

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Wednesday, 25 June 2008

(Extract from book 9)

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By authority of the Victorian Government Printer

The Governor

Professor DAVID de KRETZER, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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Minister for Community Development and Minister for Energy and Resources	The Hon. P. Batchelor, MP
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Minister for Mental Health, Minister for Community Services and Minister for Senior Victorians	The Hon. L. M. Neville, MP
Minister for Roads and Ports	The Hon. T. H. Pallas, MP
Minister for Education	The Hon. B. J. Pike, MP
Minister for Gaming, Minister for Consumer Affairs and Minister Assisting the Premier on Veterans' Affairs	The Hon. A. G. Robinson, MP
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Minister for Housing, Minister for Local Government and Minister for Aboriginal Affairs	The Hon. R. W. Wynne, MP
Cabinet Secretary	Mr A. G. Lupton, MP

Legislative Assembly committees

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

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

Joint committees

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

Drugs and Crime Prevention Committee — (*Assembly*): Ms Beattie, Mr Delahunty, Mrs Maddigan and Mr Morris. (*Council*): Mrs Coote, 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 P. Davis and Mr Somyurek.

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

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

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

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

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

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

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

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

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

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Dr S. O'Kane

MEMBERS OF THE LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT — FIRST SESSION

Speaker: The Hon. JENNY LINDELL

Deputy Speaker: Ms A. P. BARKER

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

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The Hon. J. M. BRUMBY (from 30 July 2007)

The Hon. S. P. BRACKS (to 30 July 2007)

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. R. J. HULLS (from 30 July 2007)

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

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Mr E. N. BAILLIEU

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

The Hon. LOUISE ASHER

Leader of The Nationals:

Mr P. J. RYAN

Deputy Leader of The Nationals:

Mr P. L. WALSH

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	Lindell, Ms Jennifer Margaret	Carrum	ALP
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Asher, Ms Louise	Brighton	LP	Lupton, Mr Anthony Gerard	Prahran	ALP
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Blackwood, Mr Gary John	Narracan	LP	Morand, Ms Maxine Veronica	Mount Waverley	ALP
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Brumby, Mr John Mansfield	Broadmeadows	ALP	Munt, Ms Janice Ruth	Mordialloc	ALP
Burgess, Mr Neale Ronald	Hastings	LP	Napthine, Dr Denis Vincent	South-West Coast	LP
Cameron, Mr Robert Graham	Bendigo West	ALP	Nardella, Mr Donato Antonio	Melton	ALP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Carli, Mr Carlo Domenico	Brunswick	ALP	Noonan, Wade Mathew ⁵	Williamstown	ALP
Clark, Mr Robert William	Box Hill	LP	Northe, Mr Russell John	Morwell	Nats
Crisp, Mr Peter Laurence	Mildura	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
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Duncan, Ms Joanne Therese	Macedon	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
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Helper, Mr Jochen	Ripon	ALP	Stensholt, Mr Robert Einar	Burwood	ALP
Herbert, Mr Steven Ralph	Eltham	ALP	Sykes, Dr William Everett	Benalla	Nats
Hodgett, Mr David John	Kilsyth	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
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Hudson, Mr Robert John	Bentleigh	ALP	Tilley, Mr William John	Benambra	LP
Hulls, Mr Rob Justin	Niddrie	ALP	Treize, Mr Ian Douglas	Geelong	ALP
Ingram, Mr Craig	Gippsland East	Ind	Victoria, Mrs Heidi	Bayswater	LP
Jasper, Mr Kenneth Stephen	Murray Valley	Nats	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kairouz, Ms Marlene ⁴	Kororoit	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Kosky, Ms Lynne Janice	Altona	ALP	Weller, Mr Paul	Rodney	Nats
Kotsiras, Mr Nicholas	Bulleen	LP	Wells, Mr Kimberley Arthur	Scoresby	LP
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Woodridge, Ms Mary Louise Newling	Doncaster	LP
Languiller, Mr Telmo Ramon	Derrimut	ALP	Wynne, Mr Richard William	Richmond	ALP
Lim, Mr Muy Hong	Clayton	ALP			

¹ Resigned 6 August 2007

² Elected 15 September 2007

⁴ Elected 28 June 2008

⁵ Elected 15 September 2007

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Wednesday, 25 June 2008

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

BUILDING AMENDMENT BILL

Introduction and first reading

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

That I have leave to bring in a bill for an act to amend the Building Act 1993 and for other purposes.

Mr CLARK (Box Hill) — I ask the minister to provide a brief explanation of the bill.

Mr BATCHELOR (Minister for Community Development) — This bill generally seeks to enhance consumer protection and builder practitioner and plumber standards, and to support the building advice and conciliation process.

Motion agreed to.

Read first time.

VICTORIA LAW FOUNDATION BILL

Introduction and first reading

Mr BATCHELOR (Minister for Community Development) introduced a bill for an act to provide for the continuation of the Victoria Law Foundation and to repeal the Victoria Law Foundation Act 1978 and for other purposes.

Read first time.

NOTICES OF MOTION

Notices of motion given.

Ms MUNT having given notice of motion:

The SPEAKER — Order! I advise the member for Mordialloc that her notice will be trimmed.

Further notices of motion given.

Ms MARSHALL having given notice of motion:

The SPEAKER — Order! I am sorry; the clerks have not received that notice.

BUSINESS OF THE HOUSE

Notices of motion: removal

The SPEAKER — Order! I advise the house that under standing order 144 notices of motion 57, 58, 177 and 178 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.

PETITIONS

Following petitions presented to house:

Abortion: legislation

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria draws to the attention of the house that we, your petitioners therefore pray that the government will not pass the decriminalisation of abortion, even including full-term and partial birth abortion.

As you, our elected leaders, consider a conscience vote on this issue, we want you to know that our consciences are wrought with grief over the tens of thousands of lives already lost each year in Victoria.

Abortion on demand at any stage of pregnancy is something that should not be tolerated. We are also concerned about the misconceptions women are allowed to develop, and the presumption of freedom or relief they may be expecting after an abortion. Yet for most, there is trauma for years to come.

We feel that this gift of life should be passed on to our childless couples and loving families on our long adoption lists!

And your petitioners, as are duty bound, will ever pray.

By Ms LOBATO (Gembrook) (314 signatures)

Frankston Hospital: urology unit

To the Legislative Assembly of the Parliament of Victoria:

Residents who require treatment in the area of urology are currently required to travel to Clayton to seek medical assistance. The absence of a urology unit at Frankston Hospital is discriminative to residents who require medical assistance.

We, the undersigned concerned citizens of Victoria, ask the Legislative Assembly of Victoria to request the Victorian government to provide a urology unit at Frankston Hospital as a matter of priority.

By Mr BURGESS (Hastings) (153 signatures)

Rail: Stony Point line

To the Legislative Assembly of the Parliament of Victoria:

The longstanding safety issues surrounding level crossings on the Stony Point–Frankston line have led to numerous accidents and fatalities. Petitioners feel the installation of boom gates is urgently required to prevent further accidents at level crossings on this line.

We, the undersigned concerned citizens of Victoria, ask the Legislative Assembly of Victoria to request the Victorian government to install boom gates on all level crossings on this line that currently do not have them fitted as a matter of priority.

By Mr BURGESS (Hastings) (47 signatures)

Hastings: jetty

To the Legislative Assembly of Victoria:

We, the undersigned citizens of Victoria, draw the attention of the house to community concerns regarding the state government's plan to demolish part of the iconic Hastings jetty.

The Hastings jetty was built in 1864 and over the ensuing 144 years has become a very important part of the lives of Hastings families and culture of the Hastings township. The jetty is a very popular fishing and general leisure destination for locals and visitors.

The condition of the jetty has deteriorated and therefore areas of it are now in need of repair. The state government proposes to replace a substantial part of the jetty with a floating pontoon.

We strongly object to the failure of the state government to properly consult with the community regarding its plans to demolish sections of the Hastings jetty.

We, the undersigned concerned citizens of Victoria therefore ask the Legislative Assembly of Victoria to request that the Victorian government:

1. properly consults with the Hastings community immediately, regarding the need for repairs to the Hastings jetty and what form those repairs should take;
2. ensures that the wishes of the community are accurately reflected by any repairs undertaken on the jetty; and
3. ensures that any repairs carried out on the jetty, preserve the integrity of the jetty and properly reflect the iconic and cherished status of this landmark for future generations.

By Mr BURGESS (Hastings) (211 signatures)

Water: north–south pipeline

To the Legislative Assembly of Victoria:

We call on the Legislative Assembly to stop Mr Brumby building the north–south pipeline which will steal water from country Victorian farmers and communities and pipe this water to Melbourne, because there are better alternatives to

increase Melbourne's water supply such as recycled water and stormwater capture for industry, parks and gardens.

By Mr WALSH (Swan Hill) (586 signatures)

Water: north–south pipeline

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house the proposal to develop a pipeline which would take water from the Goulburn Valley and pump it to Melbourne.

The petitioners register their opposition to the project on the basis that it will effectively transfer the region's wealth to Melbourne, have a negative impact on the local environment, and lead to further water being taken from the region in the future. The petitioners commit to the principle that water savings which are made in the Murray–Darling Basin should remain in the MDB. The petitioners therefore request that the Legislative Assembly of Victoria rejects the proposal and calls on the state government to address Melbourne's water supply needs by investing in desalination, recycling and capturing stormwater.

By Mr WALSH (Swan Hill) (10 signatures)

Water: north–south pipeline

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house the proposal to construct a pipeline to take water from the Goulburn Valley to Melbourne.

The petitioners register their opposition to the project on the basis that any water savings achieved by irrigation modernisation in the Goulburn–Murray irrigation system should be retained in that system for use by communities and for environmental flows and not piped over the Great Dividing Range to Melbourne.

The petitioners therefore request that the Legislative Assembly of Victoria reject the proposal to build the pipe and call on the state government to invest in other measures to increase Melbourne's water supply, such as recycled water and stormwater capture for industry, parks and gardens.

By Mr WALSH (Swan Hill) (312 signatures)

Ordered that petitions presented by honourable member for Swan Hill be considered next day on motion of Mr WALSH (Swan Hill).

Ordered that petitions presented by honourable member for Hastings be considered next day on motion of Mr BURGESS (Hastings).

DOCUMENTS

Tabled by Clerk:

Auditor-General:

Coordinating Services and Initiatives for Aboriginal People — Ordered to be printed

Maintaining the State's Regional Arterial Road Network — Ordered to be printed

Performance Reporting by Public Financial Corporations — Ordered to be printed

The New Royal Women's Hospital — a public private partnership — Ordered to be printed

Statutory Rules under the following Acts:

Confiscation Act 1997 — SR 57

Evidence Act 1958 — SR 58

Magistrates' Court Act 1989 — SR 64

Road Safety Act 1986 — SRs 59, 60, 61, 62, 63

Victorian Civil and Administrative Tribunal Act 1998 — SR 65

Subordinate Legislation Act 1994 — Ministers' exemption certificates in relation to Statutory Rules 40, 41, 42, 57, 58.

MEMBERS STATEMENTS

Knox Community Health Service: Blokes Big Breakfast

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — I rise to congratulate Anne Lyon and the Knox Community Health Service for hosting a very successful Blokes Big Breakfast on Saturday, 14 June. The breakfast was held as part of International Men's Health Week, which plays a serious role in raising awareness of men's health. Men are significantly more likely than women to be overweight or obese, they are more likely than women to be diagnosed with diabetes and they have an estimated incidence of coronary heart disease twice that of women. These alarming statistics are one reason behind the Brumby government's \$218 million WorkHealth initiative which will deliver health information, advice and on-site screening for Victoria's 2.6 million workers. I had the pleasure of speaking at the breakfast alongside inspirational speakers Tommy Hafey and a local GP, Dr Rasalam. It was a terrific event, and it highlighted the important work the Knox Community Health Service undertakes.

Eastern Access Community Health: award

Mr MERLINO — I would also like to congratulate Eastern Access Community Health, which recently won the 2008 Victorian communities children's award in the family support category. For over 30 years EACH has been vital to the provision of services to children and their families right across the eastern

suburbs. EACH provides a one-stop shop of specialist support services, including early intervention services for children with developmental delays, family support services, child psychology services for children from birth to 12 years and speech pathology services. EACH also facilitates access to a wide range of other programs, including domestic violence services, women's services and indigenous programs. Operating under the 'every child every chance' policy, EACH delivers enormous results to some of the most disadvantaged in our community. Well done to Peter Ruzyla and his team.

Dandenong Ranges Music Council: award

Mr MERLINO — I would also like to congratulate the Dandenong Ranges Music Council, which claimed the best all-round program award from the Music Council of Australia.

Tourism Victoria: chairman

Ms ASHER (Brighton) — It is widely known in the tourism industry that John Morse, the chairman of the board of Tourism Victoria, is standing down from that position. John Morse was appointed chairman in 2001 and again in 2004. He has had a highly distinguished career in tourism and from 1997 to 2001 he was managing director of the Australian Tourism Commission. He is a very widely respected person in the industry, but his appointment created controversy because he in fact lives in New South Wales and many people thought that perhaps a Sydneysider was not the most appropriate person to chair the Tourism Victoria board, notwithstanding his credentials and achievements.

I respect the job John Morse has done and I look forward to hearing the announcement by the Minister for Tourism and Major Events of Mr Morse's standing down from the position and indeed the minister's acknowledgement of those achievements, but I call on the minister today to appoint to the Tourism Victoria board a Victorian with experience in the tourism industry as a replacement for John Morse. The Victorian tourism industry and associated businesses have produced many highly credentialled and quality people, and Victorians in the tourism industry would like to see a suitably qualified Victorian with tourism experience head that particular board. We have a wealth of expertise in Victoria, and this time the minister needs to appoint a Victorian.

Surf Coast Rural Australians for Refugees

Mr CRUTCHFIELD (South Barwon) — It is a pleasure to inform the house of the significant work being done to assist refugees within my electorate of South Barwon, particularly on the Surf Coast, by the Surf Coast Rural Australians for Refugees. Last Sunday, at the request of the RAR secretary, Jan Hale, and Surf Coast councillor Rose Hodge, I was a guest at the United Nations Refugee Week concert at The Rose Restaurant, Torquay. The Surf Coast shire has a very active and successful RAR, with some 450 supporters in the Surf Coast and Bellarine region. I proudly celebrated last Sunday with over 100 of those people at a magnificent concert led by Sudanese refugee Ajak Kwai, a sensational musical talent. I congratulate the *Surf Coast Echo* newspaper on a sensitive and thoughtful article by Yasmin Paton detailing Ajak's life story and promoting this event. It was very successful. Congratulations to the RAR.

At the function I congratulated the Surf Coast Shire Council, led by Cr Rose Hodge and Cr Libby Mears, on recently re-endorsing a November 2004 commitment by Cr Glenda Shomaly, who was also at the event, to make the Surf Coast shire a refugee-welcome zone. Through this initiative council is requested to sign a declaration to express a commitment to the spirit of welcoming refugees, demonstrating compassion for refugees and enhancing cultural diversity in local communities. The shire council has ensured that an extra section will be erected on the sign that says 'Welcome to the Surf Coast shire', which is situated at the entrance of the Surf Coast Highway, declaring that the Surf Coast, which is in my electorate, is a refugee-welcome zone. I congratulate the council. I am personally disappointed that two very conservative councillors took it upon themselves not to support this motion.

Water: Victorian plan

Mr WALSH (Swan Hill) — I draw the attention of the house to the Murray-Darling Basin Commission sustainable rivers audit and the fact that the Goulburn River is rated the worst of the 23 rivers in the Murray-Darling Basin. It is actually the unhealthiest river in the whole of the basin. The Premier fought to have this river deleted from the national water initiative, presumably so that the government could take water from it to send to Melbourne with impunity.

I also draw the house's attention to the *Age* editorial of Saturday, 21 June. It says:

But at the very least, the parlous state of the Goulburn revealed in the audit justifies a reassessment of the pipeline plan.

The communities of northern Victoria placed an advertisement on page 23 of today's *Herald Sun* asking Melburnians to help them plug the pipe because the Victorian government just will not listen. The people who placed this advertisement are not liars, they are not ugly people, they most definitely are not a sorry bunch and they are aware of the fact that the environment in northern Victoria needs the water that will be saved from the food bowl project. That water needs to be kept in northern Victoria. Melbourne has other options for its water needs. It is time for change, and it is time for a reassessment of this project.

I ask the Premier to admit that the food bowl project should proceed and that the water savings from it should stay in the north to keep our stressed northern rivers healthy, particularly the Goulburn River, which, as I said, is rated to be the worst in the Murray-Darling Basin.

Monash University: 50th anniversary

Dr HARKNESS (Frankston) — On 30 May 50 years ago an act of this Parliament was proclaimed to establish what is now one of the world's finest educational institutions — Monash University. The Minister for Education at the time ventured that Monash University would be of 'a worldwide standard. Where there is a true desire to pursue knowledge ...'. While the government had high hopes for this centre of learning and research, it is probably fair to say that nobody foresaw the extent of the rapid rise and global prominence which has characterised its first 50 years.

The university's first intake comprised 347 students who began classes in the faculties of arts, engineering, economics and science in what was then the sleepy suburb of Clayton. Few of those students could have imagined what Monash University would be in 2008. Today Victorians can proudly say that Monash University is the most internationalised, research-intensive university in both Australia and the world. The university has gone from having one campus in Clayton to having eight campuses on three continents. It has 58 000 students who come from 130 different countries and speak 90 different languages. It was the first foreign university to establish a campus in Malaysia and South Africa. It has a teaching and research centre in Italy, and it is currently developing a research academy in India. It has done all of this without compromising its commitment to social justice or its teaching and research excellence.

The university is looking to the next 50 years with the same bold and adventurous spirit. Australia and the world will continue to hear about its breakthroughs in research, the achievements of all of its graduates and its international focus. I congratulate all those people involved in the success that has been the first 50 years of Monash University, particularly those people at the Frankston campus.

County Court: hearing delays

Mr CLARK (Box Hill) — A recent County Court case highlights once again the long delays occurring in our courts and that these delays are leading to the release of offenders who might otherwise deserve to be behind bars. Brent Carl Ryan was charged with being involved in a fight which led to a man having a bottle smashed in his face. The offence took place on 10 July 2004, and the police were ready to proceed with the case within a month. However, the case was not listed for a directions hearing until March 2007, and it was not set down for trial until April of this year, almost four years later.

Ryan was aged 17 at the time of the offence but was 21 when he pleaded guilty. He was sentenced on 6 May this year. When sentencing Ryan, Judge Barnett pointed out that because of the delay the opportunity to sentence Ryan to a youth training centre had been lost. Instead he was placed on a community-based order despite having a previous conviction. Judge Barnett observed that delays in proceedings are making it not uncommon for individuals who commit offences as youths being sentenced as adults.

To make matters worse, Judge Barnett pointed out that in the future under the Charter of Human Rights and Responsibilities a person has a right to be tried without unreasonable delay and that a child has the right to have their age and potential for rehabilitation taken into account. The charter defines a child as a person aged under 18. If in future a person loses the right to be sentenced as a child, their rights under the charter will have been violated, creating what His Honour described as an unacceptable practice, which the government needs to tackle soon.

Yet again, the Attorney-General's ill-considered charter and his failure to properly support our courts is leading to justice being delayed or denied both for accused persons and the community.

Timor-Leste–Australia Friendship Conference

Mr HUDSON (Bentleigh) — Last week I represented the Victorian government at the

Timor-Leste–Australia Friendship Conference organised by the Victorian Local Governance Association (VLGA) and the government of East Timor. The conference brought together in East Timor over 200 participants from 40 friendship groups, over half of which are in Victoria. The first friendship group was started even as the world struggled to come to terms with the extent of the destruction wreaked on the people of East Timor in 1999, and the groups have flourished ever since. The friendship groups have proved to be one of our most enduring relationships with the people of East Timor.

The conference demonstrated that these friendship groups are not just a feelgood relationship; rather they are groups that are delivering still desperately needed services and infrastructure that no-one else is currently delivering. The achievements of the friendship groups have been impressive and include the construction of community centres and schools, the provision of housing, solar power, water sanitation and food security. They have also given opportunities to young Timorese to further their education through scholarship support. A mark of the importance placed on these groups is the fact that both President Ramos-Horta and Prime Minister Gusmao addressed the conference. Perhaps most importantly the friendship groups have developed a relationship that transcends aid, government and bureaucracy, for this is a relationship that is about more than money; it is a bond between two peoples and many communities.

Congratulations to the VLGA, particularly Kate Glennie, Rae Perry, Richard Brown and Damien Kingsbury, on the role they played in organising this outstanding conference.

Dental services: funding

Mrs SHARDEY (Caulfield) — I raise the matter of the appalling attempt by the Rudd Labor federal government to axe the Medicare dental scheme and pass full responsibility for public dental care back to Victoria and the other states. In just a six-month period the Howard federal government implemented this scheme to provide more than 300 000 services to mainly older Australians suffering chronic dental disease. The scheme offers eligible people up to \$4250 for urgent dental treatment and had the ability to remove thousands from state dental waiting lists.

The Victorian government's woeful record on public dental funding shows that of the estimated 1.5 million people eligible for dental services, only one in five will receive treatment only once every five years. If the Premier wants to strut the national stage on

the health portfolio, he should support the federal opposition in blocking the abolition of this forward-thinking dental health initiative.

Daw Aung San Suu Kyi

Mr NARDELLA (Melton) — Thursday, 19 June 2008, marked the 63rd birthday of Nobel laureate and leader of the democracy movement in Burma, Daw Aung San Suu Kyi. It is disgraceful that she has been held under house arrest since May 2003 and periodically before then since 1989. The brutal and illegitimate Burmese military dictatorship has refused to acknowledge the results of the 1990 election in which the National League for Democracy, led by Daw Aung San Suu Kyi, won an overwhelming majority. Daw Aung San Suu Kyi has refused a number of opportunities to leave Burma, even to visit her dying husband, knowing that she would be denied the right to return to continue the struggle for democracy and human rights in Burma.

Many honourable members, including the honourable member for Clayton, along with Amnesty International, call on the Australian government to continue to pressure the Burmese regime to immediately and unconditionally release Daw Aung San Suu Kyi and all political prisoners in Burma, including 18 members of parliament, and to commence an inclusive national reconciliation process to restore genuine democracy in Burma. I am sure all honourable members send their good wishes along with mine to Daw Aung San Suu Kyi for her birthday and her continued efforts to campaign for human rights and democracy on behalf of the people in Burma. I deplore the actions of the Burmese government in the genocide that has been occurring in that country, especially since the natural disaster there. It should stand condemned.

Water: north–south pipeline

Mr WELLER (Rodney) — I rise today to draw the attention of the house to the flaws in the government's plans to pipe water from northern Victoria to Melbourne. Following the protest on the steps of Parliament House a few weeks ago, I remind the house that the people of Rodney are up in arms about these plans. Despite mass advertising claiming widespread support for the project, they will not back down.

Along with the many thousands of individuals and businesses in my electorate that have declared their opposition to this project, the protest is extending beyond rural areas and into broader regional groups and, ironically, even into urban areas. The Plug the Pipe group has garnered mass support. The countless

individuals, businesses and local shire councillors who have joined the majority of country Victorians opposed to the pipeline include the Clean Ocean Foundation and the Victorian Farmers Federation.

As I indicated weeks ago, the dissatisfaction with this absurd and unjust project is not dwindling. To the contrary, it is becoming more widespread and more determined. Yesterday the Premier pointed to an article by Bill Pyle in last week's *Weekly Times* as further evidence of the mass support he claims for the project. He conveniently failed to communicate Pyle's criticisms to this house, and I quote:

Premier Brumby should not have said these people were telling lies. He would never use those terms to the Police Association or the teachers' union.

If anything, the heavy-handed tactics of the government have galvanised country residents against Mr Brumby and his city-centric government.

Preschools: Macedon electorate

Ms DUNCAN (Macedon) — Last week I had the absolute pleasure of notifying a number of our local kindergartens that they had been successful in securing over \$200 000 in state government grants. The grants were part of a \$10.7 million early childhood grant to buy equipment, expand and improve play areas, and renovate and improve general amenities.

Romsey Kindergarten received \$98 610 to redevelop its outdoor area to provide a safe, interactive and environmentally friendly space for children to play in. St Andrews Kindergarten in Sunbury received \$100 000 to renovate its facility which includes updating the electrics and carpeting, and painting and upgrading the kitchen and toilet areas. Both of these kindergartens were thrilled with these announcements, and Anne Crane from Sunbury reported to me that this was the largest amount she had ever received; the largest previously was \$1000. Jenny Stillman, president of Romsey Kindergarten, stated:

Fundraising in any community is always banging on at the same people every year, so this will take a massive load off that and will mean the whole thing can be done in one fell swoop and be more cost effective.

In addition, Goonawarra neighbourhood house will receive \$12 000 to upgrade its playground, and Riddells Creek Primary School's outside school hours care will receive nearly \$3000 for minor upgrades. I congratulate these child-care centres in and around the electorate of Macedon for the great work they do, and I am proud to be part of a government that is supporting them in this way. I congratulate the minister.

Vietnamese Boat People Monument of Gratitude

Mr THOMPSON (Sandringham) — On Saturday, 21 June 2008, the Vietnamese Boat People Monument of Gratitude was unveiled in Footscray. The monument marks gratitude for the foresight of the Australian government, non-governmental organisations and many Australian individuals whose relentless and selfless efforts have assisted in resettling many Vietnamese refugees. It also commemorates the lives of those Vietnamese who perished in their quest for freedom.

The monument bearing two sails carries the following inscriptions:

With gratitude for the foresight of the Australian government, relentless efforts from Australian and world-wide relief organisations and thousands of individuals whose selfless humanitarian effort assisted the Vietnamese refugees to resettle in Australia.

In commemoration of the hundreds of thousands of Vietnamese people who perished in pursuit of freedom. Whatever the cause, be that of hunger or thirst, rough seas or sickness, exhaustion or pirates, we pray that they may now rest in peace.

I pay tribute to the Australians of Vietnamese heritage whose vision and resolve underpinned the project, including Mr Dong Tran, Mr Hung Chau, Mr Hung Tran, Ms Viv Nguyen, Venerable Thich Phuoc Tan, Reverend Father Anthony Quang, Mr Phong Nguyen, family members, community leaders and many hundreds of financial contributors. I also pay tribute to the former Fraser government which provided the migration pathway. Finally, I acknowledge the mighty contribution to Australia's community life by Australians of Vietnamese background, who brought to this nation their courage, faith, hopes, valuable knowledge and value of the freedom for which they and their families had fought.

Elections: Legislative Council

Mr SCOTT (Preston) — I rise today to discuss the calculation of surplus transfer value in Legislative Council elections. Under the current electoral system the situation can arise where not all votes are of equal value. This situation, where there is an inequality in the value of votes, can be material where candidate A is under quota and is elected by a surplus of candidate B votes. In this case the value of the primary votes of those who voted for candidate A is reduced to less than one vote per ballot paper when the surplus transfer value of candidate A is calculated. At the same stage in the count, the value of the ballots of those who voted for candidate B is increased to more than one vote per

ballot paper. This is caused by the surplus transfer value being calculated simply on the number of ballot papers and not on the different value of the votes.

This system was developed early in the 20th century for manual counting. With computerised counting it is possible to calculate surplus transfer values accurately and ensure this anomaly does not arise. This is a fairly esoteric point and I do not believe it materially affected the last Legislative Council elections. In other jurisdictions, however, I believe it has and that it changed who was elected in such a way that the democratic will of the voters was perverted. While this is an unlikely scenario, it is possible under the current act, and I think it is something that should be considered by this Parliament. Although computerised calculation makes scrutineering and other tasks more difficult and more complex, it means the values of votes can be more accurately weighed and ensures that the view of the voters is accurately reflected in the elected members of Parliament.

Kilsyth electorate: school speed zones

Mr HODGETT (Kilsyth) — I call on the Minister for Roads and Ports to bring forward the installation of electronic speed signs at school speed zones in my electorate of Kilsyth. Prior to the state election in November 2006 it was announced by the former Premier that \$10 million would be allocated towards the installation of electronic signage as part of the government's \$43 million investment in road safety.

I urge the minister to visit the schools in my electorate. He could call on St Peter Julian Eymard Primary School in Hull Road, which is a 60-kilometre-per-hour connector road servicing traffic from Croydon to Lilydale via Mooroolbark, and observe the traffic speed in the school zone during school drop-off and pick-up times. He could visit Pembroke Secondary College on Cambridge Road and have a look at adherence to the 40-kilometre speed zone during the designated times. I will take the minister to Pembroke Primary School and show him the situation on Pembroke Road. He can stop at Croydon Secondary College and Croydon Primary School and witness the traffic speed on Croydon Road. He can pay a visit to Croydon Community School and witness firsthand the situation there, and I will take the minister to Montrose Primary School and show him firsthand the frightful traffic speeds along Swansea Road.

An ongoing concern for all the schools is motorists not travelling at the legal limit during designated school speed zone times and therefore actively putting the lives of children at risk. It is possible that these drivers are

unaware of the change in speed due to the static nature of the existing 40-kilometre-per-hour signs. I ask the minister to act to address this situation by providing better awareness to motorists through installing illuminated electronic signage for the school traffic safety zones. This is an effective and sensible approach for the government to ensure that reduced speeds are maintained around school areas and that our children can get to and from school in a safe manner. I ask that the minister give my request his urgent attention.

Mick Fidler

Ms MUNT (Mordialloc) — I rise to congratulate Mr Mick Fidler, president of the Highett Cricket Club, on being awarded life membership at the club's annual general meeting on 16 June. Mick has been a member of the club for nearly 26 years, having started in the under 12s in 1977–78. He has also served on the committee for 14 seasons, initially when he was 18 years old, in 1984–85. His last 10 years on the committee were from 1998–99. Mick has been president of the club for the last three years and on Monday was elected president for a fourth term, taking him to 27 years of service and 11 years straight on the committee. He helped form club development programs with VicHealth and Cricket Victoria and was a player's representative and junior coach for many years — and the under 12s won a premiership under his coaching.

I have worked with Mick many times on issues for the Highett Cricket Club. He is a passionate advocate for the club. He works very hard for young people in Highett and is very deserving of the honour that has been awarded to him.

Emergency Services Telecommunications Authority: funding

Mr BLACKWOOD (Narracan) — During the adjournment on 16 April I raised a matter for the Minister for Police and Emergency Services. On 18 June I received a response from the minister. The response I received was an absolute disgrace and gave a very clear indication that either the minister has no idea just how much pressure members of the police force in the Latrobe Valley are under or, worse, he just does not care.

I expressed grave concern about the lack of police resources in the Latrobe Valley evidenced by the fact that on a daily basis there can be up to 12 vacancies to be filled at the Moe station, mainly to maintain the operational capacity of the D24 unit. Front-line police are being dragged in on a daily basis to man D24. One

of the prime tasks that ESTA (Emergency Services Telecommunications Authority) was set up for was to eventually take on the role that regional D24 units currently fill. Minister Cameron's response states that ESTA caters for VicSES (Victoria State Emergency Service) and the Country Fire Authority in regional Victoria and handles some metropolitan Victoria Police calls. That does nothing to relieve the situation in the Latrobe Valley. This statement displays a total disregard for the wellbeing of our dedicated police officers and for community safety in the Latrobe Valley. As usual I got the normal spin from the minister about extra police numbers and funding. He really needs to take a trip to the Latrobe Valley, talk to force command and take a reality check.

Hockey Geelong: synthetic playing surface

Mr TREZISE (Geelong) — Last Sunday, 22 June, I had the pleasure of attending the opening of Hockey Geelong's new synthetic pitch at the home of hockey in Geelong, Stead Park. Having had very little to do with hockey in the past, I must say I had a very enjoyable afternoon and came away very impressed not only by the new pitch but also by the obvious professional manner in which hockey in Geelong is managed. For the information of the Parliament, hockey in Geelong has a long history tracing back to a women's competition in 1910. Today it is played by over 450 senior players and 320 juniors, with junior teams ranging from under 9s through to under 17s. There is also an extensive schools program.

Currently Hockey Geelong has only one pitch. As I learnt well and truly on Sunday, there is a great need for a second pitch given the current numbers and predicted growth in the sport. Currently games are crammed into a tight schedule commencing at 8.15 a.m. on Saturday mornings, with the last game beginning at 8.00 p.m. on Sunday night, not to mention weeknight matches and training et cetera.

I take this opportunity to congratulate Jim Kirk, president of Hockey Geelong, and his committee for their work, and also the dedicated wider hockey community in Geelong for their commitment to their sport and their vision in ensuring that the sport continues to grow and prosper in the greater Geelong region.

Premier: California visit

Mr KOTSIRAS (Bulleen) — I have to admit that this Labor government is good at gimmicks, publicity stunts and attempting to justify its actions by using smoke and mirrors. Recently the Premier met with the

Governor of California. It was the moment when FIGJAM met the Terminator, otherwise known as the clash of the egos. At least the Governor of California, who attended the conference in San Diego, claimed that he would walk out with a 10 per cent increase in his IQ by just being there. The question is: did the Premier of Victoria gain anything from attending the conference? I suppose what he lacks in people skills he makes up for in arrogance. Having allocated a dozen or so staff to work on his itinerary to ensure that he met the Governor, the Premier did everything he could to ensure that this meeting took place. According to the Premier, the Governor was very excited to meet him. I am sure that Arnie was thrilled to his back teeth.

In order for the Premier to have a presence at the conference the Victorian government bought the publicity by sponsoring the poster session. Just imagine this scene: a large number of Victorian cardigan-wearing, cappuccino-drinking, folder-holding public servants with ample supplies of butcher paper and crayons attempting to capture the next great groundbreaking technology. I wonder how much this colouring competition cost the Victorian taxpayer just so the Premier could speak. Perhaps we can have a sequel to this film next time. Perhaps we could look at how John Brumby became the Premier of this state without having to face the voters. The sequel could be about a seemingly arrogant leader of the Labor Party who has been sent forward from the year 1996, having lost the election, bent on becoming Premier.

Eltham: cancer awareness day

Mr HERBERT (Eltham) — I rise to give thanks to a number of people and organisations that assisted with the cancer awareness day I organised on 15 June at the Eltham Library. The day was the culmination of my 2008 community health campaign which focused on raising cancer awareness in our community. The day gave a number of leading local and national organisations the chance to provide local residents with useful information about services and cancer-related information.

I particularly thank Robert Phillips from the Diamond Valley Prostate Cancer Support Group, David Snowden from Prostate Awareness Australia, Dajana Simeunovic from the Cancer Council, Leeanne Wells and Michelle Molinaro from the 4Cs and Alishka Sageman from Banyule Community Health who all volunteered their time to come and provide information to the local community about cancer. We were also joined by Associate Professor Paul Mitchell who is the director of cancer services at Austin Health. Dr Mitchell gave a

terrific presentation full of the latest information on cancer diagnosis and treatments.

Today, the day of the funeral of Jane McGrath, we are all reminded that cancer remains the single biggest killer of Australians. Cancer claims around 35 000 of us each year. For this reason we must use every opportunity to promote healthy lifestyles that lower the risk of cancer, and stress to the community the importance of regular checks for cancer. The feedback I received from people who attended the day has been very positive, and I wish to thank the groups and Dr Mitchell for the tremendous assistance and support they gave.

Philip Kelly

Mr NOONAN (Williamstown) — I rise to congratulate local Williamstown resident, Philip Kelly for being recognised this year in the Queen's Birthday honours list. Philip was awarded the Medal of the Order of Australia in the general division for his service to the shipping industry and for his role in the preservation of Australia's maritime history.

Philip's career in the shipping industry and love of the sea began more than six decades ago when at age 18 he took work as a shipping clerk. From those humble beginnings, he worked his way up the ranks to eventually hold executive roles with the Victorian state committee of the Australian Chamber of Shipping and the Melbourne Chamber of Commerce. In 1972, he was appointed to the board of the Melbourne Harbour Trust which became the Port of Melbourne Authority, a position he held for the next 15 years. He was appointed acting chairman for six months in 1987 before retiring from the PMA board.

At age 79, Philip remains the current secretary of Shipping Australia Ltd (Victoria), a position he has held since 1988. He also continues to hold a position as a member of the channel deepening working group. Philip's work in preserving Victoria's maritime history has been of equal significance. He held the position of chief executive officer of the Melbourne Maritime Trust and was involved in the fundraising and restoration work on the *Polly Woodside*.

Barbara Morgan

Mr NOONAN — In the brief time I have left I want to pay tribute to Barbara Morgan, who was awarded a Medal of the Order of Australia in the general division, or OAM, for her service to the community through a range of lifesaving organisations and who was also

included on the Victorian Women's Honour Roll earlier this year.

Skilled migration: seminar

Ms MORAND (Minister for Children and Early Childhood Development) — On Saturday I attended the Delivering Business Insight seminar on skilled migration at the Novotel in Glen Waverly. I was very pleased to have the opportunity to address the seminar, which was the first seminar conducted in Mandarin. I might add that my contribution was translated for the audience. The seminar was very well attended, and I am sure it provided the sort of information people need.

MATTER OF PUBLIC IMPORTANCE

Infrastructure, services and natural resource management: government performance

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

That this house condemns the government for its ideologically driven policies regarding natural resource management and for its failure to plan for and provide appropriate levels of infrastructure and services, particularly during a period of unparalleled wealth in the history of Victoria.

Mr RYAN (Leader of The Nationals) — Labor is squandering a generational opportunity for all Victorians. We are seeing Labor at work on behalf of Victorians as I speak. All of this is taking place at a time of unparalleled wealth in the history of our great state. What we are seeing from Labor is gross ineptitude on a number of fronts. The transport system is in chaos. The health system is running at peak load because it is underfunded. Police are calling continually for more troops on the front line. Many areas demonstrate Labor's inability to manage major projects, which is now well established in the minds of Victorians. There are plenty of recent examples of this. The \$1 billion budget for the Monash Freeway work has now blown out to \$1.4 billion. The HealthSMART project is in absolute disarray. The myki ticketing fiasco lurches from one disaster to another on an almost daily basis.

We also have the mismanagement of our water resources; not only the north-south pipeline imbroglio but also the fact that this government will not tell Victorians the cost of the desalination plant it proposes to be built at Wonthaggi. I am sure the house will remember the Auditor-General's report in which the

Auditor-General reflected on the fact that the figure of \$3.1 billion was known by the government to be an inaccurate figure with regard to the cost of this project, yet when in question time the next day I asked the Minister for Water what the cost is, his response was that it is commercial in confidence. This is the sort of treatment Victorians have come to understand they can expect and are receiving from the Labor Party. Most of this is driven by blind ideology. Most of this is about the fact that Labor simply does not understand the way the state should function, does not understand its communities and cannot design policies to accommodate today's needs, let alone tomorrow's needs. In a substantive sense politics is an issue of the competition of ideas, and in the sense of the ideas which underpin the ideology of the Labor Party we are seeing that Labor has no idea.

These issues are exemplified no better anywhere than in the Gippsland region. Throughout Gippsland communities are many areas where the sorts of shortcomings that are evident with regard to Labor's governorship are apparent, and nowhere more so than in natural resource management. Labor has no idea about the notion of working with natural resources. It preaches all the rhetoric, but it has no idea. In Gippsland in particular we have many examples of how this has been proved to be the case. The concept of working with natural resources and the communities that are dependent upon them to achieve the best social, economic and environmental outcomes is a concept foreign to the Labor Party. One need only look at some of the examples on show. There are communities in Gippsland which are utterly dependent on the hardwood timber industry. Towns such as Orbost, Bairnsdale, Heyfield and those in the Central Gippsland area are all suffering under the heavy hand of Labor because of the way it has set about systematically destroying the hardwood timber industry.

I am sure the house will remember the many years when efforts were mounted at both the state and federal level to design and put into effect regional forest agreements. On the other hand, Labor, both state and federal, has systematically gone about destroying those regional forest agreements. Everybody here who has had any association with business knows that the most destructive thing for business operations is uncertainty. It is not so only for the operators themselves but also for those who provide the finance to those operators to allow those various businesses to be given effect. In the case of the timber industry Labor has absolutely wreaked havoc. We have seen the Our Forests Our Future program. The \$80 million package ran out simply because Labor ran out of money. There were plenty of people who should still have been receiving

payments for that program but the government would not put up the money. We now have the VicForests tender system which continues to wreak havoc in the way that timber resources are made available to industry. We have the silly situation where companies in New South Wales are able to bid for the resources available through the Victorian system, take our timber across the border and provide it to industries in that state. These are the sorts of depths to which we have sunk in the administration of our hardwood timber industry in this state. Of course, the ones suffering the most are the timber communities in their various forms.

All this is happening in an area where the timber industry is one of the most heavily regulated in the state, where those involved in it go about their activities very responsibly and where the Australian nation to this day suffers very severely from import deficits in the timber industry. Yet we have a Labor Party ideologically committed against the notion of the long-term future of this industry. That is not to say its members do not keep preaching the rhetoric; they do. Indeed its candidate in the Gippsland by-election keeps preaching the rhetoric even now, but the actions of the Labor Party, state and federal, speak much louder than the words trotted out. Of course at its base this is ideology expressed on behalf of Labor.

We then have the question of water. It is almost a year since the floods beset Gippsland. It is almost a year since we saw those massive floods that resulted in roughly the equivalent of the Thomson Dam going out to the ocean via Gippsland. In the two events that occurred in June and November last year around 1000 gigalitres of water went out to the sea. This Labor government is hopeless. Ideologically its members are committed against the notion of additional storages. They could have dams and off-stream storages, and they could have other mechanisms whereby water could be captured to enable more wealth to be generated in Gippsland. There are plenty of alternatives.

Mr Nardella interjected.

The DEPUTY SPEAKER — Order! The member for Melton will have his opportunity.

Mr RYAN — Again in the federal by-election for Gippsland, the candidate for the Labor Party was prepared to get up in Bairnsdale the other night and say he supports the construction of a storage on one of the tributaries to the Mitchell River, yet a couple of days later in Traralgon he said that is not the case at all. He will say what needs to be said to whoever the audience happens to be at any particular moment in time.

Because Labor ideologically is opposed to the construction of additional storages, last year we saw lovely towns like Newry and Tinamba flooded not once but twice. We saw an enormous amount of water go out to the ocean when some of it — not all of it, of course — could have been retained for the future development of Gippsland. Labor's efforts in this regard continue to this day.

This morning I had a call from John O'Brien who lives at Cowwarr. He is a respected local farmer and has been a member of the water committee of the Victorian Farmers Federation for years. In his call this morning he told me that the catchment management authorities are being stripped of their asset base over the course of the coming years. That will result inevitably in the work that has to be done to remedy at least some of the damage, particularly in the Macalister catchment but also in the Thomson catchment, not being done. Mr O'Brien told me this morning that he is prepared to do the work on his own property at his own expense, but he is now being told by the authorities that he cannot do it. This is the situation that prevails as I speak in this Parliament today. It is reflective of the ideological blind spot which the Labor Party has in relation to the issue of water.

Just think what we could do in the Macalister irrigation district and what we could do on the Lindenow flats if we had more water available to ensure supply on a regular basis for the farmers who work with it and produce what they do on behalf of all Victorians, and indeed on behalf of Australia. What they want is security of supply. That is the key issue for them — security of supply.

I have only recently returned to the library the book written in about 1991 under the then Labor government which talked about dozens and dozens of sites through Gippsland that would be available if this issue were properly investigated. What do we get instead? Some half-baked comment recently from the Premier, talking about assertions that if our proposals on this were able to be implemented they would result somehow in Licola and Dargo being flooded. That is the best that the Premier can offer the people of Victoria. What the government should do is investigate the options for additional storages either on stream or off stream, but it will not do it because its members are ideologically committed against it. New South Wales is happy to do it, Queensland is prepared to do it and Western Australia has done it, but when you hit the border of Victoria you find that ideology driven by the Labor Party says that you do not do it. What a stupid approach to take! It is costing Victorians, particularly those in Gippsland, including those who are about to vote in the

by-election this weekend — they will be saying something about this to this Labor Party and we will see what the commentary is after the event!

Then we have the issue of coal resources. I am pleased to see that the energy minister has joined us as we speak. The Labor Party is engaging in dog whistling — the American term used in politics — over the issue of coal. This notion of dog whistling means that what people do is recite a certain line of rhetoric but when it comes to actually delivering on it, no, that is not what they are going to do at all. They are sending out a subliminal message to keep people happy but when push comes to shove they will not give effect to it at all.

What the Labor Party is doing here is paying homage to the Greens, because it is a hostage to the Greens. The Labor Party and the Greens go hand in hand. We see it all the time. Everybody agrees that we have 500 years of coal resource in the Latrobe Valley. The Labor Party is investing in clean coal technology, carbon sequestration and all the rest, but it will not answer the key question: is it prepared to have additional power generation constructed in Victoria which is powered by the next generation of clean coal? Is it prepared to do that? Is it prepared to plan, in concert with private enterprise, for the development of additional generating capacity, or are we going to see more of what we have seen in relation to the desalination plant?

Are we going to see the Labor government telling the people of Victoria, including our young people, that it is prepared to build a desalination plant down at Wonthaggi on the understanding that it is going to be powered by renewable energy? That is what the people of Victoria have been given to understand. The young people of Victoria believe, on the basis of what they have been told by the Labor Party, that the desalination plant — this massive, power-hungry, power-consuming entity down at Wonthaggi — is going to be powered by renewable energy. That is what has been instilled in the minds of the young people of Victoria.

What are the facts? This week the government has been talking about 200 farms in Gippsland being used as a corridor for the construction of a high-voltage powerline. The government is going to take power from the 220-kilovolt high-voltage line up near Tynong and string it across 75 kilometres of some of the most magnificent, pristine farmland in the state of Victoria so it can supply power to this desalination plant at Wonthaggi. That is the truth of it. The government says one thing — dog whistling — but in fact the truth of it is entirely different. This is Labor at work. All of it is driven by ideology. No lateral thinking goes into this.

This is all powered by the ideology of the Labor Party; and then we have the federal Minister for the Environment, Heritage and the Arts, Mr Garrett, looming around the place. Why has Mr Garrett not turned up in Gippsland during the current by-election campaign? He seems to have been remarkably absent. You would think the person who was closest to the issue of the future usage of coal — Mr Garrett — would be down in Gippsland to have a word to us. Not on your nelly. The Labor Party is not going to wheel out Mr Garrett because it knows if he did come down he would open his mouth and we would have the lie put to the sort of rhetoric which the Labor Party continues to preach.

All this converts to the issue of jobs in the water, timber and coal industries. We have communities in Gippsland that are utterly dependent upon the way in which these natural resources are managed and able to be used for the benefit of all Victorians. Labor wants to take the axe to Gippsland's jobs. That is what it has done before and that is what it will do again if it is given the chance to do it.

I top off all of this with the question: what about the mountain cattlemen? To this day I continue to hear reports of the rampant growth up there on the high plains from which those mountain cattlemen were kicked out. Generations of Australian heritage were destroyed because Labor Party ideology said that it had to be so.

The fact is Gippslanders have the opportunity to comment about it this coming weekend, and I will be interested in the outcome. For once I am sorry we are not sitting here next week, because there will be plenty to talk about when the result is known, and I will be the one who will be here to chat about it when we have the results in. Labor's ideology is destroying Victoria. It is all on show at the moment and Victorians should know it.

Ms ALLAN (Minister for Regional and Rural Development) — How curious it is that the Leader of The Nationals wants to talk about ideology. Let us talk about ideology, and the ideology of The Nationals from the 1990s. They were not in government standing up for their people in country Victoria. The problem for regional Victoria during the 1990s was that the ideology of The Nationals was the ideology of the Liberal Party. The Nationals did not have the courage to stand up for country Victorians under the former government. They did not have the courage to stand up for regional Victoria. The Nationals rolled over and submitted like weak little kittens to the ideology of the Liberal Party.

As we well know, the result was that regional Victoria went backwards during the 1990s. People left the state in droves. We saw job losses across regional Victoria. We saw teachers and nurses sacked out of our schools and hospitals. We saw 178 country schools close, and we saw country hospitals and country rail lines close.

Mr Jasper interjected.

The DEPUTY SPEAKER — Order! The member for Murray Valley!

Ms ALLAN — Deputy Speaker — —

The DEPUTY SPEAKER — Order! I am sorry to interrupt. The member for Murray Valley does not need to remind me further. I have asked him to cease interjecting.

Ms ALLAN — We know what the ideology was when the present Leader of The Nationals voted 1150 times with the Liberal Party to close country schools, hospitals and rail lines. That was the ideology of The Nationals in the 1990s. This matter of public importance also addresses the issues of infrastructure. When we were elected to government back in 1999 we had to invest massively in infrastructure, and we continue to invest massively in infrastructure. We have worked hard over the past eight years to restore regional Victoria to its rightful place. We have had to rebuild regional Victoria after the decimation of the ideological approach from The Nationals and the Liberal Party.

That is why we have seen this government investing more than \$354 million into rebuilding 162 country schools. That is why we have seen the employment of an additional 1700 teachers and staff in regional Victoria; more than \$420 million invested in rebuilding and upgrading hospitals and health services; an additional 2130 nurses employed in our hospitals across the state; 117 new police stations in regional Victoria as part of the biggest police station rebuilding program in this state's history; and \$2.5 billion spent on regional and rural road infrastructure. We had to invest in all of this vital infrastructure because it was ignored by the previous government. The record of the Liberal Party and The Nationals in office was closures and cuts.

Mrs Powell interjected.

Ms ALLAN — The member for Shepparton says, 'What a load of rot'. Is she prepared to say that her party did not participate in the closure of 178 country schools? That is, 178 country schools. They are proud to stand by it and they are not denying that this is their record.

We have also invested heavily in rail services. Let us talk about public transport. Patronage is up to record levels in regional Victoria because we invested \$750 million on the regional rail upgrades to Bendigo, Ballarat, Geelong and Traralgon. We have reopened the Traralgon rail line. We have reopened the Ararat rail line. We are investing in vital rail services, and we are making it easier for people to use transport in regional Victoria. We have cut V/Line fares by 20 per cent. This year's state budget went further. We invested more money — \$224 million in regional and rural roads and \$254 million in ongoing maintenance on upgrading our regional rail network with a particular focus on rail freight. We have allocated another \$125 million to modernise and rebuild regional and rural schools. We have allocated \$30 million to upgrade vital TAFE facilities. We are spending \$137 million on regional health facilities and a further \$185 million on vital ambulance services. We are introducing for the first time the regional first home buyers bonus of \$3000. We are encouraging more people to come to live and work in regional Victoria — not less, as was the case during the 1990s, but more.

We have worked very hard to have the policies and programs in place that are now seeing strong jobs growth and strong population growth right across regional Victoria. Governments are judged on their record and on their actions. Look at the record of the previous Liberal-National party government. The unemployment rate in regional Victoria 10 years ago was 11.2 per cent; today it is 4.6 per cent. We have seen the creation of over 134 000 new jobs in regional and rural Victoria over the past eight years. This is a very strong record. If we want to use a case study, we can bear in mind that the Leader of The Nationals spent most of his time talking about Gippsland. He is obviously a bit worried about what is going to happen on Saturday, given his focus on Gippsland. Let us talk about records. When the Liberal-National party coalition was in government, what was its record in Gippsland? It closed 16 schools.

Mr Nardella — How many?

Ms ALLAN — Sixteen. It closed the Traralgon and Moe hospitals. Not only that, it then privatised the hospital service. One of the very first actions of this government on coming to office was to bring the Latrobe Valley hospital back into public hands. We all know about the Bairnsdale and Leongatha rail lines that the Liberal-National party coalition closed when it was in government.

As I said, governments are judged on their record. What has been this government's record in Gippsland? At the

very outset we established the Latrobe Valley task force, recognising that this was an area that had suffered most at the hands of the ideologically driven policies of the previous Liberal-National party government. This task force has been a real driver in the strong turnaround being experienced in Gippsland today. Unemployment in Gippsland in 1999 was 9.8 per cent; it is now 4.8 per cent. Population growth between 1992 and 1999 actually went backwards. People were leaving Gippsland because of the slash-and-burn policies of the previous government. Today population growth in Gippsland is 4.3 per cent.

Mrs Powell interjected.

Ms ALLAN — The Australian Bureau of Statistics tells us that population growth went backwards — and the record is 4.3 per cent growth today. We are seeing growth across all six local government areas in Gippsland because there has been the investment by this government of \$163 million to rebuild Gippsland schools, whether it be Orbost Secondary College or Toora Primary School. I have already mentioned what we have invested in the Latrobe Valley hospital. We have invested in roads. We have invested in vital infrastructure such as the Gippsland Water Factory. We are supplying natural gas as part of our \$70 million natural gas program to Korumburra, Leongatha, Bairnsdale, Paynesville, Inverloch and Wonthaggi. We have seen more than \$3.17 billion in government-facilitated investment in Gippsland.

This is what happens when you have a government that has policies and programs that have a deliberate focus on investing in regional and rural Victoria. That has been the approach of this government. It is no surprise that the Leader of The Nationals spent almost all of his time during this debate this morning talking about Gippsland, because Gippslanders know what The Nationals did to them during the 1990s. The strongest message that could be sent on Saturday by the people of Gippsland would be to not reward that behaviour. They should not be rewarding The Nationals chief cheerleader in Gippsland by sending him to Canberra to be a further cheerleader for the Liberal slash-and-burn policies. Darren Chester's own party did not even really want him in the beginning. We all remember the spectacle of Bill Heffernan running around looking for alternative candidates. The member for Gippsland East remembers that pretty well. Poor old Darren became second-choice Chester; he was not even the first choice of his own party.

Clearly The Nationals must be worried. I was in Gippsland last week, and they are spending a fortune in advertising down there. I have seen the four-page

wraparounds; I have seen the full-page ads. They are obviously absolutely desperate to hang on to Gippsland, because they know they are in historical decline. It is not just me saying this. A federal member of Parliament, Tony Windsor, was quoted in the *Age* back in June as saying that as things stood, The Nationals were facing two possibilities:

They will either take the weak path and merge with the Liberals, or they will be taken out over the next two elections.

This is what we know: Gippsland is a fight to the death for The Nationals. They know they have to fight off their Liberal colleagues.

We also know that The Nationals speak with forked tongues. We know they have a history of saying one thing here in Melbourne and running around country Victoria, when they think some of us are not watching, and saying another thing to regional Victorians. The most outstanding example of that in recent times was when the Leader of The Nationals promised regional Victoria that he would be delivering a list of issues that he had been compiling on his travels to the government by the end of May. Well, dear, it is now nearly the end of June, and we have not seen the list!

Honourable members interjecting.

Ms ALLAN — There is no list! This is the sort of hollow promise we get, because The Nationals lack courage. They lack the courage to stand up for regional Victorians, and they lack the courage to stand up for good policies.

We saw this yesterday in the house, when the Premier read out quotes from current and former members of the upper house — Damian Drum, a member for Northern Victoria Region, and Bill Baxter, a member for the former North Eastern Province — who were talking before the November 2006 election about how it was the right thing to invest in infrastructure upgrades in the Goulburn-Murray irrigation district and to use those savings equitably across Victoria. They thought that that was a good thing. They said that that was a good thing, but we have seen them now abandon good policy — —

Dr Sykes interjected.

The DEPUTY SPEAKER — Order! If the member for Benalla wishes to contribute, he can seek the next call.

Ms ALLAN — We have seen them abandon good policy for blatant politics. They are in this hysterical bidding war with the Liberal Party, particularly in the

Goulburn Valley. The member for Shepparton knows full well what the bidding war in the Goulburn Valley is like, given that at the last election The Nationals had to run their own ads saying, 'Why do the Liberals want to silence our Jeanette Powell?'. They know full well the politics of the Goulburn Valley. It is an hysterical bidding war for votes and for members.

In today's *Weekly Times* we read about the latest incarnation of the sorts of politics that The Nationals are supporting. I was alarmed to read in the *Weekly Times* today about a councillor at the Shire of Loddon, Colleen Condliffe, whom I have known personally for the last eight or nine years. She is an outstanding councillor at the Shire of Loddon; she is a former ABC rural woman of the year; she has been on a number of committees, both through her council functions and in the local community; and she has a real commitment to her region and a commitment to young people in her region. Imagine how outrageous it was to read that Colleen has been in effect bullied by people from the Plug the Pipe group.

I was alarmed to read the *Weekly Times* quoting Colleen as saying she has been hounded by the Plug the Pipe group over her decision to stand for committee membership of the Victorian Farmers Federation, that she has been upset by this and that she believes it is her democratic right to stand for this committee. That is absolutely right: it is her democratic right to stand for this committee. It is outrageous behaviour by the Plug the Pipe group, which is backed by the Liberals and The Nationals — and it is not just me who is saying this. The editorial in today's *Weekly Times* says that the group is heavily backed by the Liberal-Nationals coalition. This is a group that is now engaging in harassment of good people — good people who want to stand up for their local community.

Mrs Powell interjected.

Ms ALLAN — The member for Shepparton might shake her head when I say that Colleen is a good person in her local community. Colleen is an outstanding representative of her local community. She is strong, she is solid and she stands up for what she believes in, and now she is being hounded — hounded by the very group that is backed heavily by the Liberal-Nationals coalition. This is the sort of behaviour that we are coming to see more and more from the Plug the Pipe group, and I would really like The Nationals to have the courage to stand up and say that they condemn this sort of behaviour. They either support it or they condemn it, and The Nationals should be joining with us and saying they condemn this sort of behaviour, because everyone deserves the right to have their say.

We work very hard at making sure we talk to people in local communities, but we should condemn absolutely this sort of behaviour because it is outrageous, particularly when it comes to people who are standing up for their local communities. But it should not really surprise us that they are going to remain silent on this — just as they remained silent during the 1990s when they abandoned policies, abandoned principles and abandoned regional Victoria, all in return for a few perks of office. They were more interested in the power and perks of office than in standing up for regional Victoria. And what have we seen? What has been the only action that The Nationals have taken in the past 12 months? It has been to scamper back into a coalition with the Liberal Party. We should be fearful that, just as they were in the 1990s, they will be the Liberal lap-dogs once again, because we have seen The Nationals scamper back to the coalition. They are like dogs being called to heel; The Nationals have been called to heel by the Liberal Party. We know that in government in the 1990s they were the Liberal Party's lap-dogs, and country Victorians know the record of The Nationals. It is certainly a decision that will backfire on The Nationals.

I just want to finish with a quote from the member for Murray Valley, who said that he is not a strong coalitionist. That is absolutely right. That is what The Nationals should be saying. The member for Murray Valley is the only one who has got the courage to stand up for the people he represents and for regional Victoria — not like the rest of them, who have done this dirty deal to save their own skins in office.

Mr NORTHE (Morwell) — It gives me great pleasure to speak on the matter of public importance (MPI) introduced by the Leader of The Nationals. I will try to speak about issues pertaining to this century, unlike the previous speaker. I will make particular reference to the government's failure to provide appropriate levels of infrastructure and services, particularly during a period of unparalleled wealth in the history of Victoria. Firstly, let me refer to the member for Scoresby and his contribution to debate on the Appropriation (2008/ 2009) Bill. He put the situation quite succinctly when he said:

As the Brumby Labor government has benefited from a record level of tax revenue, it has failed to increase basic services to keep pace with our growing population.

I want to focus from a Gippsland perspective on the delivery of health services and infrastructure, particularly in the Morwell electorate. Let me paint the picture here. Latrobe Regional Hospital is a hospital situated in Traralgon West. It is a 257-bed fully integrated health service, and it provides a range of

health services for over 240 000 Gippslanders. That is a significant number of people in an area that covers quite a wide range of Gippsland and beyond, extending as far north as the New South Wales border, and including areas to the east, South Gippsland and other places. I must say at this point in time that the staff — the nurses and doctors — are held in very high esteem by the community for the great work that they do. They are tireless workers, and their work does not go unnoticed.

Latrobe Regional Hospital has undergone a great increase in demand over recent years, and I would like to outline some of those statistics. When comparing the period from July to December 2006 with July to December 2007, we see that total admissions to the hospital have increased by 1440 patients, which is a substantial increase. The emergency department presentations have increased markedly over time, and in fact in the year from January to December 2007 we have seen somewhere in the vicinity of 27 500 presentations at the emergency department. Just to keep that in context, this was an emergency department that was constructed initially to cater for 10 000 presentations. To paint the picture as it is now, we have 27 000 presentations annually.

I must confess that the number of the hospital's triage category 1 patients who are seen immediately is still at a very high standard, although I have grave concerns about some of the other areas — for example, the number of triage category 2 patients seen immediately has declined to 90 per cent, whereas in 2005 the figure was 99 per cent. The number of triage category 3 patients seen immediately has declined from 84 per cent in July to December 2006 down to 76 per cent in the period July to December 2007. The number of patients admitted to a bed within 8 hours has declined from 73 per cent in the first half of 2007 down to 50 per cent in the six months to December 2007 — that is a drop from 73 per cent to 50 per cent within a six-month period.

These figures are a clear demonstration of the declining standards that the Gippsland community is now experiencing. This has been exacerbated by the Rudd federal government's changes to the Medicare system that will now push those people who are in private health into the public health system. That is a real concern for our local hospital.

In 2006 Latrobe Regional Hospital was awarded the Premier's award for the most outstanding regional health service, so at this time one has to ask: what has gone wrong? I believe it is the fact that the government has taken its eye off the ball. The Minister for Regional

and Rural Development in her address kept referring to the 1990s and even further back. This MPI is about planning for the future, and this government has taken its eye off the ball in that respect in relation to the health services in Gippsland.

I have raised related issues in this house, including the abolishment of the special needs midwife program, which was so lauded by the Premier at the time it was introduced. Only in the last sitting during an adjournment debate I raised the case of Latrobe Regional Hospital ceasing its paediatric speech pathology services from 1 July this year. There are ongoing concerns not only about the declining standards in services but also about some of these services that are being ceased altogether, which are causing grave concerns among the local community.

In terms of dental health, the statistics are really appalling. We have dental practices run through the Latrobe Community Health Service in both Churchill and Moe. In July 2006 the waiting period for general dental health care was 65 months — 65 months! — and in denture care the waiting period was close to 40 months. These are horrendous statistics. I must commend the Latrobe Community Health Service for being able to eat into some of those statistics and reduce the waiting times over the last couple of years. However, the waiting times are still horrendous, and one of the issues that confront our community health service is the difficulty in not only attracting but retaining dental practitioners in their services. I know, for example, that in Moe at this particular point in time they are really struggling to attract dentists to the area, which will only increase the waiting times for those wanting dental care in the future.

Whilst I acknowledge the redevelopment of the Latrobe Community Health Service — I support the \$21 million of development in the ensuing years including six dental chairs in that facility — we still have concerns about the unresolved issue of the PBI (public benevolent institution) status of community health centres across Victoria which makes it extremely difficult to attract and retain dentists in regional areas.

The saga surrounding the Latrobe Regional Hospital (LRH) has been highlighted publicly in recent times. Orthopaedic surgeon Dr George Owen, patients and the Australian Medical Association have been critical of the underfunding and standards of the Latrobe Regional Hospital. Dr Owen was extremely critical of the state government's underfunding of the Latrobe Regional Hospital and I would say the government lacks an understanding of the needs of the local community. Dr Owen has reduced his surgery from 12 patients a

day down to 3, and staff and surgeons have been asked to take leave. It is an indictment of this government that it has not supported our local hospital. Members should consider the fact that those poor patients have had elective surgery cancelled not only on one or two occasions but on multiple occasions and that the staff have to contend with that and deliver that terrible news to the patients. It is just a terrible situation.

In the *Age* of 5 June, John Suckling from Tarwin Lower in South Gippsland was very critical of the government. He had his surgery cancelled on multiple occasions. Mary Ottey came out on *Stateline* last Friday, 20 June. Ms Ottey was due for shoulder replacement surgery but has had her surgery cancelled as well. Many people have come through my office on multiple occasions. They are very concerned about the health service delivery in Gippsland and beyond.

It was interesting to see the *Stateline* program last Friday evening. Some issues which were mentioned were the disparity between the funding allocated to elective surgery and the actual cost of the surgery itself. At that time, claims were made that hospitals such as the Latrobe Regional Hospital are actually losing up to \$2500 on procedures such as knee and hip replacements. We have seen the cancellation of more than 500 hours of elective surgery and the closure of 20 beds at the Latrobe Regional Hospital. The minister said on *Stateline* that he was unaware of elective surgery being cancelled since April of this year. I guess this is the whole point: this government is not aware of the local community's needs and not speaking with the local community. In actual fact, if you look in yesterday's *Herald Sun*, you will see that a survey is being done of doctors across Victoria to get their opinions on the state of health in Victoria. This is something that I suggest the government should be aware of. It is up to the government to consult with health professionals in Victoria.

The financial position of the Latrobe Regional Hospital is also of some concern. In 2006–07, there was a loss of \$4.5 million and the projections are that this year will be just as bad. That is a trend that we do not want to see. We hope that in the future the government will support the Latrobe Regional Hospital sufficiently in this regard.

I am well aware of a master plan for Latrobe Regional Hospital being developed currently. We hope that the outcomes of that will be supported by this government and will be implemented quickly. We have some great assets in Gippsland. There is the Gippsland Cancer Care Centre, the Monash medical school out at Churchill — which the former federal member for

Gippsland, Peter McGauran, heavily supported — and Gippsland Rotary Centenary House, which are great assets. However LRH is languishing behind them.

These projects have come to fruition really because they have been supported by all levels of government and, importantly, the local community. Now is the time for this government to support the Gippsland community in its time of need. The government needs to work with the health professionals, the community and the local member for the area who wants his community to have access to the best possible health services that they deserve.

Mr BATCHELOR (Minister for Community Development) — Let me catch my breath! Members have just heard a contribution from the member for Gippsland South, in introducing the — —

Mr Delahunty interjected.

Mr BATCHELOR — We heard from him earlier today. Don't be a premature interjector!

Honourable members interjecting.

The DEPUTY SPEAKER — Order! Members should know that interjections are disorderly.

Mr BATCHELOR — Today, in introducing this motion, the Leader of The Nationals, who is the member for Gippsland South, alleged that the state government in Victoria is being driven by ideology. The contribution made by the Leader of The Nationals was one of the most deceitful contributions made in this chamber. George Orwell would have been proud of it. George Orwell based his philosophy on a big lie. He said that you should say it loud, and the member for Gippsland South certainly did that; you should say it often, and the member for Gippsland South certainly did that; and you should say it as if it were true when it is not. That was the whole basis of the contribution of the member for Gippsland South today. It was clearly a politically driven speech made in this chamber, driven by the concerns and failures of The Nationals in the Latrobe Valley and, more broadly, Gippsland.

Members of The Nationals are seen as disgraces in the Latrobe Valley. The community in Gippsland and the Latrobe Valley know that to be true. The previous coalition government sold off the electricity generators in the Latrobe Valley and left the Latrobe Valley to flounder. Who did that? It was The Nationals and the member for Gippsland South was a keen and enthusiastic part of a government that flogged off the assets in the Latrobe Valley. Unlike so many members of The Nationals who, during the period of the coalition

government, were sheep like and put up their hands whenever Jeff Kennett bellowed at them, the member for Gippsland South was different. He was an enthusiastic supporter of this process of sticking the knife into the Latrobe Valley and into Gippsland. He is so guilt ridden about his actions in the 1990s that he seeks to come into this chamber to try to purge the guilt he feels now.

The member for Gippsland South will not get away with it here, and he certainly will not get away with it in the Latrobe Valley. The people of the Latrobe Valley will never forget that it was the member for Gippsland South and The Nationals who were eager and enthusiastic participants in sticking the knife right between their eyes. The member for Lowan is nodding his head in agreement now and reflecting what good fun it was.

Mr Delahunty — On a point of order, Acting Speaker, the minister is not reflecting my views. I am shaking my head, not nodding. I ask him whether he is supporting his New South Wales Labor colleagues in selling off the industry.

The ACTING SPEAKER (Mrs Fyffe) — Order! There is no point of order. I draw the minister back to the matter of public importance.

Mr BATCHELOR — What is worse is that the Leader of The Nationals had 15 minutes to talk about his matter of public importance, which really refers to natural resource management in the Latrobe Valley in Gippsland. It was not until he had almost finished that he realised he had forgotten to mention the word ‘coal’ even once. He was almost entirely through his speech, and I took note of it — he had 4 minutes and 49 seconds left in his speech — when he first mentioned coal, and then he stopped mentioning it just 2 minutes later. That is all the concern he has about the most abundant and best natural resource in the Latrobe Valley. Brown coal and its utilisation are crucial to the economic future and viability of the Latrobe Valley, but The Nationals do not care about that.

We as a government have been doing a lot since we were elected. We have identified that there are 500 years worth of brown coal still to be used in the Latrobe Valley, and we cannot turn our back on that. We must find a means of using that coal in a more environmentally sustainable way into the future. What have we done? Since 2005 we have committed over \$200 million to research, development and demonstration of emerging clean coal technologies and carbon capture and storage. Why? It is so that we can provide a future, economic development and a sense of

achievement for the people of the Latrobe Valley. This huge investment got no recognition or acknowledgement from the Leader of The Nationals. In fact he said that we had not done it, and that is why I say that his contribution was one big lie.

We also see that in the most recent state budget we have committed more than \$125 million to advance carbon capture and storage technology so it can become more commercially available for the energy sector to help make that transition to a clean energy future. Some \$110 million has been provided for a large-scale carbon capture and storage (CCS) demonstration. This will support the pre-commercial demonstration of CCS technologies. These projects will be done on a industrial scale in partnership with industry and the commonwealth, and they are likely to attract significant international interest and hopefully even significant international investment.

That is what the government is doing. What are The Nationals doing? Zero. They are doing nothing except coming into the house and distorting the reality and trying to trick and fool the people of the Latrobe Valley and Gippsland. In the last budget we also contributed \$12.2 million to set up Clean Coal Victoria and provide four years of funding. It delivers on our election commitment to establish a body to develop and provide a strategic resource plan to manage this most abundant of our resources and to do it in a way that gets the support of the community and is environmentally sustainable. It will ensure that Victoria’s valuable brown coal resources are protected for future generations and will encourage both the community and industry to be attracted to new investments in the Latrobe Valley because of the coal riches that are there and the desire we have to use it in an environmentally friendly way.

We also committed in the last budget \$5.2 million for the investigation of carbon capture and storage sites in the Gippsland Basin. This funding will provide a better understanding of the geology of the Gippsland Basin and how it might be suitable for CCS. We have also provided \$3.6 million to extend the Cooperative Research Centre for Greenhouse Gas Technologies, otherwise known by the name CO2CRC, on the condition that there is also a contribution from industry and the commonwealth government, because CO2CRC leads the development of academic research into CCS, not only here in Victoria but in the rest of Australia and around the world.

We have provided \$50 million to HRL to develop a large-scale demonstration plant using world-class clean technologies. The Leader of The Nationals did not even

know about it. We are developing a new power station in the Latrobe Valley through HRL. A partnership between the commonwealth and state governments will deliver a new power station in the Latrobe Valley. The Leader of The Nationals is so out of touch, so arrogant and so city-centric that he does not know what is going on. He is a disgrace to the people of country Victoria when he comes into the chamber and fails to recognise the good work that this government is doing in making a contribution to the future of the people of the Latrobe Valley.

Dr SYKES (Benalla) — I am grateful for the opportunity to contribute to this debate on the matter of public importance:

That this house condemns the government for its ideologically driven policies regarding natural resource management and for its failure to plan for and provide appropriate levels of infrastructure and services, particularly during a period of unparalleled wealth in the history of Victoria.

I wish to focus on the Brumby government's appalling management of our most valuable natural resource — water. I will just start with the no-dams policy. The government has undertaken a review of dam options, made selective information available and managed to write off all possibility of new dams. I challenge the government to make the full review available and to have it subjected to public scrutiny. If we look at previous undertakings and planning by the government, we see that in his 2008 report entitled *Planning for Water Infrastructure in Victoria* the Auditor-General was very critical of the methodology used by the government. The minister and the government are reluctant to have their report subjected to public scrutiny because they would be very wary about whether it would stack up. I know from the Big Buffalo argument — the argument for extending Lake Buffalo — that the public reason for not proceeding with that is that we have to operate under the Murray-Darling Basin cap. The government truly does not understand the situation — the cap is on allocation and usage of water, not on storage of water.

I now move on to the farm dams policy. It is clear that we needed to introduce controls to ensure equitable access to water for not only the land-holders on whose land the rain falls but also for downstream users and the environment. But the over-zealous interpretation of what constitutes a waterway has all but stopped the construction of farm dams in the upper catchment in north-east Victoria. The implementation of the current farm dam legislation is not as was intended by the Parliament and must be reviewed immediately.

Let us look at the decommissioning of Lake Mokoan. The decommissioning is based on flawed and incomplete information. The most glaring misinformation is the claim of water savings by the decommissioning. The government claims that around 50 gegalitres of water savings will be made when in fact the government's own figures show that only 34 gegalitres will be saved from the actual decommissioning process — and that is only half a gegalitre more than the savings from the local irrigator proposal to partition the lake. Also 12 gegalitres of the government's claimed savings are from water buyback, which is totally independent of decommissioning. The savings are not true savings because the scheme involves buying water out of the system.

That said, I welcome, along with a lot of people, the \$20 million allocation for the rehabilitation of the wetlands, and that will be needed regardless of whether the decommissioning proceeds or whether there is a partitioning option. The cost is certainly well up on the original budgeted amount of \$1 million. Clearly there are significant cost blow-outs even before this project has got under way. The government still has not addressed the fundamental issues that concern the irrigators in the area. Security of supply at current levels has not been guaranteed, delivering water to the remaining irrigators at reasonable cost has not been guaranteed and the flood risks to Benalla are still uncertain. We are heading down the track of another snow job by the government, which is going through the motions of a review when in fact its intention is clearly to justify the decision it has already taken.

If we move onto the north-south pipeline, when it was first proposed it was clearly illogical to pipe water over the Great Dividing Range from the dry north to the wetter south. Since that time, report after report from reputable organisations such as the CSIRO and the Murray-Darling Basin Commission have highlighted the disastrous and rapidly deteriorating state of the Murray-Darling Basin. This has been highlighted in reports such as the Murray-Darling Basin Commission's *Drought Update* of May 2008 and its *Sustainable Rivers Audit*, which was released just in the last few days. The Goulburn River scored worst of all rivers in the basin. The city-centric Brumby government deliberately excluded the Goulburn River from the Murray-Darling Basin management agreement so that it could plunder water from the dry north to meet Melbourne's water requirements.

The dishonesty of the government is highlighted by its justification that the Goulburn River would be able to cope with this water being plundered. The water is proposed to be pumped from a pumping station on the

Goulburn River at Yea. The calculations the government did on the impact of water flow were measured 20 kilometres downstream from the pumping station and downstream from where the Yea River and the King Parrot Creek discharge into the Goulburn River. This is absolutely gross dishonesty. There are other options for meeting Melbourne's water needs, which have been very clearly enunciated by the Leader of The Nationals in the upper house, Peter Hall.

I now move to the infrastructure side of the issues. The infrastructure needs in country Victoria are not necessarily sexy — they are basic. What we need is road and rail. Our road funding is grossly inadequate. Today we have had the release of the Auditor-General's report in relation to the regional arterial road network. The conclusions, as contained in a Victorian Auditor-General's Office *In Brief* bulletin, state:

While forming a favourable conclusion about VicRoads management of road maintenance, the audit concludes that the condition and performance of the regional road infrastructure has deteriorated in recent years. This trend is likely to continue.

Maintenance expenditure has failed to keep pace with inflation ...

There is not enough money going into country roads during a time of unprecedented wealth and income coming into the Victorian government.

If we also look at local roads, we see they are a massive drain on local government budgets. Local governments often have small rate bases and a massive road network, and this is reflected in massive rate rises which I will touch on another day. In spite of all of that, there is a failure to keep up with the basic maintenance requirements. To be fair, the Minister for Local Government is aware of this issue as that impacts on local country councils. He is aware that there are at least 20 local governments that are under severe financial pressure, but the challenge for that minister, who is sympathetic to the concerns of those 20 local government areas, is to convince the city-centric Premier and others in his party and the federal government to put appropriate funding towards country roads and local councils. If you fix country roads, you will save country lives.

I will now look at the rail network. We welcome the announcement of a \$500 million upgrade and standardisation of the Albury–Seymour railway line and the associated rolling stock. That is a tribute to the efforts of the community over a number of years and has been supported by the members for Murray Valley and Benambra — I have had a little go in there myself — lobbying vigorously to ensure that that

network be upgraded. It is also a credit to the former federal Leader of The Nationals, Tim Fischer, who chaired an outstanding committee that produced an outstanding report called *Switchpoint*. But it does not go far enough. We have a situation where we are going to have a stranded railway line — that is, the Benalla–Oaklands railway line. If it is not standardised at the same time as the Albury–Seymour line, then we will have no ability to transport by rail the grain from the southern Riverina and the northern Victoria area, and we are talking about 30 000 tonnes of export grain being produced in that area. If that railway line is not upgraded and standardised at the same time as the Albury–Seymour line, then that grain will have to be transported by road. That will put additional pressure on the road system, and we will see it deteriorate further.

Returning to the issue of natural resource management, just in case members of the government are not able or are not inclined to read scientific publications from CSIRO or the Murray-Darling Basin Commission, I encourage them to read papers such as the *Age*, which on Friday contained an article headlined 'Goulburn River health check "very poor"'. The editorial in the *Age* on Saturday was entitled 'Time to dither about the Murray has run out'. If people cared to look at that editorial, they would also see an appropriate cartoon by Tandberg, who has stage 1 of the pipeline heading towards Melbourne and then stage 2, when completed, doing a U-turn and taking the water back to the dry, drought-stricken northern Victoria, which is doing it extremely hard. An *Age* article on 21 June is headed 'When the river runs dry'. Other headlines in the *Age* on Friday, 20 June are 'Running out of time' and 'The Murray-Darling may be dead by the time governments act' — and so it goes on. The Brumby state government has to lift its game and address the issues of infrastructure and natural resource management.

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

Mr NARDELLA (Melton) — The Liberal-Nationals coalition, and I put it in that sense, has a plan and it has a strategy. It has a two-pronged plan. The first prong, and we saw this yesterday, is that you give the government Dorothy Dixers via the Premier and the ministers during question time. The second prong of that strategy is here now, and that is to provide the government with another form of a Dorothy Dixer through the MPI so that government members can talk about all the great things the government is doing in infrastructure services in Victoria. The Liberal-Nationals coalition is giving us another free kick. This gives the Brumby Labor government another

great opportunity to highlight its achievements in Victoria.

I can just see the opposition members with their brains trusts, whoever they may be, huddled in a corner of a darkened room and coming up with a cunning plan. Blackadder is there scheming and planning, and Baldrick is there saying, 'I have a cunning plan. We will put up this matter of public importance and talk about infrastructure and services in Victoria. We will have a go at them. We are going to attack the Brumby Labor government on the things that it has not done'; on the things opposition members claim are missing in Victoria. Part of the cunning plan that Baldrick put together in the darkened room was to make sure that no member talked about infrastructure or services in Victoria or where they will put their dam. Of course The Nationals have a plan for dams in Gippsland and damming the Mitchell River. We have just upgraded poor old Ralph Barraclough's bridges out there in Licola after those devastating floods, but what are they proposing to do? They are proposing to flood his township. They are proposing to flood the valley out there. That is their plan to safeguard and secure the water supply for Victoria, and yet they will not utter one word about what their real intentions and plans are on that matter. The Leader of The Nationals stands condemned on that.

I want to talk about roads, and it is all about improved safety and efficiency in Victoria. Since 1999 we have spent \$5.8 billion on roads in Victoria; \$2.5 billion of that has gone into the arterial road network in country Victoria — 43.1 per cent. What are we doing? We are fixing country roads to save country lives. That is the Labor Party motto, that is the Labor Party policy and that is what the Labor Party is putting in place. We have developed the Meeting Our Transport Challenges policy — a \$10.5 billion commitment over 10 years. Since 1999, \$1.5 billion has been invested in completing 50 significant metropolitan road projects. And there is more: 20 further projects are being delivered or are in the pipeline, including the \$1 billion Monash-West Gate freeway upgrade, the Cranbourne-Frankston Road duplication and the Ferntree Gully duplication. And there is still more: the Western Port Highway upgrade and the \$25 million Vineyard Road duplication in Sunbury.

In the west there is more: \$54 million for the Taylors Road duplication and \$331 million for the Deer Park bypass and the Leakes Road overpass that we are working in conjunction with the federal government to deliver. These are projects the Liberals and The Nationals are still trying to locate in their *Melway* street

directories. And there is more: in regional areas there have been 50 major road upgrade projects since 1999.

Those opposite have the gall to come in here and say nothing is happening in regional areas, because they do not know what is happening in regional areas — but I will remind them. There are 21 road projects currently under way, with an investment of \$1.3 billion, including the Geelong ring-road, which we forced the Howard government to start to fund. We are at stage 4 of that road. It is coming on stream very quickly. There is the Calder Freeway upgrade and the Bass Highway improvements, but there is more. We have the new river crossing at Echuca-Moama and tens of millions of dollars to help restore Gippsland's road network following the floods in local communities. Talking about floods, all The Nationals want to do is flood those local communities, not build roads and bridges to them.

In road safety we have Arrive Alive 1, with the lowest road toll in the last five years. Arrive Alive 2 is the strategy to further slash the road toll by 30 per cent over the next 10 years and maintain Victoria in first position in road safety worldwide. We have a new licensing system to protect our young drivers. Over the next 10 years there will be a further \$650 million invested in road safety projects with, as I said, over 40 per cent of that in country areas. By 2010 we will mandate safer vehicle technologies for passenger cars.

How does this compare with the seven long, dark years of the Kennett government with The Nationals as its cheer squad? Let me give the house one statistic: in 1999 The Nationals and the Liberals provided road funding of about \$46 per head. In 2007 the Brumby Labor government funding was around \$170 per head — a 270 per cent increase. But there is more. We are delivering the \$112 million Keeping Melbourne Moving plan. We have delivered EastLink, Australia's largest road project. Those on the other side of the house could never do it.

In ports we are delivering on the bay channel deepening because of the freight and economic implications here in Victoria and because we want to create jobs. In public transport we are taking action to increase infrastructure and services. For country and regional Victorians the \$750 million regional rail upgrade, which has been consistently opposed by the Liberal-National party coalition, was delivered. On the Ballarat line upgrade \$185 million was spent. The honourable member for Polwarth opposed, and still opposes, our upgrading of the rail track and rail crossings, and we have upgraded signalling with fibre optics. There are the new V/Locity train sets that were built for that particular project and now the 20 new

carriages that are being constructed at Bombardier Transportation at Dandenong. There are 400 extra rail services due to the regional rail upgrade.

But there is still more. We have the new train station at Marshalltown on the beautiful Bellarine Peninsula and the new railway station at Spencer Street, now called Southern Cross station — they would never have been delivered under the Liberals and The Nationals. They did not care. They were running the system down, and they closed six rail lines in country Victoria.

North Melbourne railway station is being upgraded, and there is a new rail station at Wendouree in Ballarat — but there is more. We have late-night V/Line train services to 11.30 p.m. on Friday and Saturday nights, 10.30 p.m. Monday to Thursday and 9:30 p.m. on Sundays. There has been a 20 per cent reduction in fares and the extension of the metropolitan pricing zone to include places like Bacchus Marsh, giving them full access to the metropolitan system. But there is more, and examples are: the \$5 million Deer Park station upgrade, increases in bus services, bus priority measures, the SmartBus network, and the Saturday afternoon and Sunday buses in both Melton and Bacchus Marsh.

And there is more. There are new bus interchange facilities throughout Victoria, with over \$1 million spent in Melton and \$800 000 in Bacchus Marsh. We have increased bus services, as I have said — for example, the new 459 bus route in Melton — and there is the Craigieburn rail extension, the new Roxburgh Park railway station and the \$800 000 upgrade of the Bacchus Marsh car park. These are the things we are delivering, and we await the plans, strategies and policies of the opposition. But I can tell you, Acting Speaker, that we have waited nearly nine years, and we will still be waiting in another nine years.

Mr MULDER (Polwarth) — It is always great to follow the member for Melton. The government is on the defensive here today with the latest revelations about the public transport woes of the Brumby government. Here they are rolling them out one after another, trying to defend what is an absolutely appalling record in public transport delivery in the state of Victoria over the last nine years.

The fact of the matter is that when the current Premier, who was formerly the Treasurer, turned up here in 1999 he had the money courtesy of the former government — and he has had the time. All of the predictions have been there in relation to public transport growth. What has the current Premier and former Treasurer done in relation to improving the

public transport network throughout metropolitan Melbourne? He has done absolutely nothing in the last nine years.

The Premier, the disgraced former Minister for Transport and member for Thomastown, and the struggling Minister for Public Transport who never wanted the job in the first place, share the blame collectively for what public transport users are putting up with as we speak. The Premier and former Treasurer has his fingerprints all over this disaster, from fast trains through to the myki smart card. These are projects that were signed off by the former Treasurer, who is now the Premier of this state. The Premier knew how to stitch up the ambitious member for Altona. He was right — she was not up to it, she was out of her comfort zone and out of her depth when she was rolled into the role of being the Minister for Public Transport in Victoria.

What are we facing? There is predicted patronage growth of 28 per cent for trains, predicted patronage growth of 13 per cent for trams, all by 2011, which is just around the corner. That is the type of patronage growth that we are expecting here in Melbourne — and the government has known this all along and has chosen to do absolutely nothing about it.

Yesterday's Melbourne *mX* newspaper states:

... Brumby's admission today that almost one in five passengers risked being stranded by overcrowded trains, trams and buses by 2011.

One in five passengers risked being stranded at a railway station, at a tram stop or at a bus stop by 2011. What has the government done about it? It has done absolutely nothing. The article goes on further to say:

Under the government's predicted passenger growth figures, added services will fail to absorb even half the extra travellers.

What is the government doing about it? The government knows the situation we are facing by 2011 and yet the government, the Premier and the Minister for Public Transport simply put their heads in the sand and do nothing about it whatsoever. The article continues:

Brumby told 3AW the answer was to squeeze in commuters.

The government wants to squeeze them in:

The government will cram a predicted 28 per cent growth in passengers into an 11 per cent growth in capacity, he said.

I think that is what you would call an insertion. That is what is going to happen to our public transport system

and those people who take up the offer to travel on public transport in Victoria. The article further quotes the Premier and states:

‘Our goal is to make it fit’, Brumby said, ‘The objective is to carry the increased number of passengers’.

How on earth are you going to carry the increased number of passengers when you simply do not have the rolling stock to carry them — and that is the position that we are facing here in Victoria. All this is supposed to be fixed with 18 trains and a handful of trams on loan courtesy of the Yarra Trams parent company. The so-called early bird free train travel is up for review in two years and there is every chance that it will be declared a dead duck. As Bernie Carolan from Metlink said, it has not set the world on fire.

We then have the Premier’s brainchild known as Flex in the City, and it would appear that Melbourne commuters are going to suffer the same fate as some of the actors in the Premier’s take of that tacky television show, because there is no joy for public transport commuters out of the Premier’s Flex in the City. It seems to have almost died a natural death. We have heard almost nothing much of that particular project since it was announced. There just does not appear to have been any planning at all. Government members are in their offices hoping like hell that fuel prices are going to fall overnight, sitting alongside the Minister for Water, who is staring at the sky hoping it is going to start to rain. That is exactly what this government is all about in relation to planning for the public transport network and services generally right across the state of Victoria.

There is interest in the Sydenham line, which runs out to Kororoit. It will reach capacity in a year’s time — in a year’s time there will not be room to squeeze in any more passengers commuting on that Sydenham line. Connex did a presentation recently that appeared on its website, but the page that referred to this impending disaster somehow or other seems to have disappeared. It was within the presentation made by Connex, but when it was put onto its website somehow or other this particular page, which embarrassed the government in the lead-up to the Kororoit by-election, appears to have disappeared. You have to think about the poor people in the Kororoit electorate having to put up with a rail service that is going to be at capacity within 12 months, having to face death-trap level crossings and rail lines that are at capacity, and — as was revealed from an examination of yesterday’s leaked expression-of-interest document for the franchising of Melbourne’s train and tram network — having to deal with an admission that public transport in areas such as

Kororoit are ‘deficient’. Yet we have member after member from the Labor side rising to their feet and trying to talk up the government’s commitment to and involvement in public transport in the Kororoit area.

Looking at the report about the leaked document, it is the state secret that is not really a secret, the expression of interest that is not really an expression of interest but a draft that is not a stamped draft, and that can change. This is a leaked document that the Liberal Party released yesterday. The document talks about the capacity of Melbourne’s train and tram network and how the contracts will be run in the future. There will be capped fines for operators, with no incentive for an incoming operator to improve services for 15 years, and the ability for tenderers to factor in the capped fine amount when preparing their tenders by simply including that amount as a cost of doing business on the public transport network in Melbourne. Patronage growth for trains will go up 28 per cent and on trams it will go up 13 per cent, but there will only be an increase of 11 per cent in the capacity of trains to cope with this growth.

As I pointed out before, public transport services in the outer metropolitan and regional areas are deficient. The government will have to fork out up to \$5 million to assist each tram network tenderer, including the current operator, Yarra Trams. The free lunch the minister had with transport operators in Paris has come at a very high cost to taxpayers. It was a very expensive feed of escargot in Paris for the minister.

Potential bidders who have seen this very close and cosy relationship unfold between Yarra Trams and the Minister for Public Transport have been frightened away from tendering for tram contracts in Victoria. The government is now offering each potential bidder for the tram contracts up to \$5 million to help prepare their bids, and of course this \$5 million also flows on to Yarra Trams. It is not being extended to the train contracts but is simply for the tram contracts. It is an appalling situation. The relationship that has formed between the minister and this company has grown to such an extent that it has turned potential bidders away from what should be a very lucrative business in Victoria. It has them in a state of fear, and they are not prepared to tender.

An honourable member — Labor mates.

Mr MULDER — Labor mates — you can smell it coming a mile away. The situation is that \$5 million is on offer. If you go to the contract site, you find the current contracts are there. If you went and had a look at the Yarra Trams annual reports and all the other

information that is published in relation to train and tram patronage rates and service delivery rates in Victoria, I do not think it would be all that hard to put together a tender — and \$5 million jumps into your hip pocket simply because of this situation and the perception that the government has created out there in the general and business communities that this is already a done deal. The trams are on loan from the Yarra Trams parent company. How convenient and what great timing that is — they arrived just prior to the tenders closing! Why did we not buy new trams? Why do we have to go through the situation of drip-feed, hire-purchase arrangements? This is an absolute disgrace.

Ms RICHARDSON (Northcote) — I rise to speak in opposition to the member for Gippsland South's matter of public importance today. What an extraordinary matter of public importance it is. It is extraordinary because we all remember the deep and lasting cuts that were made to services across the state when the Liberal and Nationals members opposite were in government. They slashed and burned services across the state; they closed schools and hospitals. They ripped the heart out of country Victoria and exposed working families to ever-worsening conditions, yet here we have opposition members acting in complete denial of their record of betrayal, particularly in country Victoria.

Liberal and Nationals members have repeatedly called for more funding to be spent on services and infrastructure to such a degree that if they had been elected at the last state election they would have plunged the state into record levels of debt. They come in here today purporting to be champions of the people, purporting to be champions of our schools and our public hospitals, champions of jobs and champions of our regions, when they are nothing like the champions they purport to be.

An honourable member — It is a sham.

Ms RICHARDSON — It is indeed a sham. It is true to say that Victoria is enjoying strong economic growth. Let us just have a look at one of the key indicators, and that is jobs. We recorded a further increase in employment for the month of May, bucking the trend on jobs in other states. Last month employment in Victoria increased by 5700 people according to the Australian Bureau of Statistics. That means that since Labor was elected in 1999 an extra 452 100 jobs have been created. This is an increase of 21 per cent. Despite the economic challenges of drought, the high Australian dollar and the fallout from the USA subprime crisis, we recorded the second

highest jobs growth in the country, second behind only the resource-rich state of Queensland. Furthermore, we were the only state to record a fall in the unemployment rate, to a new record low of 4.3 per cent. These results demonstrate how Labor is committed to sound economic management, and how that sound economic management is helping to boost our economy and create jobs for all Victorians. Victorians can be very proud of all that they have achieved, and Labor can be very proud of ensuring that Victoria leads the way in this important area.

But this great lie promoted by members opposite who argue that Labor has not invested in Victoria simply cannot go unchallenged. We have been delivering record amounts of infrastructure to improve our state and create jobs. From 2008–09 net infrastructure investment will rise to an average of \$4.3 billion for each of the following four years. This will increase general government capital stock by 31.7 per cent, which is significantly higher than the projected increase in population of 6 per cent over the same period. The 2008–09 budget also announced asset projects with a total estimated investment of \$4.4 billion. This includes \$491 million for health services, \$1 billion in new and improved road and rail facilities, and \$592 million to upgrade our schools.

We all know that education is Labor's no. 1 priority. I would like to focus on Labor's investment in this area because I believe it clearly illustrates just how flawed the matter of public importance brought before the house today truly is. As I said earlier, this budget announced the investment of a further \$592 million to upgrade and modernise our schools across the state. This investment is part of the \$1.9 billion that was announced prior to the state election to upgrade every single school across the state. It builds on the \$7.3 billion that has been invested in our education system since we were elected to office in 1999. It is a much-needed and much-welcomed investment in that system. It is there to ensure that no child misses out on the educational opportunities presented to him or her. We are also building new tech wings, science and maths wings and new select schools, and we are seeing the results. We are seeing educational standards improve and retention rates increase.

In stark contrast the Liberal and Nationals members opposite supported the closure of 370 schools across Victoria. We all know that The Nationals voted 1150 times with the Liberal Party to forcibly close 178 country schools. We all know that the local school is so often the heart of a country community, and yet we had The Nationals ripping the hearts out of those local communities by forcibly closing country schools.

Members opposite are now coming into this house and not apologising for this record but rather acting in denial or trying to cloud the issue. For example, the member for Murray Valley has previously come into this place and said that in government the Liberals and Nationals were not really all that bad, that in fact in his electorate they closed only two country schools. He proudly claimed they closed only two country schools!

For the record, for the member for Murray Valley and for members opposite, the coalition government actually closed five country schools in the electorate of Murray Valley, not two. Before any other member of The Nationals comes into this place to present a lie to the house and boast about the low number of school closures, let us remember that in Murray Valley five schools closed. They were the following former schools: Bobinawarra East Primary School, Burramine South Primary South, a Numurkah school, Eldorado Primary School and Everton Upper Primary School. Those schools no longer exist thanks to the policies of Liberal and Nationals members opposite.

It does not stop there: in Shepparton five schools were closed, in Lowan 14 schools were closed, in Swan Hill 19 schools were closed, in Mildura five schools were closed, in Benambra eight schools were closed, in Morwell four schools were closed and in Gippsland South 15 schools were closed by the National — —

Mr Jasper — On a point of order, Acting Speaker, I would like the honourable member to name the five schools that closed in Murray Valley electorate. That is absolutely incorrect —

The ACTING SPEAKER (Mrs Fyffe) — Order! That is not a point of order — —

Mr Jasper — and not right.

The ACTING SPEAKER (Mrs Fyffe) — Order! That is not a point of order.

Ms RICHARDSON — I am very pleased that the member for Murray Valley has sauntered into the house and sought to correct the record — or run into the house. I hope it does not cause him an injury. I have already named the five schools that were closed, and the member can check them in *Hansard*. Where were the members of The Nationals when all of these things were done? They were silent and gagged. Every time the Kennett government said it was time to close one of their country schools, The Nationals members were nowhere to be seen.

We are all aware that the Gippsland by-election will be resolved this Saturday. I refer to a document that has

been circulated throughout the Gippsland region entitled ‘What have The Nationals done for Gippsland’. It lists a number of things but says that The Nationals have:

... neglected Gippsland by closing schools, destroying 5000 Gippsland energy jobs, closing hospitals in Moe and Traralgon and closing the Bairnsdale rail line. On top of all that, they gave you WorkChoices.

It then lists every school that was closed by The Nationals and the Liberal Party when they were in government: Cabbage Tree Creek Primary School, Club Terrace Primary School, Mount Taylor Primary School and Munro Primary School. The list goes on and on. I urge members of The Nationals to look at the list and get the facts straight for the future. The consequence of all this was that retention rates fell and education standards — —

Dr Sykes interjected.

The ACTING SPEAKER (Mrs Fyffe) — Order! The honourable member knows that is unparliamentary language

Ms RICHARDSON — I am sorry that I have upset those opposite with the truth, but there it is. I urge them to look at the record and to apologise to country Victorians. They have the opportunity on Saturday to apologise to country Victorians, and I urge them to take that opportunity. But it seems coalition members opposite cannot apologise for this appalling record.

The Leader of The Nationals talked about the battle of ideas. They just talk about the battle of ideas because in following that train of thought they avoid talking about their record in government. As I have illustrated, their record in government was a pure act of betrayal against country Victorians and against the people of Victoria. None of us on this side of the house will allow members opposite to forget that damning record. The truth is that when those opposite were in government they turned their backs on country Victorians — and we on this side of the house will make sure they never forget it.

Mrs SHARDEY (Caulfield) — I rise to speak on the matter of public importance and in particular that element which focuses on the failure of the Brumby government to plan for and provide appropriate levels of service in the health portfolio during a period of unparalleled wealth in the history of this state. This coming weekend the people of Gippsland and the people of the Kororoit electorate will have the opportunity to pass judgement on the performance of the Brumby government in relation to many issues. It is

my contention they will be thinking about this government's failure to provide appropriate levels of health care across the state despite its expansive claims and despite its having the money and the capacity to have done so much. One has only to look at the record of the government, even in the last six months, to see that waiting lists have exploded yet again. There has been a failure of the government in health to meet six out of its own nine benchmarks. There has been a failure to meet the downgraded ambulance code 1 response times in this state, leaving many people without proper levels of health care.

The member for Morwell spoke about Latrobe Regional Hospital, as well as other issues. As the shadow Minister for Health I have also been approached by the doctors and staff of this hospital. Latrobe Regional Hospital is the major regional hospital for Gippsland. I have had personal contact with staff members of Latrobe Regional Hospital and members of the Gippsland community who are appalled by the lack of funding at the hospital, which has led to the closure of surgical beds and their conversion to rehabilitation beds, the cancellation of half the surgery being done at the hospital, the block on nursing staff doing overtime or the employment of more nurses and the request for surgeons to take holidays, if you please. This tragic situation is occurring because Latrobe Regional Hospital has literally run out of money to continue to provide a proper service for the growing and ageing population of this area.

This hospital has used up all its weighted inlier equivalent separations points, which means they have used up all the money they have received from the government to provide elective surgery and health care for the Gippsland community. This is the second year in a row that this has happened. In speaking to board members I was told that the hospital is running at 105 per cent capacity. A hospital can run up to 102 per cent capacity and get funded but after that it is on its own. This hospital has had to fund 3 per cent of its activity for as long as it has been running at 102 per cent capacity. This is a situation which this government cannot deny and which is evidenced by the fact that the waiting list for elective surgery ballooned from 881 in December 2006 to over 1113 in December 2007. This hospital has also failed to admit 50 per cent of its patients from the emergency department to the hospital within 8 hours. It has failed to meet the government's target for treating 80 per cent of patients in the emergency department 4 hours before discharge, and it has failed to treat category 3 patients in the emergency department within 30 minutes, according to the last *Your Hospitals* report.

The overall financial situation of this hospital, according to its last annual report, shows that it has gone from a \$10 million surplus to a \$4.5 million deficit. The finances of the hospital are now in a parlous state. In fact when doctors speak to me, when doctors speak to television stations and when doctors speak to the media they are saying the morale at this hospital is at rock bottom. This is also backed up by the nursing staff. Dr George Owen, the head of orthopaedic surgery at the hospital, has been quoted today in this house. He says he normally does 12 operations a week, but earlier this month he reported that he was down to doing just three operations a week. Some of his colleagues have given up and gone on holiday. Another surgeon said, 'I'm here, I want to operate, but we are told there are no beds or no time, or given some other excuse'.

With all of this happening the minister appeared on *Stateline* recently and we were all absolutely gobsmacked when he said he was totally unaware of the situation. The Minister for Health must be very much out of touch not to know what is going on in one of the largest regional hospitals in the state. I guess he must be spending too much time walking behind the Premier when he gives good news stories. In any event, it shows he is completely out of touch and does not know what is happening in his own portfolio. Dental care in this area is a disaster, with people waiting up to four years for treatment.

I have another issue in relation to Latrobe Regional Hospital — that is, the failure of the Brumby government to provide adequate resources for breast screening tests. Now tests can be done on only one day a week. This is forcing patients who have travelled from as far afield as Heyfield, Yarram, Phillip Island and Warrigal to for wait up to 7 hours in a waiting room for a scan. This is not an acceptable situation and is not one that encourages women to have regular testing as we would want.

I would now like to turn briefly to the Kororoit electorate, and in particular to the two main hospitals which are supposed to provide acute health care to the people of Kororoit. I note the government's failure to plan through its dodgy forecasting of Western Health's activity leading to these hospitals running over capacity. The 2003 forecasting for Western Health showed that the expected total inpatient separations for Western Health for 2006–07 were 79 360. But this was more than met the year before when there were 87 534 separations, which means this government has no idea what the demand on its hospitals will be. Therefore, how can it possibly plan to provide a decent level of service? Of course, it doesn't.

Between these two hospitals there are officially over 2500 people waiting for elective surgery and, according to the FOI material I received in my office from those hospitals, the figure is over 3000. At Sunshine Hospital the waiting list for elective surgery went from 1220 in December 2006 to 1352 in December 2007. There was a 33 per cent increase in elective surgery waiting lists for category 2 patients and a decline of nearly 4.5 per cent in the total admissions to the hospital.

Looking at Western Hospital we can see an increase in its elective surgery waiting list from just over 1000 in December 2006 to nearly 1300 in December 2007. The FOI figures I received actually show the figure as 1543. Many of these patients experience huge waiting times for treatment. Medical patients wait more than three years and still receive no treatment. There was an increase of 18.5 per cent in category 2 patients waiting for elective surgery and an increase of some 26 per cent in category 3 elective surgery patients at Western Hospital.

At the same time, at this very hospital, the Western Hospital, there was a decline of 3.5 per cent in the number of admissions and a decline of nearly 2 per cent in emergency department presentations. There are more people waiting but less work is being done at these vital hospitals to serve the people of the western suburbs. On top of this, these hospitals between them failed to meet the government's own targets set for ambulance hospital bypass, category 3 patients in the emergency department to be seen within 30 minutes, patients to be admitted to a bed from the emergency department within 8 hours, patients to be treated and discharged from the emergency department within 4 hours, semi-urgent patients to receive elective surgery treatment within 90 days and non-urgent patients to receive their elective surgery within 12 months. It looks like a failure, from my point of view.

At Sunshine Hospital, the closest acute facility to Kororoit, for example, some 315 patients who are deemed to be semi-urgent are waiting for a colonoscopy, which is the most common test done to determine if someone has bowel cancer. I do not have the time to go into more detail on that fiasco.

I would like to mention briefly the fiasco of the finances of Western Health which saw the health service record a \$10.7 million deficit last year after a \$5 million surplus the year before. On top of this, we saw the more than \$2 million loss on dodgy investments in the United States subprime market, and we still do not know that that is the full extent of the loss from the taxpayers \$8 million originally invested six weeks previously.

Finally, if you add to all of this the more than 8500 people waiting for dental treatment in the area you get a picture of an electorate for which the Brumby government believes it will never have to do anything significant. Just like our hospitals which are buckling under the pressure of increased demand, the Victorian dental health system is also buckling under the pressure of demand. This government is totally failing to fill the needs of people across Victoria, but particularly in Gippsland and the western suburbs.

Mr INGRAM (Gippsland East) — I rise to support the motion of the member for Gippsland South, the Leader of The Nationals, that this house condemns the government on its ideologically driven policies. My question is: which government? This is one of those *Animal Farm* moments in politics when one side is blaming the other side for its ideological views — and this debate is about natural resource management!

I was listening to the member for Gippsland South. I would have to agree with some of his comments about the timber industry and alpine grazing; we share similar views on that. But he did lose me when he started making comments on blind ideological views such as his comments when he started talking about dams. I am wondering whether those on both sides of politics could not be criticised. They have ideological views which do not necessarily match the majority of the community.

Another issue on which the member for Gippsland South lost me was climate change. I think he has become a climate change sceptic, if he was ever anything else. Interestingly, in the Gippsland by-election we have seen a number of candidates come out very strongly defending the coal industry in the valley. They have even gone a step further, saying we cannot do anything in the valley that might affect jobs, so don't put a carbon tax on brown coal or the industry. From discussions I have had with people in the industry, it is clear they know that unless we do something about climate change — unless we are in the mix and actually do something — we will be decimated, we will be run over by this truck. The rest of the world will condemn us for not dealing with climate change.

This is one of the biggest issues out there. I stand here and criticise those on both sides of politics for having ideological views on this and for being too soft on climate change and not doing enough about it. Unless we have strong views on this going forward and start doing something serious, the coal industry will be crushed. A whole range of industries and communities will be crushed. It is an interesting comment that those on one side of politics are criticising those on the other

side of politics for going too far in attempting to deal with this issue. The truth is that there is so little difference in a whole range of ideological views on both sides of politics.

I refer to a strong example that I have — that is, privatisation. We have gone from the Kennett years of privatising everything to the Labor years of selling Snowy Hydro if we could. In New South Wales the government is planning to flog off its power industry. Now we have Labor public-private partnerships, which are just privatisation anyway — but we just do not talk about them. There are a whole range of issues — —

An honourable member interjected.

Mr INGRAM — I could probably be criticised for that as well. On a whole range of issues, both sides of politics are indifferent. Going back to the by-elections, there was a great editorial in that great paper, the *Bairnsdale Advertiser*, which said, ‘Let us be honest about it; we are going to be bombarded with massive amounts of election material, but in the end there is not going to be much change. Even if the government does change, most of the policies will be much the same’. But where the two sides of politics differ, that is where the focus is, and that is what this debate is about today.

We should really look at what this motion is about. It may surprise some members of this place and some people listening that something is going on in Gippsland! A by-election is happening this weekend — that is what this is all about. You can get concerned thinking about this. Why is this issue being brought up today? If you read the papers, basically they say The Nationals are a shoo-in to win the seat. Today’s *Age* had a comment to the effect that The Nationals have it in the bag and all the rest of it. But this smacks of desperation on the part of the Leader of The Nationals — to come in here and promote his candidate and push this along as a last gasp effort. That is what this is all about. We could probably rename this motion ‘The last gasp to save the dying Nats in Gippsland’ — that might be what the motion should have been called.

The reason I think The Nationals are concerned — and rightly so — is that the Liberal Party is having a fair crack down there in Gippsland. We know that there are differences between the The Nationals and the Liberal Party. At the last state election The Nationals said, ‘You cannot trust the Liberal Party’, and I think the Liberal Party responded with something similar. These tensions really start with these three-cornered contests. That is what is going on in Gippsland — it is a three-cornered contest. It is pretty intense, but The Nationals and the Liberals have to be nice to each other because they are

back in coalition at both the state and federal levels. They have to be nice to each other, so they are in here having a crack at — —

Mr Kotsiras — Who put you over the line? Who gave you preferences?

Mr INGRAM — Some of your preferences did not come last time; the Libs got second!

There has been a lot of discussion about the north–south pipeline and a dam in relation to Gippsland. There has been a fair bit of discussion here today about a proposal to dam the Mitchell River. In Gippsland the Leader of The Nationals says, ‘We want to dam the Mitchell and dam the Barkly River for local use’, but Gippslanders know very clearly that that is not what this proposal is for. I refer to a *Herald Sun* article on 8 November 2007 which quotes Victorian Farmers Federation president Simon Ramsay — and the VFF is meeting this week, with a dam on the Mitchell River as one of the issues on the agenda to be debated. We know where Simon Ramsay stands on that, because after the floods last year he made it very clear:

But if the science is telling us that there is going to be more floods in Gippsland, and if we have an under-supply of water in the Goulburn Valley, then it doesn’t take a mathematician to work out where future supplies of water should come from ...

We are talking about Melbourne’s water supplies here. The Leader of The Nationals, who is the member for Gippsland South, was also reported in the article as talking about a dam on the Barkly River. He said:

But a new dam will have benefits for everybody if we do it right.

That is his quote. This is about the impact of the north–south pipeline and supplying water to Melbourne. We know in Gippsland that we have one of the last, large unregulated rivers in the south-east coast area of Australia. The Mitchell River is really the only river that has that sort of volume of water. Not satisfied with the stuffing up of all of the Murray–Darling Basin — with over-allocation, dams and regulation — The Nationals want to take the last, large unregulated river on the south-east coast and say, ‘We have not stuffed up this one so we better go and do it. We better go and put a dam on it and take the water to Melbourne’. There are other alternatives. I am not saying that the government gets everything right, but putting a dam or a large storage on the Mitchell would be one of the biggest disgraces of any government.

We know that this is the policy of The Nationals; we have heard enough about it to know that this is the

policy that is coming out. It is about time that the member for Gippsland South was honest with the people of Gippsland and the people of Victoria, because that is what the policy of The Nationals is. They cannot go around the state talking about other alternatives — dams here and dams there — unless they are honest about what the water is for. They cannot go opposing the north–south pipeline and say they are not going to take water out of that catchment and be down there opposing desalination. We know that Melbourne needs more water. Less rainfall is occurring in the catchments. Going forward, there is going to be a bigger challenge on this.

It is about time that we had this debate clearly and asked what will happen if, in two or two and a half years, the government changes. Would that new government turn off the tap on the north–south pipeline and have a policy of damming the Mitchell and sending the Mitchell water into the Thomson Dam? Is that the policy of The Nationals? That is what Gippslanders and other people need to know. These other projects will be well and truly under way.

In any case, that is what this motion is all about. It is a desperate, last-gasp effort to shore up a candidate in the face of the serious challenge the Liberal Party is giving The Nationals in Gippsland.

Mr McINTOSH (Kew) — I am pleased to join this debate on the matter of public importance submitted earlier by the Leader of The Nationals. We have heard significant contributions from the Leader of The Nationals and also from the members for Morwell, Polwarth, Caulfield and Benalla, on the broad ambit of this matter, which is talking about a government that is not fulfilling its primary obligation of providing adequate services and infrastructure and properly managing our natural resources in this state.

In my own shadow portfolio responsibility of police and emergency services, nothing could be in starker contrast to that obligation than the way this government has behaved in delivering services and failing to plan and properly resource our police force right around this state. When you look at the rapidly growing suburbs around Melbourne you see rapidly growing populations, but those populations do not have the support of the government in providing the necessary police services to ensure that violent crime in particular is kept well and truly under control.

When this government came to office in 1999 it had some \$17 billion to be spent on the delivery of government services. That is what it inherited from the previous government. Since that time that figure has

been rapidly growing through revenue from everything from GST to stamp duty, land tax and all of those sorts of things. This government will spend over \$35 billion next financial year, according to its latest presented budget, but of course that \$35 billion seems to be spread across a raft of different issues, and the one that seems to be getting the least attention is the delivery of police services in this state, particularly, as I said, when you look at some of our rapidly growing population centres around metropolitan Melbourne. I highlighted this matter in my own contribution to debate on the budget when I talked about the desperate need for the government to listen to organisations such as the Australian Bureau of Statistics, which has been reporting massive increases in Melbourne's population since as early as 2002. But the government has chosen to ignore all of those warnings, and still we have an inadequate provision of police resources.

I refer to an article from the *Herald Sun* of 27 April this year which identified a number of police stations that were underresourced and a number that were supposed to be properly resourced. Laverton had only 7 police officers available for duty on 12 March; Caroline Springs had only 10 police officers on 12 March, out of an apparent total complement of 16; Altona North had only 17 police officers available for duty on that particular day; Melton had only 23; and Keilor Downs had only 29 police officers available, notwithstanding the fact that Keilor Downs is a significant and large 24-hour police station that supposedly has in excess of 50 police officers on its books. On 12 March it had only 29 police officers actually available for duty.

I have raised this issue before in this house, not only during the budget debate but also in other contributions, and we all know the reason behind it, which is that establishment strengths for our 24-hour police stations may be depleted for reasons as varied as long-term absences for WorkCover leave, maternity leave or long service leave. There are substantial vacancies in a number of our police stations, not the least of which is Keilor Downs, which I have just mentioned, and on top of that there are a number of secondments.

I note the comments made by a police spokeswoman that were reported in the *Herald Sun* article of 12 March about this matter. When she was confronted with this great and significant problem of the lack of police resources in many of these police stations, she actually seemed to agree that the police who were on establishment at those police stations were not available for duty at those locations because they had been seconded to, amongst other things, the Purana task force, the dog squad or other drug operations.

Yes, there is no doubt those police officers actually exist, and yes, there is no doubt they are doing good works in Purana, the dog squad or drug operations, but they are not in Keilor Downs, they are not in Laverton, they are not in Caroline Springs and they are not in Altona North doing the work of police officers at those locations. It is the inability of this government to address that issue that has flowed through to impact on communities with rising levels of violence.

Let us look in particular at some of the more notable rapidly growing areas of metropolitan Melbourne. Let us look at postcode 3023, Caroline Springs. In the last eight years of this government, violent crime has increased by a massive 88 per cent — well and truly above the state average — in Caroline Springs. Assaults in Caroline Springs have increased by 105 per cent; weapons offences have increased by 116 per cent; and aggravated burglary — this is not just a normal burglary; this is where someone actually breaks into your home when you happen to be present — has increased by 242 per cent. Property damage — graffiti and other damage — has increased by 137 per cent. Behaviour in public offences — antisocial behaviour and public drunkenness — have increased by a massive 400 per cent.

Let us look at a suburb like St Albans, which has the postcode 3021.

An honourable member interjected.

Mr McINTOSH — All of this comes from official police statistics. Violent crime in St Albans has increased by 72 per cent; assaults are up by 116 per cent; property damage has increased by 64 per cent; and behaviour in public offences — they seem to be well behaved — have increased by a mere 22 per cent. But when you get to the issue of violent crime you can see the massive problems that rapidly growing suburbs face when they do not have a satisfactory level of police officers. The Police Association, as part of its recent campaign, on its website identified that Melton and Brimbank — two local government areas and two police service areas — have a deficiency in police resources of a total of 127 police officers. We know perfectly well that Melton has the highest level of growth in violent crime of any local government area in the state of Victoria, and Brimbank has the fourth highest increase in violent crime of anywhere in the state. Of the 76 local government areas, Brimbank and Melton combined have a deficiency of 127 police officers.

It is a tragedy that this government is not concentrating on rapidly growing areas. We are told that it is

concentrating on these areas because it is interested in the west, but what is the government delivering in the west in relation to Melton and Brimbank? It is delivering less than the 127 police officers who are needed in those areas. That is the tragedy that is leading to rapidly increasing crime in these areas, and that tragedy, of course, will play out over a number of years. What we need is a government that will use those surplus budget funds — \$17 billion in 1999 and over \$35 billion this year — to deliver to the people of the western suburbs and elsewhere in the state of Victoria a properly resourced police force with members who can actually work at the police stations they are allocated to and not go on secondments or otherwise. It is a complete tragedy for the people of the western suburbs.

Mr KOTSIRAS (Bulleen) — I pay tribute to the Leader of The Nationals for bringing this matter of public importance before the house, because it is true that this government has ignored the constituents and residents of the western suburbs. It has failed to provide much-needed services to Victorians. It does not matter whether you are talking about a refugee or a newly arrived migrant, the government has ignored their needs and has not provided any funding for their needs.

The ACTING SPEAKER (Mrs Fyffe) — Order! The time for debate on the matter of public importance has expired.

STATEMENTS ON REPORTS

Law Reform Committee: property investment advisers and marketeers

Mr BROOKS (Bundoora) — I wish to make a statement on the Law Reform Committee's final report of April 2008 on its inquiry into property investment advisers and marketeers. I would like to repeat my acknowledgement of the contribution to the preparation of this report by all members of the committee, including the chair, Mr Johan Scheffer, a member for Eastern Victoria Region in the other place; the deputy chair, the member for Box Hill; other members; and in particular the staff of the committee, including Kerry Riseley and Susan Brent, who were major participants in the preparation of this report.

One of the major issues the committee dealt with when preparing this report concerned the findings and evidence we heard about the lack of financial literacy in the community. That provides a fertile ground for less than reputable marketeers to operate on. The committee heard evidence that in some cases the vacuum of solid

property investment education was being filled by less than scrupulous operators.

Mr Gerry Brody from the Consumer Action Law Centre told the committee that education in lots of circumstances is actually advice. Spruikers evade regulations by describing their seminars as being educational when they are in fact offering advice. The committee made a recommendation about the regulation of property investment advisers and about providing a carve-out for legitimate schools, universities and other accredited educational providers. The issue of financial literacy is still one of concern.

I think some fantastic initiatives are being undertaken in Victoria, particularly by Consumer Affairs Victoria, to educate people about financial matters. I particularly note the educational effort regarding the financial literacy of young people. I commend Consumer Affairs Victoria on its Consumer Stuff website, which is targeted at children who are in years 8 to 12 at school. I noticed that one of the initiatives of Consumer Affairs Victoria is to run a competition through schools for young people to identify issues such as credit cards; preventing young people getting into debt and bankruptcy; buying a first car — young people should be careful not to get a car that ends up being a lemon; choosing the right mobile phone — we often hear stories about young people signing mobile phone contracts that leave them with hefty debts; renting; sharing houses and different laws that affect people in those regards; consumer rights; getting a refund; advertising; the Trades Practices Act; and general budgeting and money management.

That competition runs in schools and is a part of the curriculum. It is quite an innovative way of getting a message across. It allows young people to produce board games, brochures, posters, songs, comic strips and radio advertisements. Obviously the criteria for judging the competition would be about which one of those methods gets the message across to young people about those important financial literacy matters.

During its consideration the committee also found there is no shortage of advice provided to people about property investment, particularly through magazines, newspapers and books. But there is still a relative lack of authoritative government or industry information about direct property investment. As I said before, there are concerns that that has been exploited by people who pretend to provide property investment education when in fact they are providing their own particular advice and are spruiking their own property schemes. I noticed in a big and fairly reputable lift-out from a weekend newspaper a story about margin lending, which drew

my concern. It was a positive article about margin lending, but it failed to point out some of the risks and dangers of taking out a margin loan, particularly for people who might be already experiencing significant debt because of the interest-rate rises of the former federal Treasurer, Peter Costello, and a whole range of other financial pressures. I commend this report to the house.

Public Accounts and Estimates Committee: financial and performance outcomes 2006–07

Ms ASHER (Brighton) — I wish to make a few comments on the Public Accounts and Estimate Committee report on the 2006–07 financial and performance outcomes, which was published in May 2008. I will refer particularly to chapter 17, which is about advertising and promotion. This report is a very comprehensive piece of work done by the Public Accounts and Estimates Committee. I note that one of the key findings of the committee is that ‘advertising and promotion expenditure by departments in 2006–07 totalled \$70 million’. The committee also spoke at length about the difficulty of getting figures and the difficulty of getting a consistency of figures between those reported by the Auditor-General and those that were given to the committee about the government’s advertising costs. There was also difficulty getting definitions of those costs.

In particular I want refer to table 17.2 at page 472 of the report, which outlines current spending on advertising and promotion by water authorities. I draw the attention of the house to the fact that Barwon Water increased its advertising and promotion expenditure by 20 per cent between 2005–06 and 2007–08. Goulburn-Murray Rural Water Authority had a 66.6 per cent increase in expenditure over that period. Melbourne Water, which spent \$1 million in 2005–06, actually spent \$600 000 in 2006–07, so one authority went the other way. But of great concern to me is that City West Water spent \$3.1 million in 2005–06 and then spent up to \$3.8 million in advertising and promotion in 2006–07, which is an increase of 22.6 per cent. While the residents of the Kororoit electorate — they pay their water bills to City West Water, which is a government instrumentality — are suffering from restrictions alongside the rest of Melbourne, we see that their water authority has had a 22.6 per cent increase in spending on spin, advertising and promotion at a time when this government is asking the people of Kororoit to support a Labor candidate who has been brought in from outside the electorate.

I also note that South East Water, which is in my own area, spent \$1.9 million in 2005–06 on advertising and

promotion and \$2.3 million in 2006–07, which is a 21 per cent increase.

I have raised in this house on many occasions the profligate way this government throws its money around for meaningless advertising, particularly in the water area. In table 17.3 on page 474 we see that the expenditure on the Our Water Our Future advertising promotion program for 2005–06 and 2006–07 was \$8.2 million. What was the Our Water Our Future advertising program? Of course that was one when former Premier Steve Bracks flew around in a red helicopter.

There is a range of ads. We now have the water myth ads being run in local papers and in daily papers rebutting a number of myths, some of which the Labor Party itself established in the first instance. One of those advertising and promotional ads tries to rebut what is not a myth but a coalition argument — and that is, that taking money from north of the Great Dividing Range to service Melbourne is a bad policy outcome. It is a bad policy outcome for country Victoria, and I commend those people who placed in today's paper the advertisement which again makes that point. But the government in the Public Account and Estimates Committee's report on budget outcomes also makes the point that this money is for spin. The money is not being spent on information about water; these moneys have been wasted on spin and rebutting a political argument — water myth 4, I think it is — that is calling for people to support a proposal by the government which is distinctly unfair and outrageous. I urge members to look at this wasted money and urge the government not to do it in the future.

**Public Accounts and Estimates Committee:
budget estimates 2008–09 (parts 1 and 2)**

Mr STENSHOLT (Burwood) — I would also like to speak on a report by the Public Accounts and Estimates Committee — in this case it is the reports on the 2008–09 budget estimates, parts 1 and 2, which have been presented to the Parliament in the past weeks. Under section 40 of the Financial Management Act 1994 the government is required to submit to Parliament, along with the appropriation bills, the budget estimates for the forthcoming financial year. It also includes the following out-years. The budget estimates include the goods and services the government departments will produce and provide, the amounts available to each department, the estimated amount of receipts and receivables for each department and the expected financial requirements of the Parliament — this house discussed that particular bill in the last sitting week.

There is a lot of money involved. It is estimated in the budget that the total income from transactions will be around \$37.81 billion, with total expenditure at around \$36.982 billion. In addition it is forecast that substantial infrastructure investment will continue. The Labor government has made record investment in infrastructure, and there is a projected net investment in the 2008–09 financial year of \$4 billion.

The process that the Public Accounts and Estimates Committee followed involved holding a range of hearings. It was good to see the transparency and accountability of the Brumby Labor government following on from the Bracks Labor government, where the Premier, all ministers, the Speaker and the President of the Council appeared before the committee and answered questions for a substantial period, and there was a Hansard recording of the hearings.

The principal intent of the committee in presenting these early reports is to assist members in their consideration and obviously to enrich the parliamentary debate on the appropriation bills. In order to help this process the committee secretariat, on instruction from the committee, sent out a questionnaire to each department, including the parliamentary departments, regarding departmental assumptions; performance measures; asset funding; efficiencies and savings; demographic factors; economic impacts; initiatives and improvements; environmental challenges; financial information; regional and rural considerations; communication; advertising and promotions; information regarding the non-government sector; revenue initiatives and departmental income; fees, fines, concessions and subsidies; and also staffing matters. It is a comprehensive range of material which was provided to the committee to help its members to frame questions for ministers when they appeared before the committee.

Fifty hours of committee proceedings were held over 10 days; in excess of 507 questions were researched and raised by committee members; the evidence of 174 witnesses was heard; there were 603 pages of transcript, which I recommend that members read; 102 questions on notice were asked and further information was requested. This was modelled on the Senate estimates process. The early reporting covers a range of issues which were raised in response to the questions asked by members.

I will give a sample of them. Members will see from the key issues raised under the energy and resources portfolio, for example, discussion on the planned rollout of smart meters by distribution companies, the review of the Australian Energy Market Commission,

the establishment Clean Coal Victoria, the energy technology innovation strategy, the Otway Basin project, the impact of population growth on future demand for electricity and also the Victorian renewable energy target scheme, among a range of other matters raised. Also, for example, under the environment and climate change portfolio we heard about the natural resources investment program, the funding for bays and maritime initiatives, native vegetation tracking strategies and the integration of biodiversity issues in planning developments. They are just a sample.

I recommend the report to members. It was a good effort from the staff of the committee. I commend Valerie Cheong, the executive officer of the committee, the committee staff and also the Hansard staff who recorded and transcribed the hearings.

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

Mr DELAHUNTY (Lowan) — I rise to speak on the inquiry into the misuse and/or abuse of benzodiazepines and other pharmaceutical drugs. It is a very good report. I worked closely with my parliamentary colleagues and the committee staff in the presentation of it. There were two reports; one was done by the previous Parliament, and one has been done by this Parliament. Before I get into that, though, I would like to congratulate all involved in Drug Action Week, which is on this week, as you, Speaker, are well aware. It helps raise awareness of not only drug-related but also alcohol-related problems. The Youth Substance Abuse Service group is set up in Queen's Hall. It is a statewide community service. I met with them there, and I hope other members use the opportunity to speak to them today.

In relation to the preparation of this report, many organisations, groups and individuals provided valuable information to the committee. Some evidence was of personal and family experiences of the terrible effects caused by the misuse of these drugs. As we all know, there are clear benefits associated with the safe and effective prescription and use of these drugs, but substantial harm is done to individuals and their families if they misuse them. The other concern of the committee is that a lot of these drugs are subsidised by the pharmaceutical benefits scheme, so their misuse obviously costs us as Australians a lot of money.

The report sets out 30 recommendations covering education and training, research and treatment. A couple of weeks ago the government presented its response to that report and its 30 recommendations. It

has supported 5, it has not supported 2, and it has supported in principle 23 of the recommendations. Overall the committee is very pleased by the response from the government.

I will cover a couple of the recommendations. Recommendations 16, 17 and 18 are about the prescription recording service, which I feel passionate about. The recommendation is to develop, in consultation with relevant health and medical stakeholders, an electronic real-time prescription recording service that will be available to medical practitioners and pharmacies in Victoria. The government's response was that it supports it in principle, but it says the Victorian government strongly supports the development of a national electronic real-time prescription recording service that would be available to medical practitioners and pharmacists throughout Australia. I am happy with that response.

The report also refers to the other two recommendations. The key thing about this is that it needs to be driven by the Minister for Health. That is recommendation 17: that the Minister for Health propose at the next Australian health ministers conference that consideration be given to the rolling out of a prescription recording service at a national level. The government response is that it supports it in principle. As we rightly know, that proposal needs to be embraced at a federal level to make sure any such service was effective and worked, otherwise it would create border anomalies and all those types of things because of doctor shopping.

The response is obviously very favourable, but we want to see action coming from the government to make sure it fulfils what it has said in this government response. I am passionately of the belief that we need to do something like having real-time reporting of prescriptions right across Australia. As you know, Acting Speaker, we have seen in the media in the last couple of weeks that people doctor shop, and it is very difficult for doctors to know what other doctors have prescribed. Pharmacies are also unaware of what other pharmacies are administering in this state. Again, we want to see that followed through.

I also want to speak briefly about recommendations 5 and 7, which deal with the fact that the Medical Practitioners Board of Victoria, the Pharmacy Board of Victoria and the Nurses Board of Victoria need to develop appropriate prescribing standards and distribute authoritative information not only to doctors but also to nurses and pharmacists in relation to the safe prescribing of benzodiazepines and other drugs. This needs to happen as quickly as possible so we make sure

we do as much as we can to help people in our community, particularly as it is Drug Action Week.

I also want to mention recommendation 21, which suggests the investigation of ‘emerging treatment models as alternatives to prescribing for anxiety, sleep disorders and pain management’. That was a big concern raised with us. I note the government’s response that it supports this. It recognises there is a need to ensure that the public has access to a full range of evidence-based treatments for common health issues such as anxiety right through to pain management. The government response was good. However, we need to make sure that the government follows through on this report and the recommendations.

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

Mrs MADDIGAN (Essendon) — It is appropriate that I follow on from the member for Lowan, because I also want to speak about the Victorian government response, delivered in May 2008, to the Drugs and Crime Prevention Committee’s inquiry into the misuse and abuse of benzodiazepines and other pharmaceutical drugs. The member for Lowan need not worry. I can assure him that the government will follow through on its promises because it is such a good Labor government. He can sit there resting happily knowing that all these things will happen as we go along. Certainly we are glad to have the support of The Nationals, and I am sure we also have support from the Liberals for a national prescription service, which will not only assist in the area of doctor shopping but is also — and we saw this trial in British Columbia when we visited there — an excellent way of ensuring that people get drugs that are appropriate for them. I am reminded that the system in British Columbia has a warning system so that if you go to one doctor, or perhaps your GP gives you drugs for some condition, and then you are referred to a specialist and you neglect to tell that specialist that you are on these drugs from the other doctor and he or she prescribes drugs that may or may not mix with that first drug, a warning message comes up on the pharmacist’s computer screen. There are lots of health benefits in it as well as benefits in relation to people misusing prescription drugs.

I particularly want to speak about the first section of our report which related to education. I am very pleased with the government response on the recommendations we made there in a number of areas. The first was in relation to community. We found through our examination that there is a great lack of knowledge in the community generally about the effects of

benzodiazepines, and I am glad that in the response to recommendation 5, which the member for Lowan touched on, the report states:

The Victorian medical, nurses and pharmacy boards have agreed to establish a joint working party to develop consistent guidelines for safe management of patients with benzodiazepines and opioid analgesics. These guidelines will take into regard and make reference to guidelines that are currently in place nationally and at a state and territory level, to develop some key messages and overarching principles for the medical profession and other health professionals to observe in their provision of health services.

I think that will be a significant breakthrough in making people more aware of the effects of these drugs. The other areas we were concerned about related to health professionals themselves. I think pharmacists perhaps show a greater awareness of these drugs, because of course they are prescribing them all the time, but some of the other recommendations are really useful in helping nurses and other medical staff, including medical centre staff as well as health professionals and doctors.

We found that there was not a huge amount of training on pharmaceuticals in doctor training programs, and in many universities — although Monash is doing some research at the moment — doctors will have only a very few hours of training in prescription drugs and the pharmaceutical industry in the whole of their training. We are very concerned, especially with the increasing number of drugs that are being placed on the market, not only that there should be an ongoing professional educational body for doctors but also that they should have more training conducted in tertiary institutions. The government is doing a number of things as part of the recommendations. I am glad that one of the things the government has taken on board is for it to contact tertiary institutions and talk to them about the possibility of increasing the amount of time spent on education for doctors regarding pharmaceutical drugs.

The other area the recommendations relate to is nurses and people who work in medical centres and pharmaceutical outlets. Once again there is a great lack of knowledge. All the recommendations on education programs have been accepted by the government. I was very pleased to see the number of actions the government intends to take that will help to ensure that members of the community are aware of the use of these drugs and understand that in some circumstances they are beneficial but that they also have negative impacts, such as the problem of dependence and the dangers of mixing or using them inappropriately or giving them to other people, for which we also found evidence. I am glad that the government has responded so positively, and I join the member for Lowan in

looking forward to seeing these recommendations implemented. I think they will provide for a much safer Victoria in relation to these types of drugs.

Scrutiny of Acts and Regulations Committee: Police Integrity Bill

Mr R. SMITH (Warrandyte) — I rise to make some comments on the Scrutiny of Acts and Regulations Committee report into the Police Integrity Bill 2008, with specific attention to the accompanying minority report and the comments that have been made in Parliament on that report. I did not intend to raise this matter again in Parliament, but I have heard a number of misleading statements from government members, and as a member of SARC I feel compelled to put the record straight.

I would like to begin with some of the comments made by some members in the other place, beginning with Mr Tee, a member for Eastern Metropolitan Region, who said when speaking on this report:

I am pleased that this report has finally seen the light of day. I am pleased that we have gone through the process that everybody wanted to go through. I am pleased that we have had the submissions and the hearings ...

If he is so pleased, I would ask the question: why is he recorded as voting against David Davis's motion to have the hearings in the first place?

Ms Pulford, a member for Western Victoria Region in the other place, then took up the baton. On the concerns in the minority report about SARC's terms of reference, she made the claim that those terms of reference should not include discussion of policy issues. Ms Pulford said that, on her reading, SARC's terms of reference simply did not allow for consideration of policy matters. That statement is in stark contrast to evidence given by Mr Julian Burnside, a witness in the public hearings held by SARC. The minority report quotes Mr Burnside, when discussing SARC's terms of reference, as having said about SARC's scrutiny of bills that:

It involves necessarily a substantial consideration of policy matters.

Mr Burnside was admitted to the Supreme Court of Victoria as a barrister in 1976 and was appointed Queen's Counsel in 1989. Ms Pulford, prior to entering the other place, was a union organiser. I am not casting any aspersions on Ms Pulford's intelligence or her character, none at all, but I am saying that in legal matters perhaps members of this place would be more inclined to lean towards the opinion of a QC than the opinion of a former union organiser.

I would like to move on to comments made in this house in the last sitting week by the member for Bundoora, who stated:

The opposition used its numbers in the upper house to send the bill to the Scrutiny of Acts and Regulations Committee ...

The member neglected to highlight the fact that all non-government parties represented in the upper house voted in support of the motion to delay the bill for further scrutiny — that is, the Liberal Party, The Nationals, the Greens and the Democratic Labor Party. The Labor Party was the only party to vote against further scrutiny of the bill. Here is a tip for the member for Bundoora, Acting Speaker: if everyone else disagrees with you, then perhaps it is not everyone else who is wrong. The member for Bundoora went on to say:

I welcomed the prospect of having further consideration of the bill.

That statement puts him at odds not only with every single one of his Labor colleagues in the upper house who voted against the bill but also with the fact, as shown in the minority report, that he voted against the motion to call for submissions on the bill. You cannot have it both ways. You either believe that further consideration of the bill is not warranted or you believe that it is, and if you have clearly stated that you do not believe it, then you should at least have the guts to stand by that conviction.

The member for Bundoora commented that the minority report threw up three areas of concern. The first, he said, was the lack of consultation with the Police Association. Why that issue is unimportant to the member for Bundoora is something we will never know, because in his contribution he failed to make any argument against it. He said also that Mr Burnside's concerns about the qualifications of a person who is eligible to be appointed the director of police integrity are not concerns that he would have. As to that, I refer to my previous comments about taking the legal opinion of someone who is a QC as opposed to that of someone who is not. The third concern the member for Bundoora raised was the issue of SARC's terms of reference, which I discussed earlier.

The member missed the points the minority report made. Those points were the fact that there was a non-adherence to proper process, a process that was supported by every party represented in this Parliament except Labor; the propensity of the committee to be ruled and led by party considerations before public considerations; and the fact that there were genuine concerns about the bill expressed by groups who will

have to operate under its umbrella and who have not even been consulted in the drafting of the legislation.

In the public hearings some serious concerns were raised about the Police Integrity Bill. I am pleased that we had the hearings. I am on record as voting in support of having the hearings, and I am pleased that the concerns raised at those hearings are now on the record.

CANCER AMENDMENT (HPV) BILL

Second reading

Debate resumed from 24 June; motion of Mr ANDREWS (Minister for Health).

Mr HERBERT (Eltham) — It is a pleasure to speak on this important piece of legislation, the Cancer Amendment (HPV) Bill 2008, because I think it will substantially strengthen our community's attack on the scourge of cancer. It needs to be said at the start that most of us here have direct dealings with or are touched by cancer in our lives. On average we are now living into our 80s, and it seems that as our community gets older the incidence and impact of cancer on people's lives is more prominent. It is a great thing that we are living longer, but we need to step up our attack on this disease and combat the trend of cancer's impact on people's lives.

Victoria has a fantastic track record on innovation in cancer prevention, implementing new treatments and world best practice research. It is a record that has resulted in our having world-leading increases in survival rates. The number of people in Victoria living disease free for five years has gone from something like 48 per cent in 1990 to a 61 per cent survival rate in 2004, which is the last measure I have. That is a 15 per cent increase in survival, and it is going to get a lot better. We saw in the recent budget that the government has a new \$150 million cancer action plan. I want to publicly commend the Minister for Health on putting that plan together, securing funding for it and promoting it. It is a great initiative which will substantially improve people's lives. The action plan aims to fast-track lifesaving treatments, and it will do so as part of a \$233 million boost to tackling chronic disease. You cannot just throw money at these things; it is important to have a strategy and goals you want to meet, and we have an ambitious goal in Victoria. We are going to try to reduce the incidence of cancer by a further 10 per cent — a massive figure — by the year 2015, so 2000 lives will be saved by the injection of this new money into the cancer plan.

The bill before us essentially seeks to reduce the impact of one cancer — that is, cervical cancer, which we know affects about 1900 Victorian women each year. The act currently enables the results of tests for cancer to be forwarded to a prescribed register such as the Victorian cervical cytology register, but unfortunately the definition of 'cancer test' within the act does not extend to precursors to cancer such as HPV (human papilloma virus), which is linked to cervical cancer. The bill broadens the definition of 'cancer test' to enable tests for precursors to cancer to be reported and recorded by a prescribed register in order to check how we are going in our attack on this cancer. The bill also provides a legislative framework for reporting and recording test results for precursors to cancer other than HPV. This is a fairly expensive proposition and will only support the capture of information about other precursors to cancer where a prescribed register is established to record this information.

It has been through measures such as this — the impressive inoculation program we have in this country and the adoption of a concerted national, state and institutional approach to this problem — that the incidence of cervical cancer has declined dramatically since the 1980s. Despite this decline, each year something like 200 Australian women die from this disease, and that is 200 too many. It should be noted, as I said earlier, that we have a good record, partly because of our inoculation strategies but, looking at this disease globally, it can be seen that it is the second most common women's cancer. It is something we really need to concentrate on as a state and as a nation.

Recently the commonwealth government, which is linked with this bill, has stepped up its action to combat the disease through the introduction in April 2007 of free vaccination against certain strains of HPV — strains accountable for about 7 out of 10 cases of cervical cancer — for all women and girls aged between 12 and 26. Today in our schools, girls of 12 to 13 years of age receive free vaccinations. This is terrific and will go a long way towards reducing the incidence right across our society. Importantly women and girls under the age of 27 who miss out can still get free vaccinations, but many of them do not know that. It is something we need to publicise a lot more.

Recently, as part of the cancer awareness campaign I hold every year in the Eltham electorate, I wrote to all women aged between 18 and 27 years advising them of the free vaccination and urging them to see their doctors. I have had a terrific response to that. A number of mothers came to me to say, 'It was great that my daughter got that letter; she got vaccinated straightaway'. I have copies of that campaign material

here in the house if anyone would like to have a look at it, because we all have a role to play in strengthening our state's and our nation's attack on cancer.

Governments and health departments can put in place programs and measures which will substantially reduce the incidence of cancer, but unless people know about them, unless they get checked and inoculated, these programs will not be effective. Members of this house have an active and proactive role to play in this campaign and in promoting important health measures in the communities they represent. I take this opportunity in the course of the debate on this bill to urge members of all political parties, not just Labor, because I know members are concerned about the health of their constituents, to get out and take up the challenge of promoting cancer reduction strategies in their electorates. Members should do it as part of their day-to-day activities and they will find that their communities will substantially benefit from their efforts.

That is all I wish to say about the bill. It is an important bill because it is part of what is a substantial campaign to attack cancer in this state and this nation. It is a campaign in which we all have a role to play. I urge that the bill be speedily passed through the house and implemented as soon as possible.

Ms WOOLDRIDGE (Doncaster) — It gives me great pleasure to rise and make my contribution to the debate on the Cancer Amendment (HPV) Bill 2008, and to talk in support of what is an important bill for women across Victoria. Cervical cancer affects about 150 women every year, and as was mentioned previously by the member for Eltham, it is the second most common women's cancer. As many will know, I have also been a strong advocate in relation to the fight against breast cancer, which is the most common women's cancer in Victoria.

Every year hundreds of thousands of women in Victoria go to their doctors to have Pap smears, testing for cervical cancer. It is a positive connection to have the register that sits alongside that testing to ensure that women undergo tests on a regular basis and to ensure that we continue our success in achieving the low rates of deaths from cervical cancer. Victoria has one of the highest rates of screening in the world and one of the lowest rates of the incidence of cervical cancer, being 1 death per 100 000. We should all be exceptionally proud of these efforts and the work that has been done, and we must continue to maintain and enhance the mechanisms that are in place, as this bill does, to prevent women from getting cancer in the future.

The Victorian Cervical Cytology Registry, which was established in 1989, provides the framework for the structured approach to cervical screening, and it collects the data for the monitoring and evaluation of the program. It also facilitates the regular participation of women in the national cervical screening program through the reminder letters that get sent out when Pap tests are due. It is also a structured approach to reminding women to follow up when they have had abnormal Pap smears. As most of the women in this chamber will have experienced, receiving those letters is a timely and important reminder, given that we all live busy lives. It is an important reminder to make sure that we take care of our health, as well as everything else that is going on in our busy lives.

The purpose of the bill specifically is to amend the Cancer Act by extending the definition of 'cancer test' to include a test for a precursor to cancer. The amendment will enable reports for tests of a precursor to cancer, such as the human papilloma virus (HPV), to be forwarded to the Victorian Cervical Cytology Registry which maintains the prescribed register.

It is also an interesting time, as has been mentioned by a number of other speakers, in relation to cervical cancer generally with the development and the funding of Gardasil as the first cervical cancer vaccine provided to protect women from HPV. It is supplied free to all women under the age of 26. This has been supported across the board. At this stage we must commend Victorian innovation through the Commonwealth Serum Laboratories (CSL) for the critical role it played in the commercialisation of Gardasil before it was then licensed to Merck, which has distributed the vaccine. This innovation in Victoria and the commercialisation of the research is to be celebrated. For many years there has been cross-party support for the good work of CSL, not only in this area but across the board.

It is interesting to think about the impact the vaccine will have on cervical cancer rates as a mechanism to continue to bring down even further what are already low rates. In researching this bill I asked a number of people about its impact on the future. That is unclear as it relates to the registry and ongoing testing and screening, if women are already vaccinated. It is important as things change in this area that we capture the longitudinal data, which hopefully will be enabled by the register. We need to continue our research in this important area so that we can see if things change as a result of having a vaccine as well as a very good screening, detection and reminder process.

For their important feedback I thank a number of women's groups, in particular the Key Centre for

Women's Health in Society at the University of Melbourne. The Australian Medical Association has also been supportive of the mechanisms provided in the bill which will ensure that the precursors of cervical cancer can be captured and the information forwarded to the register. A lot of support has been received from women towards the work of the registry to ensure that it continues to prevent cancer by its capture of the precursors and the identification of existing cells at an early stage.

On that basis I am very happy to add my support to the Cancer Amendment (HPV) Bill, and I wish it a speedy passage through the house.

Sitting suspended 1.00 p.m. until 2.00 p.m.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Water: north-south pipeline

Mr RYAN (Leader of The Nationals) — My question is to the Premier. I refer to the advertisement which appears on page 23 of the *Herald Sun* today with a list of community leaders and organisations opposed to the government's plan to pipe water over the Great Dividing Range to Melbourne, and I ask: are these people telling lies?

Mr BRUMBY (Premier) — I thank the Leader of The Nationals for his question. I did see the advertisement in the *Herald Sun* today. When I was asked about this issue of water and climate change and what we are doing about it yesterday, I made it very clear, as I have repeatedly in this Parliament, that the policies being adopted by the government are the right policies for the state.

I saw the advertisement today. Several other articles have been published in the press in the last few days on this. One headed 'River war' on page 1 of the *Weekly Times* describes one of the real challenges facing irrigators at the moment. There was also 'Poll turns dirty' on page 3 of the *Weekly Times*, and 'Don't water down VFF'. There is just one other matter I might raise if I can in relation to the advertisement today, and that is to remind the house of some other comments which have been made in relation to this project. I will just quote:

Many people fear water trading — —

Mr Ryan — On a point of order, Speaker, the Premier is debating the issue. I have asked him a

specific question regarding a specific matter, and I ask that he answer that specific question. Are these people telling lies or aren't they, Premier?

The SPEAKER — Order! The Leader of The Nationals knows that that is not the form for the taking of a point of order. The Premier is being relevant to the question asked.

Mr BRUMBY — In relation to this matter and in relation to the advertisement, it may be of interest to the Leader of The Nationals if I quote from a speech that was made on this issue. I will just quote:

Many people fear water trading between irrigation areas and towns and cities. In Victoria it is a particularly controversial matter.

However, rural to urban trade may offer more opportunities to rural Australia than threats.

The first thing to remember is that the amount of water needed by cities and towns is very small compared to the amount of water used in irrigated agriculture. To put it in the right perspective, Goulburn-Murray Water's CEO has told me that his authority loses every year through inefficient distribution infrastructure around 900 GLs; about twice the water Melbourne consumes!

...

A good example of this is seen in the Harvey irrigation area south of Perth where Water Corporation (the WA water utility) is paying for the replacement of open channels with pipes. The consequence is that Perth will get an extra 45 GL of water at an acceptable cost, the farmers get the same amount of water at their farm gate as they did before but the water is now available pressurised and on call 24 hours a day. The improvement in efficiency is enormous. This type of win-win partnership between city and country should not be overlooked as a real option.

The person who said that was Malcolm Turnbull!

Honourable members interjecting.

Mr BRUMBY — The former federal Minister for Environment and Water Resources, the former parliamentary secretary for water, now the shadow federal Treasurer, coalition partner — —

The SPEAKER — Order! The Premier!

Mr Ryan — I renew my previous point of order, Speaker. Quite obviously the Premier is debating the point, and I ask you to have him answer the question that he has been asked. Are these people telling lies? That is the question, Premier.

The SPEAKER — Order! I uphold the point of order in that the Premier is debating the question. I ask him to come back to addressing the question.

Mr BRUMBY — I think the most striking thing about the advertisement today is that not a single major business organisation signed it — not a single local government association or council, not a single traders association, not a single employee association or union, not a single social service organisation and not a single economic development organisation. This is the right project for the state. As I indicated to the Parliament yesterday, until recent times all of the water spokespersons on the other side of the house have supported investment in water-saving infrastructure. This is a good project, and it is one that will be seen through to conclusion by our government.

Ambulance services: Gippsland

Mr DONNELLAN (Narre Warren North) — My question is for the Premier. I refer to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the Premier outline to the house how the merger of Rural Ambulance Victoria and the Metropolitan Ambulance Service will benefit the people of Gippsland?

Mr BRUMBY (Premier) — Early this morning at the St Albans ambulance station with the Minister for Health I made a number of announcements regarding the future of the ambulance service in our state. Honourable members will recall that in the recent budget we provided an additional \$185.7 million for the ambulance service across the state. It is the biggest increase in funding ever, with 258 new paramedics across the service, new ambulance services across the state and of course two new helicopter services, one of them based in south-western Victoria.

We also announced that there would be a single ambulance service for the state called Ambulance Victoria. This morning with the minister I was pleased to announce that the new chair of Ambulance Victoria will be the Bendigo-based lawyer who is presently the chair of the Bendigo Health group, Marika McMahon, and the new chief executive officer will be Greg Sassella, who has done such a great job in the past in the ambulance service. I was also pleased to note today while we were there that this month marks the 21st anniversary of the first intake into the ambulance service of female paramedics. With us today were two of the first recruits at that time, Andrea Wyatt and Georgie Hall. It is a remarkable thing to think that until 21 years ago there were no women at all in the ambulance service and now around 36 per cent of all paramedics taken on are women. I think we can be very proud of the service that is provided by our paramedics. I make the point that since coming to office we have

invested in 73 new and upgraded ambulance stations, 44 in rural communities.

I was asked by the member for Narre Warren North to outline what we have done in Gippsland. Last week the Minister for Health was in Gippsland to announce the rollout of the \$9 million Victorian ambulance clinical information system. This is a system which allows paramedics to key patient information into a laptop device rather than manually writing down all the information. It is a significant step forward for rural Victoria because it provides the same level of clinical information that is presently available only in the metropolitan area. The minister also announced \$2.3 million for a new vehicle, two new paramedics and a new station at Mirboo North. I might add that the 2008–09 budget also includes \$800 000 for the redevelopment of the Neerim South ambulance station.

All of that is good news for Gippsland and a very, very different picture from what we saw a decade ago with the closure of services. I am pleased to say that the record support from our government also allowed Rural Ambulance Victoria to commence a recruitment drive of up to 23 extra paramedics in Gippsland to reduce some of the huge workload pressures there have been on the system. That builds on the extra paramedics we have already recruited since coming to office who have improved services in Cowes, Wonthaggi, Omeo, Mallacoota, Paynesville, Moe and Latrobe. It is worth repeating where all of those services are: Cowes, Wonthaggi, Omeo, Mallacoota, Paynesville, Moe and Latrobe. The point is that those increases would not have occurred under any other government and have only occurred under a Labor government.

When you think of Gippsland in the 1990s you think of the cuts to rail services, you think of the closure of schools, you think of the closure of hospitals and you think of the cutbacks in ambulance funding. The Nationals groan about it — the silent partner in the coalition that rolled over every time. This is a government that is investing in services across the state, investing in Gippsland and investing in a world-class ambulance service.

Roads: maintenance

Mr BAILLIEU (Leader of the Opposition) — My question is to the Minister for Roads and Ports. I refer the minister to the Auditor-General's report tabled today, which reveals a \$100 million sustainable maintenance shortfall for government roads and associated infrastructure. I ask: will the minister explain why in making his budget pitch he failed, according to

the Auditor-General, to secure even a quarter of that amount to fix the most dangerous roads?

Honourable members interjecting.

The SPEAKER — Order! The member for Bass! The minister has been asked the question, and he will be given the opportunity to answer it.

Mr PALLAS (Minister for Roads and Ports) — The Auditor-General's report actually makes some interesting observations about the way the arterial road network is being managed. It demonstrates the Brumby government's commitment to investing in better and safer roads in rural and regional Victoria. We are investing more money in road maintenance than ever before. On page 2 the Auditor-General's report states:

Our overall finding was positive.

Indeed the Auditor-General recognised in his report that because of this government's substantial contribution and commitment to building the arterial road network, a commitment to building — —

Honourable members interjecting.

The SPEAKER — Order! The member for Benalla will not interject in that manner.

Mr PALLAS — The Auditor-General in his report identified that over the last decade 2900 extra kilometres have been added to the arterial road network. He also went on to indicate that the arterial road network has grown over the last decade with the expansion of the network and with the increases in the volume of traffic and the size of vehicles using the roads, which is clearly a demonstration of growth and the commitment this government has in an ongoing sense.

Mr Baillieu — On a point of order, Speaker, the minister is debating the question. Indeed the Auditor-General was absolutely positive. On page 24 he said that the minister had failed to invest.

The SPEAKER — Order! I warn the Leader of the Opposition that I will not tolerate points of order taken in that fashion.

Mr PALLAS — The Auditor-General went on to indicate, and I quote from the foreword to his report:

... VicRoads had adequately planned, delivered and evaluated the regional road maintenance program using the available resources.

Quite frankly if I was — as I am — a taxpayer in this state and saw that the Auditor-General has in effect said

that VicRoads is managing its budget extremely well, I would see it as a clear and ringing endorsement. Since the year 2000 we have invested \$1.7 billion in road maintenance right across this state, including \$1.1 billion in maintenance for rural and regional roads. Sixty-four per cent of the total maintenance allocation has been made in respect of rural and regional roads. We have increased maintenance expenditure since 2000 by 40 per cent, from around \$190 million to a projected \$262 million for 2008–09.

As a government we continue to meet the challenges of growth, and our continuing capital commitment to our road network. The seven recommendations that were identified by the Auditor-General in his report have been responded to by VicRoads, all of which have been agreed to. We recognise — as does VicRoads — that continuing to review the strategies for the effective delivery of infrastructure and its continuing maintenance is a critical point. But I make the point for the purposes of the comment from the Leader of the Opposition, and I draw his attention to page 17 of the report, where the Auditor-General says:

The 2008–09 state budget marked a significant change in this approach with the forward funding of additional maintenance in relation to VicRoads successful bids for new road assets.

Not only have we made a substantial contribution in terms of building the capital base and repairing the maintenance structure but also, in terms of ongoing commitments to major infrastructure, maintenance is built into our bids, unlike the situation with those opposite, who did nothing to maintain the infrastructure of this state.

Water: Gippsland supply

Ms LOBATO (Gembrook) — My question is for the Minister for Water. I refer to the release last week of the government's water plan update. Could the minister outline how the Brumby government's water policies have delivered and will continue to deliver water security for Gippsland and also outline the impact of any alternative proposals?

Mr HOLDING (Minister for Water) — I thank the member for Gembrook for her question, because it is a great opportunity to remind all members of this chamber, as those members on this side of the chamber know, that this government is implementing a substantial plan to provide water security for all Victorians. We are including Gippslanders in those plans because we know that our plan to provide water security will only be successful if it provides water security for all Victorians, regardless of where they live.

We are pleased as part of that plan to be implementing the Gippsland Water Factory. As all honourable members know, the Gippsland Water Factory will save up to 3 gigalitres of drinking water and return that to productive use. The Gippsland Water Factory will enable us to treat something like 45 megalitres of water every day; 35 megalitres of that will be treated industrial and urban sewage and 10 megalitres will be used for the pulp and paper manufacturing industries. It is 45 megalitres of water that will be treated every day, and 3 gigalitres of drinking water will be saved every year by our investment in that scheme.

We are also investing in schemes that will provide sewage treatment for the communities of Coongulla and Glenmaggie. We are investing in a wastewater and water project in Loch Sport. That is a \$45 million project which includes an \$8 million contribution from the state government. We are also investing in an \$8.7 million project to provide a sewerage scheme for people who live in the Seaspray area — another great project for people in the Gippsland region. But we know, as the member for Gembrook asked, that there are alternative plans. I am pleased to inform the house that this government has — as it always does — carefully considered all the alternative options that are available to government.

We have considered, for example, the alternative of constructing a dam on the Macalister or the Mitchell river. Our research has shown that not only would an investment such as this not provide additional water security for people in the Gippsland region, not only would it be extremely costly, but it would also have significant social and environmental consequences — for example, I am sure it would be of interest to people who live in Dargo and Licola to discover that under these proposals they would in fact have their townships either partially or substantially flooded. I am sure it would be of interest to the tourism and fishing operators who rely on the Gippsland Lakes for their water security to discover that the Liberal and National parties are supporting propositions that would see water quality diminish, increased fish kills in the Gippsland Lakes and algal bloom outbreaks, which have been difficult enough to manage in the existing drought conditions anyway, exacerbated by the construction of a dam on the Macalister or the Mitchell river.

I am pleased to inform the house that not only are we continuing with the projects that we have in place to provide water security, both additional water supplies and additional water quality improvements, for people in the Gippsland region, but we reject the proposition that a dam should be built on the Mitchell River. We also reject the proposition that a new dam on the

Macalister River should be built. Instead we are investing in projects which will provide water security for all Victorians. We include the people of Gippsland in those plans because we know that you cannot have a pray-for-rain water strategy. You need to make substantial investments in modernising irrigation infrastructure, building a desalination plant, investing in recycling projects and continuing the great efforts of all Victorians to conserve and reduce their water consumption. We are very pleased to have our water plan, our comprehensive plan for the whole state, judged against the proposals of those opposite, who would simply build more storages that would sit empty and have devastating social and environmental consequences.

Human Services: child protection case

Ms WOOLDRIDGE (Doncaster) — My question is to the Minister for Community Services. I refer the minister to the appalling case of child neglect discovered by South Australian authorities involving the seven children of Ms Karen Cunningham, who moved to South Australia from Geelong only three months ago, and I ask: can the minister explain why this child protection case was closed prematurely, leaving these vulnerable young children completely unprotected, and is it not a fact that the Victorian government has clearly failed these children?

Ms NEVILLE (Minister for Community Services) — I thank the member for her question. The reports of this story in Adelaide have been very disturbing. Of course the house would appreciate that I am limited in what I can say about previous child protection involvement with this family in Victoria. In this case I am advised that Victorian child protection involvement ceased over 12 months ago. Since that time — —

Honourable members interjecting.

The SPEAKER — Order!

Ms NEVILLE — Since that time — —

Dr Napthine interjected.

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

Ms NEVILLE — I am advised that since that time no new child protection reports were made to the Department of Human Services by the schools, by health professionals or by other services that were involved with the family. My expectation of the department is that when reports are made, appropriate

action be taken, but of course the department relies on reports being made. So that I can have confidence that the Department of Human Services handled this case appropriately, I have asked the principal child protection practitioner to review the department's involvement with the family.

It is also important to note that in Victoria we are driving major reforms through our child protection and family services sector. A key focus of these reforms is being able to intervene earlier and to prevent families reaching crisis — to really be able to strengthen the ability of community supports — —

Mr Baillieu — On a point of order, Speaker, the minister is debating the question, not answering the question. She has indicated that she has received advice on this matter. The question was: why was the file closed? The minister has received advice and should answer the question.

The SPEAKER — Order! The minister is being relevant to the question asked.

Ms NEVILLE — As I was indicating, Victoria is undertaking significant reforms in our child protection service, with an emphasis around early intervention and prevention, strengthening the ability of community services to respond to vulnerable families before they hit crisis.

Ms Wooldridge interjected.

Ms NEVILLE — Tertiary and statutory services will always play — —

Ms Wooldridge interjected.

The SPEAKER — Order! The member for Doncaster has asked her question. I would appreciate it if she would allow the minister to answer it without constant interjections.

Ms NEVILLE — Tertiary and statutory services will always have a part to play in protecting children at risk, but just as importantly vulnerable families need support and assistance to help them before they hit crisis. We are also working with a new understanding of the impact and effects of child neglect and abuse — —

Mr Baillieu — On a point of order, Speaker, the minister is debating the question, not answering the question. I invite you to ask her to return to answering the question.

The SPEAKER — Order! I believe the minister is being relevant to the question.

Mr R. Smith interjected.

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

Ms NEVILLE — As I was indicating, part of our reforms to the child protection system is a new understanding of the impacts and effects of child neglect and abuse, recognising the effects of cumulative harm and moving beyond an episodic approach to one that looks at a more holistic intervention. The government and the sector believe we are moving in the right direction, and any findings and anything we learn from this particular case that may come out of the review I have requested will help us to improve our responses in the future.

Housing: Gippsland

Dr HARKNESS (Frankston) — My question is to the Minister for Housing. Can the minister update the house as to how the Brumby Labor government is taking action to deliver better housing for low-income Victorians in Gippsland and on any recent initiatives in the area?

Mr WYNNE (Minister for Housing) — I thank the member for Frankston for his question and for his continued interest in public and social housing. Regional Victorians know who is looking out for them — it is the Brumby Labor government.

In the 2008–09 financial year about 40 per cent of the acquisition budget for public housing will be spent in regional Victoria. In Gippsland itself we have built over 420 social housing units since 1999. Not only have we improved the housing, we have also looked to invest in the social and economic participation of people in areas of high concentration of public housing. Our urban and neighbourhood renewal program, which is an extraordinary success story right across regional Victoria and metropolitan Melbourne, has been one of the great success stories of this government. We have invested \$25 million through the neighbourhood renewal program to deliver jobs and to change the face of disadvantaged communities, particularly in Morwell, Moe, Traralgon and Churchill. I think it is widely recognised across this chamber what a great success neighbourhood renewal has been.

We have also formed partnerships with not-for-profit community organisations to deliver more housing, particularly in Gippsland. Last Friday I visited Junier Street, Morwell, to open five new affordable houses for

older people. That was a \$767 000 project in partnership with Common Equity Housing, one of our great cooperative organisations. Indeed today I am pleased to announce a new social housing project in Gippsland, funded of course by the Brumby Labor government. I announce today that we will be funding a new development at McCole and Howard streets in Sale to deliver 10 new houses for low-income Victorians, in partnership again with Community Equity Housing, another of our not-for-profit housing associations.

This development will address the highest identified need in the Wellington shire, being one-bedroom and two-bedroom stock to meet the needs of singles and families. We expect that this project will be completed by 2010 at a cost of \$1.72 million, with the government providing \$1.3 million and Community Equity Housing the remainder of the funds. This is a fantastic project, with seven one-bedroom homes and three two-bedroom homes, and I know that the Leader of The Nationals strongly supports this new development. Indeed the Leader of The Nationals supports this project, I do know that, and that is why I find it very puzzling that the people who sit beside him in the Liberal Party have sought to abolish public housing.

Honourable members interjecting.

Mr WYNNE — No, to abolish the funding of public housing.

Honourable members interjecting.

The SPEAKER — Order! The minister must not debate the question.

Mr WYNNE — Speaker, it was a former Liberal government —

Honourable members interjecting.

The SPEAKER — Order! I ask the minister to come back to the question that was asked of him.

Mr WYNNE — This government remains committed to public and social housing in a partnership with the new Rudd federal government that is going to deliver quality outcomes right across Victoria, right across Gippsland, right across regional Victoria and right across the Melbourne metropolitan area. The partnership between the Victorian government and the Rudd Labor government will ensure that we have funding of the commonwealth-state housing agreement going forward for the next five years.

Public land: firebreaks

Mr INGRAM (Gippsland East) — My question without notice is to the Premier. The state government has recently provided an exemption so that it does not have to comply with native vegetation net gain offset requirements on permanent firebreaks like the 80-kilometre-long and 40-metre-wide firebreaks surrounding the Melbourne water catchments, and I ask: as this decision has proved that even the government cannot meet the cost and land availability needs of net gain requirements, will the government allow local councils, VicRoads, farmers, developers and extractive industries to use the same exemption?

Mr BRUMBY (Premier) — I thank the honourable member for Gippsland East for his question. I must say I am not aware of the finer details of all of the matters to which he refers, but what I can say in relation to the net gain provisions is that they have been reviewed by the government. The net gain provisions were reviewed in 2005–06 and were refocused in a way that makes them more flexible in terms of their application across a range of industries. Net gain is a longstanding principle that is there to ensure that environmental issues are properly protected in terms of any new developments or loss of native vegetation.

In relation to the firebreaks, obviously the firebreaks are put in place to ensure that there will be less damage to native vegetation in the future as a result of fires than there would have been if the firebreaks had not been put in place. That is the logic behind that. You put the firebreaks there to stop the fire spreading, and there is therefore less vegetation lost than would otherwise have been the case. In other words, there has been a net gain in the overall vegetation, which would not have been the case had the firebreaks not been put in place. That is not the case in relation to some of the other matters to which the honourable member referred. If the honourable member has specific proposals in relation to those matters, he should of course put them to the responsible minister, who is the Minister for Environment and Climate Change in the other place.

Regional and rural Victoria: roads and bridges

Mr EREN (Lara) — My question is to the Minister for Roads and Ports. I refer to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: what action is the Brumby Labor government taking to improve regional roads and bridges?

Mr PALLAS (Minister for Roads and Ports) — I thank the member for Lara for his question and for his

continuing concern for appropriate infrastructure right across our state, including in regional and rural Victoria. The Brumby government has been committed to taking action to build better roads, safer roads, better bridges and safer bridges right across regional communities. Some \$2.5 billion has been invested by this government in regional roads since 1999, and indeed we have completed 50 significant regional road projects worth \$1.2 billion. We have committed to a further 21 regional road projects which are either under way or being planned for delivery worth \$1.3 billion. And of course the member for Polwarth will be very pleased to know that in our budget we have made a commitment to the Princes Highway west. He will be pleased to know it, but he was a little bit cynical about it before the announcement. Indeed the member for Polwarth described the Princes Highway commitment as a con, saying that we would walk away from it after the last federal election.

The SPEAKER — Order! I ask the minister not to debate the question.

Mr PALLAS — This road project has been funded in the first Brumby government budget after the federal election, and it was in fact welcomed by the mayor of the Shire of Colac Otway, who described it as a fantastic outcome. I am sure the member for Polwarth will join him in that praise.

But in addition to that, in terms of capital infrastructure, we have made commitments of \$9 million to the Yarra Glen bypass, \$40 million to the Western Highway and a further \$65 million to the Geelong ring-road. While regional population growth has increased by 7.1 per cent since 1999, we have lifted our capital investment in regional roads in Victoria from \$76 per head of population in 1999–2000 to \$191 per head of population in 2006–07. That is an increase of 151 per cent in the government's capital upgrade commitment for roads in regional Victoria. Over the last decade 2900 extra lane kilometres of new road has been delivered, and the number of structures on our arterial road network has grown by 22 per cent with the creation — I know the member for Murray Valley will be pleased to hear this — of over a thousand additional bridges. I know the member for Murray Valley loves bridges.

This government has been making a strong commitment to a large number of major projects, such as bridges, right across our arterial road network. Also the rate of development of major structures has increased by 20 per cent each year with the construction of infrastructure such as rural bypasses. That figure is a 20 per cent increase in major structures on our arterial

road network each year. We plan to spend \$12.3 million on the maintenance of regional bridges and \$6.8 million on the strengthening and replacement of major structures in the next financial year. In addition, recently I was pleased to be at Cheyne's Bridge in Gippsland to open that \$4.8 million bridge which is part of this government's continuing commitment to flood recovery in the Gippsland area.

We are also working with the New South Wales government along the Murray River. In recent years we have built bridges at Corowa-Wahgunyah, Cobram-Barooga, Robinvale and Albury-Wodonga. We are planning activities to commence at Echuca-Moama and, of course, at Swan Hill. Our investment is actually producing results. We have recorded the five lowest road tolls in Victoria's history. Regional Victoria's road toll on a per head of population basis has been reduced by 16 per cent since 2001. We have had the lowest fatality rate per head of population in this state since 1925.

We have a long record in delivering infrastructure for regional Victoria. Unlike those opposite, the Brumby government is undertaking unprecedented investment in our regional road network to better connect Victorian communities.

Racing Victoria: general manager, integrity services

Dr NAPHTHINE (South-West Coast) — My question is to the Minister for Racing. I refer to the inquiry into integrity assurance in Victoria's racing industry which was established by the minister, and I ask: will the minister request His Honour Judge Gordon Lewis to examine the suitability of Dayle Brown to be appointed as general manager, integrity services, for Racing Victoria Ltd given his colourful history and in particular allegations that whilst he was a serving Victorian police officer Mr Brown and a colleague accepted \$30 000 from convicted drug dealer Paul Pavlovski to undertake private investigations which involved Mr Brown illegally misusing his Victoria Police identification in South Australia?

Mr HULLS (Minister for Racing) — I am pleased to announce to the house that I have not had any more kids since the last time I was asked a question.

It is true that I have asked retired Judge Lewis to look at the overall and overarching integrity structure for the racing industry in this state. He is leading discussions with key industry stakeholders, and he will report to me in relation to the most appropriate structure for racing integrity services in this state. I expect that some of the

options he will look at are whether the current structure is appropriate and whether there should be an excising out from the commercial arm of the racing industry of the integrity arm. I do not want to pre-empt the outcome of his report, but he will be reporting to me later in the year.

In relation to what is a separate issue, the issue concerning Mr Brown, I answered that question yesterday. In fact I have answered it twice, so this is the third time I have answered this question. I have the utmost faith in the independent board, which is Racing Victoria Ltd. I believe the board of RVL, which has made decisions on who should and who should not be employed at RVL — —

Honourable members interjecting.

The SPEAKER — Order! The member for Malvern will cease interjecting in that manner. I ask the Leader of the Opposition not to interject across the table.

Mr HULLS — The board includes, as the honourable member would know, Michael Duffy as chair of RVL. I noticed that in today's *Australian* Patrick Smith commented on Michael Duffy in a very interesting article about RVL. He said:

Duffy is the man for the place and time. He will prove strong and unrelenting in his pursuit of those who have hurt Victorian racing. Blinkers off, RVL has pulled the whip.

Michael Duffy is a totally appropriate chairman. We also have Pamela Catty, who is group manager, Robert Cooke, John Harvey, Peter McMahon, Naseema Sparks and Tim Warren, who are all highly qualified people and are independent. That independent structure was supported by the person who is about to take a point of order — —

Dr Napthine — On a point of order, Speaker, the minister is debating the issue. I ask you to bring him back to answering the question on whether he will refer these matters to Judge Lewis.

The SPEAKER — Order! I uphold the member's point of order. I ask the minister to stop debating the question.

Mr HULLS — I do not intend — —

Mr Hodgett interjected.

The SPEAKER — Order! The interjection by the member for Kilsyth was most inappropriate. I warn the member for Kilsyth.

Mr HULLS — I do not intend to interfere with the independent decisions of RVL in relation to who it employs or who it does not employ. I suggest to the member opposite that he take the time to read the federal Corporations Law under which RVL was structured. I would suggest to him, Speaker — —

The SPEAKER — Order! The minister is debating the question. I ask him not to do so.

Mr HULLS — As minister I do not intend to improperly interfere with the affairs of RVL that may result, under the corporations legislation, in a disgruntled member — being one of the clubs or indeed Country Racing Victoria — taking action against directors of RVL for breach of directors' duties under the Corporations Law. I fully endorse the independent board of RVL. I have absolute faith in the board of RVL, and any decisions its members make in relation to employment are entirely a matter for them.

County Koori Court: Gippsland pilot

Mr PERERA (Cranbourne) — My question is for the Attorney-General. Can the Attorney-General outline for the house what action the Brumby Labor government is taking to deliver improved justice outcomes for Kooris in Gippsland?

Mr HULLS (Attorney-General) — I thank the honourable member for his question. As members of this place would know, the Royal Commission into Aboriginal Deaths in Custody made it crystal clear that we need culturally appropriate systems if we are ever to break the cycle of overrepresentation of indigenous offenders in our nation's jails. To this end the government has successfully established some seven adult Koori courts and two children's Koori courts in this state. As part of this year's state budget we announced some \$590 000 to extend the Koori Court model into the County Court. It is with great pleasure that today I announce the pilot of Victoria's first County Koori Court, which will be located at the Latrobe Valley court complex in Morwell. This will greatly improve justice outcomes for Kooris in the Gippsland region. Using the Latrobe Valley court as a base, the County Court will be able to service the entire Gippsland region and could hold Koori Court sessions at Sale and Bairnsdale courts, if that were deemed necessary.

The County Koori Court will be supported by a host of services that already exist in the area, including a drug and alcohol worker based at the Latrobe Valley Magistrates Koori Court and also a local Koori offender support and mentoring program. The Wulgunggo

Ngalu Learning Place for Koori offenders on community-based orders is located at nearby Yarram and will provide a very important sentencing option for the County Koori Court.

The site of this new court was decided in partnership with the Koori community. A reference group, made up of respected elders and representatives from the Victorian Aboriginal Legal Service, Victoria Legal Aid, the Office of Public Prosecutions, Corrections Victoria and the County Court, considered a number of sites right across the state. The relevant regional Aboriginal justice advisory committees recommended the Latrobe Valley as the preferred site, and that was endorsed by the Aboriginal Justice Forum, which is the peak body responsible for overseeing Koori policy and programs in the justice system.

This is a significant expansion of the Koori Court model and will be an Australian first at this level of the court system. The County Koori Court's jurisdiction will be the same as the jurisdiction of the County Court except for sexual offences and family violence offences.

I conclude on this note: Koori courts in Victoria lead the nation when it comes to reducing recidivism rates and dealing with Koori offenders in a culturally appropriate manner. I know that other jurisdictions are looking at the success of the Koori Court models here in Victoria, and I am looking forward to the opening later this year of the County Koori Court, which, as I said, will be located at the Latrobe Valley court complex in Morwell.

CANCER AMENDMENT (HPV) BILL

Second reading

Debate resumed.

Mr LANGDON (Ivanhoe) — I am more than pleased to add my contribution to the debate on the Cancer Amendment (HPV) Bill 2008. Tackling cancer is a challenge for all of us. It is a key priority of the Brumby government and the Cancer Amendment (HPV) Bill is another step in meeting this challenge. The purpose of the amendment is to extend the scope of the definition of 'cancer test' to include a test for a precursor to cancer, such as the human papilloma virus (HPV). The Brumby government has introduced this bill so that we can extend that definition to include a precursor-to-cancer test. One of the things this bill will do is pick up the risk of cervical cancer.

The Brumby government has invested \$24 million to reduce major risk factors and avoidable cancer deaths by investing in effective screening and early diagnosis. It is also investing \$78.8 million to link various cancer research projects and to fast-track this sort of research.

I am particularly pleased that this budget, which we have passed in this house, has honoured the commitment made during the 2006 election campaign to deliver \$25 million for the development of the Olivia Newton-John Cancer Centre at the Austin Hospital, which is in my electorate. I am very pleased that the government has done that. The Olivia Newton-John Cancer Centre will be a major plus for the entire area of cancer research. I know the Austin Hospital is looking forward to starting this work as soon as possible. It is a major project and Olivia Newton-John and all her supporters are to be commended for their work and support for that project.

The recent death of Jane McGrath, an extremely courageous woman who was dedicated not only to her family but also to helping others affected by cancer, has highlighted the battle against cancer. I know everyone in this house feels for the McGrath family and certainly all those people affected by cancer. It can affect us all. Just this week I read in the local newspaper under the heading 'Part of the healing process':

The students at Rosanna Primary School are turning the death of a much-loved member of staff into a positive by joining the fight against cancer.

The school's business manager, Marilyn Wilson, died on Mothers Day after a 14-month battle against non-Hodgkin's lymphoma, and although emotions are still raw, students and staff held a sausage sizzle today to raise money for the planned Olive Newton-John Cancer Centre ...

As I said, this is a very important issue that affects many of us; it has affected the schoolchildren at Rosanna Primary School. In closing, I would like to pay tribute to those school students, the staff and teachers and the friends of Marilyn Wilson for their efforts in raising funds for the Olivia Newton-John centre, particularly as the loss of a loved one and friend has brought this about. I commend the bill to the house.

Mrs VICTORIA (Bayswater) — I rise with great pleasure to speak on the Cancer Amendment (HPV) Bill 2008. This is certainly something that most female members of Parliament will be speaking on. Certainly cancer does not affect just us, but when we are talking about cervical cancer, which is the subject of the bill, it is obviously most relevant to women.

The purpose of the bill is to amend the Cancer Act by extending the definition of 'cancer test' to include a test

for a precursor to cancer. The amendment enables reports of tests for the precursors to cancer, such as the human papilloma virus (HPV), to be forwarded to the organisation that maintains the register for those who are at risk. It is the same people who keep the Pap smear register, if you like; it is called the Victorian cervical cytology register.

Not a lot has been said in the house today about what HPV actually is. I suppose one of my bugbears is that not enough is known amongst the public about what HPV is, how to prevent it or how it is treated. The thing about HPV is that like so many diseases or problems that affect women, it is asymptomatic. HPV can become cancerous, and that is exactly why it is being included in this bill. It can cause normal cells to become cancerous, and it can also cause infected skin or mucous membranes to become abnormal, to become a precursor to cancer and then perhaps even turn into cancer. Most of the time these changes cannot be felt or seen, and it is not until a test is done or it is almost too late that a lot of women find out that they have been affected. In most cases though, HPV does clear itself up and something like 90 per cent of all cases of HPV clear themselves within a two-year period. There can be infection of the cells that can clear without turning into cancer. There are other HPV-related cancers but they are far less common, and they include vulvar cancer, vaginal cancer and other female genital cancers, but also, interestingly enough, anal cancer, and that can affect both men and women.

Cervical cancer, which relates directly to the bill we are debating, is the second highest killer among cancers in women in Australia, being second only to breast cancer. There is a vaccine available, I am very pleased to say, for cervical cancer, and most people would know that it is called Gardasil. It was introduced in the last year or so amid a lot of fanfare and certainly a lot of people think it is a great idea. There are those out there who knock it and think that perhaps abstinence is the best way to deal with the prospect of cervical cancer. We know that using a condom is certainly not the be-all and end-all in the prevention of cervical cancer, nor is having a single partner.

Gardasil is available for all 11 and 12-year-old girls. It is generally given at school, and it involves three doses over a six-month period. It is also recommended for all young women from the ages of 13 through to 26 who have missed out on the school program. They can obtain this vaccine series through their health professional or their doctor. The HPV test can help health-care professionals decide if more tests or treatments are needed. Even women who received the vaccine when they were younger and those who are

going through the vaccination stage now can still get cervical cancer, so it is by no means a 100 per cent shield. Constant cervical screening through the use of Pap smears and the like is really important right throughout women's lives. I am really glad that a reliable test is available here in Australia, and I think it is very commendable that, if there are any abnormalities, testing will be available on a regular cycle and notification of that will be sent to the women concerned.

I have an aunt who has had breast cancer twice. Luckily she is a survivor. One of my best girlfriends has also had breast cancer. They are reminded on a constant basis that they need to go in and be checked. I have another girlfriend who had a very, very nervous wait. She had a Pap smear and was told she had abnormal cells; she described this to me as being like a time bomb. She had a nervous wait not knowing whether those abnormal cells were cancerous or not. Thank goodness it turned out that they were not, but the strain in her voice was so very evident when I was talking to her on the phone. It made her re-evaluate her life. If we can help a lot of people with HPV not have it go on to become cervical cancer, then we are certainly barking up the right tree. We know that somewhere between 150 and 200 women a year in Australia die of cervical cancer. When cell changes are identified by the routine Pap smear tests, it is recommended that further tests be done and the results monitored very carefully.

HPV is recognised as a necessary factor in the development of nearly all cases of cervical cancer. Testing for the virus has become a critical part of the management of women with screening-detected abnormalities of the cervix. In future, it may be desirable for other precursors to cancer to be reported on and recorded as part of a cancer screening program. This bill will allow for those precursor tests to be included in the future. The bill provides a legislative framework for reporting the test results of other precursors to cancer as needed in the future, and it can be extended. The primary objective of the amendment is to facilitate best practice in cervical cancer screening and the treatment of women with screen-detected abnormalities of the cervix. It brings Victoria up to date with the new guidelines issued by the National Health and Medical Research Council in July 2006. I think it gives us what we were setting out to achieve here in Victoria, which is world's best practice. I wish this bill a speedy passage through the house and recommend that every member vote in favour of it.

Dr HARKNESS (Frankston) — It is a pleasure to rise to support this bill, and it is very encouraging to see the interest and the support that it has received. It may

just be a small bill but its impact will be considerable for Victorian women. It is also an important bill because it authorises the Victorian Cytology Service to collect and record test results for human papilloma virus, enabling the service to continue its work in reducing the rate of cervical cancer throughout the state of Victoria.

As other contributors to this debate have noted, this amendment implements new guidelines from the National Health and Medical Research Council as part of the immensely successful national cervical screening program. The passage of this bill is also an opportunity to acknowledge the achievements of the staff at the Victorian Cytology Service. The Minister for Health pointed out in his second-reading speech that the service recently won the contract to develop a national HPV (human papilloma virus) immunisation register, reflecting the service's international reputation for very high quality work.

The service was founded in 1965 as a joint initiative of the state government and the Anti-Cancer Council of Victoria. From somewhat modest beginnings its size and reputation have grown substantially, and it now employs over 100 staff and is the largest single laboratory reporting Pap tests in Australia. It examines almost 300 000 Pap smear tests each year, representing about half of those taken in Victoria. Beyond this it provides education for GPs, ensuring that women get the most up-to-date advice available when they visit their local doctor. The service also conducts important research in cervical cytology. Its vision statement is simple and admirable:

To minimise suffering in women due to diseases preventable by screening and other public health initiatives.

The recent statistics on cervical cancer in Australia show that this vision is gradually being realised. Over the last two decades the reduction in the mortality rate from cervical cancer has been a good news story for medical research and public health. Prior to 1991 there was no formal strategy for screening in Australia. Although screening had been available since the 1960s we did not have a systematic approach to recruiting women for testing. In 1989 cervical screening was preventing only about 46 per cent of squamous cancers. The national cervical screening program was implemented to remedy this, and it has been a remarkable success. In less than a decade cervical screening was preventing 70 per cent of squamous cancers and the mortality rate from cervical cancer has dropped by almost 60 per cent. Australia now has the second-lowest rate of cervical cancer in the world. In

other words, the program has saved the lives of thousands of Australian women.

The HPV vaccination program established by the federal government will reduce the mortality rate even further, making this an exciting time in the fight against cervical cancer. Of course there is still more to be done. To take one example, indigenous women remain six times more likely to develop cervical cancer than non-indigenous women. Nonetheless, the national cervical screening program has been largely successful, and those involved in its implementation should be congratulated.

It is important to recognise the government's investment in the planning and research which leads to this sort of success. The Brumby government has made cancer a major health priority. Cancer remains Victoria's most deadly disease, but progress is being made, particularly in research. Victoria is Australia's undisputed leader in medical science, including cancer research. Melbourne is one of only three cities in the world to have two universities in the global top 20 biomedicine rankings, and Victorian scientists are constantly breaking new ground to improve cancer treatment and prevention. They are being assisted by the government's \$1.8 billion investment in innovation, and it was excellent to see that the first major discovery made at the Australian Synchrotron was in cancer research. Another important initiative has been the establishment of the Victorian Cancer Agency. The agency facilitates cancer research across the state. Victoria is already a world leader in cancer research, and the cancer agency will help to build on this capacity.

The government's new cancer action plan includes \$80 million in ongoing funding to the agency, aiming to save 2000 lives by 2015. I am certainly confident that Victorians will be seeing the benefits of the agency's work for years to come. This bill is another step in the government's wide-ranging drive to prevent cancer and increase survival rates. I commend this bill to the house and wish it a speedy passage.

Mr MULDER (Polwarth) — From the outset can I say that the Liberal Party absolutely and totally supports the bill before the house. There is no doubt that going back a number of decades a diagnosis of cancer was a death sentence. As we move forward the amount of screening and testing that has taken place has been one of the great initiatives in terms of identifying early cancers and giving people the best opportunity they have to survive. I am one of those very lucky people who is surrounded by cancer survivors. People who work with me have had breast cancer; I have

friends who have had stomach or testicular cancer — you name it, it seems to be all around me — and they have all survived. They have survived simply because of early screening and detection. It is very important that we as a Parliament, as a government and as an opposition identify every opportunity to bring about further screening and early detection to ensure that if people are diagnosed, they have an opportunity to survive and go on to lead a prosperous life.

I will touch on an issue that is a bit of a delicate subject, particularly for men — that of prostate cancer. I note that the member for Eltham, who is in the house, has done a significant amount of work in relation to this.

Mr Wynne — Yes.

Mr MULDER — And the member for Richmond has worked hard in relation to bringing out awareness of prostate cancer and related statistics. We do not seem to get the same level of support or understanding within the community regarding prostate cancer issues. I know, for instance, that reminders go out for Pap smears, and I understand that the issue will possibly arise regarding this bill. After I had my first physical prostate examination and blood test it was up to me to determine whether or not I had further examinations. Nothing turned up as a reminder to say I was due to have a further examination and test. Statistics show that the incidence of prostate cancer for a man in his 40s is 1 in 1000; for a man in his 50s, 12 in 1000; for a man in his 60s, 45 in 1000; and for a man in his 70s, 80 in 1000. That is a huge number. It is often said that people die with prostate cancer rather than dying of prostate cancer. I would hope there would be an opportunity as we move forward to introduce, through GPs, some form of reminder to anybody who has had an examination at any stage to follow up with a further examination. That would be a matter for discussion with the medical profession, but men are very lax in this area. As soon as you explain to them the process of a prostate examination they seem very keen to put it on the backburner as something they will do at a later date.

Mr Wynne — To their cost.

Mr MULDER — Absolutely to their cost. But I believe that a letter coming to the house and a little bit of pressure from within the household may well encourage a man who may or may not be at risk of prostate cancer to take the next step and go and have an examination. It is absolutely vital, given the statistics we have in front of us in relation to this insidious disease. There has been a lot said about cancer facilities and work done by individual members of Parliament in relation to this issue, and I commend them for that

work, but I think we can take up a little further with men, as has been taken up with women, the issue of receiving some form of notification in the future.

Ms THOMSON (Footscray) — I rise to support the Cancer Amendment (HPV) Bill, recognising the work of the state government in trying to lower the incidence of death due to cancer and tackling the challenge of cancer. The aim of increasing the survival rates of Victorians by a further 10 per cent by 2015 is an admirable one. We have been talking this week about breast cancer and its effects not just on women, who in some cases have to undergo quite horrendous treatments in order to beat the disease, in some instances ultimately being beaten by it, but also on their families, who suffer. It is important that women take action early, and it is true in relation to all cancers that people need to be aware of the importance of taking action early and being checked out.

I want to concentrate on a cancer that is not being addressed as part of this bill — ovarian cancer, which is a hidden cancer in many respects. It has no real symptoms that you can identify. There might be a bit of bloating or things that you could think of as little ailments rather than as precursors to ovarian cancer.

It is important while we are concentrating on the cancers to say that hopefully the medical research that is being undertaken, funded and supported by the Brumby government, will look at finding a way to test for ovarian cancer. Ovarian cancer is an illness that attacks women of any age, some when they are quite young and some before they are able to become mothers, and prevents them from becoming mothers. There is also a high level of death associated with it because women are not able to recognise the symptoms and identify the cancer quickly enough to have an opportunity to survive it.

Whilst I recognise that this amendment is important in ensuring that women are tested and screened to avoid cervical cancer, which is commendable, I really commend the government for its work in supporting all those institutes across Victoria that are researching all forms of cancer and looking for cures. Every one of us is touched by cancer. There is no-one in this chamber who does not know someone closely and intimately who has tried to struggle with some form of cancer or another. It is almost the disease of the 20th and 21st centuries. It is vital that the government is not only showing leadership in funding the research that is being undertaken here but is also working to create links to other research institutes around the world which work on finding the cures, treatments and testing mechanisms

that we need to identify cancers sooner so that we can ensure that people survive the cancers they contract.

I commend the government and the minister on their foresight in seeing the worth of investing in this necessary research and backing it up with the legislation that will ensure women are taking action to look after their bodies, taking the tests that will help them survive and ensure that early detection is paramount in their treatment. Having said that, and knowing that I was given a limited amount of time in which to speak, I commend this bill to the house.

Mr ANDREWS (Minister for Health) — It is a pleasure to provide some concluding remarks in this important debate on the Cancer Amendment (HPV) Bill 2008. In commencing those remarks I simply thank the members for Caulfield, Derrimut, Mildura, Eltham, Doncaster, Ivanhoe, Bayswater, Frankston, Polwarth and Footscray for their contributions to the important debate on this important bill.

These are reasonably simple measures but they are practical ways in which we can support the very fine work that is going on at the Victorian Cytology Service (VCS). Again I take the opportunity to single out Professor Marion Saville and her team at the Victorian Cytology Service for the fine, first-class work they do in very real terms in supporting women right across Victoria and indeed in relation to national contracts the service has recently won supporting women in a broader context. It is important work, and it is about saving lives, adding to the overall evidence base and our better understanding of whether it is cervical cancer, as we are discussing here, or one of a range of other cancers. VCS can be proud of both Professor Saville and more broadly her team.

Many of the members who have spoken on this important bill have spoken about a range of different tumour streams or cancers that are not necessarily the subject of the bill before the house, but you can draw a number of important points from that. Cancer is a very complex disease. We need always to be mindful of the fact that many of those tumour streams are different and that they affect people differently. Our challenge within each of those streams can be quite substantially different from one type of cancer to the next. It is worth making the point again that this is a complex disease and that it requires an integrated effort and a very strong and broad-based policy approach in order to achieve our aims and goals.

We can be very proud that in our state we have some of the best researchers and practitioners in the world and that we therefore have some of the best cancer

outcomes in the world. But as a government we know that whether it be through often quite simple measures such as the one before the house today or through other investments and other priorities we may put forward, we can do more and we can do better. That is why on coming to office the Premier made it very clear that cancer would be a key priority for him going forward, building on our record investment, whether that be through the science and technology innovation package, whether it be through a range of other different Department of Innovation, Industry and Regional Development programs run over the years we have been in office supporting research and the rapid translation of leading research into better clinical outcomes for cancer patients, whether it be about screening, whether it be about a proper dialogue around what the future of cancer services should be like or whether it be about making sure that we have greater equity between treatment outcomes and access to services in rural and regional communities compared to metropolitan Melbourne.

Across this whole suite of issues the Premier has made it clear that as a government we would do more to build on our already impressive record. That is why it is very pleasing that in the budget we were able to secure \$150 million to support the further development of a Victorian cancer action plan to take the next step, whether it be in terms of rapidly translating research, improving treatment outcomes for people in the outer suburbs and rural and regional communities in particular or dealing with what is a complex workforce, just as cancer is a complex disease. There is also money in that \$150 million to support the trends, changes and capacity within our cancer workforce. All those measures are important.

What is also important to acknowledge is that those measures and that plan are set against an ambitious target, and we have not had that in the past. It is an ambitious target and it will not be easy for our government or our state in partnership with those who provide care, do the research or advocate on behalf of cancer patients to achieve that target. But we know that in the last 15 years or so we have seen substantial improvements in the number of Victorians and Australians — but in this case Victorians — who are cancer free or symptom free five years after first being diagnosed. It has gone from 48 per cent in 1990 to 61 per cent in 2004, which is the last available data, and now there is a bold and challenging target of increasing that to 74 per cent by 2015. To do this we need increased investment to build on our record investment to this point.

A round table on cancer will be chaired by the Premier and me with the assistance of Professor Bob Thomas, the principal cancer adviser to the Victorian government. All of this is wrapped up in an ambitious target to save lives. That is about the next step in terms of cancer care. These are complex arrangements. This bill is quite simple, but it will save lives. It should be seen in the context of the broader commitments we have made in terms of cancer and our agenda to continue to be the best when it comes to research, the best when it comes to treatment and the best when it comes to tackling the complexities of this important set of different conditions.

I will just finish on this point. The member for Footscray and other members made the point that cancer is everybody's business, and that we will all be touched by this. Seventy Victorians a day are diagnosed with cancer, 10 000 Victorians a year lose their lives to cancer, one in three of us will be diagnosed with cancer by the age of 70. In every way these are everybody's issues, and they throw a challenge out to us. I would say to all honourable members in supporting this bill that I think we as a community are better placed to meet those challenges because of the investments of the Brumby Labor government. With those few words, I commend this bill to the house and I wish it a speedy passage.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

WILDLIFE AMENDMENT (MARINE MAMMALS) BILL

Second reading

Debate resumed from 24 June; motion of Mr BATCHELOR (Minister for Community Development).

Mr DIXON (Nepean) — The opposition is not opposing this bill. I wish to speak on the bill briefly because it is important to my electorate. Whale and seal watching and dolphin swims are important parts of the tourism industry in my electorate and the tourism industry is the biggest industry in my electorate. Whatever happens as far as these new guidelines are concerned will affect the livelihoods of many people

directly and indirectly involved in the tourism industry on the Mornington Peninsula.

I am glad the bill picks up on seal watching. In a way it has snuck up on us. Seal watching and swimming with seals had been of secondary importance — if you could not see the dolphins, if they were not there on the day, you went and found the seals because they were always there. More humans have been interacting with the seals in Port Phillip Bay than with the dolphins. It is good to see some of these new restrictions and regulations regarding the swimming with and watching of seals.

Many operators operate from the Mornington Peninsula and also the Bellarine Peninsula. They take people out just to have a look at these animals in the wild, but many of them interact with the animals as well. It is the same with dolphin watching and dolphin swims. By and large the operators do a fantastic job, and they play a popular part in the tourism industry. The real interaction and where the most damage can be done is when the humans are in the water with these animals, but seals and dolphins are quite different in their behaviour.

Seals are probably the marine equivalent of dogs — they like to run up to you and play with you and run away. They are curious and interact with you in a fairly personal way; it is quite confronting to have a seal face right up against your mask. Dolphins are different. They are a bit more elusive and how close they will come to people who are in the water depends on how they feel and how comfortable they are. My daughter was on the crew of Judy Muir's *Polperro* for a while. She had many swims with the dolphins and it was quite incredible. She swears that the dolphins got to know her and that there were favourites that liked her and came to see her whenever she was in the water. It is a wonderful experience but one that cannot be taken for granted, and it is one that we must strictly control.

I pay particular tribute to Judy Muir and the *Polperro*. Judy is the ultimate sustainable tourism operator. Judy and her family know a lot and they have studied and done a lot of research on the behaviour of dolphins. They are strict in their control of their patrons' interaction with the dolphins. I worked closely with Judy and the former government when the first lot of whale-watching regulations were brought into this place. Judy had a lot to say about that and a lot of input into it from a very practical and sustainable point of view. It was a pleasure to work with her on that and subsequent to that.

The national approach is important. There are inconsistencies between states and territories, and this bill will iron out some of those differences. There is a strengthening of some of the rules and regulations. As the industry grows and as tourism changes, people want different experiences. These regulations go a long way towards providing for that. As I said, I think the national approach is very important.

I have lived at Rye on the edge of Port Phillip Bay for nearly 30 years, and the instances of dolphin, whale and seal visits are growing. It is now quite common to see whales in the bay, especially around this time of the year and for the next few months. Southern right whales, humpback whales and even killer whales have been seen in the bay. The way whales capture people's imagination is incredible. They are very identifiable because of their size, and we need some sort of controls around them.

I wish to conclude my remarks by saying that one thing I am carefully watching is that as much as we might have rules and regulations, they will not control the interaction of the seals, the whales and the dolphins with the dredges operating in the southern peninsula area at the moment. The *Queen of the Netherlands* is working in the Rip and excavating rocks with hydro hammers and various other machinery.

Mr Pallas interjected.

Mr DIXON — They are not using hydro hammers at the moment; I stand corrected. The machinery being used there is in the habitat and the nursery of Port Phillip Bay's own pod of dolphins. About 110 dolphins live in that part of the bay; it is their habitat. We need to carefully watch that. Obviously these regulations do not apply to a dredging vessel, because it cannot be moved around as it is operating in a certain area. I know that the tourism operators who are still in business — and they are certainly working reduced hours — are watching that carefully.

When the south channel is being dredged from October until Christmas and then next year, the turbidity that will cause will have a real effect on the mammals of the area. It will be very interesting to see what effect that has on our mammals. As I said, people in pleasure boats and tourist boats can be asked to move on and move away, but the dredging boats cannot do that. We have to be vigilant. I know there will be some effect on the operators. They are already reporting that anecdotally, but the worst is yet to come in terms of the amount of dredging to be done in the southern peninsula, especially in the south channel.

It would be good if those operators lived to see another day, not this coming summer when there will be real restrictions on them but the following summer. Hopefully they can last for the next 18 months with their vastly reduced businesses and they can do the good work I know the operators in Port Phillip Bay and the southern peninsula are doing. With those words, I commend the bill. I hope the regulations come into force quickly and are observed nationally before this coming summer.

Ms MUNT (Mordialloc) — I am pleased to rise to speak in support of the Wildlife Amendment (Marine Mammals) Bill 2008. This bill covers a range of amendments, from the increased protection of dolphins and whales to new amendments for the protection of seals and the reclassification of some species as threatened and protected.

This legislation comes about as a result of Victoria's membership of the National Resource Management Ministerial Council. Through this body Victoria has endorsed the guidelines published in *Australian National Guidelines for Whale and Dolphin Watching 2005*. The amendments to part X of the act will enable Victoria to implement those guidelines through the establishment of additional measures to manage interactions with whales and dolphins. Whales and dolphins are interacted with in a range of ways, by aircraft and boats and through human interaction with dolphins. Sometimes people try to touch them and things like that.

The legislation also provides for regulations for interaction with sea lions. That is an important part of the bill. In my own electorate I have rarely seen dolphins or whales beach themselves, but I have seen a sea lion beach itself on Parkdale beach. Along with many others I had a look, and it was extremely distressing because it was a young sea lion that had come onto the beach. It died some weeks later, but in the process of those few weeks it was surrounded by curious onlookers. It was roped off, but people were still trying to come very close to touch it. It was very hard to see a young animal like that in distress on the beach, so I am pleased that this legislation provides for regulations to be made for the protection of those animals, particularly if an incident like the one in my electorate arises again.

Regarding the reclassification of a number of our species, I am told that all our native species are classified as protected wildlife. Penguins are protected wildlife, and they are the other group of animals that occasionally take refuge in my electorate. I have seen them come ashore at Ricketts Point and toddle across

Beach Road to a park on the other side. It was quite something to see a great flock of little penguins toddling across Beach Road. They are not included in the legislation to protect mammals, but they are protected under the heading of protected species of indigenous animals. I am told they are protected in that way from any harm, disrespect or interaction that might be harmful to them. That is good. I hope that if they do climb aboard at Ricketts Point and wander across Beach Road this legislation will also provide for them to be given right of passage across it.

A number of species will be reclassified as threatened. They are all wildlife species listed under the Flora and Fauna Guarantee Act, and they will become 'threatened' under the Wildlife Act. They include 192 species consisting of 35 mammal, 77 bird, 28 reptile, 11 amphibian, 1 annelid, 4 mollusc and 35 insect species. They will now be listed as threatened and will be protected under this particular piece of legislation.

I would also like to talk briefly about protection for whales. Surely these wonderful creatures deserve every respect and protection that we can possibly provide for them. I am pleased that this legislation will provide that protection. Permit systems will be put in place for whale and dolphin-watching tour operators. I have heard other members speak about the economic impact of this legislation. Protecting the mammals in the first place so that they are available for the industry to watch should be the top priority. I am sure tourism operators would be of that opinion also.

I commend the bill to the house. It is wonderful to see that support for and protection of our mammals. It is another great piece of legislation by the Brumby government.

Mr WALSH (Swan Hill) — I rise to make a contribution to the debate on the Wildlife Amendment (Marine Mammals) Bill 2008. The principal purposes of the bill are to improve the provisions for the protection of whales, dolphins and seals, to harmonise legislation with other jurisdictions by regulating human interaction with these species and to simplify and improve the operation of the Wildlife Act.

I want to say a few things in my contribution. In this whole issue about the protection of wildlife I have noticed with interest the actions of the federal government. In talking about the harmonisation of other jurisdictions, I note that this bill is about harmonising some of our regulations with the commonwealth regulations. Kevin Rudd — and his then opposition Labor Party — was very vocal on whaling. He said he

was going to do lots of things to Japan and talked about how he would stop the Japanese from whaling. Now that Kevin Rudd is in government, all of a sudden it seems to have got too difficult.

I will turn to the Prime Minister's recent trip to Japan. Acting Speaker, you have a puzzled look on your face. This legislation is about the harmonisation of laws to protect whales, dolphins and seals, so I believe I can legitimately talk about the fact that now that the federal Labor Party is in government it seems to have lost heart when it comes to taking up this whaling issue with the Japanese government. On his recent trip to Japan I do not believe the Prime Minister pushed the issue hard enough. He was a raging bull in opposition, but now that he is in government he is a pussycat.

The other issue that I would like to talk about — and it may be of interest to think that someone from Swan Hill would talk about marine mammals — is that if you look back at Aboriginal folklore, bunyips feature in the rivers and waterholes of the Murray–Darling Basin area. It is my understanding that bunyips were seals or dolphins that had swum up the river in high-water events and were effectively stranded in the waterholes of northern Victoria and southern New South Wales. The reason they were able to swim up river was that at that time there were no barrages to block the sea from lakes such as Lake Alexandrina, Lake Albert and the Coorong.

If we are talking about restoring some parts of the environment to how they were in the past, we could take out the barrages in South Australia in dry years, when Lake Alexandrina is lower, and allow the salt water to intrude back up the river. In the recorded history of the early explorers there are accounts of saltwater probably being as much as 250 kilometres up the Murray River in South Australia. Those who know the geography of South Australia know that the river is very flat, and it would not take much for the salt water to intrude back up there. When we talk about seals and dolphins we are talking about the bunyips in Aboriginal folklore that were found in the waterholes of the rivers of inland Australia.

The other thing I would like to touch upon briefly is the contribution of the member for South Barwon yesterday when he tried to verbalise The Nationals at length about what may or may not be their environmental credentials. For the benefit of the house I would like to put on the record that I believe the credentials of The Nationals on the environment stack up a lot better than those of the member for South Barwon. The member for South Barwon may be the Parliamentary Secretary for Water and Environment,

but in my view his credentials and those of his government are probably not as good as those of The Nationals when it comes to caring for the environment in Australia. Just having a policy that provides for more national parks will just lock everything up, where it will be left to somehow magically return to how it was before white settlement — and we will come back to the issue of burning later — —

The ACTING SPEAKER (Mr Ingram) — Order! The member for Swan Hill, on the bill.

Mr WALSH — I am on the bill, Acting Speaker. I am responding — —

The ACTING SPEAKER (Mr Ingram) — Order! The member for Swan Hill, on the bill!

Mr WALSH — On the point of order, Acting Speaker — —

The ACTING SPEAKER (Mr Ingram) — Order! It is not a point of order.

Mr WALSH — I am taking a point of order, if you want me to take one. The member for South Barwon raised this issue in his contribution.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Swan Hill, on a point of order.

Mr WALSH — On a point of order, Acting Speaker, I am responding to the contribution made by the member for South Barwon, which was about this bill. He was allowed to speak on these issues. I believe I should be allowed to respond.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Swan Hill must confine his remarks to the legislation that is before the house. I was listening to the debate when the member for South Barwon made comments about the threatened species section of the legislation. The member for Swan Hill, on the bill.

Mr WALSH — The member for South Barwon made some comments in his contribution on this bill about protected wildlife and the prospective policy of The Nationals on some of these issues. I would like to put on the record that I believe The Nationals have a very good record when it comes to their environmental policy, and I do not believe that being verbally by the member for South Barwon is appropriate in this place on this issue. I do not believe that the Brumby government necessarily has as good environmental credentials as it believes it has, and I will leave it at that.

This bill provides for a whole range of processes. It introduces a permit system for aircraft-based whale-watching tour operators. I must admit to not having ever been whale watching, but it is something I know I would like to do at some stage in the future. Whales are fantastic mammals that everyone at some stage in their life should make the effort to have a look at. The bill enables the control of a number of operators in environmentally sensitive areas so that we do not put at risk the mammals that we are going to look at. It enables permit conditions to control the frequency of tours and to manage the amount of time that an operator can spend in the vicinity of a whale so that we make sure we do not frighten the whales. The bill enables a wildlife officer to direct a person or a vessel to cease approaching within or move up to 500 metres away from a whale or a dolphin, such as may occur in cases of strandings or entanglements in nets.

I was fortunate a number of years ago to visit Seal Rocks on Phillip Island before this government made such a mess of the issue down there. I was fascinated with Seal Rocks and the facilities there. It is very unfortunate that it fell into disrepair for a while.

Ms Richardson interjected.

Mr WALSH — The roof blew off, but it could have been fixed. The issue was about who had the licence and who did not, as I understand it. I think we need to make sure we have the best facilities available so that it is interesting for people to see various sea mammals. There should be on display a very well-documented history and life cycle of the mammals, as was the case at Seal Rocks, so that visits are educational as well as sightseeing tours and everyone has a good understanding of the issues.

The Liberal-Nationals coalition does not oppose this legislation, as it proposes sensible measures to protect mammal wildlife in Victoria. As I said earlier, I believe that both The Nationals and the Liberal Party have very strong environmental credentials in this state despite the fact that the member for South Barwon might think otherwise. I would be interested in the comments of the member for South Barwon about some of his union mates, particularly those in the Electrical Trades Union —

The ACTING SPEAKER (Mr Ingram) — Order! The honourable member for Swan Hill, on the legislation.

Mr WALSH — and whether he believes it is a reputable union in this state as his firefighters union was.

The ACTING SPEAKER (Mr Ingram) — Order!
The honourable member for Swan Hill, on the bill!

Mr WALSH — I will return to the bill. It puts in place some increases in the penalties for people who break the rules when it comes to marine mammal tourism, increasing from 2 years to 10 years the penalties — sorry, it increases the maximum permit terms for marine mammal tourism operators.

There is an issue I would like the minister to cover in summing up. I would hope this is not just bringing forward cash for the government through some of these permits and associated fees the government charges.

Ms Duncan interjected.

Mr WALSH — The member for Macedon laughs, but you often see this government extending the life of a whole range of issues so that it can bring forward the cash and spend it in its term of government. When it leaves, it will leave the cookie barrel empty. It will probably not only leave it empty but leave us with a massive debt, as the Cain-Kirner government did. When you read the budget papers you see that the debt in this state is going up substantially.

Ms DUNCAN (Macedon) — It is always a pleasure to follow the member for Swan Hill in any debate in this place. I was reminded, by his reference to bunyips up the river, of the ad on TV that says the reason for the Great Wall of China being built was to keep the rabbits out. It was a very interesting — —

The ACTING SPEAKER (Mr Ingram) — Order!
The member for Macedon, on the bill.

Ms DUNCAN — There were some interesting observations about whales and dolphins.

I am pleased to speak in support of the Wildlife Amendment (Marine Mammals) Bill 2008. This bill strengthens Victoria's legislation to improve protection of whales, dolphins, seals — and bunyips, it would seem! — by minimising adverse human interactions with these species. We know there has been for many years an increasing interest in whale, dolphin and seal watching. We now have an increasing number of operators seeking to offer those experiences and improved ecotourism in this state. Victoria is lucky to have these animals in abundance around its coastline, and we need to continue to make sure they are well protected, particularly from the pressure of the increasing numbers of ecotourism operators.

This bill does a number of things, and one of the things it addresses is the growing public understanding of the

complexity of Victoria's marine ecosystems. Currently all whales, dolphins and seals are protected under the Wildlife Act. Victoria has endorsed the guidelines published in *Australian National Guidelines for Whale and Dolphin Watching 2005*, and the amendments in part 5 of this act will enable Victoria to implement those guidelines.

As I said, the bill does a number of things, and particularly it does three key things. Firstly, the bill introduces a permit system for aircraft-based whale-watching tour operators. Secondly, it enables control over the number of operators in environmentally sensitive areas. Thirdly, it enables permit conditions for controlling the frequency of tours and managing the amount of time an operator can spend in the vicinity of a whale. Similar provisions already apply to sea-based whale watching, such as whale swim tours.

The new permit regime for aircraft-based whale-watching tour operators will sit alongside the existing provisions for the current sea-based permit regime. The bill will also improve Victoria's ability to assist whales or dolphins in distress — for example, during strandings or when animals are entangled in fishing gear. We heard from the previous speaker about the distress of sea lions on a beach, with a lot of people crowding around what was a very distressed animal.

Under these provisions, wildlife officers will be able to direct a person or a vessel to cease operating or move up to 500 metres away from a whale or dolphin in those sorts of situations. The current minimum approach distance on the ground or in the water is 100 metres, and this distance is inadequate in emergency response situations, since rescue operations can involve numerous rescue vehicles. Also, when animals are distressed they can often act in unpredictable ways, so this is not just to protect the animal but also to protect the public and wildlife officers. These new provisions will ensure that when there are such incidents, wildlife officers will have the power to intervene as required. As I said, this will reduce the stress on the wildlife and also that of the wildlife officers, and it will ensure a better and safer working environment.

In 2006 Victoria endorsed what is known as the National Seal Strategy, and this bill enables Victoria to implement the tourism component of this nationally agreed strategy. The bill also introduces a framework for licensing commercial seal tourism operators. Maximum permit terms for all types of marine mammal tourism under this bill will be 10 years, increased from the existing 2-year maximum. I noticed the member for Swan Hill was a little confused about that aspect of the

bill, suggesting that was an increase in the penalty. While most operators will applaud the increase from 2 years to 10 years — it gives them greater certainty — unfortunately the member for Swan Hill cannot let a chance go by without suggesting there is some sinister motive on the part of the government for doing this. I had the pleasure of being a member of the Environment and Natural Resources Committee for many years, and one of the things we looked at was fishing tour operators. One of the issues they raised with us was the need for certainty over the longer term so they could make the appropriate investments in the industry.

This bill does a number of other things. It simplifies parts of the existing legislation. It introduces new categories, now called protected wildlife and threatened wildlife. The change in these definitions will increase the level of protection to threatened wildlife. It will be given the highest degree of protection, which is currently applicable only to endangered wildlife. The level of protection to protected wildlife will remain the same. The bill simplifies the definitions and therefore enables greater protection. With those few comments I commend the bill to the house.

Mr MORRIS (Mornington) — I am pleased to join the debate on the Wildlife Amendment (Marine Mammals) Bill 2008, not that I think it is a debate where there is a great divide between the sides of the house. I think the member for Brighton has already indicated that the opposition will not be opposing the bill. The debate seems to centre more around differences of degree and intent than substance, but it is a worthwhile debate nevertheless. The purpose of the bill is to amend the Wildlife Act 1975 to provide for permits for whale watching tours and whale swim tours, to provide for seal tour permits, to extend the power to make regulations under the act and to further provide for authorisations to carry out other activities that might otherwise be prohibited.

These provisions are largely a commentary on 21st century life, because as a community I think we all now have greater respect for other species, not just for the purposes of animal husbandry — whether it be growing things for food, growing things to look at or retaining things to look at, as other speakers have said — but because I think we now have genuine respect for the other creatures with which we share the planet. In the case of the mammals of the sea, which are largely the subject of this bill, we seem to have a closer affinity with them, particularly with dolphins. Perhaps it is simply because we are all mammals. Whatever the reason, I think there is now in the community a general understanding of and support for the protection of not

just these species but all species with which we share the planet.

The other point about life in this century is that many of us — probably the majority — have far more disposable income than ever before and the time to engage in different pursuits. I know people talk about life being busier and busier, and perhaps that might be true day to day, but there is also the opportunity to get out and engage in other pursuits, and all those things mean that pressures are created in areas where perhaps pressures did not exist before. I think that is borne out by the definitions contained in the bill and the types of additional activities that we are seeking to regulate. It is an issue that we are very aware of in the electorate of Mornington.

The whole of my western boundary is the Port Phillip shore. Seals are not too common and whales are certainly not at all common, but dolphins are now regular visitors. That has not always been the case, and regular visits probably go back to the time when the Kennett government pulled the scallop industry out of Port Phillip Bay and made the bay a whole lot healthier than it had been. I think that generally the people in the Mornington electorate understand the tensions between the interests of the natural environment and the desire of the human species to enjoy and share in the natural environment.

These issues are not black and white, and I do not think we should seek to cocoon any species that we are trying to protect in a blanket ban on intervention. That is certainly a course of action that some would have us adopt, and I am pleased to see that that sort of approach did not find its way into this bill, because the opportunity to interact in a non-threatening way is a very important educational tool. It is an opportunity for people to go out and understand a world that is beyond theirs. There is of course historic tension in terms of whales and seals in particular. Many of our early settlers were whalers and sealers. They were tough men — they were almost entirely men, I suspect — who had a difficult job and who worked in a harsh environment. But they were pioneers of not just Victoria but also Tasmania, where our southern cousins settled, so there is history there. Fortunately we have grown up and matured a bit, and we understand that these species are far more important than simply being there for the purpose of being exploited by man.

There is also the geographic accident that we are perched on the edge of the Southern Ocean. It is an amazing body of water that is bursting with life, and I suspect that many Victorians underestimate the influence the Southern Ocean has on the whole of this

state, not just on the climate but on everything that flows from that. All of our natural systems, certainly south of the Great Dividing Range, are very much influenced by the Southern Ocean. I must say I have had the great privilege not only of watching the whales from the platform at Logans Beach but also many years ago — I think it was probably early in a July — of being out on the swells off the beach. When you get out there, see the long line of cliffs and feel the breakers hammering against the shore, apart from having the privilege of being close to these great creatures you realise how important and how influential the ocean is in this state. I think it is very important in terms of the activities that we are regulating with this bill that people have the opportunity to engage in these things and to get out there and appreciate what these things are all about, because that contributes significantly to their understanding of and their engagement with the world around them and helps them become advocates for the protection of these creatures, which is good not only for the species but of course for the planet as well.

In the time remaining I just want to comment briefly on a couple of specifics. As I said, we have a history of whaling and sealing in this state, and I have no idea when it was abandoned. I thought it had happened way before my time, and I certainly had no idea that we even had legislation that still permitted the taking of whales, so it has been an interesting exercise from that point of view. I must say that I am very pleased to see clauses 23 and 24 in the bill, which will fully outlaw this abhorrent practice in Victoria. While I am sure this is a measure that will have unanimous support, probably not only in Victoria but in Australia, as others have said, we still need to convince other nations of the merit of our case. I certainly support the earlier comments of the member for Brighton and more recently of the member for Swan Hill in that regard.

There are some difficulties with some of the specifics, particularly the proposed 500-metre exclusion zone. I do not think there is anything insoluble in the difference between what the operators are seeking and what is proposed in the legislation, but while I understand there was some good consultation on the principles, perhaps the consultation has not been as effective on the text of the bill. Hopefully the intent and the implementation of the legislation — the way the regulations will operate — will be tightened up. If the government is serious about increasing nature-based tourism — and I think from my comments this afternoon it is clear I would support such a plan — the industry needs clarity.

The government needs to deliver its nature-based tourism strategy. It is now at least seven months overdue, and it needs to get it out. It needs to conduct

further consultation on the implementation of the bill, perhaps while the bill is between houses. There are shared goals — the government, the industry and the people of Victoria share the goals — but if we are going to achieve those goals, we need the government to deliver. We need the government to deliver on closer cooperation between the operators and the regulators, and we need the government to deliver on the need for greater certainty not just about the text of the bill but about the implementation in the way it is enforced. If that greater certainty and that greater cooperation can be achieved, then I think what we are seeking to do this afternoon will indeed be a worthwhile outcome for the species that we are seeking to protect.

Ms RICHARDSON (Northcote) — I am very pleased to rise and make a brief contribution to the debate on the Wildlife Amendment (Marine Mammals) Bill of 2008. This bill strengthens the protection of whales, dolphins and seals by minimising the adverse effects of human interaction with these magnificent species. We know that we attract whales and dolphins to our coastline. Many times I have been listening to the radio and there have been interrupting reports about sightings of these wonderful creatures off the coastline of Victoria. The experience of witnessing these animals is wonderful indeed. Of course Victorians and tourists have sought opportunities to view these creatures in their natural habitat. It is important that this increased interest does not interfere with the natural lifecycle, habitat and behaviour of these animals. This bill addresses that by building on the existing provisions of the Wildlife Act. It will ensure that animals currently protected under the Wildlife Act are preserved and protected from interference caused by tourism and contact with commercial and recreational vessels. The bill will ensure that aircraft-based whale watching tour operators operate under a permit system that will avoid repeated disturbances of the animals. The bill will also improve our ability to assist whales, dolphins and seals in distress following strandings or entanglements in fishing gear. Wildlife officers will now be able to direct a vessel or a person away from an animal in distress up to a distance of not less than 500 metres, whereas the current provision is for only 100 metres.

The bill also removes an outdated provision in the Wildlife Act that provides for the issuing of a licence to take or kill a whale. Given the strong opposition of Labor and Victorians to the hunting of these animals, and given the strong opposition of Prime Minister, Kevin Rudd, to whale hunting, this outdated provision must rightly be sent to the dustbin of history. I listened carefully to the contribution of the member for Swan Hill about that particular point, and he floundered about on it. I must say that any reading of the Japanese

response to Kevin Rudd's position would tell the member for Swan Hill, if he cared to tell the truth on this matter, that federal Labor's response to the killing of whales is consistent with the view that these animals must be preserved into the future and that Labor will do all it can to protect these magnificent creatures. This bill is entirely consistent with that imperative and with the views of the overwhelming majority of Victorians. It is also consistent with Labor's establishment of marine parks. Victoria was the first jurisdiction to establish marine parks. I congratulate the Minister for Community Development on this bill. I wish it a speedy passage through the house.

Dr NAPHTHINE (South-West Coast) — Nature-based tourism has always been a strong component of the tourism industry in south-western Victoria. The tourism industry in that area is very important to the local economy. It provides jobs and opportunities and it is a growth industry in south-western Victoria. Nature-based tourism is an essential component of that industry in our region because of our magnificent coastline, our rugged cliffs, our fantastic beaches, forests, rivers and our volcanic geology.

I would like to take the time to recognise the Kanawinka Geopark, which has just been recognised internationally and which will be a real boost for tourism associated with the volcanic geology of south-western Victoria. Nature-based tourism is also an essential component of the industry because of the great south-west walk, our diverse national parks, Tower Hill — which is the original national park game reserve in Victoria — Discovery Bay, Lower Glenelg National Park, Mount Richmond National Park and Mount Eccles. These features are complemented by a range of state forests and state parks. There is an increased opportunity for people to visit and access those parks. I think it is important as we go forward that we take a complementary approach of having national parks and state and forest parks. I look forward to debating that issue in the respect of the Cobboboonee parks legislation that will be introduced in the future.

More recently in nature-based tourism there has been a growing interest in people being able to see and, where possible, interact with whales, seals and dolphins. Again, south-western Victoria is pre-eminent in offering those opportunities. One has only to visit Logans Beach at Warrnambool to know that. That beach is becoming world famous as a coastline site where people can watch whales, particularly southern right whales and their calves, on an annual basis.

There are many occasions when whales are in Portland Bay close to the Portland township. Now there is a system where a siren is sounded when the whales are in the bay. People can come to see the whales at close quarters at Portland. There are seals at Lady Julia Percy Island; in some ways seals are more accessible at Cape Bridgewater, where people can walk on a platform to inspect seals, which live in caves, from above. A company I will refer to later, Seals by Sea Tours, which is run by Jo Austin, gives people a fantastic opportunity to have an up-close and personal interaction with seals.

I will do some tourism spruiking. If you want to see some whales and seals, you should go to south-western Victoria. Warrnambool and Portland have it all. On top of that, the cream on the cake is the new emerging opportunity to see blue whales, the largest mammal, at the Bonney upwelling. I will refer to a company which is involved in that activity.

I refer to a problem concerning this area. It is the failure of this government to deliver on its nature-based tourism strategy. The chief executive officer of Shipwreck Coast Marketing has said:

... the nature-based tourism strategy is still sitting on the minister's desk. It has been there for some time and it is very frustrating and in fact it is embarrassing when asked by the industry as to what is happening.

The Victoria Tourism Industry Council said in a letter to the Deputy Leader of the Opposition of 11 June:

... VTIC highlights the need of Victoria's nature-based tourism strategy to be released, to ensure sustainable development of the broader tourism industry.

The Deputy Leader of the Opposition, who is also the shadow minister for tourism, said in a press release on 29 May this year that the tourism strategy is eight months overdue and that the Minister for Tourism and Major Events said on 27 June 2007:

The final strategy will be released later this year.

He was referring to 2007. The media release then states:

... the time line in the draft strategy reveals that the final strategy was to be launched in October 2007.

It is well overdue. Victoria is missing out on opportunities in nature-based tourism because this government and this minister cannot get their acts together. I urge them to get this strategy released so that the industry can work hand in hand with the government to make sure we maximise the economic benefits of nature-based tourism.

We can see the benefit of nature-based tourism in relation to seals and whales. I refer members to the article that appeared in the Warrnambool *Standard* of 20 June:

A southern right whale and her calf put on a show for onlookers at Logans Beach yesterday. The frolicking duo, which was first spotted at Childers Cove on 9 June, came within 150 metres of the beach where the young southern right learnt a few tricks from its mother.

It goes on to say that this mother had already calved in that same area in 2002 and 2005. A local observer said there are also humpback whales in the distance. What a great way to attract tourism to that area! What we have to do with this legislation is get the balance right between promoting nature-based tourism and providing protection for the animals, the seals, whales and dolphins.

One of the areas of concern is whether or not seismic testing has an impact on whales. I refer to the Warrnambool *Standard* of 11 October 2007. It says:

Warrnambool's tourism operators have taken a multi-million dollar hit after the city missed out on the southern right whale season.

The whale watching industry is valued at \$17 million. An article that appeared on 12 October of that year says:

Seismic testing in Warrnambool's waters should be banned during the peak whale visiting season, according to the peak tourism body.

And then an article that appeared on 16 October 2007 reports:

Portland-based blue whale researcher Peter Gill said the seismic activity had the potential to disrupt the feeding season of mammals, which were endangered:

...

Dr Gill said the impact of seismic testing on whales and the mammal's food source, krill, was unknown.

...

'There's a lot of uncertainty ... Does it concentrate the krill or disperse it?'

There is a real need for us to assess whether seismic testing has an impact on whales, seals and dolphins so we can make proper decisions. While this legislation is about protecting and getting the balance right, this government has failed in its duty with respect to seismic testing.

I want to refer to two particular businesses in south-western Victoria. One is Heli-Explore. It is based

at the Portland airport and is seeking to base itself in Portland as the Portland Maritime Discovery Centre. It provides helicopter flights over blue whales. It is an absolutely fantastic opportunity. It says the blue whales come each year from as early as November and stay as late as May to feed on the krill-rich waters sustained by the Bonnie Upwelling. There are other species of whales that pass near there: the humpback, southern right and orca. But the blue whale provides a great opportunity for Portland, and it is important that this business is operated so that it does not provide any long-term disturbance to the whales.

That Bonnie upwelling is a rich source of opportunity for Blue Whales but also for tourism associated with fishing of southern bluefin tuna and albacore, and it needs to be managed and managed well. Because it is in commonwealth waters, one of the issues is finding the balance between Victorian legislation and commonwealth legislation.

I also wish to refer to Seals by Sea Tours. As I said, the business is run by Jo Austin. It takes people out in a rubber ducky off Cape Bridgewater. You can get absolutely up-close and personal with seals. It is a fantastic tourism venture. It has no negative impact; in fact it has positive impact on the seals in that area. That is the sort of industry that we ought to promote and develop.

I welcome the fact that under this legislation we have provided licensing for seal tourism, and we have introduced a permit system for aircraft-based whale watching. There are real benefits in that.

Finally with respect to whales, can I say that I think all of us would agree that we want strong action to protect whales. The Warrnambool *Standard* of 14 June highlights how the Rudd Labor federal government is weak on this issue. The editorial headline is 'Rudd folds over whales' and refers to Kevin Rudd talking tough during the election campaign but going to water when it comes to visiting Japan. It says, 'What a cop-out'. I ask the federal government to match its rhetoric with real action to protect whales in Victorian waters. We want not just hot air; we want real delivery by the Rudd Labor government on this issue.

Ms BEATTIE (Yuroke) — It gives me great pleasure to speak on the Wildlife Amendment (Marine Mammals) Bill 2008. It was interesting to look at some of the other names on the list of speakers, because certainly the member for Northcote and I represent suburban electorates and the member for Macedon has urban areas in her electorate. What this shows is that humans have a deep connection to animals, certainly to

animals in their natural environment. People want to see them protected, and certainly 'Do no harm' is the first edict, if you like.

Much has been said about the magnificence of whales and indeed dolphins, which are included in the bill, and of course seals. To see them in their natural environment is a wonderful thing. About two years ago my husband and I went to Hawaii, and we took a flight out — —

Dr Napthine interjected.

Ms BEATTIE — For the information of the member for South-West Coast, my husband was in Portland last week — and made a significant contribution to the economy down there in Portland, I might say! But he was not down there for the purpose of whale watching.

We were in Hawaii and took a helicopter flight out. Certainly there were a limited number of flights out each day, and there were very strict regulations on how close those flights could go to the whales.

We have heard members criticise the current Prime Minister on his attitude to whaling. Our Prime Minister for the first time put it to other countries that we have a very different view on whaling. He said, 'We can talk to you, and we want to pursue that diplomacy, but we have a completely different view'. A dialogue is the way to start with that.

We have seen a significant contribution to the economy — I understand some \$17 million goes into the economy of Warrnambool through whale watching down at Logans Beach. I have been down to Logans Beach for whale watching. It was just magnificent. I have to tell you, Acting Speaker, I stood there until I was almost blind watching the waves break and thinking I would never see a whale. Then all of a sudden in its full magnificence it came above the surface, and the day was certainly worthwhile.

What we need is a national strategy, and here we have it. We have got the permit system for air-based whale and dolphin watching. It is a good idea to have those permits and be very strict about the regulation. I would think it would be tempting to many tourism operators to have rich tourists on board offering large sums of cash to just get that little bit closer, but we cannot let that happen.

I want to say something about the state of Port Phillip Bay. Recently we have had dolphins in Port Phillip Bay, and we have had sightings of whales near Port Phillip Bay. We heard all sorts of dire warnings about

the consequences of dredging in the bay, but what we have seen is the bay return very quickly to health and that wildlife comes back.

These are good regulations. We are going to boost the powers of those responsible for emergency management by giving them the ability to direct a person or vessel to cease approaching closer than or to move 500 metres away from a whale or dolphin. We have to look after not only the safety of those whales and dolphins but we also need to ensure that they are not stressed in any way and they can go about their business of being the beautiful, magnificent creatures that they are, and doing what they do naturally. It distresses me to see dolphins and animals performing for humans. It is something I do not believe in. I think they should be allowed to do what comes naturally and not be confined to jumping out of the water to have fish fed to them, which can make them become lazy or even dependent on humans.

I know many other members want to speak on this bill so having said these few words I will finish my contribution by saying I think the Brumby Labor government has proved that our bay and the sea are there for all of us to enjoy, but we must respect the marine wildlife and make sure tour operators are aware of the regulations that surround their industry. This is for the good of their own industry.

Mr THOMPSON (Sandringham) — At the outset, let me say I look forward to your contribution to this debate, Acting Speaker, in the light of your knowledge as an abalone diver and someone who has spent a good part of his adult life in Victorian coastal waters and waterways where you would have gained a detailed insight into and understanding of the leviathans of the deep and the importance of, in your case, the abalone industry to Victoria.

The history of this state is one that has been underpinned by shipping and the migration of the peoples of the state resulting from transportation by ships that sailed the seas to the Port Phillip district. The early development of Victoria was underpinned by the work of sailors and whalers who, even before the city of Melbourne was established by John Batman and John Pascoe Fawkner in 1835, lived in a range of settlements to the west of Melbourne down at Portland through the early settlement of the Hentys and others, and also on the islands between Victoria and Tasmania.

It is of interest to note that between 1802 and 1803, over 600 000 fur seal skins were transported to the United States for further use there. The whaling industry in the early part of the 19th century involved

the transportation of oil and whale bone back to England for a number of productive uses, and it was an important and lucrative industry in the early settlement of Victoria.

The early ships that came to the Port Phillip district were the *Enterprise* and the *Rebecca*, and Captain Cook's ships travelling to Australia had names including *Resolution*, *Discovery* and *Endeavour*. The Australian nation was founded through shipping. I understand that in modern days Hamburg is one of the world's important shipping centres, and if there was a keen-minded law graduate from Monash University who was looking to make their way forward in the world and understand the role of shipping and its influence and development, they may head to Hamburg to study maritime law and its application and operation. The reason why I mention the role of shipping in my contribution is that it would have been those early seafaring peoples who had the opportunity to see marine life in its natural form and natural habitat, whether whales, dolphins and seals, and these marine mammals formed an important part of industry.

In earlier days I had the opportunity of chairing an all-party parliamentary committee that dealt with law reform. I also had the opportunity to chair an intra-party committee that looked at conservation and environment issues, and through that role I basically travelled the entire coastline of Victoria from the South Australian border, from Portland through to the east coast, doing a road and aerial survey looking, at that stage, at the implementation of a system of marine parks in Victoria.

At that time the Labor party left out Cape Howe, a place that the Acting Speaker is very familiar with, from its marine parks proposal, and we at the time labelled it 'Cape Why'. They also left out the Ricketts Point Marine Sanctuary from the system of marine parks. The irony of that decision — that sanctuary, but for the work of the Liberal Party, would otherwise not have been included in the system of marine parks and sanctuaries — is that the Labor Party just prior to the 2002 state election chose the Ricketts Point area as the place to launch their system of marine parks and sanctuaries in Victoria.

The member for South-West Coast made mention in his contribution of the whales and sightseeing elements down at Logans Beach. It is of interest that the continental shelf runs to a modest depth between Victoria and Tasmania, and there was the passage of the Yarra River that wended its way through the middle of Port Phillip Bay and out through the Heads. There is not a great depth there across the continental shelf, but on each side of the continental shelf, the land drops

down to some 4000 metres, and it is in that depth of water that the leviathans of the deep, the whales below Tasmania would spend a good part of the year, and they would make their way to Portland around the Furneaux Islands and then across to Portland for their calving. It is one of the spectacles of nature.

The dolphin industry in Port Phillip Bay is an important one, and there is a strong view on this side of the house that the Labor Party has paid insufficient regard to the financial needs of the tourism industry in Port Phillip Bay during the channel deepening processes. I know that there have been conversations with a number of tourism operators in the bay, people who have capably nurtured and encouraged the industry, people who have been very keen to ensure that wildlife has been appropriately protected and has not been adversely affected by rogue operators. I had an opportunity to speak to these people when some of the first legislation dealing with wildlife was introduced into the chamber.

In the early light of day we have the magnificent spectacle in the Sandringham electorate of cormorants streaking across the water just a few feet above it while dolphins pass along the coastline, providing a marvellous spectacle for sightseers. They are indicative of the wider health of the bay.

The government has still not been able to tell the people of Victoria what will happen under the channel deepening proposals to the millions of tonnes of spoil representing over 150 years of contaminants from business — a range of chemicals and other products that are deleterious to the health and wellbeing of fish — coming out of the mouth of the Yarra River and being placed on a bund in the middle of Port Phillip Bay off the coast at Mordialloc. The life span of the bund will be only some 30 years. The government has not been able to say what will happen to the contaminants, the life spans of which extend far beyond that time, when the life span of the bund expires. There is rightly rising anger among the people of Victoria, including those who live in coastal areas from Brighton through to Blairgowrie, about what will happen to those contaminants when the life of the bund finishes. The attitude of the Liberal Party was that landfill was an important aspect of that project that needed to be considered — that is, how to deal with the contaminants. A seal colony lives on one of the beacons or markers towards the heads of Port Phillip Bay, and again that is an important tourist element.

Overall there is a significant dollar return on the life of Port Phillip Bay being capably sustained. The fishing industry, tourism industry and boating industry are all important elements of the health of Port Phillip Bay,

which is of iconic status and value to Victoria. It is one of the world's leading recreational waterways, owing to the fetch of the bay, the open waters available for sailing and boating and other activities and also the infrastructure adjacent to the bay: a capital city, a major international airport and major infrastructure around the bay, including the Sandringham Yacht Club. But for the work of the then Liberal government the club would not otherwise have been in a position to proceed strongly with its expansion and development. Now it is one of the leading yacht clubs on Port Phillip Bay and it is about to go into a further phase in its history and development with the construction of a new clubhouse under the wise and able leadership of its present committee and Commodore Bruce Eddington.

A little bit further around is the Black Rock Yacht Club, which has underpinned the training and development of a number of Australian Olympians. Mark Turnbull, who was a gold medallist at the Sydney Olympics, is an important member of local Sandringham electorate yacht clubs. It was an outstanding victory on his part to compete against an international field and win his particular elite class of sailing at the Sydney Olympics. Further around is the Beaumaris Motor Yacht Squadron, which is also an important club on Port Phillip Bay and one that provides a form of access to the water for club members, who reclaimed an area of land. It is also an important element of tourism in Victoria.

Mr INGRAM (Gippsland East) — It is a pleasure to rise to speak on the Wildlife Amendment (Marine Mammals) Bill 2008. The previous speaker mentioned that I had spent some time in a life before politics swimming around in the ocean and dealing with seals, dolphins and whales, and I will come to that a bit later. A lot of people probably do not realise that I also spent an amount of time before that working in the commercial fishing industry on a shark/cray boat in Bass Strait, where we had a lot to do with seals — and the interaction probably was not necessarily a very positive one a lot of the time. When they strip large amounts of fish out of your nets it can be a fairly frustrating and expensive process.

As a community we have moved a long way from the past, when seals and whales were hunted quite extensively along our coastline. As we have seen with the introduction of this piece of legislation, now more than ever people wish to go out and interact with these species. I understand why that is, because they are quite amazing animals in their own right.

The member for South-West Coast said that his region is the best in the state in which to experience these

interactions. I disagree vehemently and put the case for Gippsland East. Large numbers of whales visit the region of the wilderness coastline from the New South Wales-Victorian border right along the coast through to the Gippsland Lakes every year. We also have some of the largest seal colonies in Victoria. Places like the Skerries off the Wingan River have an extremely large seal population. We also have dolphins on the Gippsland Lakes and along the coastline.

As explained earlier, I spent 10 years diving for abalone in that section of the coastline, and I am probably one of the few people who has had very close experiences with southern right whales under water. I came up one day next to a pair of southern right whales, ending up about as close to them as I am to the member for Swan Hill, who is at the table about 4 metres away. I got a much warmer and more personal feeling with the whales than I am getting from the member for Swan Hill, but we will not go there. To look in the eye of a whale at close range is quite an amazing thing. You can understand the relationship that humans have with whales, because they are clearly an intelligent animal — and you can see that if you get the opportunity to look in the eye of a whale. It is quite amazing.

I had an interesting experience one day when I was diving in fairly shallow water off Yerung. That day I had a pair of humpbacks swim between me and the boat. I was on the bottom when a pair of whales swam right over the top of me. The turbulence that created disturbed me. I do not know who was feeling most uncomfortable, but I think it was me. They are a fairly large animal and they create a bit of shade and also a bit of turbulence. They are quite an amazing species. We saw humpbacks leaping out of the water all the time at close quarters very close to Cape Conran, right next to the beach in shallow water where people could see them from the beach at any stage.

I look at legislation like this with a bit of scepticism. I understand why we need to introduce such provisions where there are large numbers of recreational boats and other vessels, and licences are being provided to commercial operators, but something inside me says that part of this measure is to protect that commercial industry so that the only way you can get to have that close experience is to go on the commercial vessels. I hope that is not the case, but I am sceptical when the government is putting in regulations so we can move people away from whales, seals or dolphins, which are very inquisitive creatures.

To explain, dolphins quite often come and play with the air bubbles that are created when you are diving. I have

been diving in fairly dirty water and had a pod of whales swim at very close quarters, and they do exactly what they do in the domesticated environment: they stack on top of each other, swim at very close quarters and circle you. Sometimes that is not a very good thing to have happen to you — having a fairly large animal come out of the blue and interact with you, if you like. I was not interacting with them; they were interacting with me.

Particularly when there is potential for sharks to be around, the last thing you need is something large zooming at you very fast out of the murky water and playing with your air hose. I have had dolphins play with my air hose and things like that. It is an interesting experience. Seals are much the same and likewise are very inquisitive animals. I have had seals come up to me under the water and actually grab hold of my head with their mouth on my wetsuit. I have had them grip my fins and try to pull me backwards.

When diving in caves for abalone I have also had seals come in, zoom up to me and open their mouths right in front of me at very close quarters. These things are an interesting part of dealing with animals generally. I have dived with them near the Skerries, where the largest seal colony is. You have seals around you all day, and it is quite an amazing experience. I can understand why people would want to do this, and it is important that we protect those animals but also give people that opportunity because, handled properly, that interaction can be managed without impacting on the animals.

One of the other aspects of the bill is the section that deals with threatened wildlife. There has been some discussion on this, looking at increased penalties and bringing in those species under the Flora and Fauna Guarantee Act and the Wildlife Act. I listened to some of the other speakers, and it surprised me that the threatened fish species were not included in that list. The reason is that the threatened fish species are contained under the Fisheries Act. However, I raise the point that we need to make sure that we have penalties to punish people who impact adversely on any threatened species, no matter what species we are talking about.

I do a bit of fishing and canoeing. Recently on the Ovens River I saw a set line for Murray cod baited with trout cod, which is one of Australia's most threatened native fish species. Someone was using a threatened fish species for bait. I reported that to Fisheries Victoria, but it did not catch the perpetrator. Not only are set lines illegal, but this person was using a threatened species as bait. I encourage anyone who

comes across this type of thing to report it immediately, because we need to make sure that we protect our threatened fish species. On the Murray it is quite common when you get out into more isolated areas to have set lines. I was up near the member for Mildura's electorate recently and found a number of set lines all baited with silver perch, which is another threatened Victorian species. The fact that there are still people out there who behave in this way is quite deplorable in my view. I understand that that is not contained in this legislation since it comes under the Fisheries Act, but unfortunately people do similar things in relation to other threatened wildlife.

Having made those comments, I say again that it is a pleasure to speak on the bill. I have had a fair bit of experience of contact with marine wildlife, and I would like to think that in the future more Victorians and Australians also have such contact. This is a great opportunity to market ourselves to the world, particularly Gippsland, where we have such a wonderful isolated wilderness coastline. There are enormous opportunities available as long as we have access and have ecotourism infrastructure in place so that people can enjoy their experiences.

Mr HOWARD (Ballarat East) — I am pleased to speak on the Wildlife Amendment, (Marine Mammals) Bill. It is because ecotourism has become recognised as an area of significant interest to so many people, whether they be from Victoria or visitors to our state, that we need to debate this bill. Ecotourism can be pursued in a range of areas, and certainly in my electorate there are a number of terrific places where people can go for walks and appreciate wildlife. Near where I live lots of kangaroos can be seen in the evenings and mornings, and it is a great source of satisfaction, as is seeing our Australian marsupials in a range of places.

This bill focuses on marine mammals. When we think about whales in particular we imagine how wonderful it is to see a fin or some other part of a whale as the whale turns in the water or rises up out of the water. It is pretty exciting to see dolphins as they regularly move out of the water when they come near boats or people, even when people are in the water. We are recognising that as more and more people take an interest in looking at whales, dolphins, seals and other marine mammals we need to put in place protection mechanisms to ensure that those animals are not being threatened, that the potential for others to appreciate seeing them is not harmed in the future and that we have a sustainable opportunity to enjoy them. There is an economic benefit, but there is also the benefit that accrues to all those people who have the opportunity to see whales

and the other creatures in their natural environments. I certainly have been pleased to go down to Logans Beach near Warrnambool to see whales during the breeding season. We know blue whales, humpbacks and large sperm whales come into Victorian waters.

This bill is all about recognising the excitement people want to experience when they have the opportunity to see these beautiful examples of the world's largest mammals. We need to put in place opportunities to ensure that we enhance the protection of this wildlife, that we protect humans who may want to observe them and ensure that we can develop and sustain opportunities for innovative tourism in these areas.

In dealing with this issue it is pleasing to see that the Natural Resource Management Ministerial Council has discussed this issue and has come up with national guidelines on whale and dolphin watching. This bill serves to put those guidelines into legislation. That is important. We recognise that while people can watch these animals from the land, there are more and more attempts to look at them from boats and from the air. In regard to aircraft operators who might be wanting to spot these creatures, we need places where they require permits if they are going to be whale watching. Under this permitting system appropriate controls can be put in place.

The bill also looks at the issue of whales in distress. We know that whales can come up on our beaches periodically, and we need procedures where controls can be put in place to ensure that people are not under threat and the management procedures for these distressed animals are not made more difficult but are made easier to enact.

I know other members want to speak on this bill, so I will finish my contribution. I am supportive of this bill. It is forward thinking to recognise that we need to act to support in this bill opportunities to look at and appreciate our marine mammals into the future. I am pleased to support this legislation.

Mr CRISP (Mildura) — I rise to speak on the Wildlife Amendment (Marine Mammals) Bill 2008. The bill has a couple of purposes. The first is to improve provisions for the protection of whales, dolphins and seals and to harmonise legislation with other jurisdictions by regulating human interactions with these species. The electorate of Mildura is probably a source of tourism for these ventures. I am sure that the people of Mildura — who like The Nationals in coalition will not be opposing this bill — would like to see the introduction of provisions to

ensure that we have a harmonious relationship between tourism and curiosity about these wonderful mammals.

I am going to direct my brief comments to that aspect of the bill that intends to simplify and improve the operation of the Wildlife Act, and in particular clause 4(2) of the bill which inserts into section 28A of the principal new subsection (1A), which states:

The Secretary may give written authorisation to a person to disturb wildlife or cause wildlife to be disturbed if the Secretary is satisfied that the authorisation is necessary —

...

(b) to support a recognised wildlife management plan.

It is the need for a wildlife management plan that I want to focus on. Mildura has a famous piece of land just to its south called the Nowingi block. It was to have been the site of a toxic waste dump until a better decision and a better future for Victoria was found. There are a great many environmental aspects there, and yet unfortunately this piece of land still does not have an adequate wildlife management plan, nor is the land recognised for its value. It has not changed in its tenure so as to allow other instruments of government to provide protection for wildlife. We are particularly concerned about the future of the Mallee emu-wren, the Mallee fowl and the greater long-eared bat. The Mallee emu-wren are of particular concern. Recently the community had to fight off a fire plan proposed by the Department of Sustainability and Environment and Parks Victoria to burn that area. That was fought off, but it was made even more difficult because of the inadequacy of the wildlife management plan for that area.

One of the famous conservationists living within my Mildura electorate is Mary Chandler, and she tells me there is a fat fox living in the middle of this colony of Mallee emu-wren. She would very much like to see it removed, but it appears that cannot be done under the existing management. Improvements to the Wildlife Act and support for a wildlife management plan would see that take place.

Despite all that is known about that piece of land, it would benefit from the amendments if someone cast their mind to making a wildlife management plan for that land. I look forward to a wildlife management plan for the Nowingi block. I look forward to the Hattah-Nowingi block, over time, being fully recognised for its environmental significance. I will leave the debate there, given that Mildura is a long way from the sea. We enjoy the sea, but we also want to see that block of land preserved and managed correctly.

Ms THOMSON (Footscray) — I too rise to support the Wildlife Amendment (Marine Mammals) Bill 2008. I cannot claim to have had the experience that the member for Gippsland East spoke about in swimming with dolphins and whales. You could see the smile on his face as he spoke about it and how he really enjoyed the interaction with those wonderful mammals. We would all like to see this experience preserved beyond this generation and the next, enabling people to see dolphins, whales and seals in their natural habitats. This bill goes a long way to ensuring we will be protecting the future of these magnificent mammals. The bill ensures the continuation of ecotourism while being mindful of the need to delicately deal with these mammals.

As I said, I have not had the experiences the member for Gippsland East has had, but I have been among the dolphins at Monkey Mia, and touching and playing with them is an extraordinary thing. You can no longer do that at Monkey Mia. It is no longer permissible to go out there and touch the dolphins and play with them because they were contracting human diseases.

I have also seen seals in many places around the world. I know the importance of protecting their habitat, because they will scare and move off. You will disrupt the colonies of seals if you do not protect them and if you are not careful in how you approach them. As for whales, I can only say that I too have done the Warrnambool trek and seen the whales off the shores of Logans Beach.

It is great that we are strengthening the licensing arrangements in relation to dolphin watching and whales. It is important that we regulate the way people approach seals. It is okay for one boat to go up close if everyone is quiet, but we are seeing more boats going out and it is not as quiet. We see more tourists going out and wanting to look at these animals in the wild, and we need to be mindful that the people who are taking tourists out to see the whales, dolphins or seals are doing it sensitively and appropriately and are meeting all the requirements of the legislation.

This is a welcome piece of legislation we have brought into the chamber. It will ensure that we get the balance right between the development of this tourism industry, in which there is a growing interest, and the need to recognise that we need to protect these mammals by ensuring properly licensed operators meet the requirements necessary so that people will be able to view these mammals in the future.

I also want to talk a little bit about the classification of wildlife. I have spent a fair bit of time camping

throughout Victoria. I have enjoyed the natural wildlife that surrounds me, and I have taken a particular interest in the bird life. I went through the threatened species list. I have to admit that I had never heard of, let alone seen, some of the mammals. But on the bird side I went through and noted some of the threatened species that I have been fortunate enough to see and which in a generation or two, if we are not careful, we will not be able to see.

I mention the turquoise parrot. Seeing a turquoise parrot is rare because there is only one part of Victoria where you can actually see them. They are now countable and that is sad, but they are a beautiful parrot. The notion that we are now looking at changing the classification of how we treat these animals and birds is very important.

I want to talk a little about the changes to the classifications. At the moment all wildlife under the principal act is protected wildlife. Species with heightened conservation needs are classified as notable or endangered wildlife. Offences and penalties are tiered depending on the species classification. Under the new provisions proposed in this bill the two categories of heightened conservation status will be merged into one called threatened wildlife. The lower tier offences for notable wildlife will be abolished and the higher tier will apply to all threatened wildlife. It is important that we protect these threatened species and enable them to continue.

The act currently allows wildlife to be killed or destroyed for a range of purposes, but not to be scared or disturbed. The bill will allow for the issue of an authorisation to scare or disturb wildlife for the protection of property or as part of a wildlife management plan. The act currently allows for authorities to be issued to individuals to control wildlife for a range of prescribed purposes and subject to a range of conditions. The new provisions will allow authorisations to be issued to a group of persons for the same purposes and subject to the same conditions as is possible for individuals. It takes into account the kind of practices that in the past the act has not allowed.

This legislation builds on our commitment to the environment. The work that was done by the previous Labor government to protect our marine wildlife by creating marine parks and ensuring that proper breeding patterns were allowed to occur in their natural environment was groundbreaking — perhaps I should say bay-breaking. It was an important step in understanding the issues. In the past governments have seen their role in protecting the environment around things that happen on the ground or in the air, whether

it is protecting threatened species that fly or threatened species that walk. We have taken a lot longer to adapt to the notion that we have a responsibility to the mammals, fishes and plants that grow in our oceans.

We have a responsibility to ensure that we keep all our ecosystems in place so they can continue. Whilst we do that, we still want people to enjoy them in a safe environment. The government has gone a long way to ensuring that we get the balance right for those who wish to properly enjoy what nature provides and at the same time protecting the environment so that it can be enjoyed by future generations. We know there is intrinsic value in those ecosystems. They are not just there for the pleasure of humans but are important for the earth's survival.

This is a good piece of legislation. It builds on other environmental provisions we have introduced during the life of Labor governments since 1999.

Mr BATCHELOR (Minister for Community Development) — The Wildlife Amendment (Marine Mammals) Bill 2008 has a number of simple objectives. Firstly, it will enable Victoria to implement its commitment to the Natural Resources Management Ministerial Council with respect to the protection of whales, dolphins and seals. It will generally improve the management and protection of marine mammals in Victoria. It will also improve the operations of the Wildlife Act 1975 by reducing red tape and providing for more effective management and protection of wildlife in Victoria.

The bill is supported by all parties in this chamber. I thank the 16 members who have spoken during the debate: the Deputy Leader of the Opposition, the members for South Barwon, Benalla, Nepean, Mordialloc, Swan Hill, Macedon, Mornington, Northcote, South-West Coast, Yuroke, Sandringham, Gippsland East, Ballarat East, Mildura and Footscray. In their contributions members outlined in various ways their support for this bill and even spoke about areas not directly related to the bill. Some members took the opportunity, where leniency was extended, to stray into other areas, including the Mallee. We were waiting to hear the member for Mildura tell us when the first sighting of a whale or a dolphin had been recorded in the Mallee. The member for Lowan informs me that it was once part of the seabed.

Mr Delahunty interjected.

Mr BATCHELOR — That is right. There are all those mineral sands deposits there and through a geological formation many years ago there may well

have been whales or mammals, so those people who were treating the comments of the member for Mildura with disdain may have been wrong; it was just that he was a little out of time as he often is in his contributions in this chamber. Many other worthwhile comments were made but there are some I want to respond to in the time available to me.

The member for Kew raised a number of issues that were put to her by Tourism Alliance Victoria. The member was concerned that dolphin operators already had to submit to an annual licence process and she made a case for administrative ease to see if a seal permit process could be incorporated into the dolphin licence process should an operator require both.

The bill will provide a separate licensing regime for seal tourism and dolphin tourism in a legislative sense, as pointed out by the member for Kew. But there is no impediment to aligning the administrative processes in managing these permits and that is something the department, which has a common-sense approach to administrative arrangements, will look at. The Department of Sustainability and Environment and Parks Victoria will be able to deal with permit applications together and to consolidate the paperwork for those operators who require both kinds of permit.

The member for Kew also raised the issue of stakeholder consultation and said that this would be critical to ensuring industry support. I point out to the member for Kew that the new licensing regime will be underpinned by new regulations to be developed during 2009, and during that course of time there will be extensive stakeholder consultation as those regulations are developed.

The member for Kew also intimated that industry support will be tempered by the amount of enforcement resources that are committed to regulating these laws. In response to that, the Department of Sustainability and Environment has already undertaken to commit resources to enforcing these new laws and ensuring that wildlife officers are out on the water to assist with the management of the interactions between humans — for whatever purpose they are out there — and marine mammals in Victoria. Enforcement will be also supported by educational material and public consultation.

The member for Kew also indicated that further consideration might be required of the implications of the legislation enabling permit conditions to control the frequency of tours and the amount of time spent in the vicinity of a whale. The member for Kew said that this required extensive industry consultation and that the

operators are cautious about the potential limits. Again I point out to the member for Kew that the bill ensures tour operators are part of any decision-making process for the capping of the number of tour operators in environmentally sensitive areas. In particular, I point out that proposed section 83F requires the Department of Sustainability and Environment to conduct mandatory public consultations before imposing any cap on the number of tour operators in these areas. I think it goes a long way to addressing the implied concerns of industry in the statements made by the member for Kew.

Similarly to existing permit conditions for whale and dolphin tour operators, permit conditions regarding frequency of contact will be developed in consultation with the tourism industry and they will take into account the nature of the relevant tourism licence and all other relevant factors

Ms Asher interjected.

Mr BATCHELOR — I have been informed by the member for Brighton that it was the member for Brighton, and that makes sense to me.

Ms Asher interjected.

Mr BATCHELOR — Yes, that is right. I am happy to be corrected. I thank the member for Brighton for that, because these are issues where we want to make sure that the correct message goes back to the tourism industry. The purpose of Parliament is to have these issues of concern raised and we are happy to attribute the raising of those correctly to the member for Brighton.

Ms Asher — Who is very grateful for your responses.

Mr BATCHELOR — The member for Brighton also raised the need for the definition of a critical incident in the emergency management powers to be clear and transparent so as not to undermine the authentic experience that is being offered by licensed tourism operators. The power for wildlife officers to direct people or vessels to move up to 500 metres away from a whale or a dolphin or to cease approaching within 500 metres, will be used only to ensure the welfare of the whale or the safety of any person. They are the circumstances in which it is proposed to use these new powers. This process will operate in a clear and transparent manner, and I refer people to proposed section 81(5) in clause 25 of the bill that sets out the supportive provisions.

The member for Brighton also raised the issue of seal industry tourism operators in that they want to see the legislation align the seal tourism code of practice in Port Phillip Bay and the seal strategy. The development of the regulations to underpin this legislation will involve an evaluation of the current management regimes, including the seal tourism code of practice for Port Phillip Bay. This will be done in consultation with the tourism industry. It is envisaged that the regulations will incorporate the broad principles of the code of practice. The regulations will also incorporate the principles of the national seal strategy and any other management objective necessary to ensure the sustainability of the industry. So I thank the member for Brighton for raising those matters and I hope they address the issues of interest to her.

There is just one last comment I want to make and that is in response to comments made by Wayne Kayler-Thomson, the chief executive officer of the Victorian Tourism Industry Council. His comments also relate to this issue of wildlife officers directing people or vessels to cease approaching a whale or a dolphin and to move 500 metres away from the whale or the dolphin in times of distress or an emergency response situation.

I point out to Mr Kayler-Thomson, as I have pointed out to the member for Brighton, that the power for wildlife officers to direct these people or vessels to move up to 500 metres away from the whale or dolphin or cease approaching will not change the standard minimum approach distances for whales and will not interfere with the ordinary course of whale and dolphin watching tours. What we are talking about is when the animal is in distress or when there is an emergency situation; that is when the 500-metre requirement will be put into place. The power will only be used in emergency situations. The bill makes it clear that the 500-metre direction can only be given where an authorised officer reasonably believes it is necessary to ensure the welfare of a whale or the safety of a person. In all those circumstances, people would understand the need for a power to be able to make people and vessels move away in the situations described. With those responses, I wish the bill a speedy passage, and hopefully it will get a speedy passage through the other chamber.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.**WILDLIFE AMENDMENT (MARINE MAMMALS) BILL***Clerk's amendment***The ACTING SPEAKER (Ms Munt) — Order!**

Under standing order 81 the Speaker has received a report from the Clerk that he has made a correction in the Wildlife Amendment (Marine Mammals) Bill 2008. The report states:

In clause 30, page 29, line 5, I have deleted 'renewed' and inserted 'granted' so that the line now reads 'the permit to be granted'.

PUBLIC HEALTH AND WELLBEING BILL*Second reading***Debate resumed from 24 June; motion of Mr ANDREWS (Minister for Health).**

Mr LANGUILLER (Derrimut) — It gives me pleasure to rise today in support of a significant piece of legislation, the Public Health and Wellbeing Bill 2008. At the outset I wish to place on record my congratulations to the minister and his office and departmental staff for what I regard to be an exemplary statement of compatibility under the Charter of Human Rights and Responsibilities. You might be aware, Acting Speaker, that I am a member of the Scrutiny of Acts and Regulations Committee, a committee which works well in carrying out an enormous amount of work and among the members of which there is robust debate and a spirit of democracy. It works well, as I said, and contributes significantly to ensuring that legislation is properly examined, and this is one piece of legislation which was properly examined. I commend the 36 pages of statement that the minister has provided in responding to a range of issues raised by the charter.

The purpose of the bill is to enact a new legislative scheme which promotes and protects public health and wellbeing in Victoria. It will provide a modern and flexible legal framework that will strengthen Victoria's ability to respond quickly and decisively, if required, to existing and emergent risks to public health while at the same time safeguarding the rights of individuals who may be affected by measures taken to improve public health. It is important to highlight that the right of everyone to enjoy the highest attainable standard of health is recognised by the international human rights

law, including article 12 of the International Covenant on Economic, Social and Cultural Rights.

Article 12 requires parties to take steps to achieve the full realisation of this right, including the measures necessary for the prevention, treatment and control of epidemic diseases, the improvement of all aspects of environmental hygiene and the healthy development of children. Health is a fundamental human right that is essential for the enjoyment of many of the individual rights protected by the charter, and in particular the right to life. This bill certainly delivers on that. It is a great step in the right direction. There is always more to be done, but this bill brings us up to speed and brings us squarely into the 21st century.

International human rights law recognises that a state might have to limit certain rights of individuals in order to address serious threats to the health of the population or of individuals. The Scrutiny of Acts and Regulations Committee examined this issue, and we recognise that a balance needs to be struck between the rights of an individual and the rights of the broader community. Of course the role of the state or government and of legislators requires them to closely examine that balance that needs to be struck and to deliver on it, and this bill does precisely that.

Of course the bill does not come into this Parliament without a major background. One ought to recognise the work done by our predecessors: the current Minister for Health, Minister Andrews, and particularly the former Minister for Health, Minister Pike, who released a discussion paper in August 2004 which attracted significant responses and contributions from local government, professional associations, academics, health bodies, health workers, industry representatives and members of the public. At the time Minister Pike said in her foreword to the discussion paper:

The new public health act must deal effectively and proactively with contemporary public health concerns as well as provide the flexibility necessary to respond to future threats. For instance, by providing adequate powers to prevent new and emerging infectious diseases and to respond to chemical, radiological or bioterrorism incidents.

While strengthening traditional public health roles, such as responding to communicable diseases and environmental risks, the public health act should also be able to support programs that promote and advance broader public health initiatives. These would include strategies aimed at reducing the most significant public health issues faced by modern societies: non-communicable or 'lifestyle' diseases such as obesity —

and diabetes, as well as others. This government and indeed the current and previous health ministers would be very proud of the fact that a significant amount of

work, including background work, was done, a significant amount of consultation took place and a fantastic piece of legislation has been brought into the Parliament.

The Victorian government's approach to policy development, which is an important matter that I wish to raise, acknowledges the importance of achieving a balance between the environment, health, society and the economy. It seeks to build a better society and stronger communities by delivering improved services and reducing inequalities and disadvantages. In fact this bill does precisely that, so I commend the work done on this bill. This bill is a U-turn or an historical turning point in the development of Victoria's health system and health legislation. You would be aware, Acting Speaker, that the 50-year-old Health Act, which was primarily focused on treating illness, is now being repealed. Whilst we retain the principal aspects of that act and do not walk away from the government's and the state's responsibility in dealing with illness and infectious diseases, we are now moving on to major challenges — may I say greater challenges, indeed — for our community and our society, and they are the challenges of the chronic diseases that this government has taken it upon itself to ensure we tackle head-on.

The bill focuses on preventing illness and protecting the wellbeing of people before they get ill. Prevention is a major emphasis of the bill that has now been brought into the Parliament. The Brumby government's strong focus on prevention is remarkable. The bill is a key initiative in the government's overall strategy of promoting prevention wherever possible. I commend the work that has been done.

When it comes to prevention and to dealing with chronic diseases, the bill recognises — and the government recognises — that there are vulnerable communities, that there are people who are more fragile than others and that we as a government and as a state and indeed the Department of Human Services ought to have checks and balances and to put in place a system which is capable of looking after the most vulnerable in our community. I said yesterday in debate on another piece of legislation, the Cancer Amendment (HPV) Bill, that I was impressed by the presentations at a recent forum I attended organised by DHS. One important point made by two remarkable scientists was that if the health system is capable of reaching and looking after the most vulnerable men and women in the community who quite typically, for a range of reasons — be they socioeconomic, gender, language or diversity issues — are unable to access the health system per se, then the system is strong enough to look after the broader majority. In other words, if the system

can look after those who are most vulnerable, then we can be confident that it will look after the majority. Of course there are vulnerable people in my electorate and indeed there are vulnerable people in the electorate of Kororoit and the western suburbs generally.

Let me tell you, Acting Speaker, what a great piece of legislation this is and what a great bill this government has brought into Parliament. If there is one type of community where people are likely to be vulnerable in health or wellbeing issues, or issues that must be addressed in the context of the prevention of illness, it is a community where people are socioeconomically disadvantaged. The bill and indeed the Charter of Human Rights and Responsibilities recognise that. There are still pockets of the western suburbs where people are disadvantaged. Although we have done an enormous amount of work on that and we have come a long way, I am very confident that this bill will improve the lives of many in the western suburbs, including the electorate of Kororoit. That is why I am confident that on Saturday the people of the Kororoit electorate in the western suburbs will bring home a great candidate, Marlene Kairouz. They recognise that Labor has done an enormous amount of work in the western suburbs and that it is the only government that has done something in the western suburbs, with the provision of services like the Sunshine Hospital and Western Health to name just two. This legislation will further deliver to the people in the western suburbs. I commend the speedy passage of the bill.

Mr DELAHUNTY (Lowan) — I rise to speak on behalf of the Lowan electorate, but I must speak on a few of the points raised by the member for Derrimut. Labor has been in government for eight years — eight years! — and it still has problems in the western suburbs. It has failed again. I must agree with him, though, that there are many people who are vulnerable, not only those in the lower socioeconomic areas but also those with language difficulties.

With the wealth that has been created, today's society has enormous problems with the affluence in some areas which is creating the obesity issues that the member for Derrimut spoke about. We read in the newspapers about the problems of obesity, and some of the experts are saying Australia is even worse than the United States of America in that regard, so we have a lot to do in preventive health in relation to obesity, diabetes and the like.

On some matters I agree with the member for Derrimut, but I can assure him on behalf of the coalition that we are hearing a lot of people out there saying, 'These people in government have had unforeseen wealth in

the budgets, but they have failed miserably in relation to service delivery in the area of health for the western suburbs’.

I want to speak briefly about this very important bill. The purpose of the bill is to rewrite the Health Act. The Public Health and Wellbeing Bill repeals the Health Act of 1958 and replaces it with the Public Health and Wellbeing Act 2008. It also amends a variety of other acts. I know the shadow Minister for Health, the member for Caulfield, has covered this and that my colleague the member for Mildura also spoke about it last night. There are a lot of issues here for local government. Even though I have a lot of background in local government, the member for Shepparton, who is the coalition spokesperson for local government, will cover some of those issues too.

We know that the act that this bill is replacing is almost 50 years old, but this bill is 264 pages long. I agree with the member for Derrimut that the work done on this bill was started back in 1998 by the former coalition government. It has taken a long time to get to this stage, but it is important that we get it right. There are concerns about a lot of areas of this bill, but it is an extensive bill and, given the resources we have, we must trust that it will achieve its aims. I know some of those aims are about shifting the focus to prevention.

As a proud board member of VicHealth, I can say that that has been the focus of VicHealth since it was established. VicHealth is about health promotion. We have done an enormous amount of work on tobacco laws, and I am pleased to see that in the upper house the members of the government and others have supported a private members bill. The Tobacco (Control of Tobacco Effects on Minors) Bill, introduced by Damian Drum, a member for Northern Victoria Region, has the support of all sides of politics, which we are pleased to see. VicHealth is seen to be working for the health and wellbeing of our community, and I am pleased to see that happen.

The member for Derrimut spoke also about the issue of obesity. As I said, that is a real issue for all of us. In VicHealth we have programs such as the walking school bus program that a lot of schools are involved in. Now it has been extended to become a much broader community issue. We are now seeing more and more people jumping in their cars to go to school or work. I enjoy coming to work here at Parliament of a morning. I walk up Little Bourke Street, and it is great to see other members of Parliament also walking to work in this place. We all have to be conscious of the fact that we need to look after our own health and wellbeing.

We need to do it for ourselves. We cannot rely on governments — —

Honourable members interjecting.

Mr DELAHUNTY — Yes, they are all walking out. We cannot rely on governments to help us in this regard. It is about — —

Ms Neville interjected.

Mr DELAHUNTY — That is right. The reality is that we need to do this ourselves. I know that you, Acting Speaker, like me, are heading to the Kokoda trail in a couple of weeks time. One of the aims I have is to get a little fitter. I will need to be a lot fitter before I walk the Kokoda trail, but hopefully I will return fitter from the experience. Wellbeing and health is about doing something for ourselves. It is important for all of us to do preventive work, and that is one of the aims of the bill. As we know, there was no exposure draft of this bill. It was first seen in May of this year and it does not come into effect until 1 January 2010. The other aim of this bill is to place people and their needs at the centre of the health-care system. That aim is to be commended, but it is important that services be provided to people who need them.

One of the things that you, Acting Speaker, would know is that members of Parliament who represent country Victoria all have many hospitals in their electorates. I have five health services in my electorate: the Wimmera Health Care Group, the West Wimmera Health Service, Edenhope and District Hospital, Casterton Memorial Hospital and the Western District Health Service. Many of these services have multiple campuses. The critical things we need to have are appropriate facilities, appropriate services and staff. Staff is the most valuable asset in any health service and more work needs to be done in that respect. I will return to this issue at a later stage. There are also four bush nursing centres in my electorate at Lake Bolac, Dartmoor, Balmoral and Harrow. Those centres, which are spread across the large electorate I represent, provide an important resource by not only doing preventive work but also, importantly, treating acute health problems.

The other trouble we have in country Victoria as you know, Acting Speaker, is recruiting staff to the country. Because of the difficulty of obtaining staff many people in country areas have to travel long distances to get to specialist health services. We need to do more in this regard. The Victorian patient transport assistance scheme (VPTAS) needs to be reviewed. There is a need for a four-point approach. Firstly, we need to increase

reimbursements because the price of fuel is going up and we need to increase accommodation expenses refunds. Secondly, we need to review the 100-kilometre minimum distance that patients have to travel before they collect their reimbursement, because more patients are travelling to local regional hospitals. The Edenhope hospital is 95 kilometres from Horsham, and patients attending there miss out every time. That minimum requirement needs to be reviewed because such people need to be assisted.

Thirdly, the forms doctors must complete need to be simplified. Too often forms sent to VPTAS are sent back to the patient because somewhere on the form a 't' is not crossed or a full stop has not been inserted. Often those forms have not been filled out properly by doctors, and doctors have said to me that those forms need to be simplified. Fourthly, we need to remedy an inequity. Currently a primary health care card holder, particularly those who hold pension cards or health care cards, get assistance while others do not. Others have to pay the first \$100 in fees. Those four areas need to be reviewed in respect of VPTAS.

I also want to speak about mental health services. This issue is a growing problem, and one in five people have a mental health problem. The previous federal government and this government have put more resources into mental health. Unfortunately those resources are not in country Victoria. We need a second paramedic ambulance service in Horsham. At the moment, if a person is involved in a situation in Horsham that occurs after hours, particularly during the night or even on weekends, that person has to be transported to a mental health specialist service in Ballarat. Sometimes people have had to wait up to 16.5 hours for an ambulance. That is not good enough. There is a major concern regarding this issue.

I am also concerned that we need to fully fund our enterprise bargaining agreements. Even though the Premier said that western Victoria is too far away, I am pleased that people have worked to fund the rescue ambulance helicopter. We need to be able to transport people quickly. Firstly, we need to rescue people, whether they be in the Mount Arapiles National Park, in the Grampians or in the sea, and then get them to a critical care service. If we cannot take them to a service in the country, we need to take them to Melbourne.

I am also concerned about ambulance transfers. A lot of hospital staff say that if a hospital cannot provide a service when a person comes in, then that person needs to be transferred to a regional centre. Usually that centre is in Horsham, Ballarat or Melbourne. That transfer is paid for by the local health service. That

payment sucks a lot of money from those services. There was an article today in the *Weekly Times* by Trevor Carr, who is the chief executive officer of the Victorian Healthcare Association. It says:

Rural Victorians continue to face major health disadvantages and a public health system that is hampered by a lack of strategic capital investment and a funding system that has failed to meet its aims.

Statistics show that rural Victorians face major health disadvantages, including higher rates of chronic disease and deaths from cardiovascular disease, cancer and road traffic and farm injuries.

One of the concerns of the Victorian Health Association is that small rural hospitals have not been allocated any growth funding. Only three rural hospitals in the state have been allocated a small amount of growth funding. The article gives examples of issues that mean more must be done. They are:

The higher wage costs of doctors ...

Rising costs of ambulance transfers ...

The cost of implementing information technology ...

More needs to be done in respect of health services in country Victoria.

Mr TREZISE (Geelong) — I am also pleased to speak briefly in support of the Public Health and Wellbeing Bill 2008 which is before members tonight. I will speak briefly because I know that there are many members on the government side of the house who understand the importance of proactive and preventive public health and wellbeing. Those members will also be speaking on this bill.

I am pleased to be speaking in support of the bill because I think that again the bill highlights the Brumby government's commitment to the provision of a world-class health system in Victoria, not only in the provision of hospital facilities, for example, but also in a proactive role of preventing illness and protecting against disease.

Mr Burgess interjected.

Mr TREZISE — The member for Hastings has interjected, but one has only to hark back, as we often do, to the dark, dim years of the 1990s when we saw the Kennett government ripping the heart out of the public health system, not only across Victoria but also within my electorate of Geelong.

This house is well aware that since its election in 1999 this government has rebuilt the state's public health facilities. As I have said on numerous occasions, in

Geelong we have seen the renaissance of our public health system. We have seen the employment of hundreds of extra nurses, and the rebuilding, for example, of the Andrew Love Cancer Centre to the tune of \$26 million. We will soon be opening the new accident and emergency unit at Geelong hospital and the Grace MacKellar Centre in Geelong, which was to be flogged off by the Kennett government in 1998 to the highest bidder. It is now a good example of a world-class aged-care facility and rehabilitation centre in Geelong.

As other speakers have alluded to, such facilities as hospitals, aged-care centres and rehabilitation centres are only one dimension of a public health system. This bill before us tonight emphasises the Brumby government's commitment to the proactive side of health, focused on prevention or protection. The bill focuses on the important role of the state in protecting the health and wellbeing of Victorian people — that is, the state's role and responsibility in the prevention of or protection against disease, illness, disability or premature death and the collective state of public health and wellbeing within Victoria for all Victorians.

As members of this house are well aware, there is a direct correlation between the social and financial disadvantage of people within our community and the health and wellbeing of people. One has only to look at the front page of today's *Age* to see the health issues and the disadvantage with regard to the indigenous community in 2008. Of course they are also important issues as they relate to our youth, and they are also important as they relate to the elderly. It is the initiatives contained in this bill that will in part focus such issues.

Preventive health is an important issue not only for the state of Victoria but right across the nation, involving issues such as obesity. The member who spoke before me alluded to obesity and all the health issues associated with it that need to be proactively tackled, and they will be tackled proactively by this Brumby government. This is an important piece of legislation. It replaces legislation that dates back to 1958. It is 50 years old and so is outdated. I support the bill and wish it a speedy passage through this house.

Mrs FYFFE (Evelyn) — I am pleased to rise to speak on the Public Health and Wellbeing Bill 2008. The purpose of the bill is to replace and update the Health Act 1958, particularly in relation to public health and safety matters. The bill purports to provide a modern and flexible legal framework to strengthen Victoria's ability to respond quickly and decisively to emerging risks to public health while safeguarding the

rights of individuals who may be affected by measures taken to protect public health.

The general intent in modernising and making the legislation more flexible cannot be disputed and is to be commended. Comments have been made by other speakers about the period of consultation. The initial discussion paper in 1998 was in the context of national competition policy. In 2004 this government released a discussion paper. A draft policy was prepared in 2005, and a fair number of people made submissions in early 2006. But two and a half years later, without further consultation or a chance to preview a draft of the new bill, it was introduced in the house. In reality this is disenfranchising those who responded to the policy paper in 2005.

Part of the bill touches on local government by introducing the new title of chief health officer. It includes the provision of one medical health officer per council. The costs that will be incurred by councils are of concern as the Auditor-General recently reported that many councils are struggling in some areas of reporting. In order for the health and wellbeing plans to work, we should be looking at environmental health officers.

When I was thinking about the bill and how it would work I started to think about what Labor has done with health and various other of its election promises. When the Minister for Education was the Minister for Health a promise was made to amend the 'nuisance' definition under the Health Act, and yet this promise has not been fulfilled with this bill. Many farmers are facing councils making it impossible for them to continue to farm, and it is ironic that it is called a wellbeing bill when the wellbeing of farmers does not seem to come into any consideration with the following through of the changes.

I am referring to this because on 19 March 2001 the then Minister for Agriculture released the *Right to Farm* report, which had been prepared by people within the industry and the department. Recommendation 6 of the report is:

That options discussed in the report for other opportunities to reduce the potential for nuisance complaints in relation to farming activities which are not noxious or injurious to public health, be taken up in the scheduled review of the Health Act.

The government's response to that recommendation was:

A broad review of the Health Act is expected to commence later this year. The government will request that the review examine options to reduce the potential for the nuisance

provisions of the Health Act to impact on farmers carrying out legitimate farming practices.

On 20 November 2001 a further press release from the then Minister for Agriculture, Mr Hamilton, said that further initiatives regarding reforms to rural zones and the nuisance provisions of the Health Act were awaiting a review to be carried out by the departments of infrastructure and health respectively, reflecting the need for a wide degree of community consultation in these areas. Those words sounded good when they were uttered in 2001 and then in 2002 in the lead-up to the election.

In the draft policy paper of November 2005 it was proposed that the new act continue to require councils to deal with environment-related health risks as they arose at the local level. However, the nuisance provisions needed to focus on nuisances that presented public health risks rather than trivial amenity-related complaints and permitted preventive action. It refers to the duty to abate a nuisance and it talks about whether it is liable to be dangerous to health or offensive. 'Offensive' is defined as noxious, annoying or injurious to personal comfort. This part goes on to substantially refer to the definition of 'nuisance'.

If the government had introduced changes to the nuisance provisions in the Health Act as it promised back in 2001 when it said it would follow through, we would not have the situation we have now in the Yarra Ranges where the council is making it virtually impossible for farmers to farm under the guise of it being a nuisance. We have had restrictions put on scare guns because they are supposedly a noise nuisance; we have got restrictions put on hail netting, hail guns and windmills to act as frost fans. All of these restrictions that have been imposed are making it more and more difficult.

We now have the council, under the guise of the Health Act nuisance provisions, which are not being changed with this bill despite the expectation back in 2001 and 2002 that they would be included in the bill, proposing a restriction on bird-scaring devices. Bird-scaring devices include the sounds of birds in distress being amplified across the property to prevent birds from landing because they take it as a warning and fly away. It is a fantastic crop saver; it really is. It reduces the need for motorbikes to go up and down the orchards. It reduces the need for shooters to go up and down the orchards and the vineyards at dawn and dusk. It reduces the need for very expensive netting, some of which can be considered unsightly in a major tourism area such as the Yarra Valley. I do not think it is, but then I have a rural background.

Some of the things that this council is proposing to bring in include a requirement that devices should be 300 metres or more away from any residential dwelling and that these devices can be used only between 7.00 a.m. and sunset. We all know that birds feed at dawn and dusk and that by 7 o'clock they have had their food for the day, have gone off and are sleeping in the trees. It is also proposed that the devices not be used for more than 12 hours a day and that the maximum noise level at another premises should be less than 5 decibels above the background noise level. Background noise in a farming area varies. You can have tractors and generators going; you can have the birds themselves making huge amounts of noise; you can have motorbikes; you can have cows — you have everything. The background noise levels can be very high, so how can the council say there should be a 5-decibel background level? It depends on where you are measuring it, when you are measuring it and also on the topography of the properties.

The other thing the council wants to regulate is that the device not emit more than 70 noise emissions, with the time between emissions to be less than 6 minutes. The time between emissions is not really a problem, but if you limit it to 70 a day, you might as well not have it, because the birds will be very happy to come in and feed, and they can feed very rapidly in between the time of the emissions. The council also wants to put a limit on the number of devices in use at any one time on the property. Some of the limitations suggested can be accepted, like the limitation on number of devices, but only if they are permitted to be used with other bird-scaring devices — motorbikes and shooters — and other activities to scare the birds away.

It is disappointing that the farmers in the interface areas around our major provincial cities and around Melbourne have not got what they were promised in the review of the Health Act. When we hear about food miles, the concerns about climate change and the cost of transportation, we are not going to be able to farm these areas because council has allowed bed and breakfasts to open adjacent to farming activity that has been there for many years. Long before B & Bs became active in the Yarra Valley we had these intensive horticultural practices going on, and now because of council's mismanagement of planning they are being curtailed. This government is letting the farmers down and is not giving the council the powers under the Health Act to look at the nuisance potential. I come back to the right-to-farm recommendation that says:

... in relation to farming activities which are not noxious or injurious to public health, be taken up in the scheduled review of the Health Act.

Once again this government has let down the rural people of Victoria.

Mr FOLEY (Albert Park) — I rise to support the Public Health and Wellbeing Bill, and in doing so note that this very substantial piece of work is really a monument to the efforts of quite a number of ministers past and present, the staff in the hardworking Department of Human Services and the numerous stakeholders and contributors to the health industry. As the name of the bill implies, this piece of legislation seeks to contribute to the refocusing of our health system, which increasingly needs to focus on the wellbeing of people and communities, promoting particularly primary health care and positioning Victoria's health system to deal with the numerous challenges that it faces.

It does face numerous challenges, Acting Speaker, as you so elegantly stated while making your case in speaking on this bill a few moments ago. Other members have summarised some of those challenges, and this bill seeks to deal with all of them. I have not invented these summaries of some of those challenges, but I will briefly focus on them. Health workforce shortages cover most areas of the health workforce — doctors, nurses and allied health professionals. It is a worldwide trend that we are seeing. I promote the attempts of this bill to position our health system so as to be able to deal with the flexibility and the sensible changes that we are seeing both at a state and national level, many of which cannot come quickly enough.

The ageing of our population is another major challenge for the health system. The increasing proportion of older Australians will result in more people requiring health care and fewer being available to provide funding for that. There is increasingly a chronic and complex conditions trend in our health system which is related to our ageing population and equally to a decrease in infectious diseases as we see complex chronic lifestyle diseases increasingly demanding a coordinated and multidisciplinary approach. It is sad to say, but there is a lack of coordination across sectors of the health system that blights so much of what we do. This bill and the jurisdictional reform it seeks will establish multilevels of health care across the primary, tertiary, aged care and any number of other parts of the health system.

Historically speaking, there is equally a lack of consumer and community input. This bill seeks to deal with refocusing on that problem, particularly through the local area health agreement plans. Sadly our indigenous and non-indigenous health outcomes continue to be hugely different, and it would be wrong

to pursue any reform in our health system that did not seek to deal with the terrible discrepancies and gaps between indigenous and non-indigenous health. Reducing the high mortality and high morbidity rates for indigenous Australians will continue to require a sustained effort within the health sector and collaboration between all areas of the health system, education and community services. This bill gives us the opportunity to position around that.

Perhaps more than anything else, the allocation of scarce resources is a major challenge for the health system. It is interesting to note that this bill comes so soon after the groundbreaking efforts of the national reform agenda being supported by both the state and federal Labor governments and the Council of Australian Governments working groups in this area, which continue to have ministers for health, treasurers and finance ministers promoting the outcomes of both social and human capital forming a key part of how COAG will, through measures such as reforming funding and coordination of different levels of government, contribute to the same sorts of goals that this bill seeks to contribute to.

There are many other speakers who wish to contribute to debate on this important bill, but I just wanted to make those few brief comments regarding the substantial pressures that the health system is under and the fact that this bill is a significant contributor to dealing with the state's challenges. I might close my comments particularly focusing on how this bill will deal with refocusing towards primary health care and health prevention issues. In that regard I am pleased to note that the Minister for Health has led the charge in resolving the immediate concerns that community health centres have had hanging over them with regard to the Australian Taxation Office dealing with how they construct their salary packages for their hardworking and all too often underpaid staff. I commend the Minister for Health on working with the sector in positioning for a successful resolution in that area, because it will be that area of primary health care delivery that in years to come will be best positioned to take advantage of, be the agency for and major beneficiary of the reforms that this bill seeks to create.

Dr SYKES (Benalla) — I rise to speak on the Public Health and Wellbeing Bill. I am very pleased to contribute to this debate on what is a very important bill, because the provision of health services and the maintenance of wellbeing for all Victorians has the support of all members of this house.

I will focus on the accessibility of health services to country Victorians and in particular I raise the issue, as

raised by the member for Lowan, of the Victorian Patient Transport Assistance Scheme. That is a scheme where people who have to travel more than 100 kilometres to receive health services are eligible to apply for some assistance. The issue is that the rate of assistance is very low. The travel rate is only 17 cents per kilometre; if they need to stay overnight, the accommodation rate is only \$35 per night. These rates have been disappointingly low for a long time but the impact of them has been accentuated or exacerbated by skyrocketing fuel prices. More realistic rates for the reimbursement of travel costs in the commercial world are more in the order of 50 to 80 cents or even \$1 per kilometre and accommodation costs are more in the order of \$100 a night.

There is clearly a need for not only the current rates to be reviewed in light of the skyrocketing fuel prices but also a review of the criteria that underpin arriving at these relatively low rates of assistance. A lot of the people who are asking for that assistance have very little money; it is really a big call and a big demand on their pocket to be able to find the money to access health services which people living in Melbourne and other large communities take for granted.

The issue has also been raised with me, again as raised by the member for Lowan, of the complexity of the forms that need to be filled in when a patient desires or has a need to go to a health service other than the nearest service provider. The member for Mildura highlighted a classic situation where Bendigo may be the nearest provider of certain health services for Mildura residents, but in fact it is easier and cheaper to fly to Melbourne and in the case of cancer treatment to go to the Peter MacCallum Cancer Centre where one can get the absolutely best service available. There is provision to have that situation covered but the paperwork involved results in stress to the patients who are often in a very vulnerable and stressed state anyway, and there are often delays in the reimbursement of money which can put financial pressure on those people.

Another key component of the provision of health services are hospitals. In my area I have a number of very good hospitals. At Benalla we have a top hospital, and I had the opportunity to experience firsthand over Easter the caring and professional treatment of the staff in the accident and emergency section of the hospital when I managed to stake my leg and needed a few stitches and a bit of a patch-up, which followed on from being kicked by a cow a few days earlier. It kicked me in the head so it did not do a lot of serious damage!

Interestingly, the touch that I particularly liked in the Benalla hospital was when one of the nurses dressed up as the Easter Bunny, came along and gave every patient, including those of us in the accident and emergency section, an Easter egg, and then took a photo of us with the Easter Bunny for our family albums. That tells you about the nature of country nursing services, where you are treated as part of the family. I have certainly seen that in relation to the support provided to a number of my friends who unfortunately have had terminal cancer. The caring and compassionate attitude of the staff in the Benalla hospital and other country hospitals is absolutely overwhelming.

Mansfield is another hospital in my electorate which has a particular demand on its services to provide accident and emergency services for the thousands of people who come up to enjoy Mount Buller and Mount Stirling not only during the winter, but throughout the year. There is an issue about Mansfield getting adequate funding. I do not understand the formula but I know it misses out on funding for the provision of accident and emergency services, which means it is a burden on the local community.

Alpine Health services include hospitals at Mount Beauty, Bright and Myrtleford. There has been a turnaround in the fortunes of those hospitals over the last five years due to a very strong board and also a good chief executive officer and, again, an excellent staff. It comes as a great disappointment that the Rudd federal government has recently reneged on an \$800 000 regional partnership funding grant to upgrade the provision of health services in each of those three centres. I ask the Minister for Health to give us an example of cooperative federalism and go in to bat on behalf of the country people in the Ovens and Kiewa valleys, to get the federal government to honour the commitment made by the previous government. There is no pork barrelling involved in providing \$800 000 for the upgrading of much-needed health services in the Kiewa and Ovens valleys.

There are a number of bush nursing hospitals at Nagambie, Euroa and Violet Town. The anomaly there is that they are categorised as private and therefore considered a federal government funding responsibility rather than a state government responsibility. That is nonsensical given that bush nursing hospitals arose as a result of the commitment, vision and initiative of our predecessors a number of decades ago when they saw the need for hospital services. As a community they got together to set up the bush nursing hospitals. They are not private income-generating, profit-making hospitals: they are hospitals or services that have been put

together by the community to meet a need. It is absolutely nonsensical that they do not attract state funding.

Violet Town has done very well by setting up aged care facilities and a community health centre but has recently had to fight for the retention of a federal government grant to attract a general practitioner to the Violet Town area. Fortunately that fight has been won but again it is just nonsensical that any questions should be raised about a funding commitment that ensures or assists the provision of a health professional, a GP, to an area that has the need for one.

I acknowledge and thank the Minister for Health for his confirmation that the state government will ensure no hospital has to pick up any of the tab from the increased costs associated with the nurses enterprise bargaining agreement. In relation to ambulances I also acknowledge and thank the minister for confirming and providing an assurance that funds raised by local ambulance auxiliaries will continue to be available for use just in that area for the local ambulance, and will not go into a central fund. That is important because local ambulance auxiliaries have raised tens of thousands and sometimes hundreds of thousands of dollars to provide additional services and equipment for their areas.

In our area we had what I think is the last of the volunteer ambulance services — that is, the Alexandra and District Ambulance Service. It was set up 50 years ago and over the past 50 years it has provided excellent ambulance services to the people of Eildon, Alexandra and Marysville. However, there has been a difficulty in attracting and retaining sufficient volunteers. As a result, the Alexandra and District Ambulance Service is now going to fold and Rural Ambulance Victoria is going to provide the service. I say a thankyou to the volunteers who have provided such a great service to the area for so long. I will be going along to a farewell dinner on Saturday night where we will be farewellling Peter Savage, the CEO (chief executive officer), who put in a lot of time in a paid capacity and, as is so often the case in local country communities, was not only the paid CEO but was also a volunteer who put in an enormous number of hours, along with his wife, who also worked in the ambulance service. Again, it is a sign of people in communities contributing to each other's wellbeing.

In the last minute that is available to me I turn to the issue of mental health in country Victoria, which is a very serious issue. The drought has now been going for over 10 years and has caused enormous stress. Many people who you think are financially and emotionally

robust are in fact very fragile. The actions of this government in proposing to take water from the dry north and pipe it over the Great Dividing Range to the south are illogical. The stress that has caused and the mental health issues it is precipitating are very significant. The Minister for Mental Health is attempting to assist me in securing funding for one of our outreach workers, Ivan Lister. It is regrettable, but at this stage, with five days to go before the end of the financial year, funding for Ivan Lister from 1 July is still not locked in place. With those few remarks, I commend the government for having undertaken the rewriting of this bill, and I look forward to it working in the future.

Mr HUDSON (Bentleigh) — I rise in support of the Public Health and Wellbeing Bill. It is a great pleasure to do so, because this bill overhauls the 50-year-old Health Act and creates a whole new paradigm for public health in Victoria. What we are seeing is a move from the traditional focus on treating illness to a new focus in this bill, which enshrines the state's role in promoting public health and wellbeing. This is a tremendous shift. It is an important and necessary one that we are undertaking through this legislation.

The other significant thing about this bill is that we are enshrining in this new act the guiding principles and objectives which will guide decision making by administrators and departmental officials in implementing the requirements of the act. Those principles are incredibly important. They include evidence-based decision making, the precautionary principle, the importance of accountability and the principle of proportionality. I do not share the concern of the member for Caulfield that we are somehow binding our successors in setting these guiding principles. It is important that when using the kinds of powers outlined in this bill departmental officials are absolutely clear what the Parliament intended and how they should exercise those powers. That is precisely what those principles enable.

The bill also creates the office of the chief health officer. The member for Caulfield expressed some concerns about the powers being conferred on the chief health officer. I have to say that I am not quite sure what the real basis of those concerns is. Those powers are almost precisely the same powers as are currently exercised by the Secretary of the Department of Human Services. The member for Caulfield was concerned that we might be intruding unnecessarily into the lives of individuals and restricting civil liberties. We are dealing with very serious matters here. We are dealing with infectious diseases and threats to public health, and it is totally appropriate that the chief health officer exercise

these powers that are currently delegated by the Secretary of the Department of Human Services to the chief health officer.

It seems to me that those powers are not only necessary but are plain common sense. If you have got an HIV-positive individual out there in the community deliberating spreading infection through unsafe sex and the chief health officer receives a complaint about that individual, they need to have the power not only to order a test but also to require that person to comply with various measures designed to reduce that person's risk to the public. That is a power that is exercised now, and I believe it is a power that should be exercised in the future.

The one new power in the bill is the power under clause 117(5) to order treatment or for someone to receive a specified prophylaxis, including a vaccination. That is also plain common sense. If there is an influenza pandemic, it might be necessary to administer a prophylaxis or a vaccine to prevent a person contracting the disease or to prevent them infecting other people. In those kinds of emergencies the chief health officer has to be able to do that — to administer medical treatment — because if he or she does not, there is a risk to public health.

I believe the bill rectifies some of the weaknesses in the current act. Notwithstanding the concerns expressed by the member for Caulfield, there are a range of safeguards in this bill that protect the rights of a person subject to a public health order. If you look at the bill, you can see there is a requirement, for example, that the measures which are taken are to be the least restrictive measures in relation to the rights of the person. That is contained in clause 112.

There is also a requirement that the action must be proportionate to the risk. That is one of the overriding principles that the member for Caulfield complained about. Clause 9 says the action has to be proportionate to the risk. In addition, anyone who is subject to a public health order has the right to appeal to the Victorian Civil and Administrative Tribunal. That is separate to the previous right to appeal to the Supreme Court. It is a cheaper and quicker option. In addition, a person who is the subject of a public health order can request that the chief health officer review the order at any time that order is in force. I believe these are extensive safeguards. The person has to have their rights explained to them, they have a right of appeal and they have a right of review by the chief health officer.

The member for Caulfield expressed some concerns about these powers and claimed that the chief health officer should be, if not an elected official, someone appointed by the cabinet and not by the Secretary of the Department of Human Services. She felt that this was important given the kind of powers that could be exercised by the chief health officer. We take the opposite view. We take the view that it is far more appropriate that the Secretary of the Department of Human Services, who is a professional public servant, go through an appropriate process of selection against key selection criteria in terms of the relevant skills and aptitude of the person to do that job, and do that at some distance from the political process. I think that is a good thing. If we had proposed that this person be appointed by cabinet, we may well have got complaints that somehow we were going to be interfering, through the political process, in the independence of the chief health officer.

The member for Caulfield also expressed concern about the conferring of the right to disclose information, including, the member claimed, private health and medical records under clauses 55 and 57. Those clauses deal only with authorised officers such as the chief health officer or the secretary where they believe that that disclosure is necessary to assist officers in performing their duties under the act. It could involve information sharing with the Environment Protection Authority about cooling towers or pest control with the Department of Primary Industries.

The member for Caulfield also suggested that including a statutory definition of the precautionary principle in the bill drives decision-makers to somehow act first and ask questions later. She suggested in some way that relying on the judgement of the decision-maker is somehow flawed. I do not know what the member for Caulfield expects the chief health officer to do, for example, if there is an outbreak of salmonella in a restaurant. The chief health officer has no alternative in those circumstances but to close the restaurant and to conduct tests on it to see if salmonella is present. We cannot have a situation where people are exposed for several days to a salmonella outbreak before the chief health officer takes action.

There was a recent outbreak of legionnaire's disease in Hoppers Crossing. Vigorous testing by the Department of Human Services established through questioning that it was likely to be coming from a car wash. We cannot have that car wash operating for several days while we determine whether the legionnaire's disease is emanating from the car wash. The car wash needs to be closed, the precautionary principle needs to be used and then we can determine whether we can confirm the

outbreak is from the car wash so that we can protect the public.

I have great faith in the processes for appointing the chief health officer. This bill, in enshrining the independence of the chief health officer, is protecting the role of that person and recognising that they have a statutory position in their own right. The powers of the chief health officer are a key tool in preventing and managing the risks we confront in public health, and I believe that those powers are necessary and appropriate and include safeguards to protect the civil liberties of the individuals concerned. That is reflected in the balance that is provided in the act. It is reflected in the overarching principles and the safeguards provided. I commend the bill to the house.

Mrs VICTORIA (Bayswater) — The purpose of the Public Health and Wellbeing Bill 2008 is to replace the Health Act 1958, so it has been a long time coming — 50 years in the making. The areas of interest to most people are the public health and safety matters. The bill claims to provide a modern and flexible legal framework to better facilitate the ability to respond quickly and decisively to risks to public health that may emerge. It also claims to protect the rights of individuals who may be affected by the measures taken to protect public health.

This bill is about protecting the public against health menaces. That could include small-scale matters such as health inspections and proper hygiene in cafes and restaurants and so on, and we know they are very important. It could be large-scale situations such as mass epidemics or even pandemics and biosecurity incidents.

It is right that those who protect the community from major harm should have sufficient powers and protections to do their job properly. That is addressed in the bill, but there are some minor things that I want to talk about later. As I said, the act is 50 years old so it was very much in need of updating. There have been some updates over the years but this is a total rewrite.

In 1998 the initial consultation began with a discussion paper reviewing the principal act. Some changes were made to the act at that time. It was not until 2004 that the government released a discussion paper and called for public submissions. Just over a year later, a draft policy paper was released which outlined the government's preferred approach.

More submissions were made in 2006 by relevant bodies, and in 2007 a major incident occurred resulting in the dismissal of the chief health officer, Dr Robert

Hall. One of the reasons given has been an instigator for some of the parts of the revision contained in this bill. It was claimed at the time that his dismissal was partly due to his misjudgement in withholding information. Most people know of the case which involved a person who was HIV positive who was willingly going around infecting all those he could with the HIV virus. It was said that if some prior action had been taken by the chief health officer, the deliberate transmission of the virus in this circumstance may have been halted and fewer people may have been infected. This incident led to a review of the Department of Human Services processes dealing with situations like this. The results of the review, which concluded in February 2008, and the recommendations are partly reflected in the bill.

The problem is that the results of the review were never given to the relevant bodies to review before the bill was introduced in this chamber last month. That troubles a lot of people. A lot of things have been left out, and before the bill becomes law in 2010 we will see many, many amendments to this act. Most of the provisions of the Health Act have been incorporated in the bill, but it has been modernised to suit contemporary needs and practice. The bill changes the name of the act.

The minister's second-reading speech refers in part to a population health framework that is focused on prevention and is sufficiently flexible to enable swift and effective responses to emerging new risks to public health, as well as well-known risks to public health. The problem is that I do not see where this is emerging in a major way. The wellness part in the title seems to be tokenistic, if we are talking about prevention being part of wellness. I can understand that when we are talking about epidemics, but it is not looking at the greater good.

There are some areas of concern, one being that the government is expanding the power of unelected public health officials, particularly the chief health officer. I know that others have said this should be an appointment that is made by somebody who has the authority or the knowledge to do that — for example, the Secretary of the Department of Human Services, not by the government. However, we have seen in the past where this way of doing things has failed, and I do not see a problem with having cabinet, for example, ratify a position.

No doubt the greater good of all Victorians is something at odds with the private rights of an individual in some of the clauses in this bill, and concerns have been raised at some of the provisions in

proposed part 8 of the bill. One of these includes compulsory testing orders by the chief health officer. I note that one of my former colleagues brought up the fact that compulsory testing is certainly warranted where there is a salmonella scare or in cases of legionnaires' disease and that sort of thing. However, we need to stop short when it comes to people; premises are very different to people.

Part 8 allows for the detention of people believed to be a public health risk and also for the use of police and the justice system to enforce the orders. One might say that our police, certainly in Boronia and Bayswater, are already well overworked. This is not perhaps an area in which we need to involve them unless the government comes good on the promise of more police on the streets.

It also confers the rights of access to public health and medical records. Some have taken umbrage at that and said, 'This really takes away my human rights'. The chief health officer has a scope to have compulsory testing orders enforced through the Magistrates Court, including making police assistance available when enforcing the orders. I think these need greater scrutiny, and I suggest that this perhaps would be a good opportunity for committees to be used. The sharing of private information with state and commonwealth authorities has certainly got up the nose of many groups, and again I think that is something we need to have a look at.

The provisions may be genuinely needed in a public health emergency but again allowing one non-government or non-elected official to be the decision-maker leaves us open, as I mentioned, to the sorts of problems that arose last year. If the decision-maker gets it wrong, then effectively the bill absolves them from the consequences of their bad judgement, whether it is deliberate or not. I think we need to have a very close look at that in case the sort of case that happened last year rears its ugly head again.

These types of provisions are in place in New South Wales and Queensland. In New South Wales the responsibility lies with the minister, not with officials, the benefit being that the minister remains accountable. In Queensland the minister has to declare an emergency and then gives his powers to the chief executive of the Department of Health so there is a chain of command and certainly a chain of accountability.

Under this new legislation, if an involuntary medical examination of a person is to be ordered here in Victoria, the chief health officer can order all of those regardless of whether the person objects. It has been

said that objections can be made through the Victorian Civil and Administrative Tribunal. The only problem is that it is retrospective — that is, after the harm is done. I do not believe our civil rights should ever be taken away. If it means that there can be a stay in whatever the procedure is, then that is certainly a good thing to do.

I would never stand in the way of ensuring emergencies could be dealt with when they arise but further consideration would ensure that the balance between public interest and personal liberty is just right. I am not opposing the bill but it is a pity that the government has not spent as many years reducing our hospital waiting lists as it has spent on this bill, which will more than likely, as I said, be subjected to many amendments before it comes into effect in 2010.

Sitting suspended 6.30 p.m. to 8.02 p.m.

Mr PERERA (Cranbourne) — I rise to speak in favour of the Public Health and Wellbeing Bill 2008, which marks an historic development for health in Victoria. I congratulate the Brumby government and particularly the Minister for Health for taking the initiative to introduce this bill to modernise the Victorian public health framework and repeal the five decades old Health Act, which is primarily focused on treating illness. The purpose of the bill is to enact a new legislative scheme which promotes and protects public health and the wellbeing of all Victorians. I am sure that everybody in this house agrees that prevention is better than cure; therefore, we all should be pleased to note that the Brumby government is strongly focusing on prevention.

The Brumby government pursued the case for comprehensive national health reform around three key areas: shifting the focus to prevention, placing people and their needs at the centre of the health-care system and restoring effective funding of the public hospital system. There is an increasing burden of preventable chronic diseases and an increasing prevalence of common risk factors that place unnecessary pressure on health expenditure. Improving health and wellbeing by minimising the incidence of ill health will have a positive effect on society.

Research indicates that people's health outcomes are highly influenced by the whole environment that they experience, genetic factors and their capacity for resilience. People suffering from social disadvantage generally have poorer health outcomes than the rest of the community. The government has an important role in addressing health inequalities, and fortunately this bill is an example that shows the Brumby government

has taken that path. Risky behaviours such as smoking and diseases preventable by immunisation in childhood or detectable at early stages by good screening services have far-reaching consequences for life expectancy.

That is why the Brumby government recently announced \$600 million for the WorkHealth Initiative, dealing with prevention, screening, education and early intervention, to be rolled out statewide to 2.6 million workers over the next five years.

The Brumby government has also funded the \$18.35 million Life! Taking Action on Diabetes behaviour change program, which will target 25 000 Victorians at high risk of type 2 diabetes. It has also provided over \$150 million for Go for Your Life initiatives to address risk factors for chronic diseases such as diabetes and obesity. The Brumby government is also targeting children through initiatives like Free Fruit Friday and families through initiatives like the Premier's Active Families Challenge. As an illness-preventive measure, the Brumby government is encouraging Victorians of all ages to exercise 30 minutes a day, eat more fruit and vegetables and be aware of the signs of chronic diseases such as diabetes.

One of the initiatives in the bill is the requirement to prepare a health and wellbeing plan every four years. The state public health and wellbeing plan will be a public document that establishes Victoria's objectives and policy priorities over a four-year period to meet the public health and wellbeing needs of the people of the state of Victoria. The bill will also enable the health department's secretary to conduct a public inquiry in respect of any serious health matter. It provides that councils must prepare public health and wellbeing plans — and these provisions will allow public health planning to be better integrated into other council planning schemes. The state plan will complement public health and wellbeing planning, which is undertaken by all municipal councils. The state plan will specify the collaborative measures to be taken by the state in achieving these objectives and priorities.

The bill also provides for immunisation status certificates, which must be provided by a parent to their child's primary school. These certificates are a means of encouraging parents to know whether their child is fully immunised. A certificate recording that a child is immunised assists the school in responding to outbreaks of vaccine-preventable diseases. The Brumby government believes that a combination of health-promoting and disease-preventing legislation combined with government programs will help improve the health outcomes of all Victorians. I commend the bill to the house.

Mrs POWELL (Shepparton) — I am pleased to speak on the Public Health and Wellbeing Bill 2008, which is a rewrite of the Health Act 1958. In fact this bill repeals that act. The purpose of this bill is to bring in a new legislative scheme to protect and promote public health and wellbeing in Victoria. The Nationals will not be opposing this bill. I would like to put on record my congratulations to the member for Caulfield, who did a great job in researching this bill. It is a very complex bill and she did a huge amount of work, so I congratulate her on looking at this bill in such detail and also on her great contribution.

As the shadow Minister for Local Government I want to focus my attention on the sections dealing with local government. As the member for Mildura said in his presentation, the bill will have an impact on local government. I have a concern that there was not enough consultation on the bill with local government and in particular with environmental health officers, who have a huge responsibility in dealing with public health. Part 3 of the bill sets out the functions of the Secretary of the Department of Human Services, the chief health officer and local councils in administering the act. Clause 24 deals with the function of a council under the act, which is:

... to seek to protect, improve and promote public health and wellbeing within the municipal district by —

- (a) creating an environment which supports the health of members of the local community ...
- (b) initiating, supporting and managing public health planning processes at the local government level;

...

- (d) developing and enforcing up-to-date public health standards and intervening if the health of people in the municipality is affected.

It includes also working with:

... local agencies whose work has an impact on public health and wellbeing ...

- (f) co-ordinating and providing immunisation services to children living or being educated within the municipal district;
- (g) ensuring that the municipal district is maintained in a clean and sanitary condition.

As members can see from that, local government will play a huge role in protecting and reinforcing public health. As the bill provides that that is the function of a council, there will be a massive workload on councils, and the state government needs to make sure that it provides the appropriate funding for that. We have seen cost shifting when the state government and local

government have both provided funding for a particular project, only to have the state government move away from that project, leaving the council itself to continue with the program, which is a huge cost and impost on a local council.

Clause 26 provides that:

... a Council must, in consultation with the Secretary, prepare a municipal public health and wellbeing plan within ...
12 months after each general election —

unless the council has an exemption. When I was a councillor with the former Shire of Shepparton I helped to prepare a municipal public health plan. We understood very clearly from the department at the time that health does not mean just physical health. It includes the physical, mental and spiritual wellbeing of a person; it is not just a narrow definition of health. We had public meetings and we spoke with the community and stakeholders to discover what they wanted to put into a municipal public health plan. Then we put it on exhibition so that the community had input into that public health plan to make sure it met the needs of the community.

The bill provides that a council must review its municipal public health and wellbeing plan annually and, if needed, amend that plan, although there is no provision for it to go back to the community each year when it is being reviewed. A copy of the current municipal public health and wellbeing plan must be available for inspection by the public, and the council must include public health and wellbeing matters in the council plan or strategic plan. There is a huge responsibility on councils to make sure that they look after public health and also make sure that they do everything in their power to counteract issues that might cause some harm to the community.

Clause 29 deals with the appointment of environmental health officers, and it states that:

A Council must appoint one or more environmental health officers.

There will be some problems about that in country councils. They have told The Nationals that there is a shortage of environmental health officers, particularly in rural and regional Victoria. There is a shortage not just in Victoria but right around Australia, so we need to make sure that we do not put a huge impost on councils that are not able to attract environmental health officers who have the appropriate qualifications.

The duties that councils need to undertake through their environmental health officers include monitoring food safety requirements to ensure that restaurants, cafes and

other food venues comply with the Food Act. The officers need to check food quality and food storage, and then they must report back to council. I know that when I was on council often the environmental health officer would come in with a report that one of the restaurants was not handling food adequately and that there was some risk to the community. The restaurant would then be told that it had to clean the area where the food was stored or refrigerated, and there would be an opportunity for council to close down that cafeteria or restaurant temporarily or long term. There was a fair bit of responsibility on the council.

The responsibility of environmental health officers in dealing with infection control is also an important role, as they need to make sure that they reduce outbreaks. When I was a councillor I spoke to other councils where there were outbreaks of Ross River fever. I know councils and environmental health officers had to monitor pools of water in the community to make sure they did not get to a certain level where the mosquitoes could congregate and cause that virus to spread.

Environmental health officers also have to monitor funeral parlours. When I was a member of the Family and Community Development Committee we undertook an inquiry into the funeral industry. Committee members went to some funeral parlours and looked at where they disposed of the waste when they were embalming bodies or washing down bodies or vehicles. Environmental health officers have to make sure that funeral parlours have the right and appropriate waste disposal services in place and that, if the staff are embalming a body, they wear protective clothes and gloves, so that if a person has died of an infectious disease, that disease is not passed on to other staff or to people coming into the funeral parlour to inspect their loved ones. They have to make sure that the body is tagged and appropriately dealt with so that the contamination is not passed on to other people. Again, the councils have to make sure that that is all put in place.

It is the same with tattoo parlours and body-piercing parlours: councils and environmental health officers have to make sure that those businesses comply with all the various health acts. They also have to investigate nuisance problems which are quality-of-life issues — things like dogs barking. I know that might sound as though it is not a health issue, but in some areas councils deal with members of the public who live next door to people with dogs that bark, which can cause a huge distraction and can cause depression and other health issues. I have heard of councils being given a doctor's note saying, 'This barking dog is really causing a hassle to this elderly gentleman because he is

not able to sleep, and it is a health risk'. Environmental health officers even have to go as far as investigating barking dogs and investigating odours emanating from businesses or other areas.

We may lose more environmental health officers if there is too much red tape in the system, so we need to make sure that there is not too much red tape and that the powers of entry are not too onerous for the environmental health officers and the authorised officers.

There is also a concern that the state of emergency provisions contain no definition of an emergency. The secretary can assume control of the council if the secretary deems there to be an emergency. There is a need to define that chain of command so that people know whose responsibility it is to assume control if there is an emergency.

I talked about the spread of infectious diseases. I know that when the severe acute respiratory syndrome (SARS) outbreak occurred in Victoria, Goulburn Valley Health in Shepparton limited the risk to the community of a SARS outbreak by dealing efficiently with the situation when a family presented itself to the hospital with SARS symptoms. I have to congratulate the hospital because it dealt with that efficiently and made sure that all the processes were in place and that the staff knew what to do. We need to make sure that councils get the appropriate information to warn the community of any health risks or emergencies, and that needs to be done in languages other than English for those councils who have residents from a non-English-speaking background.

I would like to put on record the importance of the role of municipal councils in reducing health risks when they protect the health of their communities. Councils do a great job. It is important that we make sure that they have funds to protect their communities, that they receive information about protecting their communities and that we ensure that councils are educated to make sure that all policies are adhered to.

Mr LANGDON (Ivanhoe) — I am pleased to make a contribution to the debate on the Public Health and Wellbeing Bill 2008. I have no doubt that I could talk for more than 10 minutes about all the things that have happened at the Austin Hospital, but I will try to refrain from mentioning the Austin Hospital. That hospital, which is in the heart of my electorate, is fabulous, and it has been well and truly funded and enhanced. This government has done everything that it possibly could for that hospital.

This bill marks an historic development in health in Victoria. The 50-year-old Health Act, which concerns the treatment of illnesses and is a primary focus of this bill, will be repealed. The bill focuses on preventing and protecting the wellbeing of people before they get ill. That will be a remarkable achievement, if we can do it. The bill is more about preventive health than the current act is. The review of the Health Act was undertaken through public consultation with a view to ensuring that the act enabled a broader population approach to promote and protect the health of Victorians. I commend the government for that.

The bill has quite a few aspects to it. Specifically the state public health and wellbeing plan will be reviewed every four years. It is a public document which establishes the objectives and policy priorities which will be established over a four-year period in a framework of promotion and protection of public health in Victoria. Each local government area must have a municipal public health and wellbeing plan. Some speakers talk about the onerous position this may put councils in. Public health has always been a major focus of local government. I suspect local government will love its new powers because it gives it a better purpose. Public inquiries will investigate any serious public health matter and health impact assessments. They are all vital aspects.

This bill is a serious one. It will no doubt pass in this house, and I am sure the upper house will give it due consideration as well. It is a major rewrite of the old act. The government has spent a lot of time doing that, and I know the minister has spent a lot of time on it. I am limiting my contribution, although I would like to speak more about the bill. I am aware of the number of members who wish to speak on the bill and other issues. I commend the bill to the house and wish it a speedy passage.

Mr DIXON (Nepean) — It is a pleasure to speak on the Public Health and Wellbeing Bill. I would like to take the opportunity in my contribution to discuss the health situation in my electorate of Nepean. We have an excellent hospital in Rosebud which is a part of Peninsula Health. The hospital has great staff and some excellent volunteers who work in and raise money for the hospital. They include the Pink Ladies and the garden club. Just about every little township on the Mornington Peninsula has a hospital auxiliary that raises money for extra hospital equipment. Opportunity shops, which abound in the area, also raise money for the hospital.

The Rosebud Hospital has a great community feel about it and a lot of community money has gone into

the hospital over many years. Back in the early 1990s, when this state had been bankrupted by a previous Labor government and there was no money around, the Kennett government was able to find in Victoria, which was in a destitute state, \$4 million to rebuild the Rosebud Hospital. That has never been forgotten by the community. It gave the community a great feeling to know that their health needs were being met in this state in those dark times. It was the community — —

Mr Andrews interjected.

Mr DIXON — It was in the early 1990s; it was in 1991. Things changed in 1992. At the same time, the community did not say, 'We will just take government money'. The community was prepared to raise lots of money. The best example of that was the former maternity wing at the hospital, the Hillview wing. My son was born there. Over the years the number of births had declined slightly, until last year. There have been lots of births at Rosebud Hospital, mainly low-risk births. My daughter's birth was going to be high risk so she was born in Frankston. The Rosebud Hospital is a tremendous comfort for many people who live nearby.

People often think that because Portsea, Blairgowrie, Red Hills and Flinders are in my electorate that there is a lot of wealth in the area. There is not. My electorate is the sixth poorest of the 88 lower house state electorates. There are a lot of people in my electorate who have no money and no access to transport. To have an easily accessible community hospital is very important to the local community. The Rosebud Hospital was a very popular place for births. It provided far-reaching services in terms of alternative births, and people came from outside the region to attend there. That all changed last year when the maternity service at Rosebud Hospital was closed and the ward, including its name, was physically moved to Frankston Hospital. The theory was that the mothers from the local area, the southern peninsula, would give birth at Frankston Hospital and the next day would recuperate and settle with their babies at Rosebud Hospital. That was the theory but in practice it has not worked. Frankston Hospital was not ready for the extra births it had to accommodate because of the closure of Rosebud Hospital. Even though the birthing services of the two hospitals needed to be kept separate, that has not happened. The birthing services have lost their identity; they have been merged.

In the last sitting week I spoke during an adjournment debate about a whole stream of stories that were sent to a website which had been set up locally. Those emails contained the sorts of problems that many mothers and couples have had because they have had to travel to

Frankston to have babies. There have been births on the freeway. There have been all sorts of stories like that. The move of maternity services from Rosebud Hospital to Frankston Hospital has had quite a negative effect. I think there is still an opportunity for low-risk births to take place at Rosebud Hospital and the government should seriously look at that because the community is calling for it.

I also wish to mention Peninsula Community Health Services in my contribution. That was amalgamated just this year with Peninsula Health. There was extensive community consultation, and out of that consultation came a strong feeling from all the staff who worked at Peninsula Community Health Services, all those who had been clients and all the many volunteers who worked there that they wanted a stand-alone model. They were not listened to, and the amalgamation has gone ahead.

Last week I was at the farewell party which was held so that people could come along and talk about their experiences with Peninsula Community Health Services, whether they had been patients, volunteers or staff there. I could not believe it; I thought there would be a gathering of about 50 people at the Rosebud Hall, but the hall was full. There were probably 500 people present. It was like a wake; it was quite incredible. I was taken aback by the level of emotion and the attachment that people had to the Peninsula Community Health Services.

Being pragmatic, they have said they cannot change it; the government has had its say and has closed it down, or amalgamated it with Peninsula Health, and they are prepared to give it a go. There were three campuses of Peninsula Community Health Services: one at Mornington, one at Hastings and one at Rosebud. Unfortunately the Rosebud campus, which was behind my office, burnt down earlier in the year, which was quite amazing when you look at what has happened at that place over the last couple of years.

The hospital and various other agencies are helping out with the various services which were provided by Peninsula Community Health Services; they are filling in the breach somewhat. It is important that I take this opportunity in the debate on this bill to emphasise the fact that all those local services that were being provided at the Rosebud campus must continue to be offered to the southern peninsula community, wherever that may be, whether it is part of the Rosebud Hospital campus or any of the other community facilities, or is a new stand-alone facility. I have an open mind about that, but it is important.

Before I became a member of Parliament I had never come across a community health service, and I did not realise what they provided. Community health services are the unsung heroes of our health service, not only in the preventive work they do but also because they give many people the opportunity to keep in good health within a community setting, saving the government and the state a lot of money in the long term. The preventive side is good, and the community aspect of it is a strong model. I hope that is not swallowed up with the merger of community health. With that snapshot of the Rosebud community health service and the Rosebud Hospital, I commend the bill to the house.

Mr EREN (Lara) — I am also pleased to speak on the Public Health and Wellbeing Bill 2008.

Mr Andrews interjected.

Mr EREN — I certainly will, Minister. While I have this opportunity I want to again congratulate the minister on the fine work he does in relation to —

The ACTING SPEAKER (Mr Howard) — Order! The member for Lara is advised that he is addressing the Acting Speaker.

Mr EREN — We have many health challenges ahead of us with Victoria's population booming, a growing ageing population, a population that is increasingly becoming obese and with chronic diseases such as diabetes and cancer lurking at the door. This is the reason we need to do a major rethink of our approach to dealing with the health issues facing the state into the future.

Much like the Education and Training Reform Bill 2006, the Brumby government has identified the need to update legislation that is in its origin nearly 50 years old. As well as repealing the Health Act, this legislation also cements the Brumby government's commitment to prevention as the best form of policy for improving public health in Victoria. The act being repealed, the Health Act, focused largely on how to treat the symptoms of health problems and epidemics, whereas the Public Health and Wellbeing Bill will focus much more on preventive measures. It is a case of repealing an act of Parliament with its roots in the 1950s and replacing it with legislation that is firmly grounded in today's Victoria.

Since the Labor government came to office in 1999 there has been an emphasis on improving the health of Victorians by encouraging them to get active and out there exercising; improving the water quality and supply; promoting food safety; and promoting healthy lifestyles. This is an ongoing commitment of the

Brumby Labor government and is articulated in this bill before us today.

A crucial aspect of the proposed legislation is the pledge to an ongoing review of circumstances with a four-yearly state public health and wellbeing plan and the requirement for each local government area to have a municipal public health and wellbeing plan as well. Local government is an important tier of government and plays a central role in the administration and enforcement of public health, the provision of immunisation services, the policing of the existing regulatory framework for prescribed accommodation and registered businesses, and the control of nuisances. These responsibilities will be added to with local councils registering certain businesses, mainly hairdressers, tattooists, beauty parlours et cetera. That is what is proposed in the legislation before us.

There will be a requirement for the registration of cooling tower systems and the development and auditing of risk management plans. This requirement, which has been previously detailed in the Building Act, will contribute further to the regulation of public amenities and the prevention of possible health risks.

The proposed legislation deals with another crucial aspect of protecting the health of Victorians, and that is the need for a response from the Victorian health services that is directly proportionate to the risk to public health. In circumstances where risks may become acute, the chief health officer will be able to react with actions appropriate to the situation, saving valuable time and possibly lives.

The measures will allow for surveillance and compulsory testing, if necessary, to ensure that the risk to public health is minimised, especially where infectious disease is concerned. Managing and responding in a timely manner to emergencies is obviously very important, and this bill will empower the chief health officer and the department to move as quickly as is necessary should an emergency arise.

None of this has been proposed without drawing on wide consultation and a commitment to ongoing and transparent decision making. The state public health and wellbeing plan will be a public document and will be reviewed every four years. The bill also provides for public inquiries to investigate any serious public health matter. This proposed legislation is an important step in the future of the health of Victoria. It is not merely a rehash of the Health Act but an active and, importantly, forward-looking plan for the health and wellbeing of all Victorians.

The Brumby Labor government is leading the way on the national reform agenda (NRA) with such foresight and emphasis on initiatives to help remedy chronic disease and preventable diseases before they develop. As a result of our leadership on the NRA we are already implementing a range of initiatives in preventive health care, such as our \$110 million, 10-year action plan to reduce the incidence of obesity and type 2 diabetes. We are also proactively encouraging Victorians of all ages to exercise for 30 minutes a day, eat more fruit and vegetables and be aware of the signs of chronic diseases, such as diabetes.

We are also targeting children with initiatives like Free Fruit Friday. I know in my electorate there are a number of schools that are taking advantage of the Free Fruit Friday initiative, and the young students enjoy eating the fruit on Fridays. That is the right direction in which to go in terms of making sure that kids get their nutrition throughout the day, particularly with fruit. As we all know, fruit is very important. That is a great government initiative.

The government has provided over \$150 million for the Go for Your Life initiative to address risk factors of chronic disease. That has been a great campaign and we can see the benefits of the campaign in the wider community. We know that physical activity is of major benefit in reducing the incidence of a range of diseases and conditions.

Before I conclude I want to mention the \$600 million investment that this government has made in relation to Victorian workers health into the future through the WorkHealth initiative, and that is obviously an important initiative. As we know, there are certain issues that people, particularly males, have in relation to going to a doctor. I know this from the experience of my father who rarely goes to the doctor because he thinks that it is just bad news. It is very hard to get some males to go to the doctor. The WorkHealth funding announcement is a breakthrough. It is just like the saying, 'If Mohammed will not go to the mountain, the mountain must go to Mohammed'. That is a good thing.

WorkHealth is a totally voluntary process. Workers can take full benefit from that initiative, and I think that is the right way to go in terms of preventing a lot of the diseases — —

Mr McIntosh — On the bill!

Mr EREN — I am on the bill. I am talking about this fantastic \$600 million in WorkHealth initiatives. We have also funded the \$18.35 million Life! Taking

Action on Diabetes behaviour change program which will target 25 000 Victorians who are at high risk of type 2 diabetes.

Mr Kotsiras interjected.

Mr EREN — Thank you. Having said that, our government believes that a combination of health-promoting and disease-preventing legislation combined with government programs will help improve the Victorian community's health outcomes, and this bill will contribute significantly to that framework. I congratulate the Premier, I congratulate the Minister for Health, and I congratulate all concerned with this bill because it is a great bill. I am proud to support the bill and I commend it to the house.

Mr MORRIS (Mornington) — It is a pleasure to contribute to debate on the Public Health and Wellbeing Bill 2008. The member for Caulfield previously indicated that the opposition will not be opposing the bill, but at the same time it has significant reservations with the content. This bill is something of a rarity in this chamber. It is essentially new legislation which repeals the Health Act 1958. No doubt it contains large slabs that are very similar, as did the 1958 act compared with the act before it, but it does to some extent provide a new framework for a new approach to public health in this state.

In addition to the standard clauses, part 2 of the bill establishes the objective, principles and application of the legislation. It is an interesting concept because essentially it is expressing public policy, the policy of the government of the day, in legislation, and it is not an approach that I would support. In my view we should be moving towards greater clarity in legislation, but here we are cluttering up the prospective act with statements of whatever worth. I am not passing judgement on the merit of the policy, but in my view these things should be expressed in departmental or government policy, certainly not in the law. I am reminded a little of the government's repeated claims to be cutting red tape in the planning area. But every time we have another review the government simply adds another layer of complexity to the process. I certainly hope the Minister for Health is not seeking to emulate the example of the Minister for Planning in the other place in this regard.

The member for Caulfield commented extensively on the clauses that relate to the principles, and I simply indicate that I share the reservations that she expressed. Part 3 provides for the administrative structure including setting out the roles of the minister, the secretary, the chief health officer, municipal councils

and the environmental health officers that they employ. I will come back to councils and the obligations that are placed on them shortly.

Part 4 establishes the consultative councils. Part 5 outlines general powers under the act including those relating to the state health and wellbeing plan, public inquiries, health impact assessments, collection and disclosure of information. Part 6 enumerates those areas to be administered by councils, while part 7 sets out the areas to be administered by the secretary. Part 8 contains provisions relating to infectious diseases, micro-organisms and medical conditions. Part 9 outlines the powers and procedures of authorised officers. Part 10 details protection and enforcement provisions. Parts 11 and 12 outline the general and miscellaneous provisions.

It is a bill of substantial scope — there is lots of detail and lots of paper in the bill — and, more importantly, one that potentially will have a great impact on the community, and that could be for good or for bad. I am concerned that the potential for bad is considerable if there are any inadvertent consequences that emerge along the way. There have already been important questions raised with regard to civil liberties in connection with this legislation, and I must say that I am a little bemused by the government's approach because this is not about politics.

On this side we are not opposing the bill, but I really wonder why we need to push it through quite as quickly as we are. Why not put out a consultation draft, or even proceed to this stage and then adjourn it for a reasonable time so that people have the opportunity to look at it and get some feedback? The more feedback you get, the better the final product is. I know there was a policy paper almost three years ago, but lots of things have changed in those three years, and I think the minister even alluded to a couple of those changes in the second-reading speech. The more public input you get, the better the result is for the government, and it is obviously in its interest politically, and in every other way, to get it right. I suggest that it may in fact be very wrong.

I turn to the report from the Scrutiny of Acts and Regulations Committee that was tabled yesterday and comment on some references in that report. Page 29 of *Alert Digest* No. 6 refers to six clauses: 113, 117, 133, 137, 156 and 199. Most relate to the part headed 'Management and control of infectious diseases, micro-organisms and medical conditions', and clause 199 relates to the powers of the chief health officer. The committee suggested that the Parliament should consider whether or not these clauses are the

least restrictive means reasonably available to achieve the purpose of preventing serious risks to health.

On page 32 of the same report the committee drew attention to clause 160 and suggested that the Parliament should consider whether or not clauses 161 and 169, together with clause 160, are compatible with the charter provisions. Obviously just on the face of the committee's comments there are some significant issues. A little more time might achieve a much better result, and I am sure it would have a negligible impact on the government's intent.

I want to use the remaining few minutes available to me to talk about the provisions that relate to local government and in particular a couple of concerns that have been expressed as part of the minimal consultation process I have been able to engage in. Local councils are very important to the successful implementation of this bill, and I understand that most councils and certainly the associations have expressed in-principle support for the proposals. That is reasonable and is in fact a good situation.

Some concerns have been expressed particularly about the functions defined in clause 24. It is less specific and less prescriptive than the old act. If the intention is to give councils more flexibility, that is welcome. It is desirable to provide enabling powers rather than a rigidly defined structure, but given this government's record on cost shifting, the alternative procedure could well be that this will result in much broader specific demands being placed on local communities and local ratepayers. It does not have to be that way, and I hope that is not the case. Whether through enforcement of obligations through other acts or through the government's tried and true method of financial carrots and sticks, that possibility exists.

Particular concern has been expressed about clause 24(f), the immunisation powers. There is a change there which expands the role from one of coordination to one of coordinating and providing immunisation services. I understand that councils have received assurances from DHS (Department of Human Services) that the intent is to reflect current practice rather than expand the role, but perhaps the minister may comment on that when he sums up.

The other potentially contentious area is inspections under the Food Act. There are consequential changes to the Food Act that I understand will mean councils, rather than the Secretary of the Department of Human Services, will now make the decision on who can act as authorised officers. Currently only environmental health officers can operate in that role. Increased

flexibility is good and is an improvement, but councils need guidelines to ensure that suitably qualified persons are appointed. Clearly the risks are too great, and I do not think anyone wants to get that wrong. I would hope that the minister and the department might give us some assurances on that as well.

There are also some implications in terms of the implementation process, particularly with council decision-making processes, and those things will obviously need to be taken into account in implementing the act. I would suggest that it would be a useful situation if a common approach was developed between councils and the DHS, because if every council has to go out and seek independent legal advice, we will have any number of different opinions, I am sure, given that it is new legislation, with potentially different procedures from council to council, and I am sure no-one wants that.

None of these issues are insoluble. They are all easily fixed. If they are not fixed, there will be potentially serious consequences. This whole process could be much improved if it was adjourned for a period of a couple of months to allow broader input and to get it right the first time.

Mr STENSHOLT (Burwood) — I rise to strongly support the Public Health and Wellbeing Bill. This is the sort of bill that only Labor could bring into this house in terms of its vision, in terms of its breadth of intellect and in terms of providing a change for the better for the people in Victoria. This is a change looking not just at health, and not just building on the times of Florence Nightingale, but moving into the 21st century in terms of health and wellbeing — the wider view, the long-term view, the vision, the practicality and delivery by a Labor government here in Victoria.

The Public Health and Wellbeing Bill will replace the 50-year-old Health Act. The member for Mornington said we need more consultation; let us talk about it a bit more. This is from the do-nothing Liberals. I remind the member of the *Review of the Health Act 1958 — A New Legislative Framework for Public Health in Victoria*, a discussion paper produced in August 2004, and the *Review of the Health Act 1958 — Draft Policy Paper — for Consultation*, which was dated November 2005. We had an election in between, and we went to that election with a very strong policy on health. This bill is one of the deliverables to come out of that.

What I like about this bill is part 2, which is headed ‘Objective, principles and application’, something which the Liberals did not show too much of when they

were in power. They were the ones who closed the hospitals; they were the ones who did not put the investment into health. That has been done by the Labor Party in Victoria. What have we done? We have built and rebuilt hospitals. We did not close hospitals. We did not close the hospital in Burwood; the Liberal Party did. We have refurbished, rebuilt and built new hospitals — well over 50 — in that time. There are a further 8000 nurses and a further 1500 doctors in Victorian hospitals per year and an extra 400 000 admitted to hospitals in Victoria per year, every year. An extra 15 000 people have had elective surgery in Victoria and we recently had a blitz on elective surgery lists. This is a marvellous achievement in Victoria, and the Public Health and Wellbeing Bill enshrines the principles and objectives behind the practice we are implementing.

Clause 4 of the bill sets out that:

The Parliament recognises that —

...

- (b) public health and wellbeing includes the absence of disease, illness, injury, disability or premature death and the collective state of public health and wellbeing ...

as well as public health interventions, the appropriate roles of the state government and, as has already been mentioned by other speakers, the role of councils. This legislation sets out the various roles that people have to play. The chief health officer is recognised for the first time as a statutory position in its own right, exercising a range of powers to protect public health.

Another aspect of this bill which I like is that every four years there has to be a state public health and wellbeing plan, the first to be produced by 1 September 2011. This is looking forward, planning for the future and taking a broad view, not just a narrow view of, say, hospitals but also health and wellbeing right across the board — for example, promoting healthy lifestyles and containing infectious diseases. My mother used to work at the Fairfield infectious diseases hospital many years ago, so our family has an understanding of this.

Promoting food safety, maintaining high standards of water quality, cutting smoking rates and drug dependencies, and supporting healthy environments in this state are very important. Victoria is taking the lead right across the board in the national reform agenda. I sit on the Public Accounts and Estimates Committee, and we have asked the Premier and the ministers questions about this. We have looked at the national reform agenda, and we know that in terms of health

Victoria is providing leadership. There is just absolutely no doubt that leadership in Victoria is being provided in public health and wellbeing right across the board. There is a range of achievements, but obviously this will set the framework to continue that work into the long term.

I have had long experience in preventive health. I wrote a policy paper on this some 30-odd years ago for the federal public sector in terms of trying to change programs of public health to the preventive side. It is very important. I have had a long-term commitment to this area and this bill, which is enshrining many of these things into an act, will guide public health and wellbeing in Victoria into the future. It is an excellent bill and the result of excellent work. I commend the Minister for Health and the Premier for the work they have done, and I support the bill and wish it a speedy passage.

Ms WOOLDRIDGE (Doncaster) — I am pleased to speak on the Public Health and Wellbeing Bill 2008, and I say at the outset that I will not be opposing the bill. The bill is a rewrite of the Health Act 1958 and the objective is clearly to reflect in the bill that governs our health approach contemporary needs and contemporary practices. It is much needed and very important. We also see a change of name of the act in that process, but fundamentally when you get down to it, it is a core public health bill with cursory reference to wellbeing via the government's supposedly preventive approach. I will talk about that a little more later on in my speech.

I have some concerns about the bill. Whilst I support the updating of the bill I am very concerned about the power of unelected officials and that this has been significantly expanded. It is something that needs to be significantly monitored in the process. Also in part 8 the minister, the secretary and the chief health officer, once again, have their powers significantly expanded. Some of the areas in which we see that expansion are the compulsory testing orders by the chief health officer, the detention of people who are deemed to be a public health risk, the police and the justice system being able to be used to enforce orders, and rights of access to medical records being able to be conferred.

It is a real challenge in the public health approach to balance the public health and safety requirements with individual rights. Certainly at times the public good must prevail in that process, but it is a delicate balance and we need to make sure that has been thoroughly scrutinised and is embraced in relation to the approach of this government, by the sector and by the community as a whole, and unfortunately we do not have that at this stage.

I will talk a little bit, in terms of the process of the bill, on two aspects. Firstly the time frame, referred to by the member for Burwood when he said there has been plenty of consultation. The problem here is that this process has taken 10 years. It has been such a long and drawn out process that it was actually two and a half years ago that we had the draft policy paper. In fact we have not seen anything or heard anything from this government in relation to this bill since. There has been no exposure draft, and that has led to a lot of concern. There is a big gap in the process in relation to how it has come about.

I quote from the Australian Medical Association (AMA) in relation to that process:

AMA Victoria has provided submissions to the review of the act in 2005 and 2006, but has had little opportunity to examine this complex bill in detail. The bill has been introduced to the Parliament without an exposure draft being made available for consideration, or adequate briefing information being provided by the government in a timely fashion.

AMA Victoria recommends that the Victorian government reconsider its approach to consultation of complex legislation such as the Public Health and Wellbeing Bill 2008. This legislation affects every Victorian, and interested community organisations should have an opportunity to engage with the government to have the proposed new laws explained and clarified.

Coming from the key organisation for doctors, this is an important reflection of the frustration of the health sector in relation to the process of this bill. It is not that surprising though, and in my portfolio area of alcohol abuse we have similarly seen a six-year process for the development of the Victorian alcohol action plan. Years and years on top of each other, waiting for the delivery of a commitment is not unusual for this government.

The second aspect I touch on is scrutiny, and once again across the board it is very consistent with what I have just read from the AMA about the ability of the community to scrutinise complex legislation in detail in the broader health-related area where we see challenges from the government in relation to this. Regularly reference committees do not meet, announcements are made in their name without them having had the benefit of seeing or understanding the announcement beforehand, and often there are very short time frames for consultation and feedback on what can be complex pieces of legislation or protocols and practices, such as the disability protocols that are currently being put in place where consultation might be limited to one week or 10 days in that process. I am very concerned about the consistency of this government's failure in terms of time frames but also in terms of consultation across the

board. It has taken place with this bill and across many areas of health and community services.

In addition, the minister says that this bill is focused on prevention, but unfortunately, as I have mentioned, that is not necessarily reflected in the content of the bill. It is primarily a bill that is, across the board, a public health bill, and often what we see in relation to the communication about a prevention approach and the primacy of prevention is a big gap between the rhetoric and the reality. We see this in health and particularly in mental health which encompasses, once again, one of my portfolio areas.

The 2002 mental health plan talked a lot about early intervention, but once again the recently released mental health plan discussion paper uses exactly the same language as was used six years ago; nothing much has changed in between. It is a real challenge for this government to take the right language in relation to prevention — something that we all support — and translate that into reality about services delivered in terms of changing the outcomes for people through a primary approach. What we see in the mental health area is that more young people are not accessing care earlier. It is still exceptionally hard to access the system — not much has changed.

I can provide a good example also in relation to the Victorian alcohol action plan (VAAP). This is another important area of broader health policy for this government, but the preventive approach in the VAAP has not been delivered at all. There is no education, there are no initiatives in relation to country Victoria or liquor licensing and there is nothing on education of parents. What we see is a very big focus on the back end of the process, the 2.00 a.m. lockout. The challenge for this government is to not just deliver the rhetoric of prevention but to translate that into policies and practices, and unfortunately time and time again we are just not seeing that.

I would like to also look at this briefly in the context of the situation for my electorate of Doncaster. We have some fantastic service deliverers — such as the Manningham community health centre in Doncaster and the YMCA — delivering health, family and youth services in our community, but we consistently find that the specialist services delivered on a regional basis are often outside the reach of the community. People need to travel to Box Hill or Ringwood to access specialist mental health services and specialist drug services, and we find consistently, especially with young people, that instead of being able to access the services, particularly because we have limitations with our transport systems, people across the Manningham community are not

getting access to the care and support that they need, particularly in an early intervention-type approach. Both the mental health service providers and drug service providers have said that they would love to deliver services directly into Manningham if there were the facilities and the funding to do so. That is a challenge. We must make sure that regional services do not mean that communities in which they are not located have difficulty accessing those services.

Finally, in terms of tertiary services, the Box Hill Hospital is important for the Manningham and Whitehorse communities and the eastern region as a whole. The redevelopment costs are going up every day as the cost of building increases and there is more pressure on funding the full redevelopment of the hospital. If it is not done in a single stage, a two-stage process will be more expensive again. The Manningham and Doncaster communities need the redevelopment of the Box Hill Hospital to be completed so that they can once again access the level of care, services and support that they deserve and should be able to expect.

In summary, there are many good aspects of this bill but there is a concern about the process, the time lines, the engagement of the community and the consultation process that took place on the bill. I would like to once more quote from the AMA, which I think sums it up very well. It states:

Overall the Public Health and Wellbeing Bill appears to be a substantial improvement on its predecessor.

However, it is a complex piece of legislation that has not been properly considered by the community it is designed to protect.

I am disappointed that the process has not enabled the community to have that confidence.

Mr NORTHE (Morwell) — It gives me great pleasure to make a contribution to the debate on the Public Health and Wellbeing Bill 2008. This bill will repeal the Health Act 1958 and replace it with the Public Health and Wellbeing Act 2008. As part of this redevelopment the bill will also amend a variety of other acts.

On page 1, the second-reading speech states that:

The 2008 statement of government intentions noted that the government has invested heavily in Victoria's health system and pursued the case for comprehensive national health reform around three key areas:

shifting the focus to prevention;

placing people and their needs at the centre of the health-care system; and

restoring effective funding of the public hospital system.

I want to focus on those points for a minute.

I am sure that members on all sides of the chamber would support the tightening up of preventive health measures and ensuring that we have the best possible health measures. I had the pleasure just last week of visiting one of my local primary schools, Kosciuszko Street Primary School in Traralgon, where the parents and school council have been providing breakfast each Friday and teaching the students how to eat healthily. That is a really good starting point for children of that age, to ensure that they know what foods and drinks to consume. That is just part of it. The member for Lara mentioned programs such as Free Fruit Friday and 30 minutes of exercise a day. These are good initiatives. However, we would like to see Free Fruit Friday being more accessible for schools.

At a local level, paediatric speech pathology is a key area. The Latrobe Regional Hospital is providing this service until 1 July. That is a real concern because those children who are in need of speech pathology services will be a burden on the health-care system in the future. That is a local issue we have.

I want to touch for a moment on placing people and their needs at the centre of the health-care system and restoring effective funding for the public hospital system. This has been in the news recently and I am glad the Minister for Health is at the table. The issue centres on the negative publicity that has been generated in recent times around the Latrobe Regional Hospital. We have seen the CEO (chief executive officer), patients and orthopaedic surgeons come out and be critical of the underfunding of the hospital. I point out to the minister that he referred to 'effective funding'. I concede that the government has provided record funding, and the minister is quite within his rights to say that. But on the first page of this second-reading speech the minister referred to 'effective funding'. That is an important aspect. The government needs to realise that the issue is effective funding. However, I am happy to work with the minister and the new CEO, Peter Craighead, to ensure that our local community has the best possible health services available to it.

On page 2, the second-reading speech states that:

The bill provides for responses to risks to health and enables the Department of Human Services to investigate and manage these risks, through a graduated scheme that enables a proportionate response to matters ranging from small incidents to emergencies, such as an influenza pandemic.

The concern we have with that is how our health system generally in Victoria will be able to deal with such a situation, whether it be an influenza pandemic or something else. I can assure the house that on a local level our hospital would really struggle with something of that nature.

On page 2 of the second-reading speech the minister refers to 'reducing the slow-burning risks which undermine the community's health in the longer term'. These risky behaviours could be such things as smoking or diseases preventable by immunisation in childhood or detectable at early stages by good screening services. They have far-reaching consequences for life expectancy, the burden of disease and the sustainability of the health system itself.

On the issue of smoking, I heard the good news that Damian Drum, The Nationals member for Northern Victoria Region in another place, has been successful in having an anti-smoking bill passed by the upper house. That is great news. Smoking by young people is a real issue in our community. I am glad to hear the upper house has passed that bill. Each day more than 50 young Victorians are lighting up for the first time, and smoking is the single biggest cause of preventable deaths. That legislation proposes to prohibit adults smoking in cars while children are present, ban confectionary-flavoured cigarettes, and introduce a minimum smoking age in Victoria. Damian Drum and I had the pleasure of visiting a number of schools and getting the opinions of our young people on what this legislation might mean for them. The bill was very well supported in the community, and I am glad to know that the upper house has passed it today. I call on the government to make sure that that very important legislation is debated in the lower house in the near future.

We know that older teenagers smoke — one in five teenagers smokes. It is estimated that 35 000 Victorian children smoke and that half of those will have their lives cut short. The figures tell us that 80 to 90 per cent of smokers start smoking during childhood and that every year smoking costs 4000 Victorians their lives. Through health costs and the loss of productivity and so forth it probably costs the state \$5 billion to \$6 billion a year, so it is a huge impost upon our community.

Victorian children are legally able to smoke at any age, unlike what applies to them under the laws concerning alcohol. That is something the legislation proposes to change. The ban on smoking in cars where children are present has wide community support, there is no doubt about that, certainly with the Australian Medical Association, but even with smokers themselves. In a

survey conducted in 2004 nearly three-quarters of people who were smokers thought smoking in cars should be stopped. The arguments are there and I hope the government brings on debate on this issue in this house in the near future.

I referred earlier to the burden of disease study. In the Latrobe Valley the statistics do not read well. It found that average life expectancy in the Latrobe Valley is 75.2 years for men and 80.9 years for women. That compares with the average across the state of 79.6 years for men and 84.3 years for women. The Latrobe Valley does have a number of health issues and they relate to the number of people who smoke, the lack of exercise and the high level of alcohol consumption. I have been a strong proponent of ensuring that facilities are available in the local community, whether they be bike paths or the like. We have three major townships very close together — Morwell, Churchill and Traralgon. There may be a way of linking these towns with bike paths, or upgrading rail trails so that there is an incentive for members of our local community to get on their bikes or walk or run to work as leisure activities. These are the types of activities, outside of this act, that we should be promoting as a community and as a government.

On this bill, as the member for Doncaster rightly pointed out, the Australian Medical Association expressed concerns. The AMA said in its submission to the government that it provided submissions to a review of the act in 2005 and 2006, but that it has had little opportunity to examine the bill in detail. That is a concern to us and to the AMA. The AMA said in part:

The bill has been introduced to the Parliament without an exposure draft being made available for consideration, or adequate briefing information being provided by the government in a timely fashion.

AMA Victoria recommends that the Victorian government reconsider its approach to consultation on complex legislation such as the Public Health and Wellbeing Bill 2008. This legislation affects every Victorian ...

That is a very pertinent point. This review has been on the table for a long time, but the consultation should include extensive consultation with the AMA and the community so that they have a say in this process. It is important we do that.

I also make the point that different communities have different health needs and you cannot apply something straight across the board and say it will fit all different areas. With health services I as a local member want to work with government because health issues are so important to the community. I am here to work with the government and the minister to ensure better health

outcomes for my local community. I will continue to support the Morwell electorate.

Mr WAKELING (Ferntree Gully) — It gives me pleasure to contribute to the debate on the Public Health and Wellbeing Bill 2008. As has been put by other members, this bill replaces and updates the Health Act 1958, particularly in relation to public health and safety matters. This bill purports to provide a modern and flexible legal framework to strengthen Victoria's ability to respond quickly and decisively to emerging risks to public health, while safeguarding the rights of individuals who may be affected by measures taken to protect public health.

In terms of the way in which this government has sought to manage this portfolio, like most portfolios that come under the control of the government, we on this side of the house can provide a litany of problems that beset the health area. I will be happy to comment on the way in which health has been run in my own electorate and affects my own community. Before doing that I want to briefly look at the main tenets of this bill.

As has been said before, this bill attempts to rewrite the Health Act 1958, which has been in operation for 50 years. The opposition does not oppose the rewrite of legislation to make sure that it is current and relevant, but we have grave concerns about the process and the way this government has handled the rewrite of this important legislation. This is a fundamental piece of legislation that underpins the way this state will deal with issues affecting the health and wellbeing of Victorians. It seeks to incorporate much of the Health Act, but it is a rewrite and sets out to modernise and to make it more relevant to contemporary needs and practice, including changing the name of the act. As I have said, the opposition is not opposed to that. The second-reading speech refers to a:

... population health framework that is focused on prevention and is sufficiently flexible to enable swift and effective responses to emerging new threats to public health, as well as well-known risks to public health.

That sounds noble, but this is basically a public health bill dealing with public health areas. The wellness part of the title appears to be a cursory nod by this government to try to take out some of the preventive care issues which have occurred in this community.

This is a vital piece of legislation and it is important that the government gets the legislation right. Do not take that from this side of the house; take it from those who operate in this area. I refer to the Australian Medical Association, which has members who are

practitioners in this area. The AMA recognises the importance of this piece of legislation. It says that they have had little opportunity to examine the complex nature of this bill. The AMA said:

This bill has been introduced to the Parliament without an exposure draft being made available for consideration, or adequate briefing information being provided by the government in a timely fashion.

AMA Victoria recommends that the Victorian government reconsider its approach to consultation on complex legislation such as the ... bill. This legislation affects every Victorian, and interested community organisations should have an opportunity to engage with the government to have the proposed new rules explained and clarified.

I would have thought that with such an important piece of legislation this government would want to ensure organisations such as the Australian Medical Association and the Victorian AIDS Council (VAC) were consulted and had an opportunity to have their voices heard. Whilst we are not indicating that there are specific problems in areas of the bill, we are saying it is imperative that organisations such as the AMA have the necessary time to sit down and consult with the government on important legislation. Time and time again we see legislation introduced into this house. Problems with the legislation are identified by people on this side of the Parliament, and what happens? Legislation is introduced into Parliament to fix up the problems that beset legislation introduced by this government.

Mr Nardella interjected.

Mr WAKELING — I am glad the member for Melton is very interested in this debate. I would be more than happy to sit down with the member and remind him of legislation that has come before this house which has had to be rewritten.

I would be very interested to hear from those opposite about the Victorian AIDS Council argument that the bill has gone too far in areas such as compulsory HIV testing, the sharing of information about tests, state access to personal medical information and not allowing exemptions from compulsory prophylaxis. VAC has indicated that in many respects this could be a breach of the government's own charter of human rights and responsibilities. How many times in this Parliament have we had to deal with the way in which this government has breached its own charter? Those opposite have stood up in this house and talked about the benefits of the Charter of Human Rights and Responsibilities Act. But what have we seen? We have seen legislation come before this house that has breached its own charter — not our charter.

Other areas of concern have also been raised. The bill potentially restricts personal liberty in the name of the public good, often with limited or no right of appeal before the damage is done. I think it is important that these issues have the opportunity to be opened up in public debate so that the government can take on board the views and concerns of those in the Victorian community and then act upon them.

In the time I have left I would like to look at some of the health problems that beset my own community. The Angliss Hospital is a fantastic hospital which provides a wonderful service to my community, but obviously it is in trying times. In the government's own Eastern Health Strategic Plan, which was developed in 2005–06, the action plans relating to the Angliss Hospital talk about the rebuilding of wards 2 East and 2 West. As part of its recommendations, Eastern Health said it would be seeking funding in the 2007–08 budget. As members on both sides of the house would know, that money was not allocated. It has been identified in the strategic plan of Eastern Health that that was a necessary outcome; a time frame was identified in which it would like that to occur; and as we know it did not eventuate.

I look at the services provided by the Knox Community Health Service, a fantastic service that provides great work in my community but I know the problems that beset those people waiting on the public dental health list. At the last election I fought to try to get better services for dental health for the Knox Community Health Service, and those opposite will turn around and blame the Howard government. Are they now going to blame the Rudd government? At the end of the day my community is not interested in shifting blame. My community wants a government that is prepared to deliver. It would expect those opposite to take responsibility and fix the problems besetting dental health, not only in my community but across the entire state.

One only need look at the situation today to see a reflection of the way in which this government is managing health in this state. The new Royal Women's Hospital looks great because it has a lovely facade, and we saw that on television tonight. However, the facade is not going to look too pretty for too long because at some point in the near future it will be covered in scaffolding. Why will it be covered in scaffolding? Despite comments from this side of the house, the government forgot to put the extra two floors on top of it. Instead of the government doing the work when it had the opportunity and building it properly from the start, we are now stuck with a building that is already out of date. Our lovely new building is going to be

covered with scaffolding so that the government can get on with building the extra two floors. You do not have to take it from this side of the house; you can take it from the report of the Victorian Auditor-General. He was scathing in his comments on the fact that the government did not act on this important issue.

Mr BLACKWOOD (Narracan) — The purpose of this bill is to replace and update the Health Act 1958, particularly in relation to public health and safety matters. It is not before time that we see the government take some action on this issue. The Health Act 1958 is well and truly out of date, and the bill is trying to provide a modern and flexible legal framework to strengthen Victoria's ability to respond quickly and decisively to emerging risks to public health while safeguarding the rights of individuals who may be affected by the measures taken to protect public health.

The main provisions of the bill are that the bill incorporates much of the current health act but rewrites it to modernise it and make it more relevant to contemporary needs and practice, including changing the name of the act. The second-reading speech talks about a population health framework that is focused on prevention and is sufficiently flexible to enable swift and effective responses to emerging new risks to public health as well as well-known risks to public health. However, this is basically a public health bill dealing with traditional public health areas. The wellness part of the title appears to be just paying lip-service to or carrying on the current Labor government's practice of talking up preventive care. But in practice the bill says little or nothing else on this.

I turn to the main area of concern I have with the bill. In general terms the intent of the bill — modernising public health regulation in Victoria and making it more flexible — cannot be disputed. Victoria needs a public health framework capable of coping with 21st century problems as well as the traditional public health issues, such as food hygiene and safeguarding against the possibility of legionnaire's disease. The concern is that to achieve this goal, the government is expanding the power of unelected public health officials, particularly the chief health officer, so that it extends into the lives of individuals and in some cases further restricts civil liberties.

While in relation to public health issues the greater good must sometimes subordinate private rights, these should not be trampled upon unnecessarily. I am not suggesting that officials will use their power arbitrarily, but the balance is delicate and has to be got right, and this bill needs careful scrutiny to ensure that. At this

stage, and without further consultation, it is not clear as to whether the bill as it stands has that right balance. The public deserves that assurance.

It should be noted that in the New South Wales Public Health Act 1991, similar extraordinary powers to deal with public health emergencies are conferred on the minister, not officials. While these powers may be exercised under appropriate delegations to officials, including the chief health officer, the minister remains publicly and politically accountable for actions taken in his or her right. The Queensland Public Health Act 2005 requires the minister to declare an emergency but confers powers similar to those in part 8 on the chief executive of the health department and the emergency officers appointed under the act to take charge of the situation. Under that act detention orders issued by a medical emergency officer will have a maximum duration of 96 hours, and any extensions have to be approved by a magistrate. In terms of the involuntary medical examination of a person who may have a notifiable disease, the chief executive has to seek a magistrate's order to examine or detain that person for examination.

Part 8 of the Victorian bill provides for compulsory testing orders to be made by the chief health officer, detention of people believed to be a public health risk, the use of the police and the justice system to enforce the orders and conferring rights of access to private health and medical records. I believe these matters should be scrutinised in detail. Other provisions in the bill which allow for the sharing of private information with state and commonwealth authorities are also of some concern. These provisions may be genuinely needed in a public health emergency; however, an emergency under this bill is in the eye of the decision-maker, and the statutory definition of the precautionary principle actually drives decision-makers to act first and ask questions later. If the decision-maker gets it wrong, the bill in effect absolves them of the consequences of their bad judgement.

The government will argue that these powers are essentially carryovers from the outgoing Health Act, but in a number of key areas they are extended significantly — for example, and as the Victorian AIDS Council points out, under the Health Act the chief health officer needs to have a reasonable belief to make a public health order, but under this bill he simply has to believe there is a need for an order. The inclusion of rights of review and access to the Victorian Civil and Administrative Tribunal is welcome, but they can only help after the fact. The Victorian AIDS Council also argues that the bill goes too far in a range of areas. The council believes compulsory HIV testing, sharing of

information about tests, state access to personal medical information and not allowing exceptions to compulsory prophylaxis all go too far and are in effect infringements of the Charter of Human Rights and Responsibilities Act.

The main area of concern I have with this bill is the potential impact on local government. Under part 3, division 3, of the bill, health and wellbeing plans will have to be developed by individual municipalities within 12 months of each local government election and reviewed annually. Under part 6 of the bill there is an expansion of the responsibilities of the environmental health officers, as councils will have to maintain a business register that will now include any businesses involved with colonic irrigation or any business that poses a risk to public health. This will impose significant costs on local government, and it is important for the Brumby government to acknowledge this and not just let it happen, as has often been the case in the past.

Local government has suffered greatly from the constant cost shifting from state to local government across a whole range of services. Local governments must be compensated for the costs of developing, implementing and reporting their health and wellbeing plans. In my electorate of Narracan, the Baw Baw shire already contributes over \$80 000 annually to the West Gippsland Healthcare Group to assist in the provision of community health in the shire as well as providing a number of community health programs and initiatives on a collaborative basis.

The Baw Baw shire has for some time been performing its functions under the act, which is to seek to protect, improve and promote public health and wellbeing within the municipal district. It does not deserve to have more financial burden thrust upon it by this Brumby government. This bill is about protecting the public against health menaces, whether they be small-scale matters such as health inspections and proper hygiene in cafes and restaurants or large-scale incidents, including mass epidemics and biosecurity incidents.

It is right that those who protect the community from major harm should have sufficient powers and protections to do their jobs properly. The heads of the police and fire brigades, the chief health officer and other public health officials deserve support, but the bill also restricts personal liberty in the name of the public good, often with limited or no right of appeal before the damage is done. It may well be that much of the content of the bill incorporates provisions of the Health Act, but it also includes new and widened provisions and new powers. Consistent with coalition values, it is essential

to get the balance right, and the public is entitled to be assured by way of close scrutiny of the bill itself.

The final 264-page bill was never released for consultation as an exposure draft. Its first public appearance was when it was introduced into the Legislative Assembly in May. While the government claims there has been notice of this legislation in one way or another since 2004 and certainly since the 2005 draft policy paper, this bill has not been subjected to scrutiny in its own right except for a Scrutiny of Acts and Regulations Committee hearing on 4 June 2008. This failure reflects the arrogance of the Brumby government in taking the Parliament for granted. A decision should therefore be made while the bill is between the houses as to whether this bill should be referred to a committee. The bill will not come into force before 1 January 2010 unless all or parts of it are proclaimed earlier. This has not been alluded to by the government. A committee review could be achieved in a matter of weeks or months, and such a time frame then offers plenty of opportunity to put in place any new regulations or protocols prior to 2010.

It goes without saying that the coalition will not stand in the way of ensuring emergencies can be dealt with when, as and if they arise but further consideration would ensure that the new act was not imposed on Victorians without ensuring it achieved the right balance between public interest and personal liberty. I will not be opposing the bill.

Mr THOMPSON (Sandringham) — In May of this year there was a report saying that the government fails its own health test, and I quote from the article, which appeared on page 2 of the *Age* on 14 May:

Victoria's emergency departments were in crisis last year, with almost 70 000 seriously ill patients not treated within target times, a damning new government report has shown.

Patients suffering strokes, severe breathing difficulties, significant blood loss and major fractures were among those forced to wait for urgent treatment in emergency departments.

A twice-yearly report card on the public hospital system shows that from July to December last year, hospitals failed to meet five of the six government performance targets set for emergency departments, including the time taken to treat urgent patients and admit people to wards.

This is a damning indictment of the government's administration of the health system. Then in June of this year there was a further *Age* report by Nick Miller, the health editor, under the heading 'Surgery cancelled to save money'. It states:

Elective surgery bookings have been cancelled every day for the past month at a regional hospital because of

mismanagement of the hospital's budget and government underfunding, senior medical staff claim.

Latrobe Regional Hospital has even asked surgeons to go on holiday until July as a cost-saving measure.

The cost-cutting comes despite the recent elective surgery 'blitz' that gave \$760 000 of state and federal money to the hospital, supposedly to fund an extra 106 operations.

Orthopaedic surgeon George Owen said he normally carried out 12 operations a week at the hospital but last week was down to three, as the hospital tried to save money.

'It is a minor inconvenience to me, sitting around doing nothing all day — it's certainly minor compared to the patients' inconvenience', Mr Owen said.

It goes on to report that one of the orthopaedic patients from South Gippsland was using morphine patches to cope with pain from his malfunctioning artificial knee while he awaited the operation.

As the member for Sandringham I take great pride in the Sandringham and District Memorial Hospital, which was built brick by brick from fundraising drives and lamington sales over a 20-year fundraising period. The hospital is now over 50 years old and its infrastructure is worn, but it has a highly skilled and dedicated staff who are doing their best under the circumstances. They have an excellent emergency department under the guidance of Dr James Taylor, who is a world innovator, along with other doctors at the hospital, in ensuring that there is effective diagnosis, management and throughput at the emergency department. I note that the emergency department presentations are continuing to increase at a steady rate. In 2005–06 there were some 19 081 presentations, and in the 2007–08 year to date there have been some 22 839 patients. The infrastructure of the hospital is worn, and there is a very pressing need for there to be strong master planning under way.

In a brief note I had forwarded to me recently from the Sandringham hospital it was noted that the Department of Human Services:

... is currently engaged in completing the strategic business case for development of the site. The final business case is to be completed by December 2008. This planning is timely as the facility no longer meets the needs of contemporary service provision.

I repeat and emphasise that:

This planning is timely as the facility no longer meets the needs of contemporary service provision.

The note continues:

Patient-care areas are cramped and there is insufficient storage space for the equipment required for patient care and

to meet occupational health and safety requirements. The emergency department space is outgrowing its demand and we are currently doing a feasibility study to review options for expansion whilst waiting to complete the business case for redevelopment of the hospital.

Leading members of the local community have the interests of the Bayside region and in fact the wider district at heart. There has been a case presented to the government that health resources need to be directed to the possible development of another site within the region to provide health services into the 21st century and beyond. One of my chief attacks against the present government has been that at the same time as promoting the growth and migration to Victoria of over a thousand new residents a week it has failed to keep up with the infrastructure requirements and demands of the people of Victoria.

Victorians are left struggling to catch a train, struggling to find a hospital bed or, as I saw in my electorate recently, struggling to even cross a road as a result of the increasing build-up of traffic in the area and the failure to provide appropriate traffic remediation measures to enable the senior citizens of the district to cross roads that once upon a time had a reasonable break in traffic. Now you cannot even get in front of a bus, a B-double or a stream of traffic, owing to the increased population growth in the region. The government has been lagging in providing appropriate infrastructure, and there is a keen need for an upgrade in health service provision in the area.

There is another example, where a number of years ago the community built a hydrotherapy pool. Community members sold lamingtons and jam, and local sporting clubs raised money to provide services for the Hampton Rehabilitation Hospital, where Dr Kininmonth was a major pioneer in the use of hydrotherapy in the treatment of a range of conditions. The government closed the Hampton Rehabilitation Hospital and indicated that it would provide an alternate facility at the Kingston Centre. Several years later there is still no alternate hydrotherapy facility in the Bayside area that has been made available to the former Hampton Rehabilitation Hospital patients. It was suggested by the government of the day that they could go to Dandenong. The minister of the day did not really understand the logistics of forcing 85-year-old rehabilitation patients to go from Hampton to Dandenong. It was a disgrace, and to this day no funding by the state government has resulted from the sale of the Hampton Rehabilitation Hospital site for the provision of alternate hydrotherapy services. In fact the Bracks and Brumby Labor governments have left the people of Sandringham — the senior citizens and the

elderly people of the area — high and dry without adequate resources.

Recently there was the much acclaimed extra \$150 million provided by the Rudd government to fix the waiting list crisis in Victoria, and out of that \$150 million of national funding \$34 million was being directed to Victoria. The question must be asked: if \$34 million was 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? Victoria has per capita funding less than all the other states and, as the Leader of the Liberal Party said, it is not good enough. We want to address waiting lists with an increased investment in hospitals, an increased investment in professionals and the support that the government has to provide.

When we look at hospital service funding in Victoria — health funding — there has been a lack of provision in the bayside area as evidenced by the failure to have already committed funds to the redevelopment of the Sandringham hospital or the development of an alternate site. I have mentioned in the past that there is a Gas and Fuel site on the Nepean Highway which would enable the development of a world-class health facility in that precinct to meet the health needs of the region into the future under the Bayside Health model.

There are other concerns across Melbourne in relation to the health system. Recently the Medical Scientists Association of Victoria went on a 24-hour strike in hospitals, causing the cancellation of elective surgery and mass disruption across the state. In that case the strike was the latest action in a long-running pay dispute with the Brumby government.

The number of patients waiting for treatment at the Royal Melbourne Hospital is nearly three times larger than the official waiting list. According to secret internal hospital documents, in the 12 months to September 2007, there were 7268 people on the waiting list for treatment but only 2487 of them were on the official waiting list, so in addition there has been a fudging of the figures in relation to health service provision in this state.

Then we come to the more recent report of Monday, 23 June 2008, in relation to the Sunshine Hospital where the waiting list is larger than official government reports, with internal hospital documents showing that more than 1500 people were on a so-called secret waiting list last year. It is a disgrace.

Dr NAPHTHINE (South-West Coast) — This bill highlights very clearly that distinct difference between

the spin and the substance of the Brumby Labor government. What we have here is fine language and fine ideals, but when you contrast that with the reality on the ground and the funding on the ground, you see that this government spends more time writing its speeches than delivering reality on the ground — delivering results and outcomes to Victorians.

The bill itself has a purpose of promoting and protecting public health and wellbeing. In clause 4 under part 2 headed 'Objective, principles and application', it talks in fine terms about promoting and protecting public health and wellbeing, and the absence of premature death and disability and injury and disease. Those are very laudable aims and objectives. I am sure that many a dollar was spent on developing those fine words. But what happens with the reality on the ground? Let me talk particularly about my own electorate. I refer to the Labor Party policy for the 2006 election, and I quote from it. It says that Labor will:

Rebuild Victoria's oldest rural hospital in Warrnambool with \$90 million for stage 1.

It refers to new wards and a new integrated care centre. The integrated care centre is what would be the heart and soul of wellbeing and of health promotion. It would be about what the second-reading speech describes as 'shifting the focus to prevention'. The integrated care centre one would expect would be very significant to a re-elected Labor government in terms of delivering on promotion of health and wellbeing in the Warrnambool area and the South-West Coast electorate. But what has happened highlights this government's continual failure to match its rhetoric with reality — this government's continued obsession with spin and words as opposed to delivering substance and results.

In the budget this year we did not have \$90 million allocated for the stage 1 redevelopment of Warrnambool hospital, as was promised in the pre-election Labor Party policy — there was \$70 million for that redevelopment. Guess what was cut out of that stage 1 development? It was the integrated care centre, which is the very thing that this legislation is all about. The government is lauding the fact that this legislation will deliver a focus on health promotion, the prevention of disease, the reduction of the impact of disease in our community and the promotion of healthier outcomes and lifestyles for our community. They are the sorts of things that would have been done by that integrated care centre which was promised to Warrnambool and south-western Victoria.

We have a \$25 million black hole and a broken promise from Labor. Labor Party policy says that the new integrated care centre that it promised and then failed to

fund and deliver would have included community health, dental health, community rehabilitation, community mental health and allied health. They are exactly the sorts of things that we on this side of the house support; they are exactly the sorts of things that Labor members are standing up and speaking about; they are exactly the sorts of things that they speak about that are in the second-reading speech; and they are exactly the sorts of things that the purposes and objectives of this bill applaud and promote. But when it comes to reality, they are the sorts of things that the Labor Party has failed to deliver. Even though the Labor Party promised the integrated care centre to the people of South-West Coast and the people of Warrnambool, the Labor Party failed to deliver it.

Who is going to miss out? People in allied health, including physiotherapists, dietitians, podiatrists, exercise physiologists, speech therapists, occupational health therapists, audiologists, specialist nurses who work with diabetes educators, continence nurses and district nurses will continue to have to operate in every black hole and nook and cranny around hospitals, because they do not have proper facilities and services and will not be able to promote positive health, positive lifestyles and wellbeing as this bill says that they will be able to do.

Health workers are working with people who have chronic illnesses like diabetes. We know that if you manage diabetes well, you reduce the chance of people being prematurely forced into acute health situations, you significantly reduce the chance of premature death, you will improve the quality of life and you will improve health outcomes. A stitch in time saves nine for people with asthma and chronic respiratory diseases. Positive work and positive health promotion programs for people with asthma and chronic respiratory diseases improve quality of life and health outcomes and save a lot in terms of health service expenditure.

Arthritis, cardiovascular disease, mental health and public dental services are other issues. In Warrnambool and Portland we have among the longest waiting lists for public dental services in Victoria. People on those waiting lists are older people who are on pensions or Centrelink payments and are suffering social and economic disadvantage; their health outcomes are significantly affected by their lack of access to basic dental care, to the timely provision of dentures, to preventive dental health care and to appropriate treatment. Because of this, instead of attention to cavities, treatment of abscessed teeth or even more serious conditions involving jawbone infections is required.

We in Victoria and Australia are suffering from an obesity epidemic. The integrated care centre at Warrnambool hospital would have been a focus for people promoting positive lifestyles and heart health.

The Minister for Health would understand the so-called key issues of disease prevention: smoking, nutrition, alcohol and physical activity, or SNAP. That is exactly the sort of disease prevention that the people in Warrnambool were promised and that would have been provided through their integrated care centre. They were promised that centre by the Labor Party in 2006, but it was not delivered in the budget that was handed down recently. There is a \$25 million black hole; there was a broken promise of an integrated care centre. There are also broken promises of all of these fundamental issues about health promotion, disease prevention and the improvement of the quality of life.

Young people benefit significantly from early intervention and education on mental health in such areas as suicide prevention and education about mental wellbeing, sexually transmitted diseases, unwanted pregnancies and some of the major problems that they face. Young people need to be educated about the abuse of alcohol and drugs and the need to have regular physical exercise, good diet and not to smoke. Through their own decisions we know that people can add years to their lives and quality of life to those years, but they need to be educated and supported.

This government needs to keep the promise it made in 2006 and fund not only the new wards at the Warrnambool hospital but also its integrated care centre. The government should put \$25 million on the table, as it promised to do in 2006. To do the job properly the government should also commit to the complete redevelopment of the hospital, which would be at a total cost of \$170 million. That would include the redevelopment of the Warrnambool hospital helipad to ensure that the south-western emergency helicopter service will be able to land at and take patients from the Warrnambool hospital directly to Melbourne hospitals without them having to go out to Warrnambool Airport. There is a significant increase in the number of older people living in our community, and there is an increase in the incidence and prevalence of cancer, so introducing local radiotherapy services is also very important.

Finally, I refer to the second-reading speech, which says that we need to be able to respond effectively to disasters and other mass casualty events. Integral to that is a need to improve accident and emergency facilities at the Portland and District Hospital. Portland is a major international port, and major industry is located there,

including the Portland aluminium smelter and engineering industries and fishing and forestry industries. We need a significant upgrade to the accident and emergency facilities at Portland hospital to be able to effectively respond to disasters and other mass casualty events that may occur in the Portland area. We seek a commitment from the government that it will upgrade the accident and emergency department at Portland hospital and do a full job of the Warrnambool hospital redevelopment, as it promised to do.

Mr CAMERON (Minister for Police and Emergency Services) — It is a pleasure to join members in the debate on the Public Health and Wellbeing Bill. After 50 years the modernisation of this bill is an historic event, and I congratulate the Minister for Health for bringing it forward.

We have seen a very odd situation tonight inasmuch as members opposite have gotten up and ranted and raved, but when it comes to the crunch they will support the legislation. It is unfortunate that this house is now in a state where members on one side are outwardly extreme and negative, and yet when it comes to the crunch they will vote for critical government legislation.

When I look at the health system, particularly in central Victoria, I have to say thank goodness for the Labor government. During the seven dark Kennett years the Bendigo, Castlemaine and Dunolly areas saw a reduction in health services and a reduction in the number of nurses. Now more people are being treated, and that is ultimately a benefit to central Victoria. To the member for Polwarth, who is across the table from me, I have to say there must be a dichotomy in his family, because his brother, John Mulder, the chief executive officer of the Bendigo Health Care Group, is doing a fantastic job. Perhaps it is because this government is right in there behind him, supporting him.

At the last election one party supported future planning for the needs of Bendigo Health, and that was the Labor Party. The Liberal-National coalition would not commit a single cracker to that project. Already there is an initial commitment of \$9.5 million to do up the emergency services area, and that work is being carried out. It is a fantastic commitment, but there was only one party that was out there promoting the planning and the future needs of central Victoria. Also, the Stella Anderson wing is going to be upgraded; that nursing home is going to be closed down and rebuilt. That is a fantastic commitment. I saw that a local Liberal letter writer complained it has taken Labor nine years to bring

about the development of this new nursing home. The Liberals unfortunately care so little about nursing homes in central Victoria that they did not realise that nine years ago we made that promise and we actually delivered on that with the Joan Pinter Nursing Home in North Bendigo. It is only Labor that cares for old people. It is only Labor that cares for the health of central Victorians.

We are seeing across the state a tripling of the expenditure on ambulances. In Castlemaine there were three ambos; now there are seven. We saw the Liberals close the Kangaroo Flat ambulance station; this government is prepared not only to put that back in service but also put in place the central Victoria air ambulance service. It is a tremendous service which has saved lives. We have seen the next step being taken through the recent announcement by the minister and Premier of a \$185 million commitment to ambulance services, including air ambulance services in country Victoria. Only one party was doing that — that is, Labor.

Members opposite laugh, but they were there closing the Kangaroo Flat ambulance station. They were laughing at the people of Kangaroo Flat and Bendigo west. Only one party was prepared to go back there and improve those services; only one party was prepared to commit to an air ambulance service in central Victoria — that is, the Labor Party.

An honourable member interjected.

Mr CAMERON — Those opposite joke, but they tried to close the Dunolly Hospital. I have to tell the house what a disgraceful act that was. They went around the countryside closing country hospitals, because they did not care. We know that; we accept that they do not care.

Mr R. Smith interjected.

Mr CAMERON — What are we talking about? I will tell you, Acting Speaker: we are talking about the Liberal and National parties working hand in hand against the people of Dunolly to close their hospital. What happened? There was a long campaign and the Kennett government buckled. The member for Brighton knows that.

Dr Napthine — On a point of order, Acting Speaker, on the issue of relevance, I ask that you draw the minister, who has now been speaking for over 5 minutes, towards addressing the bill. Perhaps he could raise some issues related to the bill itself and even some clauses in the bill. There are only about 150 pages there, so he might relate to some of them.

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

Mr CAMERON — The member for Polwarth wants another plug for his brother and the member for South-West Coast wants to distract attention, because he wants to forget about the Dunolly debacle. He wants to forget about the debacle that occurred in country Victoria. But we do not forget about it. We remember how the Dunolly Hospital was saved, and we remember that it was the Labor government that went on and improved that hospital service. Only one party was there saving and improving that hospital — and that happens to be Labor!

The member for Brighton might ask her husband. He will remember Dunolly extremely well because he was out there wanting to throw elderly residents out on the streets.

Dr Napthine — On a point of order, Acting Speaker, I have to advise that I did mislead the house before; there are actually 250 pages to this bill. Still the minister has not related his remarks to any one of those 250 pages. I suggest on the point of relevance that he should turn to some aspect of the bill in the remaining 3 minutes he has to address this house.

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

Mr CAMERON — We have seen tremendous developments when it comes to radiotherapy in country Victoria. The second linear accelerator has been put in place this year. The minister went up there, saw it and opened it — if ‘opening an accelerator’ is what you do with an accelerator. I know you turn them on. Anyway, that was certainly another great step taken.

Business interrupted pursuant to standing orders.

ADJOURNMENT

The ACTING SPEAKER (Mr Nardella) — Order! The question is:

That the house do now adjourn.

Trams: rolling stock

Mr MULDER (Polwarth) — The matter I raise is for the Minister for Public Transport. I call on the minister to take immediate action to put in place a contingency plan to counter the pending withdrawal of Combino trams for structural repairs, to advise the public of the impact on services and to immediately place an order for new trams for Melbourne.

In an article in the *Age* of the 17 November 2006 by two respected journalists, Royce Millar — —

The ACTING SPEAKER (Mr Nardella) — Order! The honourable member can ask for only one action. The honourable member has asked for three. Can the member clarify which action he wants the minister to respond to?

Mr MULDER — I would like the minister to order new trams for Melbourne and at the same time advise the public of the pending service breakdown because of the withdrawal of trams. Surely that is a single action.

An article in the *Age* of 17 November 2006 by two respected journalists, Royce Millar and Stephen Moynihan, warns of the pending withdrawal of the Combino trams. In total 59 trams will be withdrawn for repairs. The minister must put in place a contingency plan to ensure that passengers are not stranded at tram stops and left to face Melbourne’s cold winter. The process of withdrawal, repair and return to service will not be completed until 2010, leaving Melbourne short of vitally needed trams. The minister should cease making false assertions in relation to the growth of Melbourne’s tram network via the five trams the minister has leased from the Yarra Trams parent company Transdev and should tell the travelling public of Melbourne the truth — that is, that Melbourne is facing a tram withdrawal program between now and 2010.

The effective removal of four trams at a time and their replacement by five leased trams from overseas will do little to ease the passenger squeeze. As the minister would know, the Yarra Trams draft 2007 forward capacity plan refers to the ‘Combino sanitisation plan’. What this strange title means is that shortly Yarra Trams will commence withdrawing modern, low-floor Siemens Combino trams from service. Yarra Trams has acknowledged there will be an effective reduction in non-CBD (central business district) carrying capacity in that eight seats will be removed from the larger trams and four seats from the smaller, low-floor trams, resulting in a reduction in carrying capacity of 6.5 per cent and 5 per cent respectively. As one set of trams is returned to service, another set will be removed.

Tram carrying capacity is on the decline and not on the increase, as the minister would have us believe. When the overseas trams are returned in 2011 we will be left with a lower carrying capacity than we have currently. It is unthinkable that, knowing about the ongoing withdrawal of these trams until 2010, the Brumby government still refuses to order a single new tram for Melbourne’s tram network. Since coming to office the

Brumby government has not initiated the purchase of a single new tram completely off its own bat. The leaked expression of interest document provided to the opposition shows that annual tram patronage will rise from 161.1 million trips in 2007–08 to 181.9 million trips in 2010–11, a rise of 13 per cent — and there will be nowhere for the extra passengers to stand or sit. This is an utter scandal.

Geelong Investment and Innovation Fund: availability

Mr TREZISE (Geelong) — I raise an issue for action by the Minister for Regional and Rural Development in her role as Minister for Skills and Workforce Participation. The issue I raise relates to the recently announced and much-welcomed first round of funding of the Geelong Investment and Innovation Fund. For the information of those on the opposite side of the house — members on this side are well aware of this — this fund was established by the Brumby government in partnership with the Rudd federal government in response to the announcement made last year by Ford that it was restructuring its manufacturing operations with the result that hundreds of Geelong jobs would unfortunately be made redundant. Earlier this month the minister, together with her federal counterpart, Senator Carr, announced that four Geelong-based projects will receive \$3.3 million in funding, creating something like 190 full-time jobs.

The action I seek is for the minister to ensure that these funds are made available as soon as possible to the nominated Geelong companies. The Geelong Investment and Innovation Fund is a \$24 million fund, with \$15 million coming from the Rudd federal government, \$6 million from the Brumby state government and \$3 million from Ford Australia. This \$3.3 million that was announced early this month is the first round of funding designed to create manufacturing jobs within the Greater Geelong community.

This round of funding saw the following grants: \$1 million to Air Radiators, a great company in Lara, to assist the company to expand and create an extra 44 full-time jobs; more than \$600 000 to Mako Craft, manufacturers of aluminium boats, creating 80 full-time jobs — I know the member for Bellarine, the Minister for Mental Health, who is at the table, and the member for South Barwon, who is in the chamber, welcome that — \$750 000 to Modern Olives to expand its operations and create 24 full-time jobs; and Challenge Meats received nearly \$950 000 to expand its plant capacity, resulting in an extra 45 positions.

In total 193 full-time jobs will be created, with a total investment of more than \$27 million from the companies, although, as I said before, \$3.3 million of this is made up of state and federal government funding. I take this opportunity to congratulate Senator Carr and the Minister for Skills and Workforce Participation on this very welcome initiative. It is important that once funding is announced it be made available as soon as possible, because we understand those manufacturing jobs are welcomed within the Geelong community and the quicker we get them on the ground, the better for our community.

Parkside Gardens, North Shepparton: street names

Mrs POWELL (Shepparton) — I would like to raise a matter with the minister responsible for VicUrban, the Minister for Planning in the other place. The issue I raise is that VicUrban is changing the names of streets in the Parkside Gardens estate in North Shepparton without appropriate consultation with the residents. The action I seek is that the minister advise VicUrban to discontinue changing any street names until VicUrban has consulted with the residents and the City of Greater Shepparton and to make name changes only if they are approved by residents, and direct VicUrban to be more consultative with residents and the City of Greater Shepparton.

After I was contacted by residents of the Parkside Gardens estate, I helped to convene a meeting with the residents and the City of Greater Shepparton. I thank Peter Bourke and Cr Sondrae Johnson from the City of Greater Shepparton for going to the meeting and hearing firsthand the complaints. They promised that communication would be better in the future. One of the streets that had its name changed was Grace Court, where the residents were not even told. One resident said he woke up, went outside and found that the road sign had been changed. The residents are outraged. Grace Court was named after Grace Edwards, a respected member of the community. The residents were told that VicUrban directed the City of Greater Shepparton depot to change the signs but did not tell the council.

Roads have been ripped up without consultation with all the residents, and they are very angry. One person was unable to use his driveway for two weeks and had to park his car on the road, which is very dangerous. An article in the *Shepparton News* on 5 June indicated there would be a road closure. That was the first time the residents heard about it, and not everybody buys the *Shepparton News*. The residents were told originally that the new streets in the estate would have

roundabouts and speed humps, but workmen working on the roads have said there will not be any speed humps on those roads.

VicUrban is the government's development arm. It has been involved in the Parkside Gardens estate since 1999. We all agree that there was a need to upgrade the area. It was the largest public housing estate in country Victoria, but there are now many private house owners in that area. VicUrban changes plans for that area without even letting council or the residents know. In 2005 VicUrban tried to change the name of the estate's main street, Olympic Avenue. The residents came to me at that stage very angry at the name change, and we were able to stop it.

The advertisement in the paper said that the road closure was of a new street, but when challenged VicUrban admitted that the advertisement was incorrect. A number of names have been put forward by VicUrban, including Triumph Street, Bronze Street and Inspiration Street. There has been no discussion with residents. The names of these streets should not be determined by Melbourne-based government bureaucrats. They should be determined by the residents and the city of Shepparton and approved by a street names committee to make sure that residents have some ownership of the names. This has been a very contentious issue, and I ask the minister to intervene.

White Street, Mordialloc: pedestrian crossing

Ms MUNT (Mordialloc) — The matter I wish to raise is for the attention of and action by the Minister for Roads and Ports. It concerns the traffic-dampening works that are currently being drawn up by VicRoads and Kingston City Council as part of the South Road extension package. The action I seek from the minister is that he take note of the priorities that are being relayed to me by the local residents of White Street and surrounding residents.

I have had quite a large amount of correspondence regarding what is a very serious matter for the residents and surrounding residents of White Street. White Street is a very busy street in Mordialloc. It currently has no break in the traffic. It has a primary school on one side and a secondary school on the other, as well as shops and services for elderly people. Because there is currently no break in the traffic on White Street, and considering the volume of traffic, it is consequently very dangerous for elderly people to cross the street to go to the local shops, for students to go across to Parkdale Secondary College and, in the other direction, for mothers to take their children to Mordialloc Primary

School. It is of the utmost importance that as part of these traffic-dampening measures a pedestrian crossing with lights is installed in White Street for the safety of those pedestrians crossing the street.

The ACTING SPEAKER (Mr Nardella) — Order! The member asked the minister to take note; it is not an action. She needs to rephrase that for action.

Ms MUNT — I ask the minister to take action to ensure that these traffic safety measures are included in the works that are currently being drawn up between Kingston council and VicRoads and that there is a pedestrian crossing and also a median refuge in the centre of the road for people to be able to stop while they are crossing the road, so they do not have to cross the entire width of the road in one go. That is particularly important for elderly people and for young mothers who perhaps have prams and children to cross the road with. I expect these works to include, as a minimum, a signalised pedestrian crossing and also a median traffic refuge for pedestrians who are crossing the road.

Veneto Club: synthetic playing surface

Mr KOTSIRAS (Bulleen) — I wish to raise a matter for the attention of the Minister for Sport, Recreation and Youth Affairs. The action I seek is for the minister to provide funding to replace the surface of the Veneto Club's soccer pitch. Currently the Veneto Club is home to 36 junior soccer teams, accommodating over 750 children. As a result of the drought, the club is attempting to raise funds to lay synthetic turf on the playing surface. The aim is to create a world-class soccer facility that could be used by the whole community. The upgrade would increase the capacity of the ground to all-year-round use. It would broaden participation of our young people in sporting activities and thus promote their wellbeing. The Veneto Club receives many requests from local schools and community groups requesting the use of the ground, but unfortunately due to the poor condition of the ground it is unsafe and it is not able to accommodate these requests. The installation of synthetic turf will alleviate many of the problems and open up the club to the entire local community.

The club has received many letters of support. They received a letter from Marcellin College. In the letter the principal wrote:

I take this opportunity to express my unqualified support for such a venture. In the past this college has benefited in a number of ways from its association with your club.

In a letter the principal of the Templestowe Valley Primary School said:

I am writing to convey Templestowe Valley Primary School's support for the submission to have artificial turf installed on the soccer pitches at the Veneto Club.

The Veneto Club provides a wonderful opportunity for primary and secondary-aged students to be involved in healthy sporting competition. The soccer club is very well managed and is highly regarded as a sporting entity in the community.

A letter from the Doncaster Gardens Primary School says:

We offer our support of the planned upgrade of the soccer fields for the Manningham community at the Veneto Club. The upgrade of the soccer fields would not only benefit us as a hirer of the facility but increase participation in community sport programs.

I raised this previously in Parliament and I know that the minister at the table, the Minister for Sport, Recreation and Youth Affairs, advised me that he is looking at the application. It was sitting on his desk. It has been two weeks now, so I ask the minister now to provide the funding for this artificial turf.

Last week on Friday I attended the Veneto Club's dinner and the member for Brunswick was also present. I was hoping that the member for Brunswick would stand up and make an announcement and say, 'On behalf of the minister I am proud to announce that you have got the funding'. Unfortunately that was not the case. I call upon the minister to provide the money to ensure that the Veneto Club is viable and is there for the whole community.

Findon Road, Epping: upgrade

Ms GREEN (Yan Yean) — I wish to raise a matter for the attention of the Minister for Roads and Ports. The action I seek is for him to support the proposal by the Whittlesea City Council for the declaration of Findon Road as an arterial road. Findon Road is an important east–west road serving my electorate and is well designed to be upgraded to arterial road status. Parts of Findon Road are already a dual carriageway, with adequate reservations available along the single carriageway sections for that upgrade.

Whittlesea is a significant growth area with all its roads carrying significant volumes of traffic, and they will carry even more in future years. The nearest declared east–west road is immediately south at McDonalds Road, which is carrying huge volumes of traffic, including the train-link bus which operates frequently between South Morang and Epping station and services

many schools and the recently hugely expanded Westfield Plenty Valley centre and will also service the future proposed South Morang station. Importantly McDonalds Road will also be part of the proposed yellow orbital bus route. I fully support council's request to retain McDonalds Road as a declared arterial road as both these roads will be required as declared arterial roads.

I am proud of the government's record in funding road upgrades in the area, but we can never rest on our laurels. We always need to do more to keep up with the demand in the area. During my time in this place I have been pleased to see the duplication of Plenty Road and Cooper Street, the extension of Edgars Road up to the wholesale fruit and vegetable market site, the roundabout currently being constructed at Cooper Street, Epping, as well as making the Hume bypass possible and also the new extensions occurring now. We obviously need to keep up with the demand that is occurring within the city of Whittlesea and I urge the minister to support wholeheartedly the request by the City of Whittlesea Council to upgrade Findon Road to declared arterial road status.

Rail: Ringwood station

Mr R. SMITH (Warrandyte) — I rise with a request to the Minister for Public Transport. I ask the minister to have pan, tilt and zoom security cameras installed at Ringwood railway station. This issue has been of vital importance to the safety of commuters in my electorate and has been consistently handballed by this government at every opportunity. During the 2006 campaign I spoke with many of the commuters at Ringwood railway station about the level of security at the station. Based on the feedback I received, the Liberal Party made a commitment to the people of Ringwood that in government it would put \$150 000 towards the installation of security cameras at the station, which would feed images back to the local police station. That was a commitment the Labor Party refused to agree to.

Last year I was approached by the local police and asked to continue to campaign for these cameras, a call that was soon echoed by the Ringwood Chamber of Commerce. With Maroondah City Council also on board, representations were made to the state government, with no response. Finally, the Howard federal government stepped in, as it did on so many occasions, filling the many holes that the state Labor government had left in relation to its own responsibilities.

The former federal member for Deakin, Phil Barresi, made a commitment to have these cameras installed under the former federal government's Making Communities Safer program, a program which has seen cameras installed on Main Street, Croydon, and at Lilydale railway station, where their installation has reduced crime in the area by 70 per cent.

During the federal election campaign Labor made no commitment to community safety at Ringwood station, although the current federal member for Deakin, Mike Symon was quoted as saying, 'Labor will have more to say on this issue before the end of the campaign'. We heard nothing more from Labor at the end of the campaign and we have heard nothing more on the issue from Mr Symon since. Mr Symon clearly has absolutely no idea if a program similar to Making Communities Safer is part of his own government's agenda, and he cannot tell anyone if the Rudd government intends to fund these cameras at any time in the future.

That brings me back to placing the issue with those who have the responsibility for making our railway stations safe — the Brumby government. It was hoped that with the Ringwood station redevelopment, which was virtually guaranteed by the Brumby government, that funding for community safety in the state budget this year would include funding for these cameras. With this project ignored and no commitment by this government to get it started, the community is asking, at a minimum, for its safety concerns to be addressed.

Ringwood railway station is a state government responsibility. Clearly Mike Symon and the Rudd government are not going to take on this issue, so the minister needs to step up, take on the responsibility and ensure commuters at Ringwood station are protected.

Belmont Bowls Club: future

Mr CRUTCHFIELD (South Barwon) — My issue concerns the Belmont Bowls Club and is for the attention of the Minister for Sport, Recreation and Youth Affairs. The action I seek is for the minister to support the club's application to the Country Action grant scheme for the formulation of a business plan. The Belmont Bowls Club — I know the minister knows where it is — is a 102-year-old club that provides a critical social, recreational and sporting outlet for some 330 members and approximately 2500 visitors every year. It is a club I know very well. I recently had a beer or two and discussion with the director, Marg Webb, and the secretary, David Cairns, over the future direction of the club. They mentioned that this particular application is critical to its long-term

direction. They want to continue planning for the long-term future of the club, and the business plan will address the following areas.

They want to develop an inclusive mission statement. David was articulating to me that at present the direction of the club is not well defined, and there are sometimes some conflicting views about where the club should sit in the Belmont community as a social outlet and recreational outlet. The club wants to modernise its management structure. Currently it has three different committees, three major committees in fact, and that has implications for volunteers and the time that those members spend in those volunteer activities. They also want to identify some key performance areas and list objectives to grow the club. The club needs to develop some strategies to increase its membership base, not only in quantum but also in variety in terms of engaging the wider community. They want to increase participation. The fourth green is very poor. It is not used at present and they want to develop that into a multi-use field.

They want to continue to develop close partnerships with the schools in the area — there is Belmont Secondary College and Oberon High School is not far away — and they want to continue to improve access for people with disabilities. In fact the Barwon Valley special school is just around the corner in Belmont as well. They also want to identify some key partnerships. They want to have closer relationships with not only regional sporting groups but also some of the state sporting partners. They currently work with Leisure Networks, which the minister will be well aware of, and that is improving their management and coaching skills at a volunteer level. They also want to connect with the broader community, which I think I have articulated, and make the broader community more aware of their clubrooms. I urge the minister to support this, and I also would like to urge the minister to visit the club at some stage in the future.

Rail: Glenrowan station

Dr SYKES (Benalla) — My issue is for the attention of the Minister for Public Transport. I request that she meets a delegation from Glenrowan who wish to present, directly to her, their case for reopening the Glenrowan railway station as part of the upgrade and standardisation of the Seymour–Wodonga railway line.

Glenrowan is the home of a memorial to Ned Kelly, who ranks with Don Bradman as the most recognised person in recent Australian history. The state government, the Rural City of Wangaratta and the federal government have invested significant funds in

developing the community to assist it to take advantage of the fantastic tourist interest in the Ned Kelly story — for example, significant streetscaping works have been undertaken recently and there was also a very successful archaeological dig at the site of Ann Jones's hotel, the site of the Kelly Gang's last stand.

As the Minister for Public Transport would also be aware, the state government has just announced \$20 million towards the rehabilitation of the Mokoan wetlands. The government's stated aim is to make them world-class wetlands and the government's consultants anticipate that up to 300 000 people per year will visit the wetlands. It therefore makes sense to have a functional railway station at Glenrowan to provide visitors with the opportunity to enjoy the Ned Kelly experience in Glenrowan in conjunction with a visit to the wetlands and the beautiful Warby Ranges with its many world-class wineries. It would also be a great boost to the Glenrowan community in providing transport connections to Wangaratta and Wodonga as well as Benalla and Melbourne, something which is very important for the many older citizens in Glenrowan so that they can attend their medical appointments.

The high cost of fuel has accentuated the importance of rail transport being available to Glenrowan residents. It is already available to similar-sized towns such as Avenel and Violet Town. It also makes sense to incorporate the Glenrowan station into plans now at this early stage in the upgrading and standardisation process. Tim Fischer, the chair of the rail freight network review committee, which provided the minister with a very comprehensive report entitled *Switchpoint — The Template for Rail Freight to Revive and Thrive!*, strongly endorses the request of the Glenrowan community. I therefore ask the minister to receive a deputation from the Glenrowan community to present the case for the reopening of the Glenrowan railway station.

In the few seconds left to me I would like to indicate that the community is fair dinkum with this request. I have already met with the Glenrowan Improvers Group — Patty Milne, Linton Briggs and Gary Dean. They have expressed their interest and strong desire to have this railway station reopen. There have also been letters to the minister from these people and from Bill and Lynn Gent. A couple of weeks ago 100 locals held up the last steam train, which was passing through Glenrowan, to make their point about the importance of having the railway station there. I ask the minister to meet with these people, hear their concerns and act in an affirmative sense by providing for a railway station at Glenrowan, which would be a great boon to the area.

Western Region health centre: funding

Ms THOMSON (Footscray) — My adjournment matter is for the Minister for Mental Health. I seek from the minister financial support for the Western Region health centre, which is seeking capital funding to refit and refurbish new premises at 215–217 Nicholson Street, Footscray. The Western Region health centre provides crucial, responsive primary health services to at-risk groups, such as those living with both mental illness and substance abuse problems, or 'dual diagnosis' clients. This funding will enable the Western Region health centre to provide mental health, drug and alcohol, intensive outreach and homelessness services from the one site. It is crucial that the specific needs of those in the western suburbs who suffer from mental illness and substance abuse problems are met, and support of this service will help ensure that that occurs.

The western region is one of Australia's fastest growing regions. It is critical that it has the right services to deal with the emerging mental health and substance abuse issues being faced in the area. Currently services that address these issues in the region are located over four sites. I understand that the allocation of this funding would enable them to be co-located on the one site — and this site is readily accessible by public transport and well known to those in the community who need those services. The funding would enable the centre to provide valuable community support to those living with mental health and substance abuse problems.

The significant growth in population and demand for services provided by the Western Region health centre has placed pressure on the centre, and as a result it requires additional resources to ensure its important work can continue. I ask the minister to support the request by the Western Region health centre for additional capital funding to enable it to enhance its important mental health, drug and alcohol, intensive outreach and homelessness services in the western suburbs.

The ACTING SPEAKER (Mr Nardella) — Order! Before I call the Minister for Mental Health, I remind honourable members that they can ask for only one action and not multiple actions. The honourable members for Polwarth and Shepparton requested a number of actions, as did the honourable member for South Barwon when he further called for the minister to visit. The adjournment procedures are very clear: only one action can be asked for.

Responses

Ms NEVILLE (Minister for Mental Health) — The member for Footscray has raised with me a matter relating to capital funding for the Western Region health centre in order to refit and refurbish new premises in Nicholson Street, Footscray. This service aims to provide mental health, drug and alcohol, intensive outreach and homelessness services to the community in the western region. The government recognises the importance of providing services which meet the needs of people with very complex presentations, particularly those with coexisting drug and alcohol use and mental health problems. In this context I am very pleased tonight to announce funding of \$620 000 to the Western Region health centre to fit out and refurbish new premises in Nicholson Street, Footscray.

I would also like to acknowledge the member for Footscray for both her strong support of the service that is provided at the Western Region health centre and her strong advocacy for this capital commitment. This funding will support the development of an integrated health service on one site, which will comprise both the Nicholson Street site and the adjoining Health Works Buckley Street site from which the Western Region health centre provides a range of primary health and drug safety services. The new service will complement the range of important treatment services that are already provided by the Western Region health centre.

In addition to an impressive range of community medical, dental, primary care and support services, the government also funds a comprehensive range of mental health services and drug and alcohol programs for people in the western suburbs. This new service will be an important addition to this range of services. It will provide the capacity to also deliver allied health, general practitioner and specialist services at the one location and ensure a comprehensive and integrated service. Consolidating the service into fewer sites will provide better access and better outcomes for the residents of the western suburbs.

I am delighted to have been able to announce this funding tonight because I know it will ensure that the outreach and treatment services will be greatly enhanced and therefore able to meet the growing needs of the community in the western region.

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — The member for South Barwon raised an application to the Country Action grants scheme (CAGS) by the Belmont Bowling Club. I begin by commenting that the member for South Barwon

represents a very active and sport-loving electorate. There are many exciting projects currently being undertaken in South Barwon, the major one of which is the construction of a new multimillion dollar aquatic facility at Wauron Ponds. There are also further exciting plans currently being investigated for Grovedale Secondary College, which has become the area's main sporting hub and a real model for the joint use of sporting facilities. In the past 12 months the Brumby government has also funded lighting projects at Quay Reserve in Torquay and at the Belmont Common playing fields, as well as several drought relief projects in the Torquay and Jan Juc regions.

It is important to note that each of these projects has had the strong involvement of the member for South Barwon. The electorate is lucky to be represented by a member who is constantly advocating to me about sport in his region. With respect to the Country Action grants scheme, I can assure the member I will take into serious consideration his support for the project. I have mentioned to the house on previous occasions that CAGS is a great reflection on the Brumby government's commitment to country sport. These grants provide the opportunity for clubs to access resources to help improve the way they operate, to better shape the opportunities they offer, to develop and support their members and to provide assistance with travel. Already this year I have approved funding of more than \$178 000 for 35 CAGS and 120 VicTalent applications in the first phase of the 2008 grants program. I can assure the member that I will take into account his strong support for this project at Belmont Bowling Club. It would be a pleasure to visit the club in the near future, and I will do that.

The member for Bulleen raised a proposal regarding a synthetic soccer pitch at the Veneto Club, which as he says is a club that provides sporting opportunities for some 750 children. Synthetics are important. I have talked to in the house before about the importance of synthetic pitches, not only in the obvious way in which they deal with the drought because they do not require watering but also in the way they increase the capacity to use the ground day and night, seven days a week for games that have a small number of participants, such as soccer. Synthetic pitches allow for a much greater participation level. The member for Bulleen raised the issue of the demand in the area from local community clubs and local schools.

The club has written to me, and I am well aware of this project. Our colleague Brian Tee, a member for Eastern Metropolitan Region in the other place, has also been very strongly advocating for this project, which is under consideration as part of our drought assistance program.

The latest round of grants under that drought assistance program is worth \$12.9 million. That means that just under \$20 million has been provided by the Brumby government for assistance with drought-related projects over the last 18 months. Out of that latest round, \$3.6 million is directed to the installation of synthetic pitches.

I can advise the member for Bulleen that the project is not sitting on my desk. My department is currently investigating the proposal as part of the 2008–09 round of synthetic funding. I take this opportunity to acknowledge the support of the local community and local schools. I assure the member for Bulleen that I will take into account their support for the Veneto Club's proposal.

The members for Polwarth, Warrandyte and Benalla raised matters for the attention of the Minister for Public Transport.

The member for Geelong raised a matter for the attention of the Minister for Regional and Rural Development.

The member for Shepparton raised a matter for the attention of the Minister for Planning in the other place.

The members for Mordialloc and Yan Yean raised matters for the attention of the Minister for Roads and Ports.

I will ensure those matters are referred to the appropriate ministers for their response.

The ACTING SPEAKER (Mr Nardella) —
Order! The house is now adjourned.

House adjourned 10:36 p.m.