that will make toxic waste dumps obsolete.

This is also the claim eight years later, in the second-reading speech — eight years later, with very little progress. The 1999 Labor policy continues:

Under no circumstances will a Labor government support the disposal of toxic waste as landfill.

The bill before the house shows that in these circumstances the Labor Party is supporting prescribed waste going to landfill. The policy also says, in a sweeping claim which I am still amazed about, that:

Labor will develop a coordinated strategy for improving the environmental performance of Victorian industry to protect Victorians from toxic and other industrial waste.

I advise the Labor Party that we are not protected from industrial waste. We may have seen a reduction in it, but we are certainly not protected from waste. It was a stupid claim in 1999, and it is a stupid claim now.

The next point in this sad and sorry saga is a press release from the then Minister for Environment and Conservation, Sherryl Garbutt, dated 8 December 2000

and headed 'Bracks government delivers on election promise for world's best hazardous waste management'.

The media release of the minister at the time states:

Victoria will lead the world in its approach to hazardous waste management under a new action plan outlined today by the state government.

The plan, launched by the Minister for Environment and Conservation, Ms Sherryl Garbutt, delivers on a key Labor election promise to eliminate hazardous waste going into landfill.

That is precisely what we are seeing in the bill before the house today. The then minister said that we, as Victorians, were going to see:

... the creation of new state-of-the-art soil recycling centres and a very clear commitment to the reduction of hazardous waste at its source ...

Then she said that a new advisory committee would identify sites for the soil recycling facility. She said also that all expressions of interest would be called for in early 2001. The then Minister for Major Projects, the current member for Dandenong, is quoted as having unusually said that:

... the government was committed to open, transparent decision-making in establishing future facilities.

When I look around this chamber, I see the current member for Mildura. I congratulate him on his electoral defeat of the previous Independent member for Mildura, Russell Savage. I imagine that because of the community activism of the member for Mildura against the toxic waste dump, which finally ended up in his electorate, he found that the government was not committed to open, transparent decision making in establishing future facilities.

The next point I make on the background of the bill is in relation to Bruce Mildenhall, a former member for Footscray. I feel very sorry for him because he was appointed the chair of the Hazardous Waste Siting Advisory Committee which was established in March 2001. A paper was issued in July 2001. It is instructive to look at the government's timetable in that paper. At that stage the timetable indicated that expressions of interest in stage 2 — which is an even more toxic level of waste — were to be called for in 2002. The expressions of interests in the long-term containment facility were to be called for in mid to late 2002. We all know how the government let that timetable drop.

The next stage of this whole process was the government's identification of 11 sites for possible

toxic waste dumps. After a lot of discussion a number of sites, which included Ararat, Altona, Brooklyn, Clayton South, Wollert and Tullamarine, were abandoned. Then the government analysed four sites for the toxic waste dump which caused a great degree of community disquiet and anxiety along the way. Those four sites were identified in March 2002: 57–89 Ordish Road in Dandenong South; 68 Ordish Road in Dandenong South; Dutson Downs, which is near Sale; and Truganina on Riding Boundary Road in Deer Park. The member for Melton is very familiar with that last site and with the debate that followed. He was seen disappearing to the back of a hall when his constituents rebelled against that proposal. The two Dandenong sites were near homes, which was against the siting requirement. The site that was proposed in the electorate of the member for Melton, which he was embarrassed about because the slogan for the Melton Shire Council at that stage was 'a breath of fresh air' and indeed the Dutson Downs — —

Mr Nardella — On a point of order, Speaker, the member misrepresented me before. I was at the front of the hall, not at the back. She was not even there, so she does not even know.

The ACTING SPEAKER (Mr Eren) — Order! There is no point of order.

Ms ASHER — Yes, there really is no point with the member for Melton. Then there was a massive series of local campaigns. A petition with 8500 signatures objected to the proposal for the Dandenong sites. There was a huge protest by the members of the Dandenong community outside the office of the then Minister for Major Projects, who is currently the Minister for Community Development. There was unanimous opposition by the Melton Shire Council to the Deer Park proposal. Again, according to the council — and the member for Melton may be aware of this — 95 per cent of residents were opposed to the facility being in his electorate. The Brimbank-Melton border action group gathered 4000 objections to the proposal. A spokesperson from Trades Hall, Brian Boyd — it is quite rare for me to quote Brian Boyd, but I feel moved to do so — warned that building projects worth \$4 billion were being threatened by the slow progress in finding a site.

The next stage in this process was that the then Minister for Major Projects and the then Minister for Manufacturing and Export — who are currently the Minister for Community Development and the Minister for Finance WorkCover and the Transport Accident Commission respectively — issued a press release on 12 November 2003. At that stage the government

abandoned the sites which involved the member for Melton and announced three proposed new sites for the toxic waste dump. That press release states:

The state government has announced three areas will be considered for the establishment of a world-class containment facility ...

'The existing facilities at Tullamarine and Lyndhurst are filling up, and will reach maximum capacity within the next five to 10 years', Mr Batchelor said.

Mr Batchelor is then quoted as having said:

Selecting a site for the waste management facility is a complex but vital task needed to secure the future of Victoria's industry sector and environment.

If the future was needed to be secured, then it is curious how the government has changed. The minister at that stage said that the environment effects statement process would take approximately 12 months.

On the same day, 12 November 2003, the Minister for Manufacturing and Export, who was one of the co-issuers of that press release, went on radio. This is one of my favourite interviews with the minister. He was interviewed on the ABC Western Victoria — Horsham — *Dave Lennon Show* about these three possible toxic dump sites, Baddaginnie, Pittong and Tiega, which the government then selected as possible sites for the toxic waste dump. I feel moved to tell the house that the minister said as follows:

... I spoke to Mr Wakefield —

Mr Wakefield being one of the people whose private property was affected —

this afternoon. It is a very, I can imagine, frustrating and surprising process for him, particularly for people who lived on the land for a long period of time, where the property has been in the family for many generations. Um, when I say I understand, perhaps I can't understand because it hasn't happened to me, but I think it was very important that ministers who are responsible ultimately for making these decisions do ring people directly, speak with them, hear their views and explain as clearly as possible the way the process will work from here.

The interviewer said:

And is he happier now that he has spoken to you?

To which the minister replied:

I wouldn't want to say that he is happier ...

The then minister for manufacturing went on to say:

But these wastes are wastes that are produced throughout the community. They are produced right across Victoria. We need to work through a process of how we handle the by-products of these processes, how we handle it in a way

that is safe, that is secure, that is sustainable in the long term. It is a problem the entire community owns and it is one that the state government won't walk away from or do nothing about.

The problem for the minister for manufacturing is that this bill indicates the final walking away from this position.

We also saw Dianne Hadden attack what was to become her former party over this particular proposal. I refer to a media release of 28 July 2006 put out by Ms Hadden where she says:

The major reason I resigned from the ALP and the Bracks government was their lack of understanding of rural and regional communities and their growing arrogance and complacency. The Bracks government's proposal to build a toxic waste dump at Pittong near Linton in early 2004 was about the last straw ...

That was her explanation. The next announcement by the government is one we saw in May 2004 under the heading 'Premier announces next step for hazardous waste facility'. The Premier then announced that the three study areas which had been analysed at huge human and personal cost and great stress, Baddaginnie, Pittong and Tiega, were not going to be the recipients of toxic waste dumps. Then the Premier in this press release announced that the site would be Nowingi, and there began a very interesting saga. The Premier announced at that stage that the Baddaginnie area that the government itself had chosen as a site had the potential for flooding — a great site choice by the government. Again the present Minister for Community Development commended those three communities for the patience they had shown during the EES (environment effects statement) process. I think those communities should have been congratulated for their resilience and the way they fought those proposals.

We now shift attention to the Nowingi proposal. So members of the house are in no doubt about the lack of understanding by the government, the then Minister for Major Projects, John Lenders, on the ABC *Stateline* program on Friday, 6 May 2005, was asked about trucks overturning in travelling, for example, from Melbourne to the Nowingi site. He said:

If one of these trucks overturns, you simply scoop it —

meaning the toxic waste —

back onto the track. You don't have to be worried about it running into your water system.

This is the then Minister for Major Projects with a very serious issue raised with him about a truck turning over and toxic waste coming out. He is unconcerned and

says that you simply scoop it back onto the truck and do not worry about it. Absolutely hopeless!

The whole Nowingi process cost many tens of millions of dollars. The government had been prepared to give a figure of \$20 million and I think there is reasonable suspicion it is much more, and of that \$50 000 went straight into the pocket of Mark Dreyfus, the now federal ALP member of Parliament for Isaacs, as he attacked the Mildura community, trying to justify the government's choice of Nowingi.

The next document of relevance is a document called *Our Environment Our Future* issued by the government in July 2006. At page 49 of the document a different strategy was outlined for the government's handling of hazardous waste. The government in this document announced:

We will dramatically reduce Victoria's hazardous waste going to landfill by raising landfill levies from \$30/tonne to \$130/tonne — and put the proceeds back into initiatives to help industry avoid waste and reuse materials.

The document talked about its industrial waste management policy — prescribed industrial waste, and made the observation:

Avoidance remains our primary goal ...

I thought that was almost at odds with the government's desire to have this toxic waste dump. Nevertheless the figures mentioned in that document are those figures that were increased even further in the bill before the house.

In August 2006 Labor made an announcement that the panel report into the Nowingi site would be delayed until after the 2006 election. Community groups were formed in Mildura, and I will leave it to my now coalition colleague, the member for Mildura, to go back over that history to inform the house of those details.

The next major document that needs to be looked at is the Liberal Party policy document for the 2006 election. *A Liberal Government Plan to Protect Sunraysia's Future — No Toxic Dump at Hattah-Nowingi*. That policy reads:

A Liberal government will scrap Labor's planned toxic waste dump at Hattah-Nowingi ...

It then set out the reasons. Obviously it was in the heart of a food-producing region, with endangered flora and fauna, and the people living along the Calder Highway and Ballarat corridor were worried about transportation, even though the Minister for Major Projects was not. A number of reasons were set out for why we have no toxic waste dump at Nowingi.

The reaction of the Labor Party to that was to completely ridicule it. In fact the government called it Baillieuland. The then Minister for Major Projects in the other place sent a press release dated 20 October 2006 called 'Baillieuland — Where 89 000 tonnes of waste magically disappear'. He made the observation that the Leader of the Opposition had a head-in-the-sand approach to industrial waste management. The only problem for the government is that that is precisely what this bill is doing. What the Liberal Party policy said in 2006, which was ridiculed big-time by the Labor Party, is now before the house in a Labor Party-sponsored bill.

I cannot resist the opportunity to further quote from this press release:

Mr Baillieu hopes 89 000 tonnes of waste Victoria produces each year will just magically 'disappear' — but Victorians no better.

And the word 'know' is spelt n-o. This is a man who subsequently became the Minister for Education. This is no typo. I am happy to inform the Minister for Education, as he then was, that 'know' is actually spelt k-n-o-w. If he wants to make comments about Baillieuland, he probably needs to do so in correct English because we want Victorians to have the highest standards in literacy and numeracy, and it would help if the minister adopted them as well. If in fact the minister wanted to have a crack at Liberal policy, the problem for him is we are debating a bill which was exactly Liberal policy of the time. The press release goes on to say:

Mr Lenders said the Bracks government had made the tough political decision and named Nowingi as a potential site.

It was not such a tough political decision after the seat changed hands. Lo and behold! One of the final elements in the saga occurred on Tuesday, 9 January 2007 — and well do I remember it. The former Deputy Premier made an announcement while the Premier was on holiday, as he always did. The press release headed 'New landfill levies to eliminate industrial waste' says:

Acting Premier Thwaites announced today that the government would not proceed with the proposed long-term waste containment facility after an independent panel recommended against constructing the facility at Nowingi.

He then went on to announce that there would be new technologies, and there would be an increased levy on industrial waste. Obviously that had been done previously. He announced the government would further increase the levy to \$250 per tonne on 1 July 2008, and that is part of what is in the bill before the house. At that time the minister estimated that the

increased levies would give the government \$30 million over the next four years. Again we call on the government to make sure there is proper accountability in relation to where that money is actually spent

I also note that in that press release the minister is reported as saying:

There will not be another siting process for a long-term containment facility. The government will rely on the Lyndhurst landfill for safe management and disposal of industrial waste until 2020.

Compare that with what the Minister for Community Development said when he told us this site would be full from about 2008 to 2013.

But worse still, the member for Yuroke campaigned against the Tullamarine tip. I heard her railing against that landfill site in this chamber, and of course I heard members of the Labor Party say that the Lyndhurst facility would be wound down. In actual fact this press release confirmed that Lyndhurst in particular would be still going in 2020 at least.

Again I make the observation that many communities spent years fighting this. It has taken almost seven years for the government to arrive at the position it said it would be at in 1999. Many communities have spent vast sums of money; it has been estimated that the Mildura community, which spent three years fighting, may have spent \$2 million mounting that campaign. Other individuals like private land-holders at Baddaginnie and the like suffered huge stress as this government, they thought, was going to appropriate their land and build a toxic dump on their farms.

The government's handling of this particular issue is an absolute disgrace. The opposition does not oppose these increases in levies; they reflect its policies.

Unfortunately what we oppose is the stupidity and the heartlessness of the Labor Party and the way it has handled this issue over seven years.

Mr HUDSON (Bentleigh) — It is a pleasure to speak on the Environment Protection Amendment (Landfill Levies) Bill, and it is great to see that the opposition is supporting the bill. We had a long Nowingi about the bill, but in the end the opposition is going to support it, and of course it is supporting it because it is environmentally responsible policy. It is another step towards making sure we have an environmentally sustainable society. The bill will increase landfill levies, and it will mean that more money is going to be invested in new programs to

support environmentally friendly options of reuse, avoidance and treatment of our waste.

This bill ensures that the prices of landfill disposal reflect the true impact on the environment. That is a positive step forward, because for too long the costs of waste, including the impact on the environment, have not been built into the price of disposal, and these levies go a long way towards doing that. We know that those impacts can be quite significant. There are impacts such as soil contamination, odour and visual impacts, and the possible potential impacts on the surrounding groundwater quality. This bill has the important effect of sending a message out to society and to business that it is possible to stop the disposal into landfill of contaminated waste, and we are acting to do that by discouraging the excessive use of landfills, and making it not a friendly option.

Currently the hazardous waste management costs of most companies are estimated to be a very small amount — about 0.01 per cent — of their total business costs. It is a small percentage of what those companies pay out of their total business costs to dispose of the waste that is produced as a by-product of their business. It is a percentage that does not reflect the real environmental and social costs that landfill places on our society and on the environment.

This landfill levy will not only be used to raise revenue but will be reused to put back into programs which help stop landfill use, such as programs that encourage reuse, recycling, advanced treatment technologies and the avoidance of waste. That is going to mean there will be an additional \$30 million over four years that can be used to effectively implement better ways of decreasing Victoria's waste. That has to be the way to go. We need to come up with smart technological ways of treating waste, or reusing and reducing our waste.

The combination of increased levies and revenue investment is going to reduce hazardous manufacturing waste from about 60 000 tonnes by the end of 2007–08 to about 40 000 tonnes by the end of 2008–09, with ongoing reductions of 5000 to 8000 tonnes a year thereafter. That is a significant reduction of 20 000 tonnes of waste over that period with ongoing reductions. This is a very important strategy. It is a strategy that will work because it provides price mechanisms — price signals — to industry to reduce its waste. That strategy is already working when you look at the steps this government has taken to encourage the responsible disposal, recycling and reuse of waste.

Since 2000 we have seen a reduction in industrial waste volumes generated across the state of about 27 per cent,

which is a cut of about 89 000 tonnes. You can see there have already been substantial cuts in industrial waste going to landfill, and there are going to be further successive reductions to that industrial waste. We are on track to achieve our goal of zero hazardous industrial waste being sent to landfill by 2020. That is the goal we have set ourselves, and that is the goal we intend to achieve.

The revenue being generated for the Hazardous Waste Fund will support waste reduction projects and technologies, and I will just give a couple of examples of how that fund is being used. The Hazardous Waste Fund has provided Veolia Environmental Services with \$2 million to complete a major upgrade of its Brooklyn waste treatment facility. That project will reduce the amount of hazardous waste going to landfill by 32 000 tonnes over the next five years.

We know we can do this. We know also that we can treat more contaminated soil and more contaminated waste on site. A lot of this contamination is an historical legacy of past industrial processes. I will give the example of the Highbett gasworks site, which is adjacent to my electorate and where a major reduction in contaminated soil is going on without moving that soil off site. In the past we have gone into these old industrial sites and we have sought to construct new buildings or new industrial works on those sites, and there has been a whole lot of contaminated soils which traditionally have been sent to landfill. However, what we have been doing, with the support of the Environment Protection Authority, is developing new technologies that will allow us to deal with these hazardous and contaminated soils on site. That is what is happening at the Highbett gasworks. What we have been able to do — —

Mr Nardella interjected.

Mr HUDSON — That is exactly what they do, as the member for Melton points out. A huge oven has been constructed on the Highbett gasworks site. The soil is scooped up and the oven is placed over the top of it. The oven is heated to 300 degrees and at that temperature it burns off the tar, the hydrocarbons and the heavy metals and other contaminants that are in the soil. The oven operates 24 hours a day, seven days a week. Once the process is finished the soil is then returned to another part of the site as treated soil. It is completely clean. There is no need to take it off site; there is no need to send it to landfill. In fact the soil is remediated to the site. That is an example of the kind of technology we can use.

Contaminated soil will soon be able to be treated off site at Gippsland Water's Soil and Organic Recycling Facility at Dutson Downs. Stages 1 and 2 of that facility have been approved by the Environment Protection Authority. As the Dutson Downs facility proceeds we will be able to treat organic material and contaminated soils using the very best practice technology available.

These are good examples, and there is another example on the Harvey Norman site in Springvale where we can treat contaminated soil on site. The government is demonstrating that there are innovative approaches to treating industrial waste, and that we can send the right price signals to industry by lifting these landfill levies. We are saying to industry, 'There is a cost associated with you dumping this industrial waste in landfill. That is something we want to reduce significantly into the future.

We have already achieved significant reductions, but we have a goal of reducing waste to achieve a situation where zero hazardous industrial waste is being sent to landfill by 2020. In order to achieve that you are going to have to cooperate. You are going to have to adapt these new technologies. Increasingly you are going to have to do things like treat contamination on site. You are going to have to reduce the amount of waste you produce, and you are going to have to reuse some of the waste you produce in a more environmentally sustainable way'. This is a good bill. It is a bill that will reduce our waste. I commend the bill to the house.

Mr CRISP (Mildura) — It is with great pleasure that I rise to talk on the Environment Protection Amendment (Landfill Levies) Bill 2008. The purpose of the bill is to amend the Environment Protection Act 1970. The amendments refer to regional waste management groups and their fees, charges and licences. The legislation relates to work with regional management groups and of course increases the costs. The main provisions of the bill are administrative amendments to fix some drafting errors in the 2006 Environment Protection (Amendment) Act to increase from \$130 per tonne to \$250 per tonne the amount payable as prescribed industrial waste for landfill and for each tonne of category B waste deposited on the land, and to increase from \$50 to \$70 the amount payable for prescribed waste levies for each tonne of category C waste deposited.

The Nationals in coalition are not opposing the bill. The proposed changes give effect to our policy of promoting the reduction and reuse of toxic waste, and for no new toxic waste facilities.

I thank the member for Brighton for her chronology. It has been a long journey dealing with toxic waste, and I am not going to go back over that. I also thank the member for Bentleigh. He is very much on song with a score that was written in 2004 and 2005, and I am pleased to hear that the government has got to where it needed to be. I would like to focus my contribution on prescribed waste, which is also known as toxic waste.

I will go through the definition of prescribed or toxic waste. It is the definition published by the Environment Protection Authority (EPA) on its website:

Prescribed wastes include potentially hazardous wastes, but also wastes that may affect amenity (for example via odour impacts). Certain types of wastes are legally referred to as prescribed industrial wastes (prescribed wastes which are generated from commercial or industrial sources). Not all wastes generated from commercial or industrial premises are prescribed, just those listed in the Environment Protection (Prescribed Waste) Regulations 1998, because of their potential adverse impacts on human health and the environment, or impact on public amenity (for example odorous waste).

Where have we been with this? As the member for Brighton said earlier, it has been a very long journey for Victoria. Since 2000 Victorian industry, with the support of the EPA, has reduced the amount of waste from around 122 000 tonnes to 85 000 tonnes in 2006. This is a reduction, but one that at the time was not sufficient to persuade a planning panel that the Nowingi site would be big enough. It is very important for us to look at where we are heading with this. The reductions are good progress but further significant reductions are needed, and we all know that. Victoria has a strategy to accelerate those reductions and part of that is the increase in levies included in the bill before us today.

In an informal moment with the minister at the time, I suggested that I would provide the paint pot and the brush, and if he could find a sheet of iron we could go down to the facilities and put the price up at the gate, and that would probably have a fairly immediate effect. Now we see some years later that is what is occurring. We are moving along. However, there are a number of ways that we can revisit the levies, funds and charges, and it has been important to do that. The landfill levies which the EPA is planning are going to be used for the established HazWaste Fund, and that is to assist industry to avoid waste or to productively use waste that cannot be avoided. During the campaign that the community mounted this was something that was close to its heart.

The HazWaste Fund uses its money to upgrade existing plant and equipment, install new technology to minimise or recover waste or contaminated soil, and

undertake research and development to investigate hazardous waste or contaminated soil reduction or remediation opportunities.

I also commend the work of the Australian Sustainable Industry Research Centre in the area of prescribed waste treatment. According to its information, it will provide participating waste treatment companies with access to innovative new options and technologies for waste avoidance and reuse, access to new markets for products made from wastes previously sent to landfill, and financial benefits from new products and from avoiding landfill costs and levies.

We now move to that famous 9 January 2007 moment, something that is very important in Mildura's history, when the announcement was made to abandon the toxic waste dump in my electorate and move to a proposal that landfill be reduced to 40 000 tonnes by 2009 and landfill hazardous waste be eliminated by 2020. This will be a considerable challenge, particularly as we are now sitting at around the 85 000 tonnes level and the clock is ticking. There are a number of cost impacts on industry, but as the member for Bentleigh said earlier, essentially this is a small investment for a very large result for Victoria.

How are these objectives progressing against that January 2009 declaration? The reduction objective will have a spike in it if it is to fall to 40 000 tonnes by 2009, but to eliminate by 2020 will require more work and the Brumby government will be very busy if it is to achieve this. The EPA will have its hands full to deliver that 40 000 tonnes and there is a spike coming in the system. The proposed desalination plant — and I understand the completion date is still around 2012 — will produce 20 000 tonnes of prescribed waste. That will be a major problem in achieving that zero target by 2020. It could well increase the costs of the desalination plant; just on today's cost of around the \$250 per tonne that is \$5 million to dispose of that waste. There is some costing that suggests if it costs \$250 at the gate it probably costs \$500 to get it there, so that is around \$10 million per annum.

To meet that 2020 objective, the desalination plant will need to develop a zero waste capacity. Perhaps this might have been some of what the Auditor-General was alluding to when he was talking about the various options for the desalination plant — what he meant on page 37, figure 3B of his report — and that the desalination cost of \$3.1 billion was not the highest probability estimate available. Perhaps the management of that waste may be included. If we are going to reach that 2020 objective, the desalination plant will need to manage its own waste on site.

Waste is important to the people of my electorate. The community has been strong enough to move on, proving that the lessons have been learnt and people want to see the strategy succeed. Many of these strategies developed at a community level are now being reflected by the EPA, the government and many members in this house. The community never again wants to see Victoria put through those years of struggle and pain. My community and others have enough to worry about with drought and a climate change in the future to ever see any of this revisited so they too want to make sure the report card is clear.

I would now like to talk about more conventional waste. The people of Mildura have learnt a great deal from this and they have a marvellous recycling centre at their landfill which is run by the Christie Centre, a local charitable group for the disabled. The centre has an extraordinary rate of recovery from domestic waste, and a men's shed partnership is proposing to join the centre on the site. This would be a highly commendable proposal, if it could receive some support. The Mildura community is embracing recycling for a sustainable future.

The Nationals in coalition are supporting this bill in the hope that Victoria has learnt its lessons and will maintain itself on track to eliminate waste and never put the community through this again.

Ms RICHARDSON (Northcote) — I rise in support of the Environment Protection Amendment (Landfill Levies) Bill 2008. The bill will implement the next important measure to reduce prescribed waste ending up in landfill. The member for Bentleigh has thoroughly covered the details of the bill, and I welcome the decision of the Liberal Party and The Nationals members opposite to support it.

I will focus on the decision of the member for Brighton to give us a history lesson about the management of prescribed waste in this state, but I ask why the member started her history lesson in 1999? The answer to that question is very easy. When in government the members opposite led by the then Premier, Jeff Kennett, had an appalling plan to deal with prescribed waste in this state. What was their plan? It was to dump prescribed waste in a disused quarry in Werribee. There was no community consultation, there was no environment effects statement, there was no regard for the planning controls in place at the time. It was simply announced by the then Premier that we were going to dump this prescribed waste on the people of Werribee.

The decision was announced as a *fait accompli* to the horror of local residents. I recall that the Werribee

vegetable growers association — obviously a large proportion of Victoria's vegetables come from that part of the world — came out in strong opposition to the decision and regarded it as foolhardy. For the record, let us have a look at what happened next, because the history provides us with another important insight into what happens when the Liberal Party and The Nationals achieve government in this state, and it calls on us all to judge them in terms of their actions and not on their words in this place.

Following the announcement by the Liberal Premier of the day that it was intended to dump prescribed waste in Werribee with, as I said, no local community consultation, the people of Werribee mobilised like they had never done before. To their credit they used every resource at their disposal to highlight the foolishness of the decision, and over 15 000 signatures were collected in opposition to it. Schoolchildren, the local business community, community groups and residents were all united in their opposition. I remember at the time attending a very important event in Werribee that was held at the Werribee racecourse. The then Leader of the Opposition, the current Premier, attended the event. We were all fairly nervous, waiting for the event to commence, and as Labor had organised the event we were thinking, 'How many residents will turn up?'. We were a bit anxious. It was drizzling that night, it was cold and miserable, yet 15 000 people turned up in opposition to what the Kennett government had decided to do to their community. That was an estimate made by the local police on the night.

To the credit of members of the local community, it was they who overturned this decision. Harry van Morst and Joanne Ryan were the campaign leaders and all credit should go to them and to the Labor Party for responding to the concerns of the community and coming up with an alternative plan to deal with prescribed waste. But it was not the government of the day that overturned the decision; the company that was involved in this whole debacle decided it would not proceed with the foolish decision of the then Kennett government to dump toxic waste in Werribee. After enduring boycotts of its products, after conceding that best practice was not going to be implemented in the disposal of prescribed waste at this facility in Werribee, the CSR pulled the pin, to the complete surprise of the then Kennett Liberal government. The Kennett government was caught on the hop. The Kennett government's plan was simply to tough it out and override community concern, so the statement today from the member for Brighton that in her view Labor has acted heartlessly in recent years simply cannot go unchallenged. The member for Brighton deliberately started her history lesson in 1999, trying desperately to

hide the facts and the awful truth about the actions of the Liberal Party against the people of Werribee when it was in government. The contrast with Labor in government could not be greater.

I ask members to consider this one point: Labor committed to follow the decision of the independent panel brought together to examine the proposed Nowingi long-term containment facility. There was no such panel in Werribee, as I have emphasised, just the decision by the Kennett Liberal government. When the panel recommended against proceeding the Labor government announced there would be no new long-term waste containment facility in Victoria in accordance with the recommendation of the independent panel. The community was engaged throughout the process and the view of the independent umpire was upheld. Selective history lessons will not be tolerated by members on this side of the house. The people of Werribee will always be there to remind the opposition of its callous disregard of their concerns. If the member from Mildura ever wants to revisit that appalling time in history, the best thing he can do is support the Labor Party, because that is the only party that will ensure that the views of residents are actually taken into consideration before proceeding on any plan of this kind.

I welcome this bill and I encourage members opposite to have a think about their actions when they were in government, and I commend the bill to the house.

Dr NAPHTHINE (South-West Coast) — I rise to speak on the Environment Protection Amendment (Landfill Levies) Bill. The speech of the member for Northcote reminds us of the adage that those who do not learn from history are condemned to repeat it. What we have heard from the member for Northcote is a dissertation which shows that the Labor Party not only did not learn from history but repeated its mistakes on more than one occasion. It kept repeating the mistakes of the past and they got worse each time. It made more and more mistakes each time.

The Deputy Leader of the Opposition, the member for Brighton, provided an excellent dissertation on the inept history of Labor government mismanagement of toxic waste — its absolutely inept, cruel, heartless mismanagement of this issue. I will not repeat the whole history, but I will refer to its history — —

Ms Richardson — Talk about 1999.

Dr NAPHTHINE — I will not even go back that far. I will start at the history, when Labor said it was going to put toxic waste dumps at Pittong, Tiega-Ouyen and

Baddaginnie-Violet Town. I visited those communities. I sat in the kitchens and lounge rooms of those landowners and their neighbours. I talked to people in those communities whose lives were turned upside down and inside out by a cruel, heartless, city-centric Labor government that did not understand nor care about those communities and had not done proper research on whether those areas were even suitable for a toxic waste facility. Those families lost an enormous amount in terms of their finances and the psychological damage they incurred. Many of those communities showed great resilience and great courage and fought against great odds to defeat the wishes of an inept Labor government.

When Labor abandoned the three sites — the proposals for Pittong, Tiega and Baddaginnie — it then made a further fatal mistake. It said it was going to put the toxic waste dump at Hattah-Nowingi, which was absolutely the wrong spot for any toxic waste dump. Any primary school student could tell you it was the wrong spot. But no, all Labor wanted to do was put it as far away from Melbourne as possible. That was its only interest. Its decision was driven by raw, crude politics, not by what was in the best interests of good waste management or what was in the best interests of Victoria and Victorian businesses. It was driven by raw, crude politics and the attitude of out of sight, out of mind. That was the driver for the decision making of the Labor government, and the people of Victoria will never forget what it did. It was going to dump toxic waste from Melbourne in country people's backyards, and it did not care about the impact on those country communities and on those landowners or about the impact on the broader region.

Labor failed to understand — actually it did understand, but it just did not care — that the site was 500 kilometres from Melbourne and that there was a risk associated with transport plus the cost of transport; that the Hattah-Nowingi site was very close to endangered and precious flora and fauna; that it was adjoining the Hattah-Kulkyne National Park; and that it was in close proximity to underground water resources and of course the very economically important Sunraysia food bowl. The other extraordinary thing was that for all its dressed-up terms, for all the new terms and spin it invented, what was proposed at Hattah-Nowingi was nothing better than a landfill toxic waste dump.

At the time, as we were coming up to the 2006 election, the Liberal Party put forward a very progressive, positive policy on dealing with waste. There was emphasis on reducing and recycling waste, and at the time the Labor government said, 'Impossible'. It said it was a policy that could not work. But guess what? This

legislation today implements the visionary policy put forward by the Liberal Party some three years ago. The Nationals had a similar policy. The coalition parties were at one on this issue and the only one out of step was the Labor Party, which continued to want to put toxic waste in country Victoria.

There is a good track record on these issues. Let us look at Portland Aluminium, a great company in my electorate. I quote from its documents:

... Portland Aluminium is also considered a leader in waste management initiatives. The plant has reduced general waste going to landfill from over 13 000 cubic metres in 1989 to approximately 20 cubic metres annually today. The amazing improvement has resulted from the reuse of by-products, the recycling of products such as plastic, cardboard, paper, food scraps, gloves and timber and the widespread support of the workforce. The aim is now zero waste.

Our largest single exporter has a policy on waste and is now very close to achieving zero waste going to landfill. That is the sort of drive and initiative we want across the length and breadth of Victoria. While I am on the issue of the need to reduce and recycle, I want to refer to container deposit legislation, which was also Liberal Party policy in 2006. I urge the government to adopt the Liberal Party's policy for container deposit legislation. I refer to an article in the *Herald Sun* of 18 August 2006 by prominent journalist Ellen Whinnett. It states:

A push is under way for levies on drink containers in a bid to reduce tonnes of rubbish on Victorian roadsides.

...

Liberal MP Denis Napthine flagged the idea in state Parliament last week, and was supported by country Independents Craig Ingram and Russell Savage.

An article in the *Age* in February 2006 says:

With 65 per cent of plastic drink bottles ending up in landfill, they are calling for better recycling services.

What we are identifying is that a large number of drink containers end up in landfill and massively increase waste. We also miss out on the opportunity to recycle those products. That is where the container deposit legislation comes in. I have here the Productivity Commission's draft report on waste management. It states at page 197:

Container deposit legislation (CDL) has been operating in South Australia for around 30 years ...

And other states have indicated their desire to come on board. At page 198 the report deals with recycling and recovery and states:

Most of the studies of existing CDL schemes agree that CDL significantly increases recovery rates of containers covered by the schemes. For example, Fullerton and Wolverton ... reported that container return rates in US states that ran CDL varied between 77 and 93 per cent. Beck ... found that the average recovery rate of containers in US states with CDL was 72 per cent, compared with 28 per cent in non-deposit states.

Similarly it reports higher rates of recycling in South Australia. The report also says that in both South Australia and the United States of America such schemes have had a positive effect on reducing littering. What we have is a situation, which is reiterated in today's *Herald Sun*, where:

Australia's recycling rate could double with the introduction of a national container deposit scheme, research has found.

...

... Australia's recycling rate could be lifted to above 80 per cent.

We know that container deposit legislation would increase recycling rates, reduce the amount of material going to landfill and clean up litter on our roadsides. I live in an electorate that adjoins South Australia. The contrast is stark. In this regard the two states are like chalk and cheese. The roadsides on the Victorian side of the border are littered with bottles and cans; the South Australian side is clean. The same goes for public open spaces, streets and indeed our beaches. We recently had a fire at the Killarney Beach, which exposed a lot of empty bottles, cans and other rubbish. If we had a deposit scheme there would be plenty of opportunities for local organisations and clubs to make a few bob to help keep their community activities going by participating in collecting bottles and cans.

I urge the government to adopt another good Liberal policy and introduce container deposit legislation, because it would have a very positive effect on reducing the amount of litter on public roadsides and public spaces in our community, it would have a very positive effect by increasing recycling rates and it would also provide an opportunity for local fundraising.

Ms Marshall interjected.

Dr NAPHTHINE — It is an idea that I have been promoting in this Parliament for many, many years. I urge the government to adopt the Liberal Party policy.

Mr CARLI (Brunswick) — I am pleased to rise in support of the Environment Protection Amendment (Landfill Levies) Bill. This bill is really about the government's vision to make the use of resources in our society much more efficient. It is about promoting the reduction of toxic waste through a combination of

reuse, recycling and onsite treatment. What it really means is that the waste that comes out of manufacturing and production represents a wasted opportunity, wasted energy, wasted water, and of course wasted material.

Many years ago I worked for a federal government agency which produced a study on what we called best practice in environmental management. We went around looking at firms around the country and the way they were turning what had been waste, particularly landfill but also gas emissions and water emissions, into valuable products. In some instances they were on-treating and minimising the risk posed by that toxic waste. We went around and looked, for example, at the steel mills of Whyalla and Port Kembla. We saw enormous progress in what had been considered waste. The workers there were turning waste into important products through reuse, through treatment. The other thing they were producing in that process was new technology. In fact what was BHP at the time — it has gone through a few name changes since — became a major producer of the technology that we now use and need and that is used globally to reduce waste from production.

Increasing levies is a market signal to make those waste products more expensive to dump, but it obviously increases their value if they are to be reused or if there are opportunities to use those materials. As I said, it is not always possible to reuse. There are cases where you have to finally treat the material but you can make it less toxic. We are world leaders in many areas of production in Australia. We sell our products overseas and we are considered to be very prominent. This is really about facilitating that process and making us use best practice in environmental management. We are using the fact that disposing of prescribed waste will cost more to drive down the volume of waste and, probably more importantly, to treat and reuse and make waste into economically valuable materials, because it generally is possible to do that. Generally products that are considered waste can be reused, recycled and treated in various ways. What has to be dumped is often only a small fraction of what is produced.

We have seen fundamental changes. The member for South-West Coast talked about Portland. The Portland aluminium smelter is a very good example of what was a very large producer of waste. A lot of by-product of production of aluminium is now used by other industries and in other ways. It is important that industry take up opportunities to reuse waste and treat materials.

There is a really important element to these landfill levies. There is a signal to industry to reduce its waste

stream or to lower the toxicity of that waste, but the money that is generated is invested in new technologies. That goes back to the example I gave from many years ago when I worked for the federal government and we were developing technologies. It was probably about 20 years ago and we were developing technologies — —

Mr Ryan — You were a young man.

Mr CARLI — Yes. Twenty years ago I was involved in that process.

Mr Ryan — You must have been about seven.

Mr CARLI — That is right, I was still in shorts! Nevertheless, we were looking at the opportunities. A lot of that technology has become mainstream. As I said, there were a number of spin-offs coming out of what was then BHP Steel — OneSteel nowadays.

We have a program to be more resource efficient and to put the money back into businesses and technologies and use it more appropriately. We want to develop the economy. We want to ensure that what is waste becomes valuable product and that we develop new technologies. There is a huge global market for new technologies. China is going through an economic boom, but it is having enormous problems in terms of the environment, acid rain, the pollution of its rivers, and dying forests. There are a whole lot of things that we are very good at and are able to provide essentially as export products.

We have heard the history, starting with Werribee and moving on to Nowingi and a few places in between. It was the government's commitment to accept the recommendations of the independent panel in relation to the long-term containment facility at Nowingi that delivered this strategy to drive down hazardous waste. The government is committed to reducing waste and making us more resource efficient. The Environment Protection Authority estimates that the increased levies, coupled with industry reinvestment, will reduce category B manufacturing waste by at least 30 per cent, to about 40 000 tonnes per annum, within approximately two years, and that there will be reductions of between 5000 and 6000 tonnes a year after that. We are seeing a massive reduction through the application of levies and reinvestment in technology. The aim is to reduce that down to zero by 2020. Until we achieve that, the Lyndhurst landfill site will remain the site for the disposal of industrial waste. The intention is to eliminate all high-hazard waste in landfill by 2020. All the material will have been reused

or recycled or it will have been treated on site to a point where it is no longer considered category B waste.

There is no doubt that the Victorian community wants high-hazard waste eliminated from landfill. We have experienced over a decade of community conflict, under both the previous coalition government and this Labor government. The community's response is that it does not want high-hazard waste. We have the ability to reduce category B waste to zero over a period of time. Obviously underpinning that is price — industry is sensitive to increasing the landfill price — and we have to invest in the technologies and in those industries.

Industry generally does not like levies. It generally does not like further costs but Tim Piper, the Victorian director of the Australian Industry Group, has said:

Industry is never thrilled when any costs or levies go up, but we commend the government for responding to Australian Industry Group's call to continue reinvesting the hazardous waste landfill levy in programs to support Victorian industry to reduce hazardous waste and create business value from these efforts ...

That is a very telling position being taken by the Australian Industry Group. The levies are to be invested back into industry to provide that opportunity to get rid of hazardous waste and, importantly, to drive change within our industrial processes.

Increasing landfill levies for prescribed waste will help drive down the volume of waste that goes to landfill. It will make treatment and reuse options more economically viable. When it is reused much of that waste can itself become quite valuable. That goes back to my initial point that a lot of what is considered waste is only waste because people have not found a use for it or have not treated it effectively. In many cases those opportunities will present themselves.

The government is committed to supporting industry to take up opportunities to treat and reuse waste. These levies will be reinvested. Industries will emerge that target recycling and reuse. Those industries will become major players globally; I am quite convinced of that. There are global players already in the market in Victoria but clearly there are opportunities for a whole series of Victorian companies to emerge and to be globally competitive in terms of this really important area of recycling and reuse and eliminating hazardous waste and the damage to our environment. This bill is a major commitment to the government's vision for a resource-efficient society, a society which reduces its high-level hazardous waste, that develops opportunities for recycling and reuse. I commend this bill to the house.

Mr RYAN (Leader of The Nationals) — It is my pleasure to join the debate in relation to this important piece of legislation. I must say that it could well pass for another verse of the Beatles song *The Long and Winding Road*. Hearing the summary of how this legislation has come to be, and hearing it from some of the Labor members, you cannot help but think that history has been obliterated in relation to what has been an element of the dark past of a Labor government that simply has not learnt from the folly which perpetuated the near-disaster that was going to see the construction of a toxic waste dump at Hattah-Nowingi.

There are a couple of lasting reminders in this Parliament of those dark days. The first of them, I am proud to say, is the fact that the member for Mildura is in this Parliament. He was elected on the basis that the Labor Party, as it does so often, absolutely hung Mr Russell Savage, who had installed the Labor Party in government, out to dry. The drive that the government had to establish the flawed facility at Hattah-Nowingi was the principal factor in why Mr Savage was ultimately to lose his seat and why Mr Crisp is now here on behalf of The Nationals. Typically if the dump meant someone having to go whom Labor did not really need any more then so be it, and Mr Savage went.

The other lasting reminder of those dark days in relation to this issue is up in The Nationals room. It is a magnificent piece of equipment. It is a giant scoop, which was designed and built by the people of Mildura and surrounds. It was constructed after a memorable radio interview which the then Minister for Major Projects gave to regional radio in which he was asked what would happen in the event that a truck taking toxic material to the proposed site up near Mildura were to turn over and the material were to be dumped on the side of the road. The then minister, Mr Lenders, who is our Treasurer and in another place now — I pause to say that I still worry about the state's Treasurer being named Lenders, but that is another discussion — famously suggested to regional radio that they needed simply to scoop the waste up and put it back on the truck. It was a simple solution, so the people of Mildura saw fit to develop and build this giant scoop, which they brought down here one day to Parliament House during one of the campaign meetings that was conducted on the front steps. They presented it to The Nationals, and we now have it in our room upstairs as a reminder forever.

This whole nasty, sorry saga leads to the legislation before us here today. It was an appalling saga. The government went through the tortuous processes of a couple of committees, which were intended to come

down with recommendations to solve the issue of where to store what was then defined as the waste which was to go into the Nowingi site as it ultimately was going to be. That passed through a stage where the government took the whole thing back into its own ranks and abandoned the notion of talking to communities about what it was going to do. The government went through a sorry stage of suggesting that it would choose one of three sites on private land in different parts of Victoria.

Part of that appalling piece of infamy was that on a very well orchestrated basis, representatives from this government turned up at the doors of the owners of those properties in synchronised fashion one fateful morning and delivered them all a notice saying basically that their particular parcel of land had been selected as one of the options the government had in mind for the development of this waste dump, that the government was going to conduct tests and that if it felt that the tests rendered the land appropriate for its scurrilous purposes, it would then forcibly acquire that land and take it away from those people. Some of those people also had delivered to them on that day actual videos that had been shot from the adjoining road. They saw their own properties on videos that had been commissioned by this government as part of the package of selling to these property owners why this ridiculously stupid idea was supposed to happen on their land. Then the government went away from that preposterous idea and eventually fell upon the notion of building this facility at Hattah-Nowingi. Ultimately it even abandoned all of that entirely and retreated back here to Melbourne, back to where the toxic material, as it was then defined under the legislation, was principally being produced. They all went back to base and the whole thing was abandoned.

In country Victoria we were spared the effect of what this government by its own actions freely acknowledges as having been a dreadful error on its part. This was not until there had been rivers of tears, the expense of millions of dollars and heaven only knows what sort of ongoing psychological damage to the various communities who were impacted upon by the years of having to worry about this government's preposterous proposal. All of that eventually came to naught because the government determined that it would walk away from the whole proposition entirely after heaven only knows how many millions of dollars of taxpayers money had been thrown against the wall. Now it comes to this place with a piece of legislation which is in its own way reflective of what the two opposition parties, as they then were and still are, were saying to the government throughout, and that was: 'You have got to do this on a basis whereby industry

will be able to do this if it is given the appropriate encouragement. You do not need to go out there and burn even more country Victorians in your stupid endeavours to resolve this issue. Look at it from a proper public policy perspective and you will get a solution'.

In the course of all of this, I sought the particulars of the 113 sites or thereabouts that this government from time to time had under consideration, according to its own documentation I emphasise, for the location of this ridiculous facility. Even then it would not give me that information. I had to go to the Victorian Civil and Administrative Tribunal to try to obtain it, and even then the government went for the good old defence for which it is so well-known — the cabinet-in-confidence call.

What we now have in the form of this legislation is provision for substantially increased fees in relation to landfill. This is a question of balance. If you are going to encourage industry to be able to do what needs to be done, and what we as a party always said needed to be done, then you have to balance that on a basis of ensuring that the fee structures are appropriate so that they are not too great an impost upon industry, and equally, on a basis that has regard to the commercial realities for the operator of the landfill site. It is faced with the ironic fact that if this legislation continues to have the beneficial effect of reducing the amount going into landfill it is going to suffer a loss of income in its operations. It is a question of balance.

I might also say that a relevant factor yet to come into play — if it ever does — in all of this is how this government proposes to dispose of the approximately 25 000 tonnes of sludge which is going to be produced by the proposed desalination plant. There is plenty of commentary around the fact that this sludge — all parties accept it is going to be produced and will need to be taken somewhere — is going to have to be trucked to a landfill site somewhere for the purpose of its disposition. That is an issue we will see play out.

I would say further that another matter for consideration is container deposit legislation; it should be looked at as a principle. There may well be opportunities there for us to continue to lessen the amount of material that goes to landfill and otherwise. While I support the legislation, this represents one of the darkest, blackest hours of a government that has stumbled around in its endeavours to try to solve this problem, and it ended up back where both the Liberals and The Nationals were telling it first to look.

Mr HERBERT (Eltham) — It is a pleasure to speak on what is a terrific bill which will help with the government's environmental objectives in an appropriate manner and with the support of industry. I should just comment on the contribution of the previous speaker, the member for Gippsland South. I noted that he took something like 7 or 8 minutes before even making a passing reference to the bill. Whilst I like a good script for a soap opera, this bill has merit and deserves some discussion and analysis.

Essentially the bill will increase the cost of landfill disposal to a level where it becomes economically sensible to reduce the level of hazardous waste that industry produces. The bill also enables greater investment of revenue from landfill into new, environmentally friendly technologies. The bill helps enact the government's three-pronged strategy in regard to industrial waste, which will see tighter controls on the waste that will be accepted at landfills and which will ban some waste from landfills; which will see substantial increases in the cost of sending waste to landfill through landfill levy increases; and importantly which will see support for industry through the reinvestment of levy funds in technologies to reduce waste.

Our preliminary analysis shows that through this strategy we are on target to reduce high-hazard waste — this year alone — from something like 85 000 tonnes to about 60 000 tonnes. That is a massive reduction of 30 per cent this year. It shows that this is the right strategy and that it is delivering results.

I was particularly pleased by the government's strategy of sending accrued funds from the levy to the EPA (Environment Protection Authority) for reinvestment in new technologies which will help us eliminate, reuse, recycle, reprocess and recover products from prescribed industrial wastes. Last year I had the opportunity to visit some European waste disposal plants at Créteil on the outskirts of Paris and to inspect the Astria waste incineration plant at Bègles near Bordeaux. Whilst these plants — —

Honourable members interjecting.

Mr HERBERT — Yes — the industrial suburbs of Paris. The plants were impressive. Whilst those municipal, industrial and hospital waste processing plants are expensive by Australian standards, they provide great insight into the capacity of technology to process and recycle industrial waste in an efficient and environmentally sensitive manner. In fact the plants I visited have exceedingly low emissions. They generate something like 30 per cent of their revenue from

electricity production; they utilise their by-products in French roadmaking; and importantly, they resulted in only 1 per cent of toxic substances needing safe disposal — a pretty impressive record from the use of efficient and cutting-edge technology.

In Australia and Victoria we do not need that type of plant. Whilst such plants are efficient, they are criticised by many environmentalists throughout Europe, because they do not promote waste-minimisation strategies. In this regard the Victorian approach is far superior and shows that you can get real results and continuous reduction in industrial waste through minimisation strategies and through targeted government fees, charges and approaches.

The government is, of course, committed to this trend — hence this legislation. I will not say much more about the bill — a lot has been said about it — but I would like to say, finally, that I am pleased to see the Liberals supporting this bill. They have had an appalling record on industrial waste disposal after their failed attempts to dump prescribed waste in a hole in Werribee. As outlined very eloquently by the member for Northcote, they have simply stuck their heads in the sand and opposed any attempts to find solutions to prescribed industrial waste. Their policy seems to have been, 'Put it in a hole or let it stockpile at the back of a factory in the most dangerous and unsustainable manner'.

Honourable members interjecting.

Mr HERBERT — I understand their rhetoric, but that is the reality of their policy position: dump it in a hole or let it sit at the back of a factory. I am pleased to see they now support this bill and an environmentally friendly approach to the elimination and disposal of prescribed industrial waste. I commend the bill to the house.

Mrs FYFFE (Evelyn) — I am pleased to speak on the Environment Protection Amendment (Landfill Levies) Bill 2008. The purpose of the bill is to increase certain prescribed industrial waste levies, to make minor amendments to improve the operation of the Environment Protection Act 1970, to make administrative amendments to fix drafting errors in the 2006 bill, to increase from \$130 to \$250 the amount payable per tonne of industrial category B waste — that is high-hazardous waste — deposited to land, and to increase from \$50 to \$70 the amount payable per tonne of category C industrial waste deposited to land. Whilst these changes to the act are minimal, they have important consequences in terms of how we will

dispose of hazardous waste in the future. It is important that we reuse and recycle as much as possible.

Back in 2007 we were told by then Premier Bracks that the levy increases would raise \$30 million over the next four years and be reinvested to fund research into innovative ways of dealing with hazardous waste more safely and efficiently. However, various organisations, including the Australian Industry Group and the Victorian Employers Chamber of Commerce and Industry, have both expressed concern about the lack of formalisation of the provisions to ensure that all the funds generated by the levies are directed back into recycling and related purposes. The onus is on the government to reassure industry that the \$30 million revenue raised through the increased levies will be protected for the purpose of developing new waste management technology, and for that purpose alone, and not swallowed up in employing an army of bureaucrats or being included in consolidated revenue.

Much has been said about the attempt to put toxic waste at Nowingi near Mildura. I will not go into the details of that except to say that we must all learn from history. When it was looking at where to put the waste the current government did not learn from the history of the Kennett government. Now we have this attempt, which should work substantially, but the thing that concerns me is what will happen in the future when the space we have now is not sufficient.

I would like to talk about a local issue which is not about toxic waste but is certainly a problem for my local community, and that is the conversion of green waste into compost. It sounds like an absolutely fantastic idea for four councils to get together and collect the green waste in their areas, take it to a central point and have it converted into compost to be sold to all the enthusiastic gardeners and landscapers around Victoria. In theory it sounds fine. The councils chose a disused quarry site at Coldstream. They allegedly did some modelling to see if it would be suitable, and it was opened, with great fanfare and trumpets blowing, by the former Minister for Environment. It was going to be the best thing since sliced bread.

Within a few days of the facility commencing operations, the locals realised what it was. They had not really been consulted about it. They had been told it was going to happen and how wonderful it was going to be. Horrible odours, which were described as being like warm vomit mixed with sewage, came from this site. It was so bad that people could not entertain outside their homes. It was very unpredictable. Coldstream is not called Coldstream for nothing. It is a cold place with lots of streams of air moving around.

The topography is such that with the slightest movement the wind swirls around, so this clinging, horrible smell would be in various areas around Coldstream and Lilydale and reaching over to Wandin and into Gruyere. At times in Main Street, Lilydale it was appalling. The takeaway food operators were having difficulty, because every time their doors opened the smell permeated their buildings.

The Environment Protection Authority (EPA) was very slow to respond. It took it probably 12 months before it finally started listening to the community, and that was only after the community had received publicity for it and had got the council going. Everybody kept saying, 'This thing is wonderful. We must make this compost', but they had not worked it out. They had not looked at it and researched it properly. In two years 1800 complaints were lodged with the EPA. It is a small country area with a small population, but 1800 complaints were lodged. Lodging a complaint with the EPA is not easy, because you have to get through on the telephone and then speak to someone to lodge it. The smell was like a blanket that just hung over different areas at different times. In the end the EPA was dragged kicking and screaming to join in with the council to try to solve the problem.

A lot of money has been spent on the operation of the site and the rows of compost. The company that runs the facility, Australian Native Landscapes, has spent a substantial amount of money on covering the compost rows at certain times, but it certainly is not working. This year, when the licence application was before the EPA, there were more than 200 submissions, most of them objecting to the licence being renewed. The EPA decided not to renew the licence, and the matter is now before the Victorian Civil and Administrative Tribunal. The local council has also taken the company to VCAT, and that hearing is in process.

The reason I raise this matter is to highlight that it is okay to have rules and regulations, but if the EPA does not react to the community by listening and taking action, then it is a tortuous process. People have had to cancel weddings. They have not been able to plan Christmas celebrations outdoors. Last Christmas I approached all four councils involved and asked them whether the site could be closed for 10 days so that the local residents could have 10 days to happily entertain their families and friends, but they all declined. They closed for just 5 days. There was just a lack of regard for what the people in that area were putting up with.

These decisions cannot be made instantly; they have to be made carefully and researched thoroughly. What was proposed to happen up near the Hattah-Kulkyne

National Park was not researched carefully, and this compost facility at Coldstream was not researched carefully. Listening to the debate tonight makes me think about the waste from the desalination plant. Has the decision about where it is to go been thought through carefully? Has the way it is to be handled over the years been planned? Has the correct modelling been done? We have to look at how this by-product waste will be handled.

Ms Neville interjected.

Mrs FYFFE — The minister opposite said, ‘Salt’. It is more than salt, but even so you cannot just dump salt; you have to plan what you are going to do with it.

The other thing I mention is the recycling levy, which I support. I grew up with a recycling levy. When you look at how South Australians recycle, you cannot understand the reluctance to introduce the levy here. Every young person in every school I speak at thinks it would be a fantastic idea to have a recycling levy. We used to have a can collection for the scouts at Yarra Junction. We would all take our cans down there and squash them up. The kids would have a great time jumping on them, and some of the local boys used to help themselves to some from the container as well and try to sell them off as their own. Those things are all very important. If our young people collect cans and bottles and take them back and recycle them, it will become a habit and part of their lives. I urge the government to introduce a recycling levy. If South Australia can do it, we can do it.

I support the bill. It is good legislation that will help improve what we are doing. I have concerns about the future, but I hope they will be resolved as time goes by.

Mr CRUTCHFIELD (South Barwon) — I rise to also support the Environment Protection Amendment (Landfill Levies) Bill 2008. As other speakers have mentioned, it adjusts the landfill levies from 1 July 2008 and contains some minor administrative amendments to the principal act. It is essentially about achieving a resource-efficient society. As speakers for both the Liberal and National parties have mentioned, they support the tenor of this bill. Whilst there is some history that needs to be mentioned in the house, I am certainly pleased to be able to join with all members in this house to support the intention of this bill, which is about reusing, recycling and, where that cannot occur, on-site treatment of prescribed industrial waste.

It is certainly something that cannot be done in isolation. Whether it is industry, councils, the state government or the consumer, this cannot be done in

isolation. I can certainly see that this bill brings a global approach to waste minimisation. We have industry supporting this approach in terms of getting to zero category B waste production by 2020. As members have said, the Australian Industry Group is generally supportive of the approach of using the price point as an incentive to encourage industry to invest in technology that aids in recycling and on-site treatment.

We are all in this. We have phones and computers, we watch TV and some of us paint our house. Everybody has an example of creating waste that they can refer to. The Acting Speaker, the member for Benalla, can refer to the example of what happens in agriculture in regional Victoria. Wherever we live, we contribute to waste. As a society we have a responsibility for waste minimisation. As the member for Eltham mentioned, Australia, and Victoria in particular, lead the world in terms of a global strategy. Strategy is not about just industry penalties; it is about incentives for industry, price point encouragement and education of the consumer and industry.

I will mention organisations later if I have time. Members will be familiar with either metropolitan waste management groups or — I know about this because I am a member of one — regional waste management groups. These are important organisations. They use our landfill levies as a funding base to promote education programs from both an industry point of view and a school point of view. They work collaboratively with local municipalities in waste minimisation.

My regional waste management group in Geelong, which is led by Enzo Bruscella, is no different from others. Members of that group would argue that it leads this state in initiatives. Greater Geelong City Council was the first regional council to bring in a three-bin system. We were the first regional council to work in partnership with the waste management group to put in a multi-recycling facility, which is in Douro Street. It has been well received by regional councils and well used by Geelong ratepayers.

The bill mentions a significant increase in landfill levies from 1 July 2008. This was flagged on 9 January 2007, a date very familiar to many members in this place, when an independent panel prosecuted a case that recommended that the proposed Nowingi facility not go ahead. In a press release the then Acting Premier, John Thwaites, committed to eliminating class B waste to landfill by 2020 and flagged a landfill levy increase from \$26 to \$130 a tonne on 1 July 2007 and also the current increase, which will be proclaimed by this bill.

Importantly, that media release back in 2007 also mentions that the hazardous waste fund, or HazWaste Fund, which would raise approximately \$30 million over the next four years, would be an additional fund to be used to invest in new technologies for reuse, recycling, reprocessing and the recovery of waste. That fund adds to what has been a program of reinvesting landfill levies into organisations like regional waste management groups, metropolitan waste management groups, Sustainability Victoria, the Sustainability Fund and the EPA's waste management program. This additional fund will receive revenue from prescribed industrial waste, which is an important incentive for industry to come on board and support that method of inducement.

I note that in a press release of 11 March 2008, Tim Piper, the Victorian director of the Australian Industry Group, is quoted as having said that the move:

... would promote investment in technologies to better manage waste.

'Industry is never thrilled when any costs or levies go up, but we commend the government for responding to Australian Industry Group's call to continue reinvesting the hazardous waste landfill levy in programs to support Victorian industry to reduce hazardous waste and create business value from these efforts'.

In closing, I want to re-emphasise that the intention of this bill has the unanimous support of the house and broad community support. Hopefully, as 2020 will come around soon, we do not have to have the debate that many of us have been involved in over many years. I will not go into that debate because I do not have the time and I do not think it is all that helpful. Everybody has a story about a tip, whether it involves Werribee or the expansion of the landfill in Corio in Geelong. The stories are very emotive, and I certainly understand people's angst. I look forward to 2020 coming along soon.

Mr MORRIS (Mornington) — It is a pleasure to join the discussion on the Environment Protection Amendment (Landfill Levies) Bill 2008. The purpose of the bill is to increase the prescribed industrial waste levies. The levy for category B waste will go up by 92 per cent, and for category C waste, excluding packaged asbestos, will go up by 40 per cent. According to the explanatory memorandum, the bill's purpose is also:

... to make minor amendments to improve the operation of the Environment Protection Act 1970 ...

I am interested in that terminology of 'minor amendments to improve the operation of the act'. The minister in the second-reading speech used the term

'housekeeping'. Effectively there are only three substantive clauses in this bill; the other three of the six clauses contain the purpose, commencement and repeal provisions, which of course are in every piece of legislation. Two of the three substantive clauses of this bill are considered to be housekeeping, but a closer reading reveals these clauses will correct rushed, incompetent amending legislation introduced by the government a couple of years ago.

Clause 3 seeks to amend section 50LA(2) of the principal act, which currently sources payment to the regional waste management groups from the resource recovery fund, which was established by a provision of the principal act that is now repealed. Clause 4 provides for the ability to make regulations for new licences, a provision that should have been made when the structure of the licences was changed with the original legislation. Despite the fine words of the minister's speech, the bill really only does two things: it fixes the government's mistakes and jacks up the levy on prescribed wastes.

The substance and the intent of the bill is to eliminate prescribed wastes being sent to landfill. It is symbolic of both the challenges and the dilemmas we face as a community in the 21st century. We are living longer than ever before, our quality of life is better and our quality of health is much better and remains so for a much longer period. Our standard of living and economic growth are much better than ever before, thanks largely to the Howard and Costello team over the last decade. Almost anyone who wants to get a job is able to do so, and while we know there are problems in the administration of the state — we do not have enough police, we have chaos in the public transport system and congestion on the roads — they are not insoluble problems. We simply need a competent administration to tackle them.

With all the benefits of modern life — and I do not wish to live in any other era — we face a potentially catastrophic challenge for the human race. As a society we have not only left a deep footprint on the environment but we have put the boot in. Whether we are talking about global warming or climate change, salinity issues, particularly with soil, the way we use our water reserves or pollute the air, or in this case industrial waste, we have put the boot in. Since the 1970s there has been a growing awareness of the damage that has been done. I do not for a moment advocate a return to the ways of our ancestors, as some do who are a much deeper shade of green than I sometimes am. You cannot turn the clock back, but you can take steps to mitigate the damage and then to stop doing it all together.

I was interested to hear the minister in his second-reading speech refer to the anticipated reduction of high-hazard waste from some 85 000 tonnes to 60 000 tonnes this year, which is a 30 per cent reduction, so if that is an accurate figure — and I have no reason to believe it is not accurate — I have to say it is a considerable achievement. At the same time I strike a note of caution. In the late 1980s and early 1990s I was heavily involved in early efforts to reduce the waste stream to landfill. The council and councils I was involved with had enormous success, but essentially we were starting at a low base. The waste management practices were primitive, to say the least. We had very limited kerbside recycling and absolutely no pressure at all to minimise waste.

In my early working life I lived in the city of Camberwell and twice a week we had a collection of 200-litre bins, so every household had the capacity to send to landfill 400 litres of waste a week. Even 10 years later I have a very clear recollection of standing in the Riversdale Road waste transfer station — I think it was still part of the city of Camberwell — watching the trucks come in and unload waste into bins that would be sent off to the landfill. As we watched the waste come out of the trucks it was very clear that at least 50 per cent of that waste was green waste. That was being compacted and sent to landfill. My own shire, probably about 12 months earlier, had looked at its green waste disposal practices. In those days they built large bonfires and put a match to them, and what could not be burnt went to landfill. We introduced a chipping regime and — surprise, surprise! — we cut the volume by 30 per cent almost overnight. Shortly after that we introduced a kerbside recycling regime and cut it by another 20 per cent — that was almost a 50 per cent reduction in a matter of months. I am cautious about the figures quoted by the minister. While it is a good start, we have still a long way to go, and the next 5 to 10 years in this process will be critical.

The bill is a by-product of the Nowingi fiasco. It was a half-baked scheme from the start; building a toxic waste dump in one of the state's greatest food growing regions was totally flawed. It was a threat to the region on many fronts. It was a threat to every land-based industry in Sunraysia; it was a threat to the continued viability of the Mallee emu wren. There was the need to transport waste along the Calder Highway, through a very long corridor; and with the threat to groundwater it was an awful idea. It galvanised six councils, community groups and most of the population of the north-west to the fight. The member for Mildura was up to his neck in that fight and I congratulate him on the result.

Finally, sanity prevailed, as has been noted, and then acting Premier Thwaites announced the backdown in January last year. At the same time he announced plans to eliminate industrial waste from landfill and an increase in the rates of the fees which are the subject of this bill. Despite ridiculing the Liberal Party for its policy position before the election, and despite setting communities against one another, the Labor Party was finally happy to do a backflip and to adopt the position of the Liberal Party and The Nationals and scrap the dump.

I am delighted it saw fit to adopt our policies. As I said, the proposed changes first announced by the former Deputy Premier 16 months ago are largely consistent with the policy of the Liberals and The Nationals that we took to the 2006 election. The bill implements the announcements made by the minister, which are generally worth supporting. It cleans up two anomalies that should have been fixed in the original draft but were not, and for those reasons I will not be opposing the bill.

Ms MARSHALL (Forest Hill) — I am very pleased to rise to speak on the Environment Protection Amendment (Landfill Levies) Bill. This bill represents another step — and an important next step — by the state government to completely eliminate the disposal of high-hazard waste in landfills by 2020, making Victoria a more sustainable state. All waste that ends up in landfill represents wasted energy, wasted water and wasted materials.

Last year the government brought in a classification system to class industrial waste into three categories: category A is the highest hazard waste, and categories B and C are lower scale hazardous waste. Category A industrial waste is banned from landfill and must be properly treated before disposal. The bill increases the levies on the disposal of categories B and C industrial waste from 1 July this year, which will assist in driving down the volume of waste that goes to landfill.

With a finite amount of space left in the two remaining landfills that are allowed to accept high-hazard waste, this increase in landfill levies and programs with the Environment Protection Authority (EPA) and industry is a key step in eliminating the disposal of such waste. The community's expectations are reflected in the bill. The community wants high-hazard waste eliminated from landfill, and as a direct result of the bill this will either be achieved by cleaner production or managed through reprocessing or recycling technologies.

The Brumby government is committed to the highest standards in managing hazardous waste and making Victoria efficient with its resources. One of the resources that we as a government need to manage closely is our landfills, not only for health but also for storage space reasons. The bill encourages innovation and investment in a better way to dispose of hazardous industrial waste. The state government has followed the decision of an independent panel and has not built a long-term containment facility at Nowingi. We are now proceeding to set up measures to eliminate the disposal of high-hazard waste. We are doing it by banning or putting tighter controls on the waste that goes into landfill; increasing the costs of sending waste to landfill and discouraging industry from disposing of waste in this way; and supporting industry to invest in technologies to reduce waste. This will make treatment and reuse options more economically viable. The government's introduction of the three categories of hazardous waste will help with the segregation of the waste and make it easier to treat and recover.

It would be remiss not mention the good work of the Environment Protection Authority in helping industry move across to the new hazardous waste classification system and in helping make companies aware of their hazardous waste responsibilities and how they affect the community.

The work the EPA and the Brumby government have undertaken is already paying dividends. Preliminary data suggests that highly hazardous waste has gone down from 85 000 tonnes to around 60 000 tonnes over the past year, which is a reduction of around 30 per cent. The EPA has partnered with industry to reinvest revenue from the increase of landfill levies into technologies to reduce and eliminate industrial waste. Already there are fantastic examples of this at work. An estimated reduction of 32 000 tonnes of high-hazard waste will be made over the next five years at the Brooklyn waste treatment facility of Veolia Environmental Services.

The landfill levies for category B waste will almost double from \$130 per tonne to \$250 per tonne, while lower level category C hazardous waste will cost \$70 per tonne, up from \$50 per tonne. These levy increases, alongside reinvestment in the industry and the implementation of the classification system, mean Victoria is well on track to meet its 2020 target.

I am proud to be a part of a government that so clearly supports the development of Victoria's economy as well as new Victorian technologies. I am proud to be a part of a government that is both responsible and

ambitious in its environmental goals, and I wholeheartedly commend the bill to the house.

Mr WALSH (Swan Hill) — I rise to make a contribution on the Environment Protection Amendment (Landfill Levies) Bill 2008. The principal purpose of the bill is to increase certain prescribed industrial waste levies, and to make minor amendments to improve the operation of the Environment Protection Act 1970. The two main things it does in raising waste levies are to increase the levy from \$130 to \$250 as the amount payable for prescribed industrial waste landfill levy for each tonne of category B waste deposited into landfill, and increase from \$50 to \$70 the amount payable as prescribed industrial waste landfill levy for each tonne of category C waste deposited to landfill.

I have listened with interest to some of the contributions from government members, who talked about how this legislation is going to eliminate waste to landfill by 2020. From my reading of the legislation I do not see a strategy there that is going to do that other than by increasing fees and hoping the market finds a solution. I do not see any long-term vision from the government as to how it is going to achieve this.

It is interesting to look at the saga over time of waste to landfill. In some ways it is a very sorry saga. How many members on the government benches are trying to rewrite history as to how things have unfolded since former Premier Bracks was elected? We all know that waste to landfill is a nimby issue — everyone is happy when it is in someone else's backyard, but not when it is in my backyard. This arrogant government dreamt up a plan at one stage to set up a toxic waste dump at Violet Town, Pittong or Tiegga. There was no public consultation. There was no going out and talking to people about what might happen there. What happened to the people in those three communities? They awoke to a knock on the door from a process server delivering a bit of paper which said, 'Read this as you eat your cornflakes. Potentially your land is going to be compulsorily acquired for a toxic waste dump'. Most people choked on their cornflakes when the notice was served on them, and we all know about the huge community backlash as a result.

What did the government do? It did not learn by its mistakes how to go and deal with communities. When it got too hot in those three communities no proper consultation process was set up whereby the government worked through a system of identifying a suitable site. It just ditched the three sites and made a snap decision to go to Hattah-Nowingi to build a toxic waste dump there.

If you look at the issues around Hattah-Nowingi you see it is right next door to the Hattah-Kulkyne National Park, right next door to the Hattah Lakes, and right next door to the RARC (rapid appraisal of riparian condition) wetlands. If you had any sort of common sense or any sort of process how could you ever identify that place as a site for a toxic waste dump? It is adjacent to a major horticultural area in Victoria; it is a major horticultural area for Australia. We know all the issues that were raised at the time about the potential market impact when we had our competitors from Chile, South Africa and other countries saying, 'Here is my produce. It is clean, green and great. Here is the stuff from Victoria, but it is grown right next to a toxic waste dump'. All those issues were raised in the community up there with the panel hearings.

The other sorry saga of this whole thing is that when the panel hearings were held in Mildura the community was told, 'This is about you having your say. This is about you coming along and presenting your case and giving your evidence. You do not need legal support. You can come along and present your case in a nice, friendly atmosphere'. What did the government do? It employed senior counsel to run its case against the community. Fortunately, the Mildura Rural City stepped up to the mark and became part of this process despite threats from the government that if it got involved it would be penalised in some way in the future.

Grants would be withdrawn and the council would be victimised by the government if it got involved in this process. The Mildura Rural City Council fortunately stepped up to the mark, became involved and helped to raise the money. The community group up there, the Save the Food Bowl Alliance, had some senior counsel assist them with the case. It cost the community something like \$2 million to fight that case, but it was a great investment because the toxic dump was stopped.

Mr Delahunty interjected.

Mr WALSH — I pick up the interjection from the member for Lowan because I was going to come to that. I put on the record the support for and gratitude of the communities up there, and of people from right around Victoria, to the member for Mildura for his work in chairing the food bowl alliance.

Ms Duncan interjected.

Mr WALSH — The member for Macedon might laugh, but the member for Mildura did a fantastic job in leading his community to make sure that toxic waste dump was stopped. It defies logic to want to put a toxic

waste dump in that particular location, 500 kilometres away from the source of most of the production of this waste. There would have been 15 truckloads a day travelling up the Calder Highway, a 500 kilometre one-way trip, to cart the toxic waste to the dump up there. The people in the member for Macedon's electorate were not thrilled about having 15 truckloads of waste carted through the electorate with the risk of an accident which would result in that toxic waste being spread right around the seat of Macedon.

When the Hattah-Nowingi proposed toxic waste dump was finally stopped, what was the government's solution? It was to get the Environment Protection Authority to change the criteria for some of the prescribed waste, so magically there would not be as much prescribed waste into the future. It would just change the criteria for the prescribed waste and increase the fees so that people would not have as much waste to put into the landfill.

Other speakers have talked about the reduction in the number of tonnes of hazardous waste that is going to landfill. The then minister, John Thwaites, said when Nowingi was actually scrapped on 9 January 2007 that the government's measures would reduce hazardous waste from 89 000 tonnes per annum to about 40 000 tonnes per annum within approximately two years. If that was the plan of the government at the time, why was it even considering a toxic waste dump at Nowingi? What changed? What was the remarkable change on 9 January 2007 that led to the government saying, 'We are not going to have a toxic waste dump. We had 89 000 tonnes being produced and in two years we are going to take that back to 40 000 tonnes'? If that was achievable, why were we even talking about having a toxic waste dump at Hattah-Nowingi? The government is relying on cost increases to industry to drive the change. I do not have a clear vision of how government is going to work with industry apart from driving up costs to industry and hoping that actually achieves something.

The other issue I will briefly talk about is the desalination plant. We had some comments from the member for Macedon earlier when someone raised this issue. The desalination plant will produce solid waste, and we are talking about the disposal of waste to landfill. In an interjection before, the member for Macedon said, 'What is the problem? It is just salt'. It is not just salt.

Ms Duncan interjected.

Mr WALSH — I did not see how much because I did not go to Western Australia with you.

Ms Duncan interjected.

The ACTING SPEAKER (Ms Munt) — Order! The member for Macedon! The member for Swan Hill will address his comments through the chair.

Mr WALSH — Obviously the member for Macedon has more time to have interstate junkets than other members of Parliament.

Ms Duncan interjected.

Mr WALSH — There was no-one from The Nationals there. The issue is we are going to have 20 000 tonnes of solid waste produced by the desalination plant and that is going to have to be disposed of somewhere. And it is not just salt; it is brine, which is toxic and has to be disposed of.

An honourable member interjected.

Mr WALSH — It is. Brine is very corrosive and there is a serious issue of how you dispose of it. It cannot just be dumped in landfill. As we go on, we have the government saying it is going to reduce all this waste by increasing the fees, but we have a desalination plant being built that is going to add 20 000 tonnes to the amount of waste that will have to go to landfill into the future. We do not oppose this bill but it continues the sorry saga of how this government is managing landfill.

Mr FOLEY (Albert Park) — It is with great pleasure that I rise to speak on the Environment Protection Amendment (Landfill Levies) Bill 2008. This is a bill that I wish a speedy passage through this place because it is very good public policy. The previous speaker was reluctantly drawn to the conclusion that he would be supporting this bill — and why would he not support this bill? It is sound public policy. What we seem to have from our friends in the opposition is a begrudging acceptance of this bill. The opposition has yet again been pulled kicking and screaming all the way along the line before it has finally arrived at the logical conclusion that this is worth supporting.

As others have said, this bill will increase levies on prescribed waste and there will be a number of minor subsequent amendments to the Environment Protection Act 1970, which is administered by the Environment Protection Authority and accountable through that agency to the people of Victoria through the Minister for the Environment and Climate Change in the other place. It is pleasing to see that the Liberal Party in particular supports the EPA, because it was under a Liberal government that it was brought into existence in

1970, largely arising from the battle in the electorate of Lowan, as it is now, over the Little Desert proposed redevelopments by AMP and others at that time. It brought to a head the rising community sentiment that has continued to rise ever since then about the appropriate use of land and all the scarce resources over which our community holds the stewardship for future generations.

This has continued to be a theme over the last 30 years to the point where we now see this important bill as part of general public policy development that sustainable development, appropriate development and appropriate management of our scarce resources is required not just of government but of the whole community, including business, local government and the community sector.

The key public policy underpinnings that my friend the member for Swan Hill seemed to miss in the second-reading speech are worth restating briefly:

Prescribed industrial waste is not merely the problem of industry.

Each one of us contributes to the production of prescribed industrial waste through the products and services we use on a day-to-day basis: the phones we carry with us; the computers we use daily. The manufacture of these and many more of the products and services we all use produce prescribed industrial waste. Through this bill, and other initiatives of the Brumby government, we are now helping solve this collective problem.

This government committed to follow the decision of an independent panel of experts examining the proposed Nowingi long-term containment facility. When the panel recommended against construction of the facility, this government stood by its commitment and on 9 January 2007 announced that there would be no new long-term waste containment facility in Victoria.

Not in Nowingi, not in Werribee, not anywhere else — and that was the outcome of a long consultation and transparent process that arrived at a good sound public policy outcome. With no long-term containment facility and a finite amount of space available in the two remaining landfill licensed premises to accept the high-hazard waste, this government is committed to eliminating the disposal of high-hazard waste to landfill by 2020. It will do this through a three-pronged strategy: firstly, by tightening controls on waste accepted at the landfills and banning some waste from landfill; secondly, by substantially increasing the cost of sending waste to landfill through landfill levy increases such as are envisaged by this legislation; and finally, by supporting industry through investing levy funds in technologies to reduce wastes — that is, the hypothecation of funds directly towards the appropriate waste management strategies envisaged by the government's policy position.

Essentially this bill is really about two key points. On the one hand it is about resource efficiency and on the other hand it is about economic opportunity that not just this particular item of resource efficiency but a more general focus on appropriate management of waste brings us. Category A prescribed waste as envisaged under the act is, as we know, prohibited from disposal and is really the highest level of waste, mercury being the most commonly used example. It is not to be parked in such facilities; it needs to be reused and sent for treatment elsewhere. Category B prescribed waste is the largest amount of material that we are talking about in these materials. These are materials which are not inflammable, corrosive, infectious or radioactive but which are indeed not very pleasant materials at all. Whether they be heavy metals, waste from paint or a range of other by-products of everyday life, it is incumbent on us not just to manage sensibly how we deal with the by-products of the toxic waste of our style of life but equally to deal with them in ways and means that reduce them and create opportunities for a sustainable stewardship approach to both these materials and new and emerging industries. Currently the only approved disposal sites are at Tullamarine, which is rapidly nearing the completion of its life, and in the shorter to medium term the Lyndhurst facility, for both of which the commitment is to phase out their use by 2020.

As well as reducing energy consumption and greenhouse gas emissions as an overall strategy for dealing with the government's waste management and efficiency goals, it makes sense for us to see this legislation as part of the broader economic opportunities that a more efficient use of resources creates for our society. The landfill levies prescribed under this bill will help drive down the volume of wastes that go to landfill, making the treatment and reuse options more viable, as the member for Mornington has already pointed out, which will then provide price mechanisms to further drive down the incentive to place this kind of material in landfill. The goal of legislation is to support industry to take up the opportunities to treat and reuse waste, and the government will, as a number of speakers have already said, invest revenue from these additional levies into new technologies which promote the key public policy goals of reuse, recycling and reprocessing the recovery of these wastes. This fits in with the much broader policy position of the government for dealing with resources and stewardship issues more generally.

Australia's first industry greenhouse program emanated from this government and requires the state's largest greenhouse gas emitters to introduce carbon reduction plans, again adopting the same public policy principles

of this legislation. That industry greenhouse program has saved business some \$38 million each year and has reduced greenhouse gas emissions by 1.23 million tonnes each year. The success of the industry greenhouse program initiated by the Brumby government has introduced the energy and resource efficiency plans, which have further driven up efficiency in industry. These plans require Victoria's top energy and water users to come up with reduction and efficiency plans to improve not just their energy and water use but their overall contribution to energy efficiency.

The Brumby government understands the needs of communities when it comes to high-hazard waste, because unlike our friends opposite we go through a public policy process that engages communities, that listens to communities and that has an ear to the broader direction of these issues not just in this society but across the world. We understand that the introduction of cleaner production and price triggers and mechanisms in these kinds of areas will not only lead to a decrease in landfill but will provide a positive incentive to reprocessing and recycling technologies. I wish the bill a speedy passage.

Mr BURGESS (Hastings) — I rise to speak on the Environment Protection Amendment (Landfill Levies) Bill 2008. The purpose of the bill is to increase certain prescribed industrial waste levies and to make minor amendments to improve the operation of the Environment Protection Act 1970. The main provisions are to make two administrative amendments to fix drafting errors in the 2006 legislation; to increase from \$130 to \$250 the amount payable as a prescribed industrial waste landfill levy for each tonne of category B waste deposited to land; and to increase from \$50 to \$70 the amount payable as a prescribed industrial waste landfill levy for each tonne of category C waste deposited to land.

We in this house have a strong obligation to act not only for the current community but also for the effects on future communities of what we do. It is bad policy to do the expedient thing. It is good policy to do the things that will be good for the existing community and future communities. The point we should be making is that it is not about creating a perception of success — it is not about appearing to have done a great job as a successful government — but about actually doing a great job for the community.

I would like to draw the attention of the house to an article that appeared in the *Age* on Friday, 12 January 2007. The author was Royce Millar. Under the heading

'Toxic waste disappears with a pen stroke', the second paragraph states:

The Environment Protection Authority has confirmed that, as part of the state government's new hazardous waste strategy, at least 30 per cent of what used to be deemed toxic waste — including foodstuffs and partly treated waste — will no longer need storing at hazardous waste sites.

That is because as part of the strategy to reduce waste, as it has done on many occasions and in many situations, the government just moved the goalposts. It changed the definition of what was hazardous waste and by that stroke of a pen, as Mr Millar said, reduced the amount of toxic waste that had to be disposed of.

This is not new ground or a new frontier for the government. The government has a record of this sort of approach to its policy. One need only look at ambulance response times to see that the government took a similar approach in that area.

In 1999 the Labor Party made an election promise to reduce the ambulance response time for code 1 to 10 minutes. But instead of getting the time down to 10 minutes, it found it impossible to achieve the then existing standard of 13 minutes; and some time after that the government moved the goalposts again to make the code 1 response time 15 minutes. So, while it appears now that the government is getting closer to achieving the code 1 response time, the fact is that the code 1 response time has changed, and that is the reason for any success in that area. And that is not the only area where this sort of thing occurs.

Recently the same sort of approach was attempted with FOI legislation. In that circumstance the government was performing so badly in its responses to FOI requests — it was getting nowhere near responding within the 45 days set by the legislation — that it tried to put through legislation that would allow the response time to go out to 75 days and in so doing to move the goalposts again.

The approach that was taken with the toxic waste dump was certainly contrary to what would be good policy. The way it approached the definition of toxic waste in the legislation is certainly contrary to good policy. I encourage the government to be more honest with the community, and itself, and instead of looking to move the goalposts all the time, put the money and the effort into actually trying to achieve the results for this community and communities into the future.

Ms DUNCAN (Macedon) — It is a great pleasure to rise and speak in support of this Environment Protection Amendment (Landfill Levies) Bill 2008.

Mr Walsh interjected.

Ms DUNCAN — And it is always a pleasure to follow a contribution by the honourable member for Swan Hill. I would like to make what I think is the most significant point about this bill. Despite some of the carry-on from the opposition, where it would have us believe it is opposing the bill, opposition members bag every part of it, saying 'This is tricky, this is dishonest' and all of that, but they say, 'I am supporting the bill': they are supporting 'tricky and dishonest' bills. It is interesting always to see how they say they support it, but they then spend the rest of the time talking about what they do not like about it.

The most significant point I would like to make in this debate is the fact that waste in all its colours and forms is a problem for all of us, wherever we live. We all contribute to it and we all need to participate in resolving it as an issue. I went out last week to buy a new television set. In the course of doing that, the gurus in the stores get into all the technology about a television set, talking about how many times it refreshes, how many pixels there are and whatnot. On this occasion they went on about this new range of TVs that refresh themselves every half a second or something. I have no idea about the technology, but the long and short of it was that these would give you a great picture. However, the TV had a life of about five to seven years. This seriously worries me.

An honourable member interjected.

Ms DUNCAN — Yes, it is on the bill, because it goes to the heart of our wasteful, throwaway society. When I was a kid we had a TV that lasted, I think, until I was in my late teens. That was a TV that our family had had for some 20-odd years. To think that television sets the size of a house and costing a fortune would last only five to seven years is really frightening. It is an example of the trends that we follow, and as consumers we have a role to play in being discerning as to what sorts of appliances we purchase. So in terms of that issue I think it is a problem for us all, and we all have a role to play.

I will pick up on a point made by the honourable member for Swan Hill, just in case he thought I had forgotten. He was referring to the debate about Nowingi and made a comment about me as the member for Macedon and the impact that debate would have had in my local area. We had the Nowingi troupe of people coming through a number of times. I think they had a big truck and they were having little fry-ups everywhere, which was a delight. We considered going out and having a sausage, but we declined. We watched

them fairly closely — they came, I think, on two occasions — and we had all the material on the window of our office explaining what we thought the process was about, what the waste was like et cetera. They would come up and read it, and they were all very civilised.

To my knowledge, and I stand to be corrected, there was one person from my local community who participated with that little troupe, had a sausage with them and met them out there on the two occasions they stood out in front of my office. This person, as it happened, was a councillor. I remember his comments about this whole Nowingi debate. He said something like — and I am quoting him almost verbatim — ‘This waste is generated out of the factories in the west of Melbourne, and it should stay in the west of Melbourne’. That was the level of debate that the one community member I know of who was involved in that process had to contribute. Can I tell you how impressed I was with that way of thinking! It is a real worry that we have these debates. Of course no-one wants these sorts of things anywhere near them.

I would contrast the process this government has gone through to try to find solutions with what was done previously to try to find sites for the disposal of this sort of waste. From memory, I think the first thing we did was try to set up a community group to say, ‘Okay, no-one would want this in their backyards, so in light of that, what sort of location would you pick that would have the least impact on people?’. The first thing is that you would not want to see it; the second is that you would not want to smell it. All these issues were developed and a process of elimination was used to work out what or where would be the best places to locate these waste disposal dumps. When you come up with a range of places, the minute you name a place you cause angst in a community — there is no denying that — and it is a very difficult thing to get around. Fortunately that is all behind us now.

Mr Walsh interjected.

Ms DUNCAN — If the member for Swan Hill dares to interject and suggest to me that our process was flawed and their process was good, I will make him eat his hat. We only need to refer to Werribee to see the absolute contrast in process there. At the end of the day the outcomes were the same: it did not go ahead at Werribee and it did not go ahead at Nowingi. Dare I say the reasons for these facilities not going ahead were in stark contrast.

Getting back to the bill, after making a broad statement about waste, in January 2007 the government said that

in light of the Nowingi decision there would be no long-term waste containment facility in Victoria, hence the need to eliminate the disposal of high-hazard waste in landfill by 2020. In order to achieve that the government has developed a three-pronged strategy of tighter controls on waste accepted at landfill and banning some types of waste from landfill, substantially increasing the cost of sending waste to landfill through landfill levy increases, and supporting industry by reinvesting levy funds in technologies to reduce waste.

As part of this the government introduced a classification system to improve the way we deal with waste. That was intended to improve segregation, treatment and recovery. As we have heard, category A is the highest hazard and must be treated before disposal, and categories B and C have differential levies to promote hazard reduction and alternatives to disposal. The Environment Protection Authority has played a significant role in all of this by assisting with the introduction of this classification scheme. I would like to pay tribute to the work the EPA does. We have heard from a couple of speakers about the difficult role of the EPA. As I said, these are difficult facilities to deal with. You can try to accommodate communities, but inevitably there is a conflict there. These are not necessarily attractive places to be around.

This classification scheme, the levies and the investment in introducing industry support programs has resulted in about a 30 per cent reduction in high-hazard waste. To assist further this bill will increase levies. We have heard that the levy on category B waste will increase from \$130 to \$250 per tonne. The levy on category C waste will increase from \$50 to \$70 per tonne. That category B increase is a significant increase, but I would emphasise that the revenue from all of these levy increases will be hypothecated to the environment protection fund to be invested in industry projects such as cleaner technologies and better infrastructure.

The EPA continues to look for investment opportunities in new technology, in research and development and in upgrades. We have seen a number of examples of that and I will just cite a couple of them. It invested \$2 million in a partnership with Veolia Environment Services which aims to reduce an estimated 32 000 tonnes of high-hazard waste going to landfill over the next five years. Another example is the \$1 million for the Australian Sustainability Industry Research Centre to work with the three key waste treatment companies in Victoria. These three companies together dispose of more than 50 per cent of all hazardous waste sent to landfill. They are just some

examples of the sorts of investments the EPA is making through these levies.

I support this bill. It is important that we reduce landfill. Someone referred to these levies as a price signal. We know that pricing is a blunt but effective instrument in trying to change behaviours. However, I would also emphasise that what the government is doing in this area is just part of the story. The bigger part, or at least a significant part, of the story is about individual consumers making wise choices, making choices that reduce waste. We should all be thinking about what sort of future we want for ourselves, for our children and their children, and how much waste we want to continue to produce. If nothing else we know that what we have done in the past is completely unsustainable. We need to seriously address the way we do business, and individually we need to seriously think about what we do to contribute to the problems we face, not just in waste but in numerous environmental issues. I commend the bill to the house and wish it a speedy passage.

Mr NORTHE (Morwell) — I am pleased to make a contribution to the Environment Protection Amendment (Landfill Levies) Bill 2008. The purpose of the bill is to increase prescribed industrial waste levies and to make minor amendments to improve the operation of the Environment Protection Act 1970. What we are seeing here is the category B waste levy increasing from \$130 a tonne to \$250 a tonne, and the category C waste levy increasing from \$50 a tonne to \$70 a tonne.

As was mentioned — I think by the member for Albert Park — we have three categories of waste — A, B and C. Category A waste can be sludge from the bottom of a petroleum storage tank. This type of waste would require treatment to remove or bind volatile chemicals and/or heavy metals prior to containment. Category B and category C waste is referred to in this bill. Examples of category B waste include solidified resins, lacquers or glue wastes. These wastes are more stable than category A wastes and are able to be safely contained at a long-term containment facility. Category C wastes come from the processing of food.

In a previous life I was a manager of a waste management business in Morwell. In fact that company, Veolia Environment Services, is referred to in the second-reading speech. The Veolia Environment Services plant in Brooklyn will be undergoing a major upgrade in the future. Hopefully this project will see a reduction of 32 000 tonnes of high-hazard waste going to landfill over the next five years. Part of that \$2 million commitment from the EPA to Veolia Environment Services for the Brooklyn plant will see

the recycling of water and the recovery of stormwater to ensure there is a reduction in the use of fresh water by the Brooklyn plant of up to 46 per cent.

I will just make mention of the fact that I have ties to the group in Morwell. I understand some of the issues that confront waste management companies, not only in regional Victoria but also in the metropolitan area of Melbourne. These levy increases have a significant impact on their business and how they operate. I will get back on to that shortly.

Like urban areas, regional areas suffer from a lack of landfill space. This has been evident in the Latrobe Valley in recent times. In my municipality we have seen the closure of the Moe and Morwell landfills in recent times. This has caused great angst for the waste management companies and the Traralgon South community, which will be in possession of a new landfill in the very near future. As has been discussed throughout this debate, the Nowingi example was much publicised and very emotive. I can assure members that the same thing applied to the residents of Traralgon South when they were informed that a landfill would be located in their vicinity. There are issues with that as well.

The current situation in the Morwell electorate is that waste is being transferred from outside the municipality. The additional burden, pressures and costs apply to not only the customers, who quite rightly are trying to dispose of their waste in an orderly fashion, but also the waste management companies, which in many instances are forced to pick up the slack in terms of the costs.

On the whole I think Victorians have embraced the concepts of reuse and recycle. In the last few years Latrobe City Council has implemented a three-bin system, which has been very successful. We have seen a reduction in waste going to landfill over that time. The figures suggest it has been particularly successful. I know it operates in other municipalities throughout Victoria.

The member for Macedon referred to ASIRC, the Australian Sustainable Industry Research Centre, which is also referred to in the second-reading speech. Located in Churchill, ASIRC is an independent organisation that provides Australian businesses with innovative solutions and research into the latest developments around resource management that provide environmental outcomes. ASIRC specialises in implementing a waste hierarchy with government and business on the basis of avoid, recycle, reuse from other waste streams, along with treatment of water and solid

and liquid waste. This is really the core business of ASIRC. Jenny Jelbart and her team down there do a fantastic job and continually look at ways of reusing waste that might otherwise end up in landfill.

ASIRC also works on specific industry projects; if a particular industry has an issue with a type of waste, ASIRC might get involved and look at ways and measures of reusing that waste in some other format. ASIRC staff do a fantastic job, and their main goal is to not only help local business and industry but also ensure that there is a reduction in waste going to landfill. In actual fact, they are undertaking a project at the moment; I think they are the recipients of some funding in recent times that will assist with a major water reduction project in south-east Melbourne.

ASIRC's partnership with three other waste management companies is referred to in the second-reading speech. Those companies are Veolia Environmental Services, Transpacific Industries and Chemsal, and they are believed to contribute up to 56 per cent of Victoria's treated waste output to landfill. It is an important partnership, and again I commend Veolia and those waste management companies and ASIRC for their good work in ensuring that this waste is used for other purposes.

The member for Brunswick in his contribution raised the fact that the policy on landfill levies ensures they are reinvested back into particular projects in the waste management industry. It is important to ensure that that will continue in the future, particularly in light of the increase in the applicable levies. As I said, it is a huge impost upon waste management companies and also consumers who are quite rightly trying to do the correct thing.

As I mentioned, the sector has some concerns about the proposed increases in charges. For example, during my time as the manager of a waste management business often people would call in and inquire about the cost of transporting and disposing of particular types of waste. When a quote was given back to a customer, you could tell from their voice that they were going to find other means to dispose of that particular waste, and that disposal was not going to be through the correct channels. That is a real concern. There are a large number of pine plantations in my electorate. Recently, when I have been out walking the dog and taking the children for a bit of a ride, it has been disappointing to see the waste that is dumped in those locations. I have no doubt that these increasing levies are a contributing factor in the inappropriate dumping of waste.

I make the point too that we see a discrepancy between the disposal fees for landfills in regional Victoria and those in Melbourne, and I say that from experience in the industry. For example, before the Morwell landfill closed, it cost somewhere in the vicinity of \$82 a tonne to dispose of commercial waste, compared with Melbourne, where we could be paying up to \$20 less a tonne for the disposal of commercial waste. That is a real disparity between what applies in regional areas and what applies in Melbourne in the imposts and costs on businesses and consumers.

Another example is Dutson Downs in Gippsland, where we can dispose of many things which we have spoken about. Asbestos is one of those items. It is quite common for asbestos to be disposed of in the Latrobe Valley and Gippsland. If you are looking at \$88 a tonne, plus a further \$30 landfill levy on top of that, plus transportation costs, it is no wonder that you see asbestos being dumped in those areas. Whilst overall I do not have much of an issue with the bill, I am concerned about the increase in levies and the impost upon waste management industries and also consumers who are trying to do the correct thing.

Mr NOONAN (Williamstown) — It gives me pleasure to rise and make a contribution in support of the Environment Protection Amendment (Landfill Levies) Bill. In doing so I make the point that in my first year as a member of Parliament I did not expect to be talking about waste management so quickly, nor did I expect the need to visit the Brooklyn facility, which I have done. I made the mistake of visiting it in summer on a hot day with a north wind blowing; it was a very unpleasant place to be!

The proposed amendments in this bill promise to deliver benefits in a number of areas. Firstly, they will decrease the current reliance upon landfill as an option for the disposal of prescribed industrial waste. The second point, which has been made a number of times, is that they will encourage and fund a more efficient and sustainable approach to waste management with a focus on the reuse, recycling, reprocessing and recovery of industrial waste products. Landfill levies play a critical role in the state of Victoria, and they seek to address the government's target of reducing hazardous waste sent to landfill to zero by the year 2020, which is a commendable goal. In his contribution earlier tonight the member for Eltham referred to being on target to achieve that, with a reduction of 85 000 tonnes down to 60 000 tonnes this year.

Prescribed industrial waste is a product of the manufacturing of goods and services that all Victorians use on a daily basis. The waste is potentially hazardous

and needs to be managed appropriately. The increase in landfill levies is expected to raise up to \$30 million over the next four years, and this revenue will be used for investment in new technologies for the reuse, recycling, reprocessing and recovery of industrial waste.

I will talk specifically about how that investment is used in my own backyard, being the Brooklyn site, which has been alluded to by the member for Morwell. Landfill levies apply to municipal, commercial, industrial and prescribed industrial wastes deposited onto land at licensed facilities in Victoria. The landfill levy structure is divided into a number of categories, each of which reflects the varying risks posed to the environment by the types of waste they include.

This bill follows on from the July 2007 introduction of levies for the disposal to landfill of categories B and C prescribed industrial waste. Under the proposed amendments the levy for category B waste will rise from \$130 to \$250 per tonne whilst category C waste will increase by a smaller margin — from \$50 to \$70 per tonne.

Heavier levies should encourage industrial waste producers to seek alternative means of dealing with waste. Recycling and reuse particularly should become more viable options under this process. Also of significance is that this bill should persuade producers of products to find more efficient means of production and force a rethink on the materials used in the production process.

I do not think it has been mentioned in the debate, but I think a useful gauge of how sustainable our use of resources is can come through the ecological footprint. The footprint is a resource accounting tool that calculates how much land and water area is required by a specific group to produce the resources it consumes and to absorb the waste it produces. At present Victoria's ecological footprint is rated at around 8 global hectares. This is around 3.5 times the global average and 5 per cent more than the Australian average.

Every time we send waste to landfill, we are contributing to our already disproportionate ecological footprint. We waste materials that with a little effort could be reused or recycled. This increases our reliance upon resources which are becoming scarcer and more expensive.

Despite imposing a higher levy and greater responsibility upon industry, this bill, it would be anticipated, will actually save money for manufacturers

and producers of waste in the long term. I note — and the member for Brunswick mentioned this during the debate — that Tim Piper from the Australian Industry Group said the move would promote investment in technologies to enable them to better manage waste and create business value from these efforts. That is to be commended.

Levies will place pressure upon industry to find more efficient production and disposal strategies. Moreover, landfill levy revenue made available by the EPA (Environment Protection Authority) will provide opportunities for industry to investigate more efficient technologies and practices and apply them to production and waste management.

Benefits to industry will also include improved occupational health and safety conditions through reduced waste generation as well as increased productivity and efficiency through the production of less waste and by-product. The EPA funds will also be used to assist in establishing waste management infrastructure, support education programs and resource the bodies responsible for waste planning and management throughout Victoria.

Veolia Environmental Services has been mentioned a number of times during the debate. Veolia runs a site in Brooklyn, one of the state's major facilities for the treatment, recovery and disposal of hazardous waste. Whilst the site falls just outside the boundary of my electorate, its management is critical to local residents, particularly in the areas of Brooklyn, Kingsville and Yarraville.

The EPA has committed \$2 million to this project, and Veolia has committed \$2.7 million over a five-year period to upgrade the Brooklyn facility. This is a significant investment which has the clear aim of reducing the impact and tonnage of industrial waste materials. In terms of the EPA's contribution to this particular site, as the member for Morwell mentioned, the funding will be used to upgrade the facility and support ongoing development and technology in order to maximise resource recovery, reuse and recycling; maximise efficiencies at the site; transform waste to energy; reduce the volumes of waste disposed to landfill by a minimum of 32 000 tonnes over five years; reduce the hazard level associated with the hazardous waste; and reduce fresh water consumption by 46 per cent through the use of recycled water and rainwater.

This project could clearly not be funded without the critical landfill levies raised through this process and this initiative that the government has undertaken. I certainly appreciate the passionate opposition that many

in the community feel on this particular issue — particularly given where many of the disposal sites are located. Understandably, these communities wish to see a scaling back of these activities. By increasing landfill levies the state government is offering strong incentive to industrial waste producers and handlers to find alternative solutions to the dumping of waste and, more importantly, to introduce more efficient processes.

Thus, by encouraging and assisting producers and handlers to scale back the amount of waste which is sent to landfill, we can significantly reduce the reliance upon landfill facilities in the longer term. The bill represents an important next step in realising the government's vision for a resource-efficient society as well as reducing energy consumption and greenhouse gas emissions from the production of new materials. Being more efficient simply makes good economic sense.

In conclusion, I think the Brumby government understands that the community wants high-hazard waste ultimately eliminated from landfill. The government expects that by 2020 all residual high-hazard waste will no longer be disposed of to landfill but will either be avoided through cleaner production or managed through reprocessing and recycling technologies.

The carriage of this bill will be good for environment; it will certainly be good for the people of Victoria; and it will be good specifically for my electorate of Williamstown, in particular for the neighbouring residential areas of Brooklyn, Yarraville and Kingsville. I certainly commend the bill to the house and look forward to its passage.

Mr THOMPSON (Sandringham) — In examining the Environment Protection Amendment (Landfill Levies) Bill 2008, at the outset I would like to pay tribute to the mighty work undertaken by the current member for Mildura as he fought the establishment and location of the Nowingi toxic dump in one of the great food bowl and food production regions of Victoria. I also acknowledge the contribution of the then Liberal shadow Minister for Environment in the other place, David Davis. He campaigned strongly against the location of a toxic waste dump in one of the great productive areas of Victoria.

The bill before the house has the object of increasing certain prescribed industrial waste levies and making minor amendments to improve the operation of the Environment Protection Act 1970. It should be pointed out for the record that the 1970 EPA act was world-leading legislation as it sought to protect air,

water and soil quality through developing a range of environment protection measures.

The main provisions of the bill before the house make two administrative amendments to fix drafting errors in the 2006 bill. The bill increases from \$130 to \$250 the amount payable as the prescribed industrial waste landfill levy for each tonne of category B waste deposited on land, and increases from \$50 to \$70 the amount payable as a prescribed industrial waste landfill levy for each tonne of category C waste deposited on land. Category A waste includes sludge that might be found in storage tanks and from which heavy metals might need to be removed; category B waste includes resins, lacquers and glue waste; and category C includes food waste.

The Liberal Party has consulted extensively on the bill. The recycling industry clearly supports the legislation. It is interesting that other industry groups, such as the Australian Industry Group, are very keen to ensure that all the proceeds of the levies are hypothecated for recycling and related purposes. The Liberal Party has a clear policy, with the objective of reducing the volume of toxic waste and promoting the reuse of it. We are opposed to the establishment of another toxic waste storage facility in Victoria.

Within my electorate of Sandringham there have been many keen contributors to improving local environmental outcomes. Waste emanating from local factory processes and the suburban use of rubbish and refuse goes into landfill. Thinking globally and acting locally is an important proposition to take into account. For over a decade now I have had direct and indirect association with a number of Clean Up Australia Days. We have managed our own site for probably the past seven or eight years as well as making a contribution to other site clean-ups. I would like to pay tribute to people such as Elizabeth Kent, Roy Sims and Robyn McNaught, who have made a sustained and year-round contribution to improving the local environment in my area.

The member for Morwell has made his own contribution to cleaning up through his professional work, as he outlined to the house. He also cleaned up eight best and fairest medals for the Traralgon Football Club in the Latrobe Valley. He was also the captain-coach of three league premiership winners, which is no small feat. Others who have come out of the Latrobe Valley and have made a great contribution in cleaning up include the great Hawthorn and Richmond premiership player, Barry Rowlings, who cleaned up multiple premierships. They are two great products of the Latrobe Valley and two people who in

their professional lives are involved in waste disposal — in the case of Barry Rowlings it is in dealing with recycled concrete.

I would also like to acknowledge other people who have made a significant contribution at the local level — those people who have thought globally and acted locally. They include members of the West Hampton guides troop. Under the guidance of Cecilia Heath they have been consistent contributors to cleaning up the local foreshore environment.

In the Port Phillip catchment area the waste from the gutters ends up in Port Phillip Bay. While that would include trace metals and a number of other toxic substances that find their way through the drains, canals and waterways, including the Yarra River and the Mordialloc Creek, there are some good filtration and filter processes that have been developed, certainly in the hinterland between Dandenong and the outlet of the Mordialloc Creek, where water quality has been improved. That has a direct and indirect impact on water quality in both the estuary of the creek and also in the reef areas of Port Phillip Bay proximate to the Mordialloc Creek. Caroline Williams has been another great Sandringham contributor to Clean Up Australia Day operations, along with Mark Laidlaw and his family and the local scouts and guides groups, which I alluded to earlier.

The issue of sustainability is very important. We have an obligation to pass on to next generations our natural assets and resources in a condition that is equal to or better than the condition in which we have inherited them today. Work has been done by many groups in preserving the foreshore amenity by cleaning from the beaches the range of refuse that makes its way there through the creeks, canals and waterways. There was a collection of plastic bags, bottle tops and syringes in the recent Clean Up Australia Day efforts in Sandringham. In the last couple of years we have collected more than 100 bags of rubbish, with a range of articles, including car tyres, metal rubbish bins, old telephones, cutlery, clothing, wallets, footwear and, on the darker side, a box of unopened syringes was handed in and subsequently disposed of safely. We even found an old motorbike and bicycle dumped on the foreshore.

The clean-up endeavours have been supported by a number of community groups. On one occasion we had near the Sandringham rotunda a bagpiper playing the tune *Scotland the Brave*. That drifted through the local suburb, and people came down to observe the piper playing as people were marching along the foreshore cleaning up the local environment.

Sitting suspended 6.30 p.m. until 8.02 p.m.

Mr THOMPSON — Before the sitting was suspended, members were making a number of contributions in relation to the toxic waste issue in Victoria. I would like to refer to an article that appeared in the *Age* of 10 January 2007 which states:

The Bracks government is facing a new and protracted political battle over toxic waste disposal in Victoria after its decision to abandon plans for a dump near Mildura.

The government gave up on its seven-year search for a new toxic waste site yesterday after an independent panel rejected the Mildura plan, saying it was not a long-term solution for the state's waste problem.

All the government needed to do was to have a yarn with the Liberal Party or The Nationals seven years earlier. The government would have quickly formed the view that the Nowingi site was not suitable for a toxic waste area. Royce Millar's article of the *Age* also says:

It rejected the site principally on planning grounds, including that it would fill too quickly, was between two national parks and was too far from Melbourne, where most waste is produced.

It took seven years to come to that conclusion — that is basically a disgrace.

The government also has a dilemma in relation to dealing with the toxic materials from the channel deepening project. It has proposed to build a bund in the middle of Port Phillip Bay — —

The ACTING SPEAKER (Mr Stensholt) — Order! The member for Sandringham needs to concentrate on the bill in front of the house.

Mr THOMPSON — We are dealing with toxic waste and that was an example of it where the government — —

The ACTING SPEAKER (Mr Stensholt) — We are actually dealing with landfill so I would like the member for Sandringham to return to the bill.

Mr THOMPSON — I respect that. The Acting Speaker, the member for Burwood, is quite prescient and knowledgeable in the overall scheme of things. He has raised the argument that the toxic waste in Port Phillip Bay needs to go to landfill. That would be the solution to that particular issue.

Mr HOWARD (Ballarat East) — I am pleased to speak on the Environment Protection Amendment (Landfill Levies) Bill. A significant issue that all communities of the world need to deal with is how we deal with waste produced by the activities of a

population that goes about consuming as it does. We know that in general terms landfill has been an issue. Over a number of generations we have continued to put all of our waste into a range of landfill sites around the state. We recognise that we are in fact filling those sites — or we were — at an increasingly rapid rate which is simply not sustainable.

In the last 10 years we have seen a significant reduction of waste, a significant reduction of general waste going to landfill and a significant effort to recycle wherever possible. The no. 1 aim we must try to work at is reducing wastes wherever they are produced and recycling that waste as much as possible. This bill relates to the prescribed industrial waste which is a part of the waste stream.

There has been a long history of attempting to deal with this issue. We remember that the former Kennett government had determined a site would be established to the north of Werribee — we know what happened as a result of the discussion regarding that site. The community in that area was clearly not convinced that the site was suitable.

When we came into government I was appointed to the hazardous waste committee which had been established under the former government; I became the government's representative on that committee. We had to look at establishing a new hazardous waste site and dealing with hazardous waste materials overall. Clearly the same emphasis needed to be placed on reducing waste — that was the no. 1 effort — and recycling wherever possible so that as little waste as possible would end up in some form of repository. We looked at establishing sound repository-type systems.

All members know what the history has been since that time. The state government looked at a number of sites around the state but was never satisfied with a suitable one. We thought Nowingi was a suitable site, but we accepted the decision of the independent panel that it was not appropriate. We also recognise that wherever you try and establish such a site, it is never going to satisfy the community, no matter how seriously you work at containing those wastes. Clearly more effort needs to go into ensuring that we can reduce industrial waste even more.

This bill aims to do away with the category B waste altogether by 2020. At this stage we are increasing the landfill levy per tonne from \$130 to \$250 as a significant disincentive on disposing of that waste in landfill. Category A waste cannot go into landfill and must be treated in such a way that it is turned into category B waste or even less. We need to take serious

action, as is envisaged in the bill, to provide a significant disincentive to the creation of category B waste. At the same time it needs to be pointed out that the funding the Environment Protection Authority will gain from charging this levy will go back into assisting industry in finding sound ways of reducing their waste stream. As we have heard during the debate on this bill, there are a number of examples where good progress is being made. Funding assistance has been given to companies to look at their waste streams, and they have been successful in reducing their waste.

Already we see across the state in the six months since the hazard classification system was introduced a reduction of 30 per cent of category B waste from 85 000 tonnes a year to 60 000 tonnes this year. We want to continue that downward scale so that by 2020 we will have no category B waste going into landfill sites. From next August we will only have one landfill site that is able to take category B waste. At the moment we only have one site because of the so-called temporary closure of the site at Tullamarine. We do not know whether that will reopen, but we have given a commitment that by next August it will be closed permanently. We know that Lyndhurst will be the only site taking category B waste, and we will need to use Lyndhurst until that waste stream is discontinued altogether.

This government is very serious about providing that balance between disincentive for producing prescribed industrial wastes and providing incentive for companies to do the right thing. A lot needs to be done, and it is terrific that so much has been done through EcoRecycle Victoria and the levies gained from council landfill sites. We are seeing terrific incentives going into place. We need to do a lot more both in regard to the industrial waste stream but also in the general waste stream. I am confident this government is clearly on track to address these matters so we have a sustainable position for waste in the future. I commend the bill to the house.

Mr DELAHUNTY (Lowan) — I rise on behalf of constituents of the Lowan electorate to make a few comments about the Environment Protection Amendment (Landfill Levies) Bill 2008. The purpose of the bill is to increase certain prescribed industrial waste levies and to make minor amendments to improve, so-called, the operation of the Environment Protection Act 1970.

I heard the member for Albert Park say that the Environment Protection Authority (EPA) was started by a coalition government or even a Liberal government in the 1970s because of its concerns about the Little Desert, which is located in the Lowan

electorate. The authority was started as a result of concerns in the Lowan electorate, and we are very proud of that.

The bill has a couple of main provisions. It contains some administrative issues that correct drafting errors, but the key part is to increase the levy for category B waste from \$130 to \$250 per tonne being disposed of in landfills, and category C waste will increase from \$50 to \$70 per tonne disposed of in landfills. Like my colleagues, I will not oppose this legislation, because we all need to be wiser with the use of energy, water and materials. We should be doing what we can to recycle and reuse materials.

In relation to water, GWMWater recycles about 90 per cent of the water used in my electorate — whether that goes to agriculture, industry or for recreational use, such as watering golf courses. Unfortunately Melbourne is not playing its part in that regard. I think Melbourne is recycling only about 10 per cent of its water use. We need to see Melbourne lift its game, particularly in relation to water recycling. This bill deals with waste material recycling, and under this program we look for innovation; most of that goes on in the metropolitan area because costs can be absorbed in the metropolitan area.

As consumers all of us contribute on a day-to-day basis to a lot of these problems, whether it is with our telephones or our computers, and all of those things become hazardous waste because they are eventually disposed of. It is pleasing that I can say I am not opposing the bill because it implements a lot of the policies of the Liberal Party and The Nationals on production and reuse. It will be interesting to see what happens with the water bill that was introduced in the Legislative Council today.

I want to focus particularly on the Lowan electorate. In my electorate many councils have closed what were commonly known as tips and are now known as landfills. The compliance costs were getting greater, the accountability was greater — and no doubt it needed to be. Most of those councils are now operating under regional waste groups. In the Wimmera region alone there are six councils that have closed most of their landfills; they provide transfer stations and are heavily involved in recycling. In fact Horsham, the city where I live, has been at the forefront of tidy town awards with the work it has done in recycling. It even started a lot of the waste management initiatives in remote areas of the shire.

Most country councils are doing a lot of work in this area. As I said, the cost of landfill has become

prohibitive, and now we see the high cost of transport. The high cost of transport and also the high cost of disposal means we have high costs per tonne.

I believe landfill levies should be more site specific. There should be some new high standard landfills. The member for Ripon, who is the Minister for Agriculture, knows that in country areas there used to be landfills in just about every small town, and every community had a landfill, whether it was to dispose of household waste or industrial waste. A lot of waste was seen around the countryside, and it was not good. Therefore we need these landfill levies, but I think they should be site specific so far as cost goes. There should be some discretion as to how the money is used. It could be used to develop new, high-standard landfills. We are all planning for the day when we do not have any material to go into landfills, but I know that is a long way off.

The Horsham Rural City Council is developing a new landfill which will cost well over a million dollars and will service six or more council areas. When it has asked for support from the Environment Protection Authority it has been told, 'Put up your tipping fees to the level of the ones in Melbourne'. The reality is that that is going to cause inappropriate disposal of waste such as asbestos. I have seen asbestos being taken from schools and other places and disposed of inappropriately on road reserves or in similar areas. We have to get the balance right, because if we put up the costs too high it will push people into disposing of their waste inappropriately. I will give an example. I was on the council in Horsham when it put in security around the landfills and made people pay \$5 a trailer to dispose of materials. We saw people travelling 40 kilometres or 50 kilometres to an unsupervised landfill to dispose of material from Horsham. They would spend \$20 or \$30 to travel in their cars when they could have spent \$5 if they had disposed of their waste in the local landfill.

The Environment Protection Authority should be giving more help, particularly to country areas. Money for the development of new high standard landfills that meet regional waste management strategies would be the way to go. I am sure the Minister for Agriculture would know that in our region there are very few landfills that are up to the right standard, and they are closing the ones that are not. The Horsham Rural City Council tells me it pays \$300 000 a year in landfill levies. It has told me it has increased compliance costs. It also has decreasing gate fees because of the diversion programs, which we commend, but again that pushes down the income it is getting. More and more councils are picking up the costs that would normally be picked up by industry or by ratepayers using their landfills.

I have a mate who lives down near Hamilton, on the outskirts of town. As I have travelled down Ballyglunin Road, where he lives, I have seen the rubbish that has been dumped onto the side of the road. People have driven 5 kilometres or 6 kilometres out of town and tipped trailer loads of rubbish onto the side of the road because they would not pay \$5 to take a trailer load to the landfill site or to the transfer station.

An honourable member interjected.

Mr DELAHUNTY — That is cheap. It might be more than that now. I am not a hundred per cent sure what they pay; it might be \$10 a trailer load. People believe they are saving dollars, but they do not realise the environmental damage that is being caused by their disposing of their waste on the road reserves. Those are some of the concerns I have.

I want to speak a little about the target to reduce hazardous waste from 85 000 tonnes to about 60 000 tonnes a year. I know there has been a 30 per cent reduction and that is to be commended. We are doing a lot of good work in that area. In my electorate the regional waste strategy groups have been doing a lot of work in schools and in the communities, but again that is putting more pressure on councils because they are getting less in fees from people going to landfills because of the high compliance costs, the increases in transport costs, the closing off of landfills and the putting in of transfer stations. We are losing some landfills, but importantly we are developing new ones. I come back to the point that we need some flexibility in the use of the landfill levies.

Back in 2007 an independent panel of experts examined the Nowingi long-term containment facility, but the history goes back a little bit further than that. Just before I spoke I heard the member for Ballarat East speak about Werribee. He conveniently overlooked the fact that after Werribee, and without any consultation or discussion, this government announced three country sites at Pittong, Violet Town — and I am unaware of the third one.

Mr Weller — Tiega.

Mr DELAHUNTY — Tiega. Thank you. The member for Macedon would not tell me because there is some sort of a secret society on the other side of the chamber. The reality is that it was done without any consultation. Then the government looked to Nowingi for that containment facility. I commend the work done by the member for Mildura, along with the council — it spent nearly \$2 million fighting this government — when they forced the government to rethink the

situation in relation to that facility. It was going to transport waste 500 kilometres from Melbourne right up to Mildura. The government changed the criteria and now there are substantially increased costs. That is the reason we need some flexibility in the use of the landfill levies to support country councils with their waste management.

Mr SEITZ (Keilor) — I rise to support the Environment Protection Amendment (Landfill Levies) Bill 2008. It is a small bill, but it is an important bill. We have heard from previous speakers that landfill and prescribed waste has been around for a long time. Since the dawn of civilisation we have needed to dispose of waste, and when you look at archaeological site digs you find the discoveries are made at those digs that take place in landfill areas. The problem has been around for as long as mankind, and I am sure our predecessors faced the same problems as the ones we are facing today and the ones we will face tomorrow. We need somewhere to dispose of prescribed waste.

How it is handled and how we treat it is important. We have come a long way in recycling, in reusing and in minimising prescribed waste, particularly industrial waste, but we will continue to need landfill because a lot of old sites need to be cleaned up. Changes have to be made to buildings, as we are still discovering asbestos in some buildings, not just in school buildings but also in other buildings, so there will be a need for prescribed waste disposal units.

The plant at Tullamarine takes two types of waste — landfill and liquid prescribed waste. When it was part of my electorate it was a big headache because it was the only facility available until Lyndhurst was opened up. Everything went there but there were no controls. There was no information or data provided on the trucks or where they delivered the stuff. Soil tests were not carried out, and everything was simply put into landfill. As previous speakers have said, any quarries in the western suburbs were seen by industry as places to dump their prescribed waste. Of course in those days we did not use the term 'prescribed waste' because there was no regulation.

Last year the Watergardens railway station in Sydenham was turned into a car park. The Environment Protection Authority installed monitors there because it was over a quarry. Mobil Oil Australia used to wash its tankers there, and the waste oil was put in to the quarry without regard to the environment or to what would happen in the future. That waste is still bubbling away under the ground, and I hope it does not get into the artesian basin in the region because, as members would know, the western suburbs has a big artesian lake under

it starting in Sydenham and going right up to Altona beach.

This is an issue that we all should be concerned about. The government is taking steps by increasing the levies. Category B waste will increase from \$135 to \$250 a tonne, and category C waste will increase from \$50 to \$70 a tonne, which is a step in the right direction. There was no charge on it so nobody cared. Nobody from industry wanted to spend money on it to minimise it because it cost them nothing to place in landfills.

There was a time when the local tips, as they were known then, needed soil every night to cover up waste from households to keep the rodents, seagulls and so forth away and to reduce odours. It was a condition of the Environment Protection Authority (EPA) that the tips had to be covered every night, so any soil or solid fill that came in was accepted. We are still facing these problems today and probably will in the future with the leaching out of liquids that will seep through into the riverbeds and into the underground water streams.

These are responsible measures taken by this government and the previous government in legislation and regulations to monitor landfill and to test the soil, determine where it comes from and how it is used. Even on building sites the general waste is kept separate from the prescribed waste, which is an important step. We have conducted a big education program within our own society and I see this as a further step in the right direction, because \$250 per tonne is not a great deal of money when one considers the cost to our society and community of cleaning up that prescribed waste.

In my electorate there was a lot of commonwealth land on which there were commonwealth ammunition factories with contaminated soil everywhere. It was stored on site. The factories did not remove it. Instead they used it as part of the landscape, covered it with plastic, contained it, made mountains out of it, covered it with good soil and planted trees and shrubs in it.

There are many innovative ways of handling soil on a site but there will always be a petrol station that closes down and has to be cleaned up, and other areas where soil needs to be removed and safely disposed of in a containment area. It is very important that we know where it is and can monitor it. In future we will be able to treat some of that soil as it becomes economical with the advances in technology. The engineers and scientists who are advising most of the landcare groups and also the waste management groups are saying that instead of putting the waste soil into quarry holes, it should be dug up, covered and left on top of the ground.

In future the technology will be developed to enable the soil to be cleaned.

I hope the extra money that we are putting towards it now by collecting the levies — the \$250 per tonne and \$70 per tonne — will go towards research to develop the technology to assist the councils that are running landfill areas and controlling them, and also to industry to upgrade equipment and change methods of operation so less waste is produced. The government built the Tullamarine containment site as a temporary plant to experiment with cleaning out liquid waste. The solids were stored in concrete blocks so that they could be contained and held together rather than seeping through the ground and the underground basin. It was an experiment that was carried out and financed by the then Melbourne and Metropolitan Board of Works.

The plant was closed down in due course, after the experiment was finished. I have not seen private industry further developing that technology. It was a good way to deal with soluble oils. We used to have a French ship, the *Vulcanus*, which took the waste out to sea and burnt it in high temperature incinerators. There has been a lot of change. I recall that at one time a high temperature incinerator was to be built between the settlements of Gisborne and Keilor but we lobbied to prevent it being built in that region.

Having said these things, the small bill that we have before us is a very important bill for our future and for industry. The managers of industry need to set money aside while they are running their businesses and making profits so that it is available for their permits and ongoing projects. When they close down their plants, factories or other operations the companies will have the money to rehabilitate the soil at their work sites, because this is the fundamental issue. We hear too many times that factories have closed and the contamination has been left on site, as happened in Ardeer with the lead factory, where the whole area was polluted with lead. The soil had to be taken away. Who picked up the bill? It was once again the state taxpayer. The company made its profit, shifted to another area to a newer plant but left the mess behind. While these companies are producing prescribed wastes they should put money aside to rehabilitate the area when they move out or close down their plants or operations. With those few words I wish the bill a speedy passage through the house.

Dr SYKES (Benalla) — I rise to speak on behalf of The Nationals on the Environment Protection Amendment (Landfill Levies) Bill 2008. I indicate that, along with my colleagues, I support the intentions of the bill. I would like to clarify some history as has been

reported on by members on the other side, in particular the member for Northcote and to a lesser extent the member for Eltham, who gave some history on the disposal of toxic waste which unfortunately skipped over a few chapters of unsavoury history of the Labor Party, in particular the then Minister for Major Projects.

I ask those who were there then to recall that time and I ask who were not here to listen to some history. It was in November 2004 when the telephone call came to my office from a land-holder between Violet Town and Baddaginnie that someone had turned up and served a notice on him that his place had been deemed as a site potentially suitable for a toxic waste dump and that his site, if found to be suitable, would be compulsorily acquired by the government. This fellow was shocked. I immediately travelled to his place and spoke with him, and over the ensuing months that farmer and his family, along with four other families that were immediately affected by this disgraceful performance by the Gestapo of the Labor government, went through hell.

What was informative was that within a few days of the government making the announcement that the site was one of three potential sites for a toxic dump chosen from a short list of about 100, the local people were able to present photographs that showed that the site was on a flood plain and that it had been under several feet of water in the preceding few years. Here we had a process carried out by the Labor government that was meant to work through a rational process of arriving at sites suitable for the disposal of toxic waste only to find out that within a few days it had stuffed it up.

The ACTING SPEAKER (Mr Stensholt) — Order! There has been some indulgence by other Chairs, but perhaps the member might get onto talking about levies.

Dr SYKES — I am talking about the legislation, Acting Speaker, and I am responding to comments made by previous speakers who were given the ability to talk about the history of the disposal of toxic waste, which this legislation seeks to move forward. I am providing some background as to why it is important that we move forward.

To abbreviate the background, the consultative process with the local community, which started after this Gestapo-like approach, continued for six months through until 19 May and caused enormous stress on the community, particularly the five families who were affected. It turned neighbour against neighbour. Right up until 19 May the pressure was on the government for it to seek local input. On 19 May the government advised that it was not proceeding with that site, it was

looking for other more suitable sites. Do members know what I was told on that day, only to have it subsequently confirmed by freedom of information documents? I was told that the site had been crossed off the government's possible toxic dump list in February. This government subjected five land-holders, their families and the communities to three months of Claytons consultation whilst it knew damn well that was not going to be the site of a future toxic dump. The price paid was that three of those five families have members who today suffer clinical mental health problems; in some cases they are just getting back into the workforce.

What was the response from the government? To its credit, it supported the appointment of an outreach worker to help the local community overcome the trauma and stress inflicted upon it by this government through that very poor approach to identifying a site for toxic waste. Did we get an apology? No. In Parliament I asked the Premier to apologise to the people of Violet Town and Baddaginnie for the pain that had been inflicted upon them, but the Premier ducked and weaved.

I now return more closely to the bill and indicate that it is a commendable objective of the bill to reduce the amount of toxic waste being produced, because that was the suggestion from the local people at the time — that is, not to look for a home 200 kilometres from Melbourne to which the toxic waste could be transported, but reduce the amount of toxic waste and dispose of it closer to the point of production. The government, to its credit albeit a little late, is moving towards that objective, and I commend it for that. I also commend the government, industry and the consumers that bear the cost of this for appearing to be able to reduce the amount of toxic waste down from about 80 000 tonnes a year to about 60 000 tonnes.

I also commend the government and industry for learning from overseas experience and realising that this sort of reduction is possible. I will pass over the fact that this was presented to them some four years ago and was dismissed as, 'Just not on' and say that the getting of wisdom comes at different ages. Our children generally achieve that getting of wisdom at an age somewhere between 20 and 25. The Labor government is yet to get it. I hope to God it does not take between 20 and 25 years in power for it to get the wisdom, but let us say that we are moving in that direction.

If we look at other considerations in relation to the disposal of toxic waste, in the last 12 months or so we had an experience elsewhere in northern Victoria when I was contacted by a concerned constituent who chose

the nom de plume Ernest Concern and who alerted me to the fact that waste which he considered toxic was being deposited on river gullies on the Ovens River. This waste had come from Cresta Lodge on the top of Mount Buffalo, which had been burnt down as a result of, it would be fair to say, a little bit of misfortune during the 2006 fires. Once it was confirmed that the material that was being dumped was on contract for the government and we alerted the local staff of the Department of Sustainability and Environment to the situation that asbestos and other toxic materials were being dumped, to its credit it acted quickly and corrected the problem.

I say in passing that the burnt-down Cresta Lodge had an insurance payout which has been set aside. The best use for that payout would be to have infrastructure put in place to ensure that Mount Buffalo Chalet continues to exist in north-east Victoria because it is an icon, and it underpins the tourist economy in that area.

The other issue that has been picked up by other speakers is deposits on containers. I share the view, and I think the member for Gippsland East has been a strong proponent of this, that it makes sense to have deposits on containers. I know from my own experience in my sideline occupation of farming that when I walk my cattle and sheep along Tatong Road, I regularly pick up soft drink and alcohol cans and plastic containers. Let us be frank: if I could get a small retainer for returning them, it would help offset the costs of running my farming enterprise which continues to struggle to operate in the black.

I think there is a very good incentive and very simple logic to support the introduction of deposits on containers. It would offer an incentive to all people who have the containers — whether they be in service clubs, scouts or other groups — to return them, and it would encourage increased use of recycling; therefore it would decrease pressure on our landfill arrangements. I am comfortable with the direction in which the bill is going, and I hand it over.

Mr INGRAM (Gippsland East) — It is a pleasure to rise on the Environment Protection Amendment (Landfill Levies) Bill. I will try to refrain from spreading my comments quite as far as some previous speakers have on the all-of-40 lines of the legislation that we are debating.

The ACTING SPEAKER (Mr Stensholt) — We appreciate that.

Mr INGRAM — It is, I suppose, an interesting indictment of this Parliament that we have some of the

most lengthy, protracted and strained debates on bills which are fairly small and relate to civil process. But this is an important piece of legislation. Basically it makes a number of changes to levies, particularly for prescribed industrial waste, increasing the cost of that from \$130 to \$250 per tonne; it also makes some amendments to the corporate licensing system.

I would like to make some comments first of all on the process and the difficulty that governments face in finding sites for the storage of prescribed or industrial waste, commonly called toxic waste. Many members have spoken about the process begun recently and abandoned in northern Victoria, and also about previous attempts to have toxic waste disposal places in the Werribee area. I think too often these issues become very politicised, and I think that is to the detriment of this place.

I believe that what happens in these debates is that their politicisation deflects the problem to the next government, and I think this Parliament should acknowledge that. Some future government is still going to have to deal with finding somewhere to contain the waste that industry and our community makes in the long term.

The last thing members of Parliament want is for someone to come and point at our electorate and say, 'This is where it is going to go'. I have had some experience of that, at Dutson Downs, which is not actually in my electorate; it is in Gippsland South. A range of fairly toxic materials, particularly contaminated soils, are treated and stored there. It is difficult to try to explain to people the process in the treatment of contaminated soils — and I am talking about soils which are dug out of service station sites or other industrial sites, where material such as petrol, oil or other contaminants leak into it — and that when those are cleaned up, we have to find somewhere to treat them. Some of the process is not very high-tech. If you look at some of the treatments to remove the contaminants out of soil, you realise a lot of them are basically fairly natural processes. You can go into those places and find they are fairly clean, they are fairly well managed systems, and there is really no smell or anything like that, but the simple explanation that, 'This is toxic waste' means it is an emotional and difficult issue to deal with.

In relation to the increase in fees for the disposal of this waste, as members said earlier, local government is really struggling with the cost of providing landfill facilities. I know that the Shire of East Gippsland has had to amalgamate a lot of its landfill sites back to central locations because of the cost of running a large

number of small facilities in remote areas, and because the processes it has had to go through to get those landfills established and obtain the approvals have been very difficult, so they moved them back to central locations. Anything that can be done to take materials out of those facilities has to be supported by this Parliament and by the community.

But as we make it harder and harder for these sites to be established, the cost increases, and there are people who will try to avoid that cost. I was recently in Western Australia looking at some of the forest management issues over there, and one of the real challenges that state has relates to asbestos. Asbestos was used in many building facilities and the cost of processing and storing asbestos materials that have been removed has become so exorbitant that many people will just dump it out in the bush. Asbestos sheeting, asbestos roofing and other asbestos materials have been just dumped in the bush over there, including in national parks. We have to ensure as much as possible that we avoid that occurring in Victoria. We have to make sure that if we catch people doing this, they are subject to strict penalties. While it is important to ensure that the cost of the disposal of toxic prescribed waste is covered, which is what this bill sets out to do, we also have to make sure that there are, if you like, mechanisms to stop and/or discourage the depositing of such material back into the environment. Unfortunately we too often see that a few idiots provide a very poor example for the rest of the community.

Another issue is the designation and separation of toxic chemicals or materials. Most of us would know that in the past a lot of old regional landfills where these materials were stored, including those near small timber communities, were not up to standard and too often down the track some fairly ordinary materials and chemicals would leach out of them, creating a big problem. For example, a lot of the sawmills used creosote and similar heavy chemicals. Once those landfill sites have been reprocessed you would not even know they were there. Most people would know the park just on the south-eastern side of the Mitchell River Bridge at Bairnsdale. That was an old landfill site, and now it is an the athletics field.

Some members have mentioned the idea of having container deposit legislation. I will not go there because it would be off the bill, but I will say that is an important issue and I hope a decision will be taken on it at the national environment ministers meeting. One issue that has come up recently, and I have raised it with the Minister for Agriculture, is a program for dealing with used chemical containers on farms. Everyone would know about the drum muster program,

which is very successful and well supported. It is a voluntary program. Historically chemical drums have gone to landfill, and because they are chemical containers they pose a problem. The drum muster program aims at recycling and reusing those containers. Some sections of the agricultural industry are not participating in that program — —

Mr Helper — Name them.

Mr INGRAM — The dairy industry, including many of the large dairy industry chemical companies and even the major companies and cooperatives. The major suppliers are not putting a voluntary levy on those chemical containers, which means there is no clear process to track them through and make sure they are reprocessed, refilled or otherwise reused. That is an issue that needs to be addressed. I think that is consistent with some of the things that are in the bill.

Anything we can do to improve our management of toxic or prescribed waste and keep material out of landfill, the better it will be for our community. We should be supporting more initiatives to recycle, reuse, reprocess and retreat — that is, taking the materials out of contaminated soil and reusing them. All of our resources are finite, and we must support anything we can do to improve the efficiency and the health and cleanliness of our environment. With those words, I conclude by saying that I support the bill before the house.

Mr WELLER (Rodney) — It is a great pleasure to speak on the Environment Protection Amendment (Landfill Levies) Bill, the purpose of which is to increase certain prescribed industrial waste levies and to make minor amendments to improve the operation of the Environment Protection Act 1970. Two administrative amendments are required to be made to the bill. They were drafting errors made by this government in 2006, and they have to be fixed.

Another provision in the bill increases from \$130 to \$250 per tonne the amount payable as prescribed industrial waste landfill levy for each tonne of category B waste deposited to landfill. The bill also increases from \$50 to \$70 the amount payable as prescribed industrial waste landfill levy for each tonne of category C waste deposited to landfill.

I read the second-reading speech with interest, and I now quote from it:

This government committed to follow the decision of an independent panel of experts examining the proposed Nowingi long-term containment facility. When the panel recommended against construction of the facility, this

government stood by its commitment and on 9 January 2007 announced that there would be no new long-term waste containment facility in Victoria.

Perhaps I need to fill in a little bit of history here. There was an election in this state on the last Saturday in November 2006, and on that date — —

An honourable member — You got elected.

Mr WELLER — That is quite true. Other than the member for Rodney being elected, a new member for The Nationals was elected in the seat of Mildura, he having run a very strong campaign against the toxic waste dump at Nowingi. The member for Mildura was a very strong campaigner against the toxic waste dump. He was elected, turfing out the sitting member who had been part of putting the present government into power in 1999. We need to remember also that the numbers in the upper house of this Parliament changed, and one could suggest that the government was not confident that it had the numbers in that place to push this bill through.

There is more history to this bill than the Nowingi toxic waste dump proposal. There were three proposed sites in November 2004; they were at Tiega, Pittong and Baddaginnie. As the then Victorian Farmers Federation (VFF) president, I toured all three of those sites, and three more unsuitable sites for a toxic waste dump you could not find in Victoria. When I travelled through the site at Baddaginnie I asked the owners of the farm, ‘What happens in a flood here?’. They said, ‘Where we are now, in the 1993 flood the water was over the front wheel of the tractor’. Obviously it was a flood-prone area and not an ideal place to put a toxic waste containment area.

They also said, ‘You can go further. In the Baddaginnie area there are underground streams; they are shallow and made of gravel. Water gets into them and runs down into the Goulburn Valley, the food bowl of this great nation’. In that area they employ lots of people and create lots of export income, so we were putting at risk the great Goulburn Valley, the food bowl of this nation. Then, if you go to Pittong — —

The ACTING SPEAKER (Mr Stensholt) — Order! I think we might have had enough history. It may be a good idea for the member to move on to the levies.

Mr WELLER — I listened to the member for Keilor, and he spoke about water incursion in his area. I thought that if it was good enough for him, it would be good enough for me.

The ACTING SPEAKER (Mr Stensholt) — Order! On the bill, please.

Mr WELLER — On the bill, the second-reading speech refers to imposing tighter controls on waste accepted at landfills and banning some waste from landfills. This is all about removing the need for a landfill. Why did we not go down this path before we put the people of Pittong through this process? The Pittong area is in western Victoria, where it actually rains. It would have been an unsuitable area for a toxic waste dump because you could not get in there for three months of the year.

The ACTING SPEAKER (Mr Stensholt) — Order! The member is stretching my patience. Perhaps he could talk about the bill rather than giving us an extended history of other matters.

Mr WELLER — The second-reading speech goes on to talk about substantially increasing the cost of sending waste to landfill through increases in landfill levies. Once again, we support this, but why did we have to put Victorians through the pain and suffering of having their land compulsorily acquired for landfill? As we have said, we will not be opposing the bill, but we have serious questions about why the people of Tiega, Pittong, Baddaginnie and Nowingi had to go through such a painful process when we could have done this six years ago.

Debate adjourned on motion of Mr HELPER (Minister for Agriculture).

Debate adjourned until later this day.

LAND (REVOCAION OF RESERVATIONS) BILL

Second reading

Debate resumed from 15 April; motion of Mr BATCHELOR (Minister for Community Development).

Mrs POWELL (Shepparton) — I am pleased to speak on the Land (Revocation of Reservations) Bill 2008, and continue my comments from yesterday when I was interrupted by other government business. I was talking about the different parcels of land that the bill deals with. One of them is the Yarrowonga land which is currently occupied by a police residence. The government has said that this police residence is no longer needed as a new police station is being built. That does not mean that a new residence is being built with the new police station. It was quite interesting to

hear the member for Essendon suggest that a police officer would like to live in a new police house. I am sure a police officer would like to live in a new police house, but this bill is not about building a new police house in Yarrawonga — it is about removing the other police house and selling off the land. The Nationals in coalition support the amendment foreshadowed by the member for Warrandyte to delete the site of the police residence in Yarrawonga from this bill.

The government proposes selling 45 police residences across Victoria. The police houses in the Goulburn Valley earmarked for sale, including Yarrawonga, include those at Kyabram, Nagambie, Rochester, Cobram, Euroa, Numurkah and Tatura in my electorate. As other members have said, police residences are really important in country Victoria. They are a way of attracting police officers to country Victoria, but they are also a way of retaining police officers in country Victoria. Sergeant Darryl Phillips was living in the police residence in Tatura. His position was actually advertised with that police house and he was told he was required to live in it, as other police officers are. He had to sell his house so that he could move into that police house. Some areas do not have large amounts of affordable housing, so it is important that we keep police residences.

I noticed in *Daily Hansard* from the other place yesterday that a member for Northern Victoria Region, Kaye Darveniza, used the adjournment to ask the Minister for Roads and Ports to purchase the property at Yarrawonga, which is owned by Victoria Police, to preserve the potential alignment for a new bridge connecting Yarrawonga and Mulwala. The member for Murray Valley has also raised that issue.

The bill also deals with the removal of reservations of land at Marlo, Boorhaman and Brimin. We are told those lands are being sold because they are excess to the government's needs. Other members have said that when they are sold, the money should be put back into local communities, but I understand that those three parcels of land are to be sold to allow the realignment of minor boundary anomalies and will go to the adjacent landowner, which is a common-sense move, and we support that.

The member for Gippsland talked about the Marlo land. He said the boundaries have moved over time as houses and fences have been built, and it is important that the family there is now able to buy that land. The member for Murray Valley said he had worked with the owners of the land at Boorhaman and Brimin, and he is quite happy with the situation. There will be removal of reservations of land at Mount Duneed Regional

Primary School, occupied by the Department of Education and Early Childhood Development. A new committee of management will be appointed, and that is a good thing. There will be removal of reservation and Crown grants on land occupied by the Talbot Free Library, allowing for upgrades for current use, which is as a community hall. A new committee of management will be put in place to reflect that current use.

I urge the government to support the amendment proposed by the member for Warrandyte to enable the police residence to remain at Yarrawonga.

Mr BURGESS (Hastings) — I rise to speak on the Land (Revocation of Reservations) Bill. The purpose of the bill is to revoke the permanent reservation of certain land at Yarrawonga, to revoke the permanent reservation and related Crown grant of land occupied by the Talbot Free Library, to revoke the permanent reservation of certain land at Marlo, Boorhaman and Brimin, and to revoke the permanent reservation of land occupied by Mount Duneed Regional Primary School. The main provisions include that on revocation the land 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 bill is in most ways fairly bland; however, it raises a very important matter, the matter of police houses, which are an essential component of policing in rural areas. Television programs have often used police houses as settings for rural policing and identified very clearly in passing the types of services that local policing provides and certainly the fact that police houses are an important aspect of that. They are an integral part of the community. Police officers in country areas often police 24 hours rather than just 8 or 12 hours a day, depending upon the shifts the officers are working, because they are there on the spot and become part of the community, and that is very important. As an illustration of my point I would like to quote a reasonably good authority:

It needs to be borne in mind that police houses exist because it is very difficult to get police to go voluntarily to many locations and they were deemed essential to attract police officers to country towns and remote localities. Most police are recruited from metropolitan areas and larger provincial cities and in the past they have been offered the attraction of police housing to induce them to go to rural and remote areas.

My reference here is to make sure the government understands the implications of removing police housing and considers very carefully what that means to local communities and the police themselves. The quote continues:

That system worked well because police officers became part of the local communities into which they moved. If police houses are sold the level of police presence in some communities will be reduced and some country police stations may be closed.

...

Married police officers are being told to pull up stumps and move to country areas where police houses are no longer available. It is an appalling way to treat members of the force.

It continues:

Many occupants of police housing with whom I have spoken believe they are being treated shabbily.

That quote is from the former Minister for Police and Emergency Services, the member for Kororoit, as is shown on page 1823 of *Hansard* of 26 May 1995. It is certainly indicative of how these things should be viewed. I am glad that is the position that the former minister holds, and I look forward to him being supportive of that same view in the current circumstances that the state is facing.

Debate adjourned on motion of Mr LANGDON (Ivanhoe).

Debate adjourned until later this day.

EDUCATION AND TRAINING REFORM AMENDMENT BILL

Second reading

Debate resumed from 12 March; motion of Ms PIKE (Minister for Education).

Mr DIXON (Nepean) — The Education and Training Reform Amendment Bill has five main purposes: to provide that students be allocated with Victorian student numbers; to establish and provide for the maintenance of a student register; to enable the chief executive officer of the Victorian Curriculum and Assessment Authority, which I will refer to as the VCAA, to issue reprimands to students in relation to minor breaches of examination rules; to make changes to the functions of the Victorian Curriculum and Assessment Authority relating to early childhood and the testing of students; and finally, to make other amendments to improve the operation of the Education and Training Reform Act 2006.

From the outset I would like to say that the coalition will be supporting this piece of legislation, and I would like to thank the Department of Education and Early Childhood Development for the very timely briefing that was organised very swiftly; there was a cast of

thousands there, we were given a thorough briefing and follow-up questions were answered, which is always impressive. This is unlike my experience in relation to a briefing I had asked for in mid-January regarding building maintenance and relocatable classrooms; finally, after a few threats, a few dates were offered to me only this week, three months later, which was in contrast to the very good briefing I had on this bill.

I will move through the main aspects of the bill. To start off with, the VCAA will be given the authority to develop policies, criteria and standards for the learning, development and assessment which relate to early childhood education. The reason we have this legislation is that, with the reconfiguration of the departments and responsibility for preschool education and early childhood education being added to the Department of Education and Early Childhood Development, the authority which the VCAA has had over schools is now being extended into early childhood education.

We think that is a wonderful idea; the concept of the department is a great idea. The reason we think it is a great idea is because we announced it as a policy in the 2006 election campaign. It joins a long list of Liberal Party policies that are being pinched, especially in education, by this government. It joins policies on technical schools, selective entry schools and performance pay, just to name a few. But we think that this is a good thing and that this legislation is the start of that long process.

It is interesting to talk to schools and practitioners out there. Although things are coming along fairly well at a central level in terms of the reorganisation of the department, sorting out who is who, what they are doing and getting rid of duplications, that sorting certainly has not filtered down to the schools, and it has hardly filtered down to the regions at this stage. For example, it was interesting that in the southern region the number of Department of Human Services personnel who will be relevant to the new department is three times the number of department of education personnel who are already there. A massive reorganisation will have to be undertaken to sort out things before the practical, everyday issues filter down to the schools, preschools and early childhood centres so that staff will be able to do the good things they want to do.

Last weekend a conference on early years education from kindergarten to year 2 was held at which early childhood educators got together and talked about the issues. Such a conference was where the beginnings of the whole movement and drive to include early

childhood programs as part of the department of education began, so those people should take credit for the movement. We in the Liberal Party certainly listened to those people and moved on the issue by announcing it as an election policy.

Educators want to do great and practical things out there in the community — in schools and in preschools — to get things happening and to provide a better, seamless transition between the two levels of education, but they have to wait, because at the lower, regional level the movement has not gained momentum. This legislation is the first step. We have to pass legislation that will marry the two departments, and this legislation will enable that to happen.

This legislation will also give the Victorian Curriculum and Assessment Authority the authority to administer the new national testing program. The VCAA is unable to do that without this legislation being passed, so that is exactly what this legislation will do. This legislation needs to go through this place and the upper house and the other usual processes before that can happen.

There is another sticking point as far as national literacy and numeracy testing is concerned — that is, government schoolteachers have voted not to be present on the days when the tests will be conducted. National testing is no good unless the same test is given to all students on the same day right across the nation.

Unfortunately that may not happen, because government schoolteachers are planning to withdraw their services on the days or half the days on which they are supposed to administer those tests. I understand that teachers in non-government schools have decided that they will not administer the tests on those days to support their government school colleagues. National testing in Victoria will not mean anything. Because the testing will not happen on the same day, students will not receive the same test. They will not be able to sit the same test a week later because the test will already be out there. As a result there will be no indication on true national comparisons, which is what national testing is all about.

The reason that teachers in Victoria at government and non-government schools are taking industrial action is because the government is reticent about meeting with teachers and talking in a realistic way about improved salaries. This is the third rung in a series of escalations of industrial action. It should not be happening. It will be very disruptive and will wreck the national testing program, at least as far as Victoria is concerned. It will be very embarrassing for the Minister for Education to front up to her colleagues at the Ministerial Council on Education, Employment, Training and Youth Affairs

talks tomorrow and on Friday. She will have to hang her head and say, 'The way things are looking, we are not going to be part of it'.

I understand there were further negotiations with the government today, but there was certainly no settlement and we are not close to a settlement with the unions. I think so far as national testing is concerned this legislation will be almost a moot proposition unless things change over the next four weeks and this government recognises what the community is saying about the need to recognise teachers as our best educators and the important job they do. The government needs to stop running teachers down and treat them with some sort of fairness, not as the worst teachers in Australia.

I return to the whole concept of national testing. This government has agreed very reluctantly to come to the table on this issue. National testing is not something that this government has been comfortable with at all. National testing has started to be introduced in other states, but this Labor state seems to be the one that is least comfortable with it. The driving force behind this was the previous federal government's leadership in this matter. It had said, 'This is something that needs to be happening; this is what the community is calling for; and this national testing needs to happen so we can get real comparisons between the states'.

One by one the states, including this state, have caved in, and to its credit the new federal government believes in this too. Federal government members said last year as part of their education revolution that they thought this was important, that the community was calling for and that it would hopefully enhance education standards right across Australia.

The only real comparison between states and territories in Australia is the Organisation for Economic Cooperation and Development's PISA (Program for International Student Assessment) testing, where the same test is administered in literacy, mathematics and science in all states and territories and other countries in the world. That is the only true comparator we have at this stage of national testing. Victoria does not stack up well against the other states and territories. In fact of all the mainland states we have the worst results in all those categories of mathematical literacy, English literacy and scientific literacy.

The minister came out and said that it has nothing to do with results; it is about how well we fund things. But of course Victoria has the lowest funded education system, government and non-government, in Australia. You cannot have it both ways. When another

comparison is made that the government likes, it wheels out the opposite argument: 'We are doing really well in literacy and mathematics'. For that comparison the government used state-by-state testing, which is not a true comparison. At the moment a different test is applied using different age groups and different times of the year. It can be administered to one year 3 set of students in one state and another year 3 set in another state. In some other states year 3 is quite different. You can also have a huge difference in what children will learn in one year from state to state, so you cannot say that is a great comparison. This is where the national testing — the same test on the same day — is a far better comparison. As I said, you cannot have it both ways. The government has been arguing one case on the one hand and another case on the other.

We support national testing; that it is very important. The results of national testing need to be made public, and it is part of the responsibility of the VCAA to do that; it is not something that should be hidden away. It is important too that the publicising of the results should not constitute a league table, because a league table in itself is a useless piece of information.

The best form in which the results can be out there is as not just a general comparison of state to state but a comparison of like versus like. It should look not just at states but at similar socioeconomic areas in different states. That is when you start to get a real idea of what education systems are really working — what education systems are helping socially disadvantaged children, for example, and where the best results are being got. That way you can go to a place and say, for example, 'Why are South Australian year 5 children from a socially deprived area getting strong literacy results? What is being done there that is not working in Victoria?'

It is important to have these results out there and for governments not to be defensive about them. Governments should be open about them and learn from each other, seeing what is working in other states. This is where a national approach in education is very important.

As part of this bill the VCAA will look at assessment and testing to a degree in early childhood. There are relevant powers provided by this bill. Should we be testing children before they reach school? That is an interesting question. Why should we have that testing? I do not think it should be the sort of testing we have in years 3, 5 and 7; that would not be right. It is one of the fears held by people who were against preschool education becoming part of the education department — and often was one of the arguments put

against that union. That is a fair argument, because preschool education has a different sort of curriculum.

But testing and assessment are two different issues. It is very important for children's development that they be assessed before they start school. The younger a child is, the wider the difference can be in terms of their development. You can have two children who are both four years and nine months old and they can be completely different in terms of their development and life experiences. It is very important for educators to have that information so that problems can be picked up as early as possible, and so that there can be some early intervention strategies and that can be seamlessly transferred into primary school. In terms of assessment I think that is very important.

Curriculum is another very vexed issue. Members of the government used to vehemently argue against having preschools as part of education, because they said the curriculum would be pushed down into kindergartens. I can think of many members who said that that would not be a good thing. We have to be very careful about what is in the curriculum, the place of the curriculum, the type of curriculum, and the type of teaching and learning that goes on in preschools and how that complements what happens in our primary schools, especially in the early years. As I said, that is what the teachers and the practitioners in those areas will be talking about at the K-2, or kindergarten to year 2, conference. I hope the VCAA listens to them about the sorts of issues that are going to be raised there and the practical implications of them. I hope it takes up the challenges that are presented.

The bill gives the VCAA power to issue reprimands on minor examination infringements. They are the sorts of infringements that do not actually involve deliberate cheating. For example, a child who wants to finish a word that takes 2 seconds to write after 'Pens down' is not really cheating. Or a student might get an SMS message which is not the answer to question 20 but which is more like, 'Could you ring me when you finish your exam?' — a message from mum. There is a black-and-white test that is put on Victorian certificate of education students which shows they are either cheating or they are not. But there are contraventions of some exam rules, and the chief executive officer of the VCAA will be allowed to issue reprimands. They are appealable, which is fair enough, but the VCAA is able to issue reprimands, which will be in writing. As I said, there is an appeal process, and that medium step, which is a fair thing, will not affect the students in questioning their VCE results.

The purpose of the main part of the bill is to introduce a Victorian student number for every student and a Victorian student register. That is something that is happening nationally and internationally. There has been plenty of consultation with stakeholders. There was an allocation in last year's budget to enable this to happen. The databases and so forth are being set up. On the whole I think that is a good measure. The idea of this student number is to catch the students who fall between the cracks. What we are talking about here is where a student suddenly just disappears off the face of the earth. The parents say they are moving interstate, to the country or to another suburb, and the student just never reappears at a school.

Regular audits will be done and, where a student has not re-enrolled, that will be picked up fairly quickly. They can be contacted, hopefully, at their last address by the school where they were previously enrolled and the issues of why they have not continued their schooling can be followed up. This is very important within primary and secondary schools. It is even more important as students transit from levels of education, from primary and secondary and into further education. I think that is well worth doing. The student will be issued with a number. The information that will be on the database will be their name, date of birth, gender, enrolment date and enrolment cancellation. When they are enrolled at a school, that date is there. When they leave that school, that date will be on it. That is the only information that will be on it, and that is fair information.

A good example that comes to mind is the government has announced that its preferred option for Macleod College is to close it down and amalgamate all the primary and secondary schools into a 2500-student school at the old Latrobe High School. Children will be coming from schools all over the area. The plan is to flog off the Macleod College site to developers, and students will all move to this huge new school. It will be very interesting. With a major upheaval like that you are going to lose students; you lose students in those sorts of major moves.

In the very disadvantaged areas in the West Heidelberg-Heidelberg Heights area, where a lot of the schools have been closed down as part of this merge, we have students at real risk. A student identification number will be a good stopgap. It is not the only way, but it is a really good stopgap and safety net for those students, so when this massive amalgamation happens and we have the massive number of 2500 children in prep to year 12 on one school site, we will not lose children through the cracks. I think we will still lose them; it is too big a complex, and it will be too

frightening, especially for the younger children. But at least if we have this number and the last contact details, we will be able to pick them up so they will not fall through the cracks.

We are also being told that the privacy implications have been thoroughly tested, and they hold up. Also the ethics committee will vet anyone who wants to access and use the information, and I will talk about that in a moment. There will be limited access to that information, and there will be limited use of that information, too. The ethics committee will oversee that. I worry about the extra work that will be given to schools. This is going to take a lot of time, a lot of in-servicing, and a lot of new systems will be set up for this to happen.

It is going to be implemented in government schools from the start of next year and progressively implemented through non-government and other education sectors after that. In previous budgets money for this has been allocated to the department, but there is absolutely no money for schools. That is a concern that has been raised with me by the schools. Are they going to be given extra financial support, especially for their school support officers, who will be at the coalface as far as this is concerned? Is this just another compliance issue?

I have a list. The one thing principals talk to me about is the massive amount of compliance issues. They have to fill out a massive document, which is really not their job; they should be involved in educating, teaching and learning. Is this just going to be number 94 on the list of 93 compliance issues that involve them filling out forms for hours and days, taking them away from education matters? The minister's response needs to address what sorts of support schools will be given to implement this new measure.

I am still grappling with where this fits in with the On Track system, which involves following up and talking to students after they leave school. On Track is a good idea; you learn about what choices students are making and what pathways they are taking. I think this initiative complements On Track, and I am assured it is not at the expense of On Track. I think it actually complements it.

I am told too that it will make our retention rate figures more accurate. Retention rates are a bit like class sizes. They are a measure that is very easy to understand. Especially when the trends are in the government's favour, it is easy for it to say it is doing a wonderful job in education. The retention rates are easy for the media to understand, and they are easy for the community to understand, but they are far more complex than that. I

caution the government about using retention rates as a measure of an effective education system because there are a lot of grey areas. As I said, the more information we get on retention rates and the more accurate it is, the better able we will be to track students, find out where they are going and set our plans for the future.

The number given to students will be a tax file-type number. There will be no auction of numbers as there is for numberplates. So the minister's grandson is not going to be student no. 1 or 007 or something like that. It is going to be a multi-digit number that will be allocated, which will be a bit disappointing for some students! And it will not be tattooed on them, either! As I said, this will be implemented in the government schools and non-government schools, in the TAFE institutes and the adult and community education (ACE) providers from 2009.

One issue I did not raise at the briefing but which has since been raised with me concerns students with disabilities. Will students in our special schools be given a number, and will they be part of the system? It would be good if we could get an answer to that question.

As I said, there will be limits on the access and limits on who can access the information on the register. It will be limited to the providers of education: the schools, TAFE institutes and ACE providers. The information will of course be available to families — about their own child, obviously not about other children. The VCAA will have access to that information, as will the VRQA, the Victorian Regulations and Qualifications Authority, and also the department. They are the only groups that will have access to that information. There will be offences for any misuse of the student register, which will apply to all students from prep to 24 years of age in an educational institution other than a university.

Since the briefing I have been having a bit of a think about it and wondering why our preschool students, who are part of this department, are not being issued with a number. I do not know whether it has been considered in the stakeholder consultations before, but if we are to have a seamless department and consider education as a continuum from preschool right through, perhaps that number should start to be used in those early years and be kept all the way through. I am not sure where it should start, but I have not heard any arguments for or against that, and I would be interested to know the government's reaction to that.

Finally, this bill deals with a number of statute law revisions which have been requested by the chief

parliamentary counsel. They are just amending duplications within the bill, removing some redundant references and making some corrections to numbering.

That in summary is what this bill is about. As I said, the coalition opposition will be supporting this bill because we think that the main thrusts of this bill, the student number and the register, are good things. They will help in a minor way to keep track of all our students, especially those who fall through the cracks. They are the students who are the most vulnerable in our education system, and we have to keep an eye on where they are, where they are going, why they are dropping out, what can be done and what is the best remedy to get them back on track.

It is just unbelievably ironic and with a beautiful sense of timing that this bill gives the VCAA the authority to administer the national testing program in the very week when teachers in all education sectors have announced that they will not administer that testing. Here we are having this debate the day before the minister has to shamefacedly face her colleagues from other states and say, 'We are not in it because we are not going to budge on salaries for our teachers'. It is beautiful timing and a very powerful message. I think national testing and national standards are good. They need to be embraced. Unfortunately the way it looks — unless there is a big change of heart by this government and it follows our leadership in terms of teachers salaries — we will not get a true indication this year of how our students in Victorian schools match up with students in other states. I wish the bill a speedy passage.

Mr HERBERT (Eltham) — It is a pleasure to speak on the Education and Training Reform Amendment Bill 2008. Before I start I would like to comment on a couple of things that the previous speaker, the member for Nepean, said. I know that he genuinely has a great interest in education and great compassion for our schools and that he wants to make sure that they are recognised for the great things they do. For that reason it is quite disappointing to hear from him the constant mantra that runs down our schools. That mantra seems to portray badly Victorian schools that we know are the best in the country, our teachers who we know are the best in the country and our outcomes that we know are the best in the country. I think it is about time the opposition changed its mantra and started supporting our schools and recognising the excellence in them instead of running them down and rubbishing them. It is time it said some nice words about them and acknowledged the great work they are doing.

Honourable members interjecting.

The ACTING SPEAKER (Mr Ingram) — Order! Members of the opposition know that the member for Nepean was given the chance to speak with reasonable clarity without interjection. I encourage the member for Eltham to speak through the Chair.

Mr HERBERT — I will speak through the Chair. As I said, I hope the opposition will take heed of this and support education in this state instead of constantly running it down.

This bill is an important piece of legislation. It comes at a time of unprecedented attention to improving our education system. As I have said, our education system is good, but we need to improve its outcomes. This legislation has arrived at a time when the government has just presented to the community a blueprint which outlines a five-year reform agenda. The agenda for the first time focuses early childhood and education around a comprehensive continuum of zero to 8-year-old early childhood foundation learning, 8 to 16-year-old middle years development and learning and 16-year-old-plus education for those important years of youth transition. There is one comprehensive approach to education from zero to adulthood.

This legislation has been introduced at a time when systemic reform will deliver better workforce outcomes, when there is a greater capacity for the system to intervene in failing schools and when greater partnerships with parents and the community has become the norm and not the exception.

The central point of the government's reform package is to ensure smoother transition points, to ensure that the gap between high-achieving students and low-achieving students is reduced, and to do that within the context of lifting the outcomes of all young people and all schools. It is an ambitious task and aim, but it is one that the government is clearly focused on and determined to achieve. To achieve this we need to ensure a better consistency of early childhood education. We need an evaluation process which gives real information about student progress and provides a greater capacity to identify and intervene quickly when students drop off the education wagon. This bill helps to achieve all of those aims.

The amendments in the bill will ensure that the Victorian Curriculum Assessment Authority has the capacity to develop policies of, criteria for and standards for learning and development in early childhood. We will ensure that the VCAA can develop standards relating to measuring and reporting early childhood development. We will ensure that the VCAA

can, for the first time, make information about early childhood development available to the public.

All members of this house know that there is a growing body of research and evidence that shows that what students learn and the experiences of children in kindergarten have a remarkable influence on how students achieve at schools and their reading and writing results in the early years. The VCAA will also take on the role of testing Victorian primary and secondary students to augment the national literacy and numeracy testing arrangements which have been agreed to by the states, territories and commonwealth government. This bill will ensure that national testing and the reporting of it will go ahead. The bill also confirms the power of the VCAA to assess against national standards. It ensures that the reporting of results can be provided to national bodies with the approval of the Minister for Education.

As we have heard, the introduction of Victorian student numbers is a critical component of the bill. The number will be a unique student identifier to be assigned to and used by all students up to the age of 24 who are enrolled in all schools or attend vocational education and training providers other than universities. A number will also be assigned to homeschoolers — that is a very important point. To support this initiative the Victorian student register will be established. For each student the register will store minimum information which is necessary to identify a student's enrolment history.

There has been a fair bit of comment about this student identifier, but clearly the government is committed to having 90 per cent of students attending schools and completing year 12 or its equivalent by the year 2010. That is an ambitious task; it is one that requires the better tracking of students than at present to make sure that that target can be reached and that we can intervene where necessary.

The member for Nepean asked which students will have a student number. I can assure the member that all students will have a number, whether they are students with a disability, students who attend a special school, any other school or, as I have said, a homeschool. They will all have a student identifying number and will be on a roll.

Given the various debates about identity numbers and student numbers, it is important that there are a number of provisions in the bill which protect student privacy and the use of student numbers. The register is not intended to be a repository or aggregation point for other student information such as academic

achievements and outcomes or health or welfare information. Proposed section 5.3A.9 of the bill provides that only a small number of persons and bodies may be authorised by the Secretary of the Department of Education and Early Childhood Development to access, use or disclose a Victorian student number and related information. The relevant persons or bodies are restricted to those entities or persons who require access to personal student information in order to fulfil their functions and/or duties. Who are they?

The Victorian Curriculum and Assessment Authority will have access; the Victorian Registration and Qualification Authority (VRQA) will have access; education and training providers will have access in terms of what information they require for enrolling students; and Department of Education and Early Childhood Development employees whose duties include analysis and evaluation of information related to students will have access to that information. The group of authorised people and entities is deliberately circumscribed and may only be changed by way of a legislative amendment. Not only are there limitations on the people and bodies authorised to access information, there are also significant restrictions on the potential uses to which a Victorian student number and related information may be put.

It is clear that this initiative enjoys widespread support in both the education system and the school system as well as in other sectors. It is important to answer one of the questions asked by the member for Nepean about the resources that will go into ensuring that the student number register is effective. The pilot for the student number register will probably happen later this year, with a planned rollout in March 2009 in government schools. It will then be rolled out to Catholic schools, to the independent sector, to the vocational education and training sector and to the Adult and Community Education sector. Despite the queries we heard from the member for Nepean, clearly the government is conscious of the need not to place further burdens on schools or on other systems in terms of the implementation of the student number initiative, and so resources will be made available to support that introduction. They will be made available to support the central register, although I am told this will be only a small cost of the system. Importantly, funds and resources will be made available for the integration of administration systems and to ensure smooth interaction with the student register. Home schoolers will receive their student numbers and be administered through the VRQA.

This is a great initiative. It is one that comes in the context of the government's attempts to reform the system to ensure that no student gets left behind, to ensure that schools that need extra assistance can receive that assistance and to ensure that students who drop out of the system can be identified and brought back in. It is within the clear context of what we know — that is, that educational outcomes are one of the central focal points for people's quality of life later on.

Honourable members interjecting.

Mr HERBERT — Despite the interjections from across the house, this initiative certainly has the support of all parties here. It will be welcomed by the education community, and it will show real results for students in this state.

Mr NORTHE (Morwell) — It gives me great pleasure to speak on the Education and Training Reform Amendment Bill 2008. The purpose of the bill is to amend the Education and Training Reform Act 2006 to provide a legislative framework for the establishment and maintenance of a Victorian student register. The purpose of the student register is to assist in the government's quest to have a 90 per cent school completion rate, and it will make it more difficult for students to slip through the cracks after dropping out.

The main purpose of this particular bill, as I just stated, is to provide for students to be allocated with a Victorian student number. It will be a unique student identifier, and it will apply to students from primary school age through to the age of 24. From the outset I must commend the member for Nepean for his succinct and concise contribution to this debate on both the positive aspects of the bill and also some areas of concern. Of course the bill will also establish and provide for the maintenance of the student register, and it will enable the chief executive officer of the Victorian Curriculum and Assessment Authority (VCAA) to issue reprimands to students in relation to minor breaches of the examination rules.

That is a very pertinent point, and it allows some flexibility so that the chief executive officer of the Victorian Curriculum and Assessment Authority (VCAA) can apply more meaningful measures to those who may digress. The bill also makes changes to the function of the VCAA relating to early childhood development and the testing of students. It makes other amendments to improve the operation of the Education and Training Reform Act 2006.

As the member for Nepean outlined in his contribution, national literacy and numeracy testing across years 3, 5, 7 and 9 are imminent in May and, as the member for Nepean also outlined very well, unfortunately teachers may not be available to issue those exams. While national testing is very important, it outlines the teachers' perspective on where they sit with the government at the moment in relation to their pay dispute. A very strong message is being sent to the government in that regard.

Another area of concern is how well the government's on-contract policy will work, given the primary purpose of the student register is to boost retention rates. I have some reservations regarding the practical measures of the Victorian student number. I understand the concept and the intent, which is quite noble, but I am concerned about how this will operate practically. We know it is to monitor students who may potentially drop out of education, but how will that be followed up afterwards? Will there be a phone call to parents or a phone call to the students? What will be the period from when it is noted that a student is no longer within the system until he or she is followed up? All these measures create some concern.

We know the intent is that this will be rolled out across government schools by 2009 and in ensuing years across non-government schools and other education facilities. It is still some years before we actually have this consolidated identification number across the board for all our students to enable us to monitor this in a meaningful way. The member for Nepean took the words out of my mouth when he asked the question about children going to specialist schools and those with disabilities. He wanted to know whether they will have a student number. I am interested in the government's response to that.

Mr Walsh interjected.

Mr NORTHE — The member for Swan Hill is raising my next question. We know the unique student identifier number will stick with the student should they transfer to another school. One of the issues we have at the moment in the Victorian education system is that with a student with a disability or with special needs who may be eligible for funding, the onus is on the school to apply for funding for the student. I see a good opportunity for the funding to stick with the student, much in the same way that as the student identifier number would follow the student in the event that student transfers to another school in Victoria. I will be interested to see how that happens.

I am pleased that the government has picked up on some of the opposition's policies regarding preschool coming under the banner of the education department. That is important. One of the things I want to mention was that the intent of the bill is to ensure that students are tracked through the system so that we try and retain them in the education system.

I was pleased that a member for Eastern Victoria Region, Peter Hall in the other place, instigated an inquiry for the Education and Training Committee to investigate the geographical differences in the rate at which Victorian students participate in higher education. I believe The Nationals and the Liberal Party have been proactive in this regard and have realised there is an issue, particularly in country areas, where students are not going to university and staying within the education system.

The statistics show quite clearly that if you live and go to school in country Victoria, you are less likely than a student who lives and studies in Melbourne to go on to study at university or undertake other forms of higher education. There is no reason — or no genetic reason, I suppose — for this difference. There is no suggestion that country students are less intelligent than city students; that is not the case at all. The evidence strongly suggests that where students and their families live, as well as a whole range of associated factors like socioeconomic level, influences educational outcomes. Having said that, I do not mean to say that university education is the be-all and end-all, but it is important that country students have the opportunity to stay in the education system at a higher level.

Over the last five years we have seen the percentage of country students who enrol in a university course after completing year 12 fall by approximately 4 per cent. In some regions of the Western District, the Ovens and the Murray, the decline is somewhere in the vicinity of 20 per cent. By contrast, Melbourne has seen an increase of 15 per cent. Over this time the percentage of students who drop out of higher education has increased in country Victoria, whereas in Melbourne it is decreasing. There is something there, and hopefully some good results will come out of the work of the committee.

I will make a couple of other points. I mentioned the fact that kindergartens will now be part of the Department of Education and Early Childhood Development. That is a really sensible and proactive response. I have the same concern that the member for Nepean outlined — that is, why kindergarten students will not have a student identifier number. I will be interested to hear the government's response to that.

Regarding education more generally, it is important to note that the government has had an ongoing dispute with the teaching fraternity. The coalition has outlined its position on this — that is, that the lack of parity with other states should be removed. We have put ourselves out there, and we have had great support from teachers on the front line.

It is important that in regional areas our best students want to go on and teach in the education system. It is important that country students have the opportunity to go on to higher education, and university if that is their desire. I am not sure how this piece of legislation will assist in that. I understand the intent of the bill; it will be interesting to see the outcome. The intent is noble, but we have some areas of concern. It will be interesting to see the response of the government and how this unfolds into the future.

Ms GREEN (Yan Yean) — I am delighted to join the debate and speak in support of the Education and Training Reform Amendment Bill. As many members of the Brumby government have articulated in this house, education is the no. 1 priority of our government. As a supporter of public education, I was delighted by one of the Premier's first actions upon taking office — that is, creating the Department of Education and Early Childhood Development. The department shows our support of the educational needs of children from zero to 18. That children's education begins at five years of age has always been an artificial idea, and this Premier really nailed his colours to the mast on that point. I was also pleased when the Premier spoke on his first annual statement of government intention and strongly indicated that education would be a priority for the government this year.

Earlier this week we saw the Minister for Education and the Minister for Children and Early Childhood Development release the blueprint for education. I think we have a great education system and great state schools in this state, but we are in a new century and the system needs to evolve and we need to be dynamic to prepare our children to meet the needs of the 21st century and be resilient in the way they interact. I am really pleased to say that both of my children have been the beneficiaries of a great state education. In fact we are just coming to the end of it because my youngest son is in year 12 at a great state government school, Eltham High School, and I know the member of Eltham is a great supporter of that school. My eldest son works at another government high school. My family has interacted with the education system in a number of ways and we are big fans of it.

This government has invested very strongly in education and in our young people, particularly in my electorate of Yan Yean. I have been pleased to serve on three planning committees for new schools that have been built in my electorate. In particular I draw people's attention to the Mill Park Lakes P-9 School. It is a really groundbreaking school, and educational practitioners are coming from all over the country to look at what this new and innovative school is doing. The second campus of that school is due to open at the start of the third term and will be a prep to year 4 and a year 5 to year 9 school. The opening of the second campus in the middle of the year will include a special development school section.

The bill does not just look at education as a system but looks at each student as unique and having needs. I think we see that on the ground and in action at the wonderful Mill Park Lakes P-9 School. It has doubled its enrolments and now has 500 students in only its second year. It has been a winner of a United Nations environment award, so these kids are doing great things in state education. Also this year the Epping Views Primary School has opened in the wonderful growth corridor in Epping North. It is really important to have schools early on in these growth corridors. They are not just schools; they are an important community facility more broadly and an integral part of the community in a new growth corridor.

Next year we will see Lorimer Primary School open in Doreen, and I have been pleased to serve on its committee. The Northern Metropolitan Institute of TAFE has a number of campuses in my electorate — in Epping, Yan Yean, Eden Park and Greensborough. Not a lot of people understand that NMIT is the largest deliverer of agricultural and horticultural training in this state. Students come from all over the state. Members of The Nationals in particular might be interested in the work that is done in relation to Angus cattle breeding and winemaking. It is also a campus of the Australian College of Wine. Roy Higgins, the famous legend of the racing industry, teaches at the Eden Park campus, and there is also farriery and horticulture. It will be a great link with the wholesale fruit and vegetable market, which is to relocate to Epping. That link with NMIT will be really important.

In the last month I have been pleased to have the minister visit my electorate to open new wings at Yarrambat Primary School and Whittlesea Secondary College. She was very warmly welcomed, given this investment. I have been pleased to see other investments in local schools and have been pleased to open new classrooms at Diamond Creek East Primary School and Epping Primary School. The Epping school

is a longstanding and very well-regarded school. I think it is probably the only school in the state which has the honour of having wings opened in the 19th, 20th and 21st centuries. Epping Primary School is a fantastic school.

Apollo Parkways Primary School is a fantastic school. Regrettably there was a fire there during the school holidays. However, it is a very resilient school, and I am pleased to report that term 2 started on time and the kids, parents and the school community are working to get the school back on its feet.

Business interrupted pursuant to standing orders.

ADJOURNMENT

The ACTING SPEAKER (Mr Nardella) — Order! The question is:

That the house do now adjourn.

Bass Highway, Wonthaggi: upgrade

Mr K. SMITH (Bass) — I wish to raise an issue for the Minister for Roads and Ports. I ask him to intervene in the stand-off between VicRoads and the Bass Coast Shire Council and 60 property owners regarding the Bass Highway upgrade at Wonthaggi. The minister should be aware that there is a proposal to upgrade the entrance to Wonthaggi, which includes the Bass Highway between Lower Powlett Road and Sherwood Court, a distance of approximately a half to three quarters of a kilometre. The total cost of the scheme is estimated by council to be \$2.846 million — with the council contributing \$1.4 million; VicRoads, whose highway it is, contributing \$200 000; and the adjoining and abutting owners contributing the balance.

The residents and property owners are aware that drains have to be installed, and there has to be upgrading of the service road and other upgrading of that area, and they expect to contribute to what is seen as being a direct benefit to them. But it appears that the residential property owners will have to contribute approximately \$9200 each and the businesses in the area will have to pay a minimum of \$35 000 per property, which, I can tell members, will probably break the bank for a number of the property owners.

The road where this is all happening is the Bass Highway, which is not a private road but a state highway. I must say it is a dangerous piece of road, with a single lane in either direction, a small unmade edge that is just pot holes from one end to the other, deep and open channels on each side, and no facility to

allow property owners and business customers to do a right or left-hand turn without creating a dangerous situation.

I have personally seen a number of accidents in this area caused by people turning left or right and being hit from the front or the rear, with multicar crashes being the norm. The minister should be aware that this is a state-owned public highway that VicRoads has a responsibility to upgrade to a standard that allows the highway to take between 8000 and 16 000 cars per day. VicRoads argues that it is only willing to recoat the road, which is not good enough. VicRoads has a responsibility to bring this section of highway — which, as I said, is its highway — up to a safe standard and not force the ratepayers to have to contribute 94 per cent of the total cost of the scheme.

I ask the minister to intervene in this crazy situation and ensure that VicRoads finances this project in a more sustainable way. Former Premier Bracks promised the Bass Coast council \$2 million to upgrade this area when he promised the world to the council, while seeking its support for the desalination plant. A lot of cars will be going down to that area, with the development of the desalination plant. This highway has to be upgraded, but it should not be the total responsibility of the council and the abutting property owners to upgrade a state highway. I ask the minister to step in and do something positive.

Multicultural affairs: Whitehorse Club library

Ms MARSHALL (Forest Hill) — I wish to raise a matter for the attention of the Minister Assisting the Premier on Multicultural Affairs. The action that I seek is for the minister to provide a representative from the Victorian Multicultural Commission (VMC) to attend a meeting with me and with representatives from the Whitehorse Italian club who reside in the electorate of Forest Hill regarding the sourcing of Italian books — that is, books that are written in Italian — for the club's library.

Last month I had the pleasure of meeting with the Anziani — that is, the elderly group — of the Whitehorse Club to present them with a cheque from a Victorian Multicultural Commission grant. These grants provide support to Victoria's culturally and linguistically diverse communities and develop and sustain local community organisations and programs.

The aim of the grants program is to strengthen the capacity of individuals to manage their own affairs, to participate in and influence their local communities and to participate in the benefits available to them as

members of society. The program aims to address the needs of ethnic communities, combat the disadvantages faced by many and promote community cohesion and harmony — and it does. These financial grants have been instrumental in providing support to so many of the community groups in Forest Hill and I have seen firsthand the positive effect they have had.

Members of the Whitehorse Club mentioned to me that they had created a library with Italian books and informed me during that visit of the difficulties they had experienced in obtaining the few that they had and that they were looking for any assistance in acquiring more books and magazines in Italian to cater for the demand they were experiencing.

Every Thursday hundreds of people in the Italian community — not just from the electorate of Forest Hill but also from around the east and south-east — gather at the club to socialise and dance, to play billiards, bocce or cards, and possibly even to paint.

An honourable member interjected.

Ms MARSHALL — Yes, don't mention bocce! We are still trying to find the trophy. They also enjoy a wonderful Italian lunch that is provided. It is on these Thursdays when people can borrow books from the library free of charge. At the moment there are some books available, but a very limited selection, and it is an important service for the Italian community, particularly the senior citizens.

Many members of this community group came to Australia in the 1950s, and whilst at that time they learnt to use and continue to use English, it is really only now that they have retired that they have the time to enjoy a novel, which they do in their native tongue. I am constantly amazed to hear the many stories of the hardship that was endured prior to their arriving on Australian soil. Yet once they set about providing for their family through hard work, they never asked for any handout or for someone else to do any work for them.

It is a very community-minded group. I do not speak much Italian, although I learnt some when I was skiing. The group has built from the ground up the fantastic Whitehorse Club, which is now utilised by many different groups in the eastern suburbs. I congratulate the Anziani president, Nina Nicoletti, for being a driving force behind this fantastic initiative, and I ask that the representative from the VMC meet with me, Nina and the Whitehorse Club secretary.

Sir Murray Bouchier: memorial

Mrs POWELL (Shepparton) — I wish to raise a matter with the Premier regarding the honouring of a past member of the Victorian Legislative Assembly, Brigadier Sir Murray Bouchier, CMG, DSO, VD. The action I seek is for the Premier to consider erecting a statue or plaque in memory of Brigadier Sir Murray Bouchier's many heroic achievements, including his parliamentary service and distinguished service to the nation.

I located much of the information regarding Brigadier Sir Murray Bouchier's achievements from the Bouchier Street Primary School website, the Victorian parliamentary website, locals from the Goulburn Valley, and Major Les Earl, a local war historian. Brigadier Sir Murray Bouchier was a member of the Legislative Assembly, representing the former electorate of Goulburn Valley — now the electorate of Shepparton — from 1920 until he resigned in 1936. He was also the Minister for Agriculture from 1924 to 1927, and served as Deputy Premier and was the Leader of the Country Party from 1933 to 1935. In 1936 Brigadier Sir Murray Bouchier accepted the position of Agent-General for Victoria in England. He was well equipped for the position with his knowledge of the problems of primary production and difficulties faced by primary producers in Victoria at the time.

Prior to his entering state Parliament, Brigadier Sir Murray Bouchier served in the 4th Light Horse regiment at Gallipoli; he led the charge of the Light Horse on Beersheba in World War I in 1917 and was awarded the Distinguished Service Order. In Kaukab in 1918 he led the 4th and the 12th Light Horse regiments in what was to be the last ever cavalry charge, and was awarded the Companion of the Most Distinguished Order of St Michael and St George.

When the war ended Brigadier Sir Murray Bouchier returned to the district to farm at Katandra. He transferred back to the Militia Light Horse, commanding the 5th Cavalry Brigade, a Melbourne headquarter unit. He was a popular leader and was very caring of the returned soldiers and the many problems they faced settling back into life after the war. For his community efforts he was awarded the Volunteer Decoration. Brigadier Sir Murray Bouchier died in London in 1937 of pneumonia. He was knighted posthumously and is buried at the Shepparton Cemetery.

It has been suggested to me that a statue or plaque should be erected in memory of Brigadier Sir Murray Bouchier's many achievements, including his

parliamentary service and service to the nation. As this September marks the 90th anniversary of the cavalry charge at Kaukab, which was led by Brigadier Sir Murray Bouchier, it was thought that this would be a fitting time to unveil a statue or plaque detailing his and his regiment's achievements.

I urge the Premier to consider Brigadier Sir Murray Bouchier's outstanding service to this state, to the Victorian Parliament and to this nation by erecting a permanent fitting reminder, such as a statue or plaque, so that future generations can appreciate Brigadier Sir Murray Bouchier's many outstanding achievements and remarkable courage. The Australian film *The Lighthorseman* depicts the charge of the Light Brigade, and the Australian actor Tony Bonner plays Brigadier Murray Bouchier. So as you can see, he is seen as a very important part of Australia's history.

Consumer affairs: retail credit

Ms CAMPBELL (Pascoe Vale) — I raise a matter for the attention of the Minister for Consumer Affairs and the action I seek is that he thoroughly examine the practices of credit lenders at retail outlets, particularly Harvey Norman, with the purpose of ensuring transparency of true costs including contractual fees and the percentage interest rate.

Credit providers are not philanthropic charities and they should be stopped from masquerading as such. Harvey Norman credit providers are failing to perform credit checks on customers, preferring to simply hand over retail goods and a finance contract that is likely to become a millstone around the neck of the unsuspecting. Consumers deserve clarity, plain English and transparency of interest rates after any no-interest period has terminated, and to be notified of any kickback or commissions paid to credit lenders. Finally, retail staff should be explaining verbally and in writing what is going on. Often customers are not verbally informed about the overall price of goods, nor the specific details of the contractual agreement. This unethical practice results in customers being deceived into paying an amount for goods that is way beyond their retail price, or their own capacity to pay.

Customers in retail outlets, particularly Harvey Norman, who would be unable to purchase goods based upon their credit rating, are being sold goods with exorbitant contractual and interest fees, and I am advised those are often nearing 29 per cent to 34 per cent. Many customers who enter into such agreements are often vulnerable to that type of store finance. They are often low-income earners who are seeking new goods immediately. Such customers often fail to realise

that there are alternative finance options that could save them a great deal of money and provide the product they are after.

Banks and credit companies are not taking responsibility for selling credit to those who cannot afford it. Ironically, different departments of the same credit company that provides the service at one of our major retail outlets can be considering the one case at the same time; the hardship department can be considering a case and right beside it the marketing department can be offering the same customer the opportunity to increase their credit limits. Furthermore, companies are also offering loans to individuals already suffering from multiple debts.

Clearly the lending practices of credit companies and the store policies of Harvey Norman need to be closely examined to ensure that customers who have previous debts and bad credit ratings are prohibited from purchasing goods under such contractual arrangements for which, if the credit checks had occurred, they would be clearly ineligible. I reiterate my request that the minister thoroughly examine the practice of credit lenders in retail stores and insist that they transparently advertise all fees and all percentages.

Housing: Yarra Ranges

Mrs FYFFE (Evelyn) — My request for action is to the Minister for Local Government, who is also the Minister for Housing. Like many areas, Yarra Ranges is experiencing a housing rental shortage and difficulties, but it seems to be escalating at the moment. Over the last 10 days my office has been approached by several constituents, and I will highlight just a few. There is Steve Siddle, who has been living in a bungalow at the back of a property in Lilydale for two years. His neighbours are happy he is there, the landlord has no objection and the property manager, Mark Walton of Methven's professional real estate in Mooroolbark, says that Mr Siddle is an excellent tenant. This is not the first time a tenant, who is living in a bungalow, has been ordered out by council. The council has demanded that the property be vacated because the bungalow must only be used for a dependent-family person. I understand from a council employee that more people may be given notices to vacate.

We have a mother who has just given birth to her sixth child and who has been trying to find a house to rent for six months. The owner of the property she has been in has given fair eviction notices and has bent over backwards to keep extending the time, but he must have the property vacated. Her husband works, so they are not on a priority list.

Susan is a mother with a 16-year-old son at high school currently beginning the Victorian certificate of education, and she has a 22-year-old daughter who has cystic fibrosis and is confined to a wheelchair. They have carers coming in every day. Susan is facing eviction on Friday. Her 22-year-old daughter will be placed in respite care, and that will only last from Friday until next Wednesday. Susan and her son are going to be placed in a local motel because there is nowhere else for them to go.

Simone is going to be evicted on 25 April. Her husband is unemployed, and they have a special-needs daughter who goes to Mount Evelyn Special Development School. Their rent has recently gone up from \$270 a week to \$330 a week, which is beyond their means. Local agencies, Anchor and Wesley, are having great trouble in finding emergency and short-stay places for these people to stay.

My request of the minister is that he come out to the Yarra Ranges and have a meeting with the local council and all the various agencies to see how we can work through this crisis. We are facing winter and cold nights, and many of these people who come from a wide range of backgrounds are going to be facing homelessness. We do not have enough transient accommodation or emergency accommodation, and the money to put people up in motels is drying up. We will again have mothers with children sleeping in cars in the Yarra Ranges and I ask the minister to come out and talk to us.

Cardinia: music equipment funding

Ms LOBATO (Gembrook) — I raise a matter for the Minister for Sport, Recreation and Youth Affairs. The action I seek is his support for what I believe is a meritorious application submitted by Cardinia shire for funding through the music equipment grants program. Cardinia Shire Council has requested \$10 000 to purchase a bank of equipment that can be used by young people for community events and performances. The proposal includes the establishment of a committee of young people to develop hiring procedures for the equipment.

Mr K. Smith interjected.

The ACTING SPEAKER (Mr Nardella) — Order! The member for Bass is out of his seat.

Ms LOBATO — The minister would be aware that the municipality of Cardinia, which includes fast-growing areas such as Pakenham and Beaconsfield, is experiencing a population growth of over 5 per cent

per year. The proportion of youth is very high, with 12 to 17-year-olds comprising over 10 per cent of the population, compared to 7.8 per cent for Melbourne as a whole. This age group has particular needs for local recreation opportunities and activities that enable them to develop skills and to socialise with their peers in the local community, rather than having to travel further afield.

The opportunities presented by the music equipment grants program would provide tremendous assistance to the council and community organisations as they endeavour to cater for the needs of a burgeoning youth population. The minister is well aware of the needs of youth in Cardinia, as he is no stranger to the shire, having visited on many occasions mostly to announce various sporting grants, large and small, to many grateful communities. The minister understands the importance of sport, particularly within small communities, and his support for them is appreciated. On numerous occasions the minister has also met with councillors and staff of Cardinia shire to learn about the challenges faced by the shire in keeping up with the demand for sporting facilities which are not keeping pace with the population growth in the growth corridor.

While we accept, acknowledge and will deliver for the demand of sporting facilities, we must not forget about the youth who do not participate in sport and those who do not engage in much at all. In our low socioeconomic townships within the shire, services must be provided for all groups, not just those with the largest population. The needs of youth in the Cardinia shire demand attention by all levels of government, and all townships and suburbs must be treated as equally important. I have been working on a project that when achieved will result in currently unmet needs of some youth and other community members in Cockatoo being realised. I look forward to gaining the support of the Cardinia shire, as partnerships are the only way to deliver meaningful projects.

In conclusion I give my strong support to this funding application by the Cardinia Shire Council and ask the minister to consider the many benefits for the young people in Cardinia that this funding will provide.

Emergency Services Telecommunications Authority: funding

Mr BLACKWOOD (Narracan) — I call on the Minister for Police and Emergency Services to immediately fund the staffing of the Emergency Services Telecommunications Authority in Ballarat. This facility was ready to be commissioned back in September 2007 but has been sitting idle waiting for the

minister to provide the funds required to enable the centre to be manned. This facility was designed specifically to relieve the pressure that regional D24 units are struggling to handle. In particular, stations like the Moe police station have been really put under the pump trying to maintain staffing for the D24 unit located in the station whilst constantly faced with unfilled vacancies of 12 or more every day.

Officers in charge are forever pulling in front-line police to cover these gaps, which is certainly compromising community safety. Police who should be maintaining a presence in the broader community are having to fill these administrative positions on the communications roster. Police are being seconded from nearby stations at Morwell and Traralgon to fill these positions, once again shifting the priority away from a public police presence. Of great concern is that over a three-week roster period six positions have to be filled by members of the traffic management unit (TMU), which is completely compromising the critical role the TMU carries out on our local roads and streets.

When the D24 unit was transferred from Morwell to Moe the equipment was transferred but the necessary staffing levels were not made available and Moe police were expected to cover the extra workload. The minister must recognise this situation as critical in terms of a lack of police resources being provided to force command to enable Moe D24 to be staffed appropriately without compromising the ability of our local police to maintain the public presence the community of Moe and district is entitled to expect. Right through Gippsland we have a police force that the community is extremely proud of, but the community is becoming increasingly concerned about the rising crime rate and the growth in population.

I call on the minister to take action immediately and get the new emergency services telecommunications facility up and running. The priority of relocating the responsibilities of the Moe D24 unit to Ballarat must be considered urgent. This action is critical in terms of returning Moe, Morwell and Traralgon police officers to proactive policing and relieving some of the stress being suffered by the hardworking, dedicated men and women of the Victorian police force in the Latrobe Valley.

Geelong: early childhood development and school reform

Mr TREZISE (Geelong) — I raise an issue for tonight's adjournment with the Minister for Children and Early Childhood Development. The issue I raise with the minister relates to ensuring that parents,

teachers and other stakeholders in Geelong preschools in my electorate and the wider Geelong region are given a real opportunity to speak firsthand with the minister in relation to the Blueprint for Early Childhood Development and School Reform.

As I have noted in the past in this house, Geelong is blessed with a number of quality kindergartens, which are staffed by quality teachers. I endeavour to meet with staff at each of these kinders on an annual basis, and as a matter of fact next Wednesday, 23 April, I will be meeting with the Geelong Kindergarten Association following its annual general meeting. I know the association will be very interested in meeting with the minister at this time. In addition, I know the Breakwater kindergarten would also be very interested in meeting with the minister to discuss the future as proposed in the blueprint. So the action I seek is for the minister to meet with the Breakwater kindergarten and other interested groups to discuss not only their ideas but also those contained in the recently released blueprint.

In seeking this action from the minister I take the opportunity to congratulate her and also the Minister for Education on their Blueprint for Early Childhood Development and School Reform. On 5 February, as you are aware, Acting Speaker, the Premier, in the annual statement of government intentions, set out the government's proposal in this important area of education. The document states:

The government's goal is to build a cohesive education system that ensures smooth transitions through each phase of early development and school education.

I know in principle that the kinders in the Geelong area would support this goal, and in fact they would also support the first step of creating a new department, the Department of Education and Early Childhood Development. In saying that, I am also well aware that kinders, including the Breakwater kindergarten and those of the Geelong Kindergarten Association, also have their own ideas, initiatives and perhaps even concerns with some of the initiatives within the government's blueprint. I know that after meeting with the people at kinders such as Breakwater the minister will come away far more informed, as of course will the kindergartens, their teachers and parents. So I look forward to meeting with the minister and the kinders some time in the future in my electorate of Geelong.

Campaspe: Kids — Go for Your Life program

Mr WELLER (Rodney) — I wish to raise a matter for the attention of the Minister for Health. The action I require is that the minister review the funding arrangements of the Kids — Go for Your Life program.

The Shire of Campaspe was one of 10 municipalities that took on the project two years ago after the government decided to evaluate the potential of the program by targeting schools in specific local government areas. Since then local schools, kindergartens, child-care and family day care centres have actively worked towards establishing the Kids — Go for Your Life initiative, with assistance from the local shire.

The 26 services currently participating in the program in the Campaspe shire, including 13 primary schools, illustrate the level of interest that has been created with local support. It has taken two years of hard work and persistence by staff at Campaspe shire to build those partnerships and develop a working relationship with the facilities through which the program is run, and their labours are beginning to pay dividends. Those working closely with the project say that with local contact and support, schools in the region are beginning to develop confidence in the program, and the children themselves are reaping the rewards of a healthier and more active lifestyle.

All this would be very good except for the fact that the state government recently decided to shift the focus of the program. Instead of continuing the current program arrangements, as originally planned, the project's overseers have decided to expand the program to the entire state. This will leave local groups, such as those within the Campaspe shire, with little funding and even less support.

Under the plan the Campaspe Shire Council, which has worked hard to build the program in its rural communities, will no longer have funding to continue the project. Instead, from June this year funding will be allocated to individual agencies. This has been a very disappointing decision, as a further 12 months of funding would have provided the Campaspe shire with an opportunity to embed sustainable strategies to ensure the local support of member services. It is also concerning that no consideration has been given to the planning, implementation or evaluation of the current program. In fact no evaluation model to determine the success of the current strategies has been established. The abrupt decision has ended two years of hard work by the Campaspe shire and the other nine municipalities that took up the initiative.

I ask the minister to review this decision, because the discontinuation of funding will not only leave a gap in local services but I believe will also reduce the confidence and preparedness of early childhood services and primary schools to participate in future projects of this nature. At the 2006 election Labor said

it was committed to achieving a healthy and active Victoria by meeting the needs of families, wherever they live. By taking this program out of local government hands the government is taking away that chance for children in the shire of Campaspe. The cessation of this project does not support the stated government approach of 'improving outcomes for young children'. Instead it is likely to have an adverse impact on local capacity.

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

Casey: maternal and child health

Mr DONNELLAN (Narre Warren North) — My matter is for the Minister for Children and Early Childhood Development. The action I seek is for the minister and the department to ensure that the City of Casey is fully meeting the requirements of its maternal and child health (MCH) service agreement. The Victorian MCH service is a fantastic service for all parents which provides free health and developmental checks for children at all key stages up to three and a half years of age. These checks are vital in identifying children who have possible developmental delays or disabilities so that families can access support services before their children get to school or kindergarten. Since we came to government, the average attendance rates of these visits have increased massively.

However, I am most concerned about the situation in the city of Casey. Recently I was informed by the Berwick-Pakenham breastfeeders association that the city of Casey had the worst rate of breastfeeding in Victoria. Further, the reasoning for this low breastfeeding rate, according to the association, is that the City of Casey refuses to allow MCH nurses to liaise directly with hospital staff for at-risk discharges. As such, some mothers are left to their own devices without interim support, and when they finally get to meet a MCH nurse at Casey they are encouraged by management and nurses to go onto formula. Further still, the only training provided to MCH nurses at the city of Casey are the promotional events put on by drug companies and formula providers.

Let me be very clear on this issue: I do not blame the nurses at all; it is the fault of management, which has been assiduous in avoiding its responsibilities to take action to fix this disgraceful mess. For a council that spends its whole time telling people how many young children it has in the municipality, it has done very little to address this service deficiency. Figures recently put forward in the Community Indicators Victoria wellbeing report for 2005–06 identified Casey's

participation rate at 28.9 per cent for children up to three and a half years of age. This is the worst participation rate in the whole of Victoria. It is a disgrace.

Recently the council also introduced parents evaluation of developmental status forms. These forms were introduced by the City of Casey in contravention of departmental advice. These required parents to undertake assessments of their children's development because the council simply refused to have nurses visit or have children older than 12 months come in and visit nurses. This is in contravention of the agreement we have with the City of Casey. We pay it to do these tests on children up to three and a half years of age, but this council has defied the department and has simply not done the tests. It thinks it is all right to have children who do not have these checks done properly and to underfund and underservice the agreement. When we had a consultant go in to look at the service, she was bullied while she was there. It is a disgrace.

Responses

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — The member for Gembrook raised an application by Cardinia Shire Council to the music equipment grants program, and I begin by saying that the member for Gembrook is constantly advocating projects and issues of concern to young people in her electorate, no matter where they live. The music equipment grants program is an initiative which will play a strong role in supporting Victoria's young musicians. The grants are part of Victoria Rocks, a partnership with the Office of Youth, Arts Victoria and Tourism Victoria, aimed at supporting musicians of all ages. The youth component of the program will invest \$1.3 million to give young people under 26 years access to music equipment to support skill development and encourage participation in the music industry.

The grants of up to \$10 000 will be provided to local governments that will then make the equipment available to young people in their area. Importantly, young people have to be involved in all stages of the process. This means that more young people in the community can have access to musical equipment. They can choose to spend the funding on whatever they most need in their local communities, from CD recordings or mixing equipment to portable staging and public address systems, and of course musical instruments. It will also be aligned with the Victoria Rocks — A Place to Rock initiative, which will encourage the organisations involved to also identify community venues and public halls for use by young people for rehearsals and for staging music events,

which is the next and important stage in their development.

This is the first round of the program, and already there has been a fantastic level of interest from youth groups, community groups and councils. I will take into consideration the member for Gembrook's strong support for Cardinia Shire Council's application.

The member for Forest Hill requested that the chair of the Victorian Multicultural Commission, George Lekakis, meet with the Whitehorse Club to discuss potential avenues of funding. The Brumby government takes great pride in our harmonious, tolerant and multicultural society. We must do all we can to promote and foster the special diversity we have in Victoria.

One of the many ways we support our ethnic communities is through our community grants program, a program which delivered \$3.6 million in funding to more than 1600 organisations in the last financial year alone. These grants include organisational support grants, senior citizens grants, building and facility improvement grants, educational program grants, multicultural festival and events grants and strengthening multicultural communities grants. These multicultural grants provide our communities with the opportunity to come together to celebrate our diverse culture, history and traditions. Through the Brumby government's investment we are supporting a wide range of multicultural community groups throughout metropolitan Melbourne and regional Victoria, and this funding reflects our commitment to cater for the evolving needs of our diverse and growing population.

It is also important to note that this Labor government has increased funding for the Victorian Multicultural Commission's community grants program to \$4 million. That is an increase of 500 per cent since 1999, when funding was \$750 000. I will be happy to ensure that the chair of the multicultural commission meets with the Whitehorse Club. I thank the member for Forest Hill for raising this issue. I wish the Whitehorse Club well, and I look forward to continuing to work closely with the member for Forest Hill. I also look forward to the outcome of the meeting between the chair of the multicultural commission and the Whitehorse Club.

Ms MORAND (Minister for Children and Early Childhood Development) — Firstly, I would be pleased to accept an invitation from the member for Geelong — who has had a longstanding interest in his community, particularly on issues concerning kindergartens and

young families — to visit Geelong and meet with the Geelong Kindergarten Association and visit the Breakwater kindergarten. I will be keen to discuss with them the Blueprint for Early Childhood Development and School Reform, which was released at the beginning of last week and which has already created a lot of interest and excitement. I will be pleased to have the opportunity to directly consult with them on their response to the blueprint.

I thank the member for Narre Warren North for raising with me the issue of maternal and child health services in his electorate. I know he has a passionate interest in services for young families in his electorate, particularly maternal and child health services for the many young families in the city of Casey. Early childhood development is a key priority for the Brumby government, and this includes the delivery of high-quality maternal and child health services. The city of Casey has experienced a baby boom over recent years. In fact there has been a 33 per cent increase in the number of births in that municipality in the last seven years, and there were 3784 births in the 2006–07 year.

Due to performance issues, the Department of Education and Early Childhood Development has worked with the council to improve its maternal and child health services, including participation rates and nurse recruitment and retention strategies. An advisory group, chaired by the mayor of the City of Casey and including representatives from the Department of Education and Early Childhood Development, Southern Health, the Queen Elizabeth Centre and Casey City Council, has been established to assist the implementation process. This group should be meeting monthly in 2008 and will oversee the implementation of the recommendations. I have been advised that progress has been made in implementing the recommendations from the review. However, the department will continue to monitor the status of the recommendations and the performance of the service to ensure it meets the high maternal and child health program standards expected by the community.

Mr K. Smith — On a point of order, Acting Speaker — —

The ACTING SPEAKER (Mr Nardella) — Order! The member for Bass on a point of order, as long as it is not frivolous.

Mr K. Smith — There are two ministers in the house this evening. They have answered Dorothy Dixier questions that have obviously been fed to them, because they were reading the answers.

The ACTING SPEAKER (Mr Nardella) — Order! What is the member's point of order?

Mr K. Smith — The point of order is that it is an absolute disgrace that there are only two ministers — —

The ACTING SPEAKER (Mr Nardella) — Order! There is no point of order.

Mr K. Smith interjected.

The ACTING SPEAKER (Mr Nardella) — Order! There is no point of order. I ask the honourable member — —

Mr K. Smith interjected.

The ACTING SPEAKER (Mr Nardella) — Order! There is no point of order. I seek the assistance of the honourable member for Bass in sitting down.

Mr K. Smith — You should not allow them to get away with it, Acting Speaker.

The ACTING SPEAKER (Mr Nardella) — Order! The honourable minister, to respond to the remaining matters raised by honourable members.

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — The member for Bass raised a matter for the Minister for Roads and Ports.

The member for Shepparton raised a matter for the Premier.

The member for Pascoe Vale raised a matter for the Minister for Consumer Affairs.

The member for Evelyn raised a matter for the Minister for Local Government and Minister for Housing.

The member for Narracan raised a matter for the Minister for Police and Emergency Services.

The member for Rodney raised a matter for the Minister for Health in regard to the Go for Your Life program, which I have some involvement with as Minister for Sport, Recreation and Youth Affairs. The Go for Your Life — —

An honourable member — You've put on weight.

Mr MERLINO — Have I? I am doing the Premier's active families challenge, so I hope I have lost weight.

The Go for Your Life program is a very successful program. It is all about getting Victorians off the couch

and pursuing more active lifestyles and healthy eating and the like. We have allocated \$57.5 million over four years for a variety of Go for Your Life initiatives. The program is about achieving positive behaviour change by promoting community awareness, providing support in key community-based settings and creating environments that support healthy choices. It has been quite successful within the Sport and Recreation portfolio, with our expanded Ride 2 School program, the bike shed seeding grants, and the Premier's active families challenge, which is all about doing half an hour of activity each day for 30 days.

We have had an incredible response across the state. It is all about changing behaviour in the long term, not just about the event. More than 28 000 individuals are taking part in the Premier's active families challenge, which concludes at the end of this week. The matter the member raised relates to the Go for Your Life initiative and the responsibility of the Minister for Health. I will raise this matter for the Minister for Health to respond to the member.

The ACTING SPEAKER (Mr Nardella) —
Order! The house is now adjourned.

House adjourned 10.38 p.m.