

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Tuesday, 6 May 2008

(Extract from book 6)

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By authority of the Victorian Government Printer

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FIFTY-SIXTH PARLIAMENT — FIRST SESSION

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Lim, Mr Muy Hong	Clayton	ALP	Wynne, Mr Richard William	Richmond	ALP

¹ Resigned 6 August 2007

² Elected 15 September 2007

³ Resigned 6 August 2007

⁴ Elected 15 September 2007

CONTENTS

TUESDAY, 6 MAY 2008

CONDOLENCES	
<i>Peter John Randles</i>	1471
DIRECTOR, POLICE INTEGRITY	
<i>Administration of affirmation</i>	1471
QUESTIONS WITHOUT NOTICE	
<i>Teachers: preschools</i>	1471
<i>Health: regional and rural services</i>	1472
<i>Teachers: non-government schools</i>	1472
<i>Water: north-south pipeline</i>	1473
<i>Weeds and pest animals: control</i>	1474
<i>Agriculture: Future Farming strategy</i>	1474
<i>Local government: planning powers</i>	1475
<i>Alcohol: Restoring the Balance action plan</i>	1475
<i>Alcoa: Portland smelter</i>	1476
<i>Ambulance services: government initiatives</i>	1476
STATE TAXATION ACTS AMENDMENT BILL	
<i>Introduction and first reading</i>	1477
BUSINESS OF THE HOUSE	
<i>Notice of motion: removal</i>	1477
<i>Program</i>	1489
PETITIONS	
<i>Box Hill Hospital: redevelopment</i>	1477
<i>Water: catchment logging</i>	1478
<i>Port Welshpool: long jetty</i>	1478
SCRUTINY OF ACTS AND REGULATIONS	
COMMITTEE	
<i>Alert Digest No. 5</i>	1479
DOCUMENTS	1480
ROYAL ASSENT	1480
APPROPRIATION MESSAGES	1481
APPROPRIATION (2008/2009) BILL	
<i>Introduction and first reading</i>	1481
<i>Statement of compatibility</i>	1481
<i>Second reading</i>	1481
APPROPRIATION (PARLIAMENT 2008/2009) BILL	
<i>Introduction and first reading</i>	1488
<i>Statement of compatibility</i>	1489
<i>Second reading</i>	1489
MEMBERS STATEMENTS	
<i>National Volunteer Week</i>	1490
<i>Bass electorate: health services</i>	1490
<i>Animals: cruelty</i>	1491
<i>Melbourne Markets: regulation</i>	1491
<i>Anzac Day: Craigieburn</i>	1491
<i>Sambar deer: control</i>	1492
<i>Anzac Day: Williamstown electorate</i>	1492
<i>Teachers: salaries</i>	1492
<i>Anzac Day: Australian Political Exchange</i>	
<i>Council delegation</i>	1493
<i>Budget: Mordialloc electorate</i>	1493
<i>VicForests: firewood contracts</i>	1493
<i>Malmsbury bypass: opening</i>	1494
<i>Telecommunications: mobile phone towers</i>	1494
<i>Planning: Mornington Peninsula</i>	1494
<i>Youth: AXA 614 bus</i>	1494
<i>Rail: Wodonga spur line</i>	1495
<i>Tracey Greenbury</i>	1495, 1496
<i>Hospitals: regional and rural Victoria</i>	1495
<i>Children: Frankston forum</i>	1496
<i>Rail: Somerville and Tyabb level crossings</i>	1496
<i>Political parties: participation</i>	1496
<i>Footscray: Buddhist temple</i>	1497
JUSTICE LEGISLATION AMENDMENT BILL	
<i>Second reading</i>	1497
<i>Third reading</i>	1512
ENERGY AND RESOURCES LEGISLATION	
AMENDMENT BILL	
<i>Second reading</i>	1512
ADJOURNMENT	
<i>Water: Werribee irrigation district</i>	1534
<i>Sunshine Cricket Club: funding</i>	1534
<i>Teachers: preschools</i>	1535
<i>Chandler Highway: bridge</i>	1535
<i>Narcissus Avenue-Tormore Road-Boronia</i>	
<i>Road, Boronia: traffic lights</i>	1536
<i>Geothermal energy: exploration</i>	1537
<i>East Gippsland: icon walks project</i>	1537
<i>HMVS Cerberus: preservation</i>	1537
<i>Schools: Kilsyth electorate</i>	1538
<i>Albert Park electorate: sporting facilities</i>	1539
<i>Responses</i>	1539

Tuesday, 6 May 2008

The SPEAKER (Hon. Jenny Lindell) took the chair at 2.07 p.m. and read the prayer.

CONDOLENCES

Peter John Randles

The SPEAKER — Order! I advise the house of the death of Peter John Randles, member of the Legislative Assembly for the electoral district of Brunswick from 1949 to 1955.

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

Honourable members stood in their places.

The SPEAKER — Order! I shall convey a message of sympathy from the house to the relatives of the late Peter John Randles.

DIRECTOR, POLICE INTEGRITY

Administration of affirmation

The SPEAKER — Order! I wish to advise the house that on 1 May 2008 the Acting Speaker administered to Michael John Strong, director, police integrity, the affirmation required by section 102D of the Police Regulation Act 1958.

QUESTIONS WITHOUT NOTICE

Teachers: preschools

Ms WOOLDRIDGE (Doncaster) — My question is to the Minister for Children and Early Childhood Development. Will the minister assure the house that kindergarten teachers will also receive pay rises equivalent to those that were announced yesterday for school teachers?

Ms MORAND (Minister for Children and Early Childhood Development) — It is interesting to get a question from the Liberals on this issue, or from the coalition — —

Honourable members interjecting.

The SPEAKER — Order! I ask the minister to direct her answer to the question.

Ms MORAND — This government has absolutely revitalised kindergarten programs since it has come into government. We have more than doubled funding. Can they hear that on the other side? We have more than doubled funding since we have come into government — by 138 per cent — and that is before the Treasurer comes into this house later. There might even be more for kindergartens in the budget. That is as opposed to the last time you lot were in government — —

Honourable members interjecting.

The SPEAKER — Order! I ask the minister to direct her answer to the question and not to debate the question.

Ms MORAND — In 2005–06 the government signed a new certified agreement with the kindergarten teachers which delivered to them a significant pay rise — in fact kindergarten teachers receive 40 per cent more than when we came into government. The highest wage that kindergarten teachers were being paid in 1999 was \$39 000; they now get \$57 000 a year, which is a very substantial increase. The last time the coalition was in government it cut kindergartens by 25 per cent — —

Honourable members interjecting.

The SPEAKER — Order! I again remind the minister not to debate the question, and I ask for some cooperation from opposition members to allow the minister to answer the question.

Mr K. Smith interjected.

The SPEAKER — Order! The member for Bass needs to make an early decision today.

Honourable members interjecting.

The SPEAKER — Order! The member for Bass can leave the chamber or he can stay.

Ms MORAND — That new agreement delivers a new career structure. It provides funds for the development of professional standards and incentives for teachers to constantly update their skills. Again, the comparison is: double with us, cuts with those on the other side — a 25 per cent cut when they were last in government. We are revitalising kindergartens and have doubled funding since we have been in government — and I am proud of those achievements.

Health: regional and rural services

Mr HARDMAN (Seymour) — My question is to the Premier. I ask the Premier to outline to the house how the Brumby Labor government is taking action to deliver quality health services for families in regional and rural Victoria.

Mr BRUMBY (Premier) — I thank the member for Seymour for his question. Last Friday I was delighted to speak at the rural health conference in Bendigo, which was a very well-attended conference. The Minister for Health was there, and the members for Bendigo East and Bendigo West were also in attendance, as were hundreds of health professionals from around the state.

At that conference I was able to announce \$135 million in new health initiatives which will be put in place across country Victoria. Before I did that I reminded the audience of the significant commitment we have already made in health in country Victoria. Since 1999 we have invested more than \$650 million on 65 major capital works projects across the state. We have established radiotherapy centres in the Latrobe Valley and at Bendigo, and we have expanded the Geelong radiotherapy centre. We have completed rebuilding works at hospitals in Ararat, Bairnsdale, Ballarat, Colac, Echuca, Kyneton, Lorne, Maryborough, Nhill, Shepparton and Stawell.

We have started construction to redevelop hospitals at Geelong and Warrnambool. We have completed rebuilding work at 45 residential aged-care services in communities right across Victoria. We have started construction at residential aged-care services in Grovedale, Leongatha, Nathalia, Rochester and Warracknabeal. On top of all that we have invested \$9.6 million to bring continuity of care to 26 rural hospitals through the rural maternity initiative.

That is what we have done over the last eight years. We have been doing more each year in country health than the former Kennett government did in seven years. While the Liberals and The Nationals were busy closing hospitals, we have been busy building hospitals. I announced a \$135 million country health package with \$70 million for the second phase of the staged redevelopment at Warrnambool. There is only one government that can deliver this project, this major redevelopment in Warrnambool, and that is a Labor government. It is something a Liberal government could never do.

Honourable members interjecting.

Mr BRUMBY — While the member for South-West Coast was a minister in the former government his greatest claim to fame was supporting his then Premier and then health minister in closing country hospitals.

I also announced: \$9.5 million to redevelop the Bendigo Hospital emergency department, which is a fantastic initiative and fantastic for Bendigo; \$5.5 million to reconfigure Ballarat hospital's adult acute mental health unit and to refurbish the Queen Victoria building to accommodate community health facilities; \$8 million to redevelop the Trentham campus of the Hepburn Health Service, providing a new medical consulting suite and emergency stabilisation area, a primary care and community activity centre and upgraded aged-care facilities; and \$1 million for detailed planning for the redevelopment of the Alexandra District Hospital. The Minister for Health was up there last week with the local member, and this news has been exceptionally well received in the local community. This will result in a new, integrated hospital and health service, new acute beds, emergency stabilisation, an operating suite, day-stay facilities and a community health and administration facility. On top of all of that, there is \$21 million for a new Latrobe Community Health Service building in Morwell.

This is a fantastic package for country Victoria. As every member of this house knows, we are seeing exceptionally strong population growth in country Victoria, particularly around our major provincial centres. This ensures that the health facilities are there to service that population. It ensures that the quality of life, the livability and the health investment are there, and I know that these announcements were very well received in local communities.

Teachers: non-government schools

Mr DIXON (Nepean) — My question is to the Minister for Education. I refer the minister to the government's announcement yesterday on teachers salaries, and I ask: does the announcement include funding for matching pay rises for independent and Catholic teachers?

Ms PIKE (Minister for Education) — I thank the member for Nepean for his question and for providing me with the opportunity to again inform the house about the absolutely fantastic outcome for teachers that has been achieved by the Brumby government. I would like to specifically thank The Nationals for their media announcement of their support for the agreement as well — and there were very generous words from the member for Lowan. We know that this agreement is a

win for students, with extra tuition time; it is a win for families, because they have certainty around the professional development and pupil-free days — —

Honourable members interjecting.

The SPEAKER — Order! The member for Doncaster, the member for Nepean and the member for Malvern will allow the minister to continue her answer.

Ms PIKE — Of course it is a win for teachers, because it means they will have a substantial rise in their salaries, and of course it is a win for the public education system, because teachers have signed up to work with us on the blueprint agenda, which is about reform, innovation and continuing to make sure that we have the best public education system in the country.

The member for Nepean asked me about Catholic and non-government schools. Obviously they will be engaged in their own enterprise bargaining arrangements with their varying teacher representatives, and that really is entirely a matter for them. I am quite surprised at the level of confusion about the arrangements that comes from the other side.

Water: north–south pipeline

Ms GREEN (Yan Yean) — My question is for the Minister for Water, and I ask: can the minister explain to the house why the government is committed to the Sugarloaf pipeline as an integral part of its water plan?

Mr HOLDING (Minister for Water) — I thank the member for Yan Yean for her question, because it enables us to again remind the house of the importance of all of the projects that this government is supporting to provide water security for all Victorians, and a very important part of the projects that we are providing across the state is the Sugarloaf interconnector.

The Sugarloaf interconnector is an integral part of our efforts to modernise the food bowl in northern Victoria. This is a part of the state where the irrigation system is outdated and antiquated — more than 80 years old — and loses hundreds of billions of litres of water every year. As a government we are not willing to let these systems inefficiencies continue. We are not willing to let this system continue to lose water through evaporation and seepage, through poor delivery systems, through outdated infrastructure, so instead we want to invest in modernising this infrastructure.

We want to invest in making sure that we can spend to capture the savings of water losses that are currently occurring in this system. This is a critical part of this government's efforts to secure water for Victoria's

future. In fact the biggest saving that we can make anywhere in Victoria to secure more water for our future, more water for irrigators, more water for stressed rivers and for the environment and more water for urban communities is the investments we can make in modernising irrigation infrastructure in the state's north.

We know if we left this investment task to those communities themselves they would be unable to afford it. It would take more than a century to spend if those communities were forced to fund — through higher water prices through Goulburn-Murray Water — these infrastructure upgrades themselves. So it is appropriate that taxpayers make a contribution to modernise this upgrade — \$600 million from the Consolidated Fund — but it is appropriate also that if the benefits of this project are to be shared, then the investment in it should also be shared. It is for that reason that Melbourne Water consumers will also be investing \$300 million. So that our share — the 75 billion litres to flow to Melbourne — can flow to Melbourne, we are investing in the Sugarloaf interconnector project. It is a project that is being funded by Melbourne Water; it is a vitally important project, and I am pleased to inform the house that support for it is growing across Victoria.

An organisation called Plug the Pipe has been embraced by those opposite, and there has been much gnashing of teeth and — from members of the opposition — howling at the moon in relation to the investment that we are making in modernising this irrigation infrastructure. But just as members of the opposition have now embraced the goldfields super-pipe that they opposed for so long, members of the opposition have now embraced the Sugarloaf interconnector, saying that if they were elected to government far from closing this project and far from plugging the pipe, the Leader of The Nationals now wants to hug the pipe. He is now saying that if they are elected to government after 2010, those opposite will leave the pipe in place. This investment that Melbourne Water is making in providing the Sugarloaf interconnector, this investment which is enabling Melbourne Water to contribute \$300 million to support the irrigation upgrades in the state's north, has now been embraced even by those opposite.

We have been able to leverage up the billion-dollar investment being made by Melbourne Water, being made by the taxpayer and being made by Goulburn-Murray Water with an additional billion dollars from federal government to generate another 200 billion litres of savings on top of the 225 billion litres of savings that we have already financed — now 425 billion litres worth of savings. That is \$2 billion

worth of investment to upgrade the irrigation infrastructure in the state's north. This is a great project that invests in the future of northern Victoria. It is a great project that underscores the competitiveness of our export base in regional Victoria. It is a great project that will provide an efficient, modern, updated, fully refreshed and rejuvenated irrigation system in the state's north. We are proud to be behind it, and we are pleased that those opposite are now conceding that the project will remain in place even in the unlikely event that they are elected after 2010.

Weeds and pest animals: control

Mr WALSH (Swan Hill) — My question is to the Minister for Agriculture. I refer the minister to the recent Future Farming strategy and the announcement that the government will commit \$20 million over four years for a range of initiatives to tackle weeds and pests. I ask: will the minister confirm that the \$20 million funding allocation is new money allocated in addition to the \$30 million investment in weed and pest management announced in the 2007 budget?

Mr HELPER (Minister for Agriculture) — I thank the member for Swan Hill for the question and for the opportunity to talk about the Future Farming statement and in particular what it delivers for weed and pest management in this state. The short answer to the honourable member's question — but I will elaborate on it somewhat — is yes, it is new money.

What the member for Swan Hill has been running around the countryside saying — I have heard a few radio reports about it — is that for some magical reason the \$30 million that the Brumby government committed to additional weed initiatives in last year's budget had been drawn down to roughly \$20 million. Pro rata that roughly works out; it was a \$30 million commitment over four years, so that roughly works out that it would be drawn down to \$20 million. The member for Swan Hill took the great leap of logic — or illogic — as opposition members do, that somehow the \$20 million package that was announced in the Future Farming statement was the \$20 million left over from last year's budget announcement. I can dispel that great foible in accountancy by the member for Swan Hill. It is \$20 million of new money.

Agriculture: Future Farming strategy

Ms DUNCAN (Macedon) — My question is to the Minister for Agriculture. Can the minister inform the house what action the Brumby Labor government is taking to support Victoria's agriculture sector and any evidence of support for these initiatives?

Mr HELPER (Minister for Agriculture) — I thank the member for Macedon for allowing me the opportunity to again talk about the Future Farming strategy, which is a strategy that was very well received by farmers throughout the state. In August 2007 the Premier indicated that improving farm services was a key priority of the Brumby government. Just a couple of weeks ago we delivered on that by delivering the Future Farming strategy in Horsham.

The Future Farming strategy is \$205 million worth of initiatives which provide our agricultural sector with a toolbox for farmers to enable them to remain productive, competitive and sustainable into the future. For example, we are boosting productivity through technology and practice change with a commitment of \$103.5 million, we are providing \$11.4 million to help farm businesses profitably deal with climate change, we are providing research that will develop new drought, frost and salt-tolerant crops, and we are providing farmers with \$11 million to help farm businesses capture new global export opportunities. I can assure the member for Macedon, although she did not make the mistakes that the member for Swan Hill made, that this is all new money. This is new money and continuing funding where previously there has been no commitment to ongoing future funding.

I take this opportunity to acknowledge and thank the president of the Victorian Farmers Federation, Simon Ramsay, on two counts. Firstly, for his engagement and that of his organisation in providing input to the Future Farming statement so that we really got a broad consultative perspective across the agricultural sector in the development of the statement. Secondly, I thank and acknowledge him for the objective assessment he gave the Future Farming statement after it was released. I quote from a Victorian Farmers Federation press release of 23 April:

'Today's announced investments on agricultural research and development, extension services and skills development will assist in positioning Victorian agriculture to secure its productive future. This is not just about the future of farming, this is about the future of Victorian rural communities, of which agriculture is a key component', Mr Ramsay said.

The Future Farming statement has also received wide media coverage. I draw attention to an editorial in the Ballarat *Courier* headlined 'Nats don't like Brumby's plan, but farmers do'. The opening paragraph states:

Victorian National Party leader Peter Ryan didn't think much of the Brumby government's \$200 million farming strategy but the Victorian Farmers Federation certainly did.

It goes on, and I do not want to labour the point being — —

Honourable members interjecting.

Mr HELPER — Okay, I will labour the point. Suffice it to say that those organisations that have farming at heart, be they the Brumby government or the Victorian Farmers Federation, have taken a considered approach to the future of farming and agriculture, whereas those that so transparently do not represent the interests of agriculture in Victoria, such as The Nationals, rush to judgement on ill-based information such as that implied in the earlier question by the member for Swan Hill.

Local government: planning powers

Mrs POWELL (Shepparton) — My question is to the Minister for Local Government. Does the minister stand by the comments of the previous Premier on 20 December 2006 and 18 July 2007 in this house that the planning powers of local government councils and councillors will not be reduced?

Mr WYNNE (Minister for Local Government) — I thank the member for Shepparton for her question — —

Mr Brumby interjected.

Mr WYNNE — Yes, as the Premier reminds me, she was a commissioner under the Kennett government and is a former mayor and councillor of the City of Shepparton as well. I thank her for her question in relation to the autonomy of local government planning. As I have said many times in this house, this is a government that is entirely respectful of local government as a tier of government. This government enshrined local government in the constitution, and I think there is no greater recognition one could have of the autonomy of local government.

In relation to planning matters, they are handled at two levels. One is as a strategic role for government in undertaking the broader overview of planning. In relation to local planning decisions, they are matters for local government, and that is where they belong.

Alcohol: Restoring the Balance action plan

Mr LUPTON (Prahran) — My question is to the Minister for Mental Health. Can the minister inform the house how the Brumby Labor government is taking action to address the social and economic harms associated with binge drinking?

Ms NEVILLE (Minister for Mental Health) — I thank the member for Prahran for his question and for his very strong interest in one of the most serious social

problems facing our state and one of the biggest threats to the health and wellbeing of young Victorians. It is an issue that we are taking action on. Last Friday I was very pleased to join the Premier when he announced Victoria's alcohol action plan, Restoring the Balance.

We have a strong plan for action that builds on our existing programs to restore the balance in our families, our culture and our community. We have worked closely with the sector, listened to the concerns of Victorians and analysed the research, evidence and policies of other jurisdictions to achieve a comprehensive response. We even searched for a comprehensive policy from those sitting across from us. It no surprise to members on this side of the house that there is no such policy. We came out empty handed from that search, because they have no comprehensive alcohol policy.

The SPEAKER — Order! I suggest that the minister address her remarks to government business.

Ms NEVILLE — Restoring the Balance addresses the causes of alcohol-related harms and violence with actions to reduce the impacts of these harms on our society. The plan responds to the concerning statistics that 64 per cent of 18 to 24-year-olds and 32 per cent of 14 to 17-year-olds binge drink. This is contributing to the significant increases in emergency department presentations and hospitalisations every year. In an otherwise safe city it is also concerning that the assault rate in the central business district increased by 17.5 per cent in the 2006–07 year. It is tragic that over 700 Victorians die every year due to alcohol misuse. The cost of alcohol-related social problems to the Australian community is estimated at \$15.3 billion.

That is why the Brumby government is taking action to trial late-entry bans for inner city venues; to freeze new late-night liquor licences for 12 months; to set up a liquor licensing compliance directorate; to spearhead a community awareness campaign on risky drinking; to enhance alcohol education programs in our schools; to set up early intervention and brief intervention initiatives, including online and telephone screening; and to boost treatment options, including the provision of support to help GPs respond to risky drinking.

Our action plan has received enormous support. The Australian Hotels Association has welcomed the three-month trial of the late-night entry bans, with the chief executive officer saying that the AHA 'supports the announcements by the Premier today' and that evidence from regional Victorian cities that had already imposed lockouts was that the restriction was effective in reducing violence.

In VicHealth's media release the chief executive officer, Todd Harper, is quoted as saying:

The last week has seen some of the most significant changes in reducing alcohol harms we've seen in decades.

Sue Clarke, chief executive officer of Bendigo Community Health Services, is quoted in Saturday's *Bendigo Advertiser* as saying:

It's a terrific investment, particularly for rural Victoria.

The *Herald Sun* editorial of last Saturday offered support for the plan, saying:

... the reforms had to happen, especially if Melbourne wants to retain its standing as a vibrant and livable city that others envy and want to emulate.

It went on to say:

The Brumby government should be applauded for taking decisive action.

Even young people offered support for the proposal, with one party goer, 18-year-old Scott Chancellor, saying:

It will be a bit frustrating ... but it will be good for the city and make sure there is less ... chance of violence on the streets.

There has been so much support in the community from a cross-section of experts and community members alike for the action that we are taking. So far the two loudest voices against the plan have been owners of strip clubs and those opposite — a coalition that cannot even bring itself to support a plan to reduce binge drinking. Through immediate actions and a plan for the long term, Restoring the Balance will help all Victorians tackle the challenge of alcohol misuse.

Alcoa: Portland smelter

Dr NAPHTHINE (South-West Coast) — My question without notice is to the Premier. I refer to the Premier's role as a leading member of the Alcoa cabinet subcommittee and his comments in January 2007 that a major expansion of the Portland aluminium smelter was a key project for the government, a decision on which would be finalised by mid-2007, and I ask: why, nearly 12 months after his own deadline, has the Premier failed to deliver on this key project?

Mr BRUMBY (Premier) — As the honourable member knows, Alcoa is a significant investor in our state and, through its Portland and Geelong operations, is one of the largest exporters from our state. We have been talking to the company over a period of years in relation to its future investment proposals. We have had

very constructive discussions with it, but at the end of the day any decision the company makes about what investments it will make in the future are matters for the company.

In making its decision as to whether or not it will invest, the company will take into account all sorts of considerations, including, obviously, the level of the Australian dollar, which some years ago was in the range of 60 to 70 cents and is now in the high 80 cents and low 90 cents. It will take that into account, and it will also take into account the cost of electricity, which has increased globally because the price of oil has increased. We continue to engage with the company. It is a significant investor in our state, but any decision which the company makes is a matter for the company.

Ambulance services: government initiatives

Mr CRUTCHFIELD (South Barwon) — My question is to the Minister for Health. Can the minister outline what action the Brumby Labor government is taking to ensure quality ambulance services for all Victorians?

Mr ANDREWS (Minister for Health) — I thank the member for South Barwon for his question and for his interest in the best possible ambulance service delivery for his community and indeed for communities right across the state.

Just a couple of weeks ago I was pleased to announce with the Premier a record boost to ambulance services — a \$185.7 million boost — which is the biggest increase in support to our ambulance services this state has ever seen. What it all means is that both in the air and on the road our ambulance paramedics right across Victoria will have the resources they need to treat more patients, to provide better care and to respond to the pre-hospital emergency care and transport challenges that they face today and indeed will face in the years to come.

Our paramedics do a great job — they are the best in the world — and it is our job as a government to support them, or should I say continue to support them, acknowledging that we have already more than doubled funding to ambulance services across the state. This package — this record investment — basically represents 59 new and upgraded services in 48 towns and suburbs right across Victoria, both in metropolitan Melbourne and also in rural and regional parts of our state; 258 additional paramedics, who will begin work and will be funded under this package to deliver that important care, to expand those services, to create new services and to again deliver improved ambulance

services right across Victoria; and 44 extra ambulance vehicles, which will need to be purchased to support these services. This is a record boost to the resources provided to our ambulance services.

What is more, that is mainly in relation to road transport. When it came to Air Ambulance Victoria, we followed the advice provided by AAV through the Metropolitan Ambulance Service (MAS). We funded its top priority, which was for a statewide chopper to do medical retrieval for the sickest babies, the sickest children and adults. Having made that decision, we then followed its advice and provided additional support to establish a helicopter emergency medical service (HEMS) in rural and regional Victoria. It is its view that the appropriate place to locate that particular chopper — that fourth HEMS chopper — is on the south-west coast, and Warrnambool — —

Honourable members interjecting.

Dr Napthine interjected.

The SPEAKER — Order! I warn the member for South-West Coast. One more outburst and the member will be gone for the day. I will not have the Parliament turned into a farce!

Mr ANDREWS — These are serious issues — —

Honourable members interjecting.

The SPEAKER — Order! Coalition members will not interject in that manner.

Mr ANDREWS — These are serious issues, and this is a serious investment by this government to save lives. That is what this package is about. It is a record boost to ambulance services — —

Mr Hodgett interjected.

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

Mr ANDREWS — This is a record boost to ambulance services and the beginning of a process under the act to unify the three ambulance services — MAS, Rural Ambulance Victoria and the Alexandra and District Ambulance Service — into a new ambulance service, Ambulance Victoria, for all Victorians — for those in the city and for those in the country, for those in large population centres and for those in small population centres. Make no mistake, this is a record boost building on a more than doubling of funding in our first eight years: more than 800 extra paramedics and a 25 per cent increase in the ambulance

fleet, plus all the investment that comes in this package. This is about taking the next step to support our paramedics in the important and high-quality work they do.

I conclude by simply quoting from an editorial in the Ballarat *Courier*, and I think it sums it up well:

By anyone's standards this is a significant investment in our emergency services, and one that will be welcomed not only by those who work in the field, but those who have occasion to use it.

It is a great package for the future.

STATE TAXATION ACTS AMENDMENT BILL

Introduction and first reading

Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission) introduced a bill for an act to amend the Duties Act 2000, the First Home Owner Grant Act 2000, the Land Tax Act 2005 and the Payroll Tax Act 2007 and for other purposes.

Read first time.

BUSINESS OF THE HOUSE

Notice of motion: removal

The SPEAKER — Order! I wish to advise the house that under standing order 144 notices of motion 25 and 150 to 184 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:

Box Hill Hospital: redevelopment

To the Legislative Assembly of Victoria:

This petition of the residents of Victoria draws to the attention of the house the urgent need for the full redevelopment of Box Hill Hospital to proceed without delay. The medical needs of residents of the eastern suburbs and beyond are suffering because the hospital is struggling to cope with growing numbers of patients, including elderly patients and young families, in the hospital's current old and inadequate facilities.

This has resulted in Box Hill Hospital having some of the worst waiting lists and waiting times of any hospital in Melbourne, despite the best efforts of doctors, nurses and other hospital staff.

The petitioners therefore request that the Legislative Assembly call on the Brumby government to provide the necessary funding in this year's state budget so that the full redevelopment of Box Hill Hospital can proceed without any further delay.

By Mr CLARK (Box Hill) (231 signatures)

Water: catchment logging

Protect Melbourne's water catchments from logging to protect our precious water supplies long into the future.

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

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

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

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

By Ms LOBATO (Gembrook) (901 signatures)

Port Welshpool: long jetty

To the Legislative Assembly of Victoria:

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

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

By Mr RYAN (Gippsland South) (115 signatures)

Tabled.

Ordered that petition presented by honourable member for Gippsland South be considered next day on motion of Mr RYAN (Gippsland South).

Ordered that petition presented by honourable member for Gembrook be considered next day on motion of Ms LOBATO (Gembrook).

Mr McIntosh — On a point of order, Speaker, I understand that the member for Brunswick is to present the Scrutiny of Acts and Regulations Committee *Alert Digest* for this week. I understand that that *Alert Digest* does not contain a minority report presented by the — —

Honourable members interjecting.

The SPEAKER — Order!

Mr McIntosh — I understand that after discussions with the Clerk it is the intention of the member for Brunswick to present an *Alert Digest* that does not contain the minority report that has been provided to the member for Brunswick and also, I understand, the executive officer. It has been signed by all Liberal and Nationals members of that committee and expresses grave concern about the behaviour of that committee in relation to the Police Integrity Bill, a matter of some import.

This matter has been canvassed with the clerks prior to today and was provided to the member for Brunswick for inclusion in the *Alert Digest*. I seek some guidance from the Speaker as to whether that very important minority report that goes to the integrity of the Police Integrity Bill should be included in the *Alert Digest* for this week.

Mr Batchelor — On the point of order, Speaker, whilst these events are unfolding before us in the house I understand that the procedure for the presentation of minority reports is that they are presented to the committee and they are provided to the administrative officers who then make them available to the Parliament. That is the normal procedure. Having written a minority report myself for a parliamentary committee I know that that has always been the standard procedure.

If members of the opposition have prepared a minority report, which is what the member for Kew has alluded to, the correct procedure is to follow the course I have outlined. Under those circumstances, the minority report will be tabled by the chair of that committee. If the circumstances are such that a minority report has been prepared but those procedures have not been followed, members of the opposition should go back to square one, put the minority report into the committee and have it tabled in the next report by the Scrutiny of Acts and Regulations Committee.

The Scrutiny of Acts and Regulations Committee reports to this house on a regular basis every week, and if members of the opposition have not followed those processes, that does not block off the avenues available for them to subsequently present their minority report. As I understand it, they have not followed those procedures. They, in effect, attempted to ambush the member for Brunswick as he prepared to bring the documentation he was provided with to the table. How was the member for Brunswick to know whether it was in fact the minority report to which the members were alluding or whether it was a fake or a mischievous stunt that was being perpetrated on him?

The avenue is open to the minority members on that committee. They should follow the procedures. Having gone through the correct procedures the opportunity is still available to them, I would have thought, to have their minority report tabled as an appendix to the next *Alert Digest*.

Mr R. Smith — On the point of order, Speaker, I find it amazing to hear the Leader of the House say the member for Brunswick would think that the minority report was a false document when it is signed by the coalition members of the Scrutiny of Acts and Regulations Committee. The fact is that after discussions in committee I took the view that I was not going to stay for the remainder of the meeting under the circumstances. Subsequently the minority report was drafted and presented to the chair as soon as it was possible.

The SPEAKER — Order! I cannot uphold the point of order by the member for Kew. The member for Kew is asking me to comment on a document that is yet to be tabled, and of which I am uncertain of the content.

I also point out to the member for Kew that in 1999, the presiding officers determined that the subject matter of a minority report is solely a matter for the individual member or members concerned. However, any member wishing to make a minority report should so indicate to the committee at the time of the report's adoption or shortly thereafter. The actual copy of the minority report should be delivered to the committee's executive officer to accord with presentation time lines. It is the responsibility of the member to write the minority report and have it available to meet the committee's time lines. Committee staff are not to be used to draft or assist in the preparation of any minority report.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 5

Mr CARLI (Brunswick) presented *Alert Digest No. 5* of 2008 on:

Cancer Amendment (HPV) Bill

Children's Legislation Amendment Bill

Education and Training Reform Amendment Bill

Energy and Resources Legislation Amendment Bill

Essential Services Commission Amendment Bill

Gambling Regulation Amendment (Licensing) Bill

Justice Legislation Amendment Bill

Justice Legislation Amendment (Sex Offences Procedure) Bill

Legislation Reform (Repeals No. 3) Bill

Police Integrity Bill

Public Sector Employment (Award Entitlements) Amendment Bill

The Uniting Church in Australia Amendment Bill

Victorian Water Substitution Target Bill

together with appendices.

The SPEAKER — Order! The question is:

That the report and appendices be tabled.

Dr NAPHTHINE (South-West Coast) — On the question that the report and appendices be tabled, Speaker, may I suggest in the circumstances — —

Honourable members interjecting.

Dr NAPHTHINE — I can speak on the question. In the circumstances, the material that the Speaker quoted from previously referred largely to parliamentary committees which have a reporting time frame which is significantly different from the reporting time frame of the Scrutiny of Acts and Regulations Committee, which has a much shorter reporting time frame. Given the obvious disagreement within the committee and the need for an opportunity for a minority report to be tabled in the interests of democratic process and having a proper report that reflects the views of the committee before the Parliament, I suggest to the house that rather than accepting the tabling of the report here and now, we adjourn the tabling of this report and that the committee have the opportunity to meet, perhaps over the dinner time tonight, to consider the report of the minority and make sure it can be incorporated for tomorrow.

I think that would be the fair, reasonable and democratic thing to do in the interests of effective parliamentary committees. Anything less would be just railroading decisions through and would be the sort of thing we would not expect in a proper Westminster Parliament that respects both sides of the house — the parties which are in opposition and the minority voices in the Parliament and the community. Therefore I would respectfully suggest to the house, through you, Speaker, that a way forward would be to adjourn the debate on this question at this stage and allow the committee to reconvene at an appropriate time this evening or tomorrow morning so that the minority report can be incorporated and presented to the Parliament so it is fully aware of all the views of the all-party parliamentary committee. As such, I seek to move that this debate be adjourned.

The SPEAKER — Order! I cannot accept the question that debate be adjourned.

Question agreed to.

Ordered to be printed.

DOCUMENTS

Tabled by Clerk:

Financial Management Act 1994:

Budget Paper No 2 — Strategy and Outlook 2008–09
 Budget Paper No 3 — Service Delivery 2008–09
 Budget Paper No 4 — Statement of Finances 2008–09 incorporating Quarterly Financial Report No 3

Major Events (Aerial Advertising) Act 2007 — Event order under s 7

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

Ballarat — C92, C103 Part 1, C108, C111

Bass Coast — C46 Part 2, C74

Baw Baw — C53

Boroondara — C40

Brimbank — C109

Casey — C80 Part 2, C84

Glen Eira — C58

Greater Geelong — C86 Part 1, C136

Greater Shepparton — C83, C85, C86, C104

Maribyrnong — C52, C58

Melton — C52, C73

Moreland — C49

Northern Grampians — C18, C22

Port Phillip — C52

Stonnington — C73, C81

Surf Coast — C42

Warrnambool — C40

Wodonga — C28

Yarra Ranges — C69, C74

Statutory Rules under the following Acts:

Corrections Act 1986 — SR 30

Dangerous Goods Act 1985 — SR 24

Police Regulation Act 1958 — SR 25

Road Safety Act 1986 — SRs 26, 27, 28

Subordinate Legislation Act 1994 — SR 31

Supreme Court Act 1986 — SR 32

Victims of Crime Assistance Act 1996 — SR 23

Water Act 1989 — SR 29

Subordinate Legislation Act 1994:

Ministers' exception certificates in relation to Statutory Rules 23, 29, 31, 32

Ministers' exemption certificates in relation to Statutory Rules 24, 25, 26, 27, 28, 29, 30

Minister's infringements offence consultation certificate in relation to Statutory Rule 26.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the house dated 19 December 2006:

Energy Legislation Further Amendment Act 2007 — Section 26 — 25 April 2008, (*Gazette G17, 24 April 2008*)

Graffiti Prevention Act 2007 — Whole Act except ss 10, 11(2) and 11(5) — 17 April 2008; ss 10, 11(2) and 11(5) — 30 June 2008 (*Gazette G16, 17 April 2008*)

Police Regulation Amendment Act 2007 — Sections 3, 4, 5, 7, 11 and 13 — 16 April 2008 (*Gazette S100, 15 April 2008*)

Road Legislation Further Amendment Act 2007 — Part 4 — 24 April 2008 (*Gazette G17, 24 April 2008*).

ROYAL ASSENT

Message read advising royal assent on 23 April to:

**Co-operatives and Private Security Acts
 Amendment Bill**

Crown Land (Reserves) Amendment (Carlton Gardens) Bill
Essential Services Commission Amendment Bill
Legislation Reform (Repeals No. 2) Bill.

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

Energy and Resources Legislation Amendment Bill
Gambling Regulation Amendment (Licensing) Bill.
Justice Legislation Amendment Bill

APPROPRIATION (2008/2009) BILL

Message read recommending appropriation and transmitting estimates of revenue and expenditure for 2008–09.

Estimates tabled.

Introduction and first reading

Mr BRUMBY (Premier) introduced a bill for an act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the government for the financial year 2008–09 and for other purposes.

Read first time.

The SPEAKER — Order! In accordance with the resolution of the house on 12 March 2008, I ask the Serjeant-at-Arms to admit the Treasurer.

Mr R. Smith interjected.

The SPEAKER — Order! I warn the member for Warrandyte. I will not be questioned. The member for Warrandyte has a very big decision to make at this moment.

Dr Napthine interjected.

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

Serjeant-at-Arms admitted Mr Lenders (Treasurer) to chamber.

Statement of compatibility

Mr BRUMBY (Premier) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities, I make this statement of compatibility with respect to the Appropriation (2008/09) Bill 2008.

In my opinion, the Appropriation (2008/2009) Bill 2008, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of bill

The Appropriation (2008/2009) Bill 2008 will provide appropriation ‘authority’ for payments from the Consolidated Fund for the ordinary annual services of government for the 2008–09 financial year.

The amounts contained in schedule 1 to the Appropriation (2008/2009) Bill 2008 provide for the ongoing operations of departments, including new output and asset investment funded through annual appropriation.

Schedules 2 and 3 of the bill contain details concerning payments from advances pursuant to section 35 of the Financial Management Act 1994 and payments from the advance to Treasurer in 2006–07 respectively.

Human rights issues

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

The bill does not raise any human rights issues.

2. *Consideration of reasonable limitation — section 7(2)*

As the bill does not raise any human rights issues, it does not limit any human rights and therefore it is not necessary to consider section 7(2) of the charter.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because it does not raise a human rights issue.

JOHN BRUMBY, MP
 Premier

Second reading

Mr BRUMBY (Premier) — I move:

That this bill be now read a second time.

Mr LENDERS (Treasurer) — Speaker, Victoria is in the middle of one of the biggest population booms in our history:

a boom that will see Victoria become home to more than 6 million people within just 10 to 15 years —

an increase of more than 1 million on our population today;

a boom that is adding nearly 1200 people to Melbourne's population each week — more than any other Australian city;

a boom that has resulted in record levels of building approvals;

a boom that saw around 74 000 births registered in Victoria last year — the highest number since the early 1970s.

The fact that so many people want to live in Victoria and raise their families here is great news. It reflects the prosperity of our state and the livability of our cities, towns and communities. It reflects the strength and diversity of our industries — and the number and quality of jobs we can offer.

It also reflects the perception of Victoria as a forward-looking state — with a willingness to put innovation, science and technology at the forefront of our economic agenda.

A growing population brings new joys — but it also brings new challenges.

It places our infrastructure and services under much greater pressure. It makes it harder to maintain our livability. And it puts a bigger strain on our natural resources.

Speaker, I am delighted to say that this is truly a baby-boom budget.

This budget — my first as Treasurer — takes action to support and manage our population boom, and to make sure that Victoria can meet the growing demand for transport, education and health care.

This budget is framed with the future front and centre.

It is framed around delivering the infrastructure, skills, services and projects Victoria will need over the coming decades.

It is framed around securing our future water supplies and building a greener economy in an era of climate change.

It is framed around generating new opportunities in our growing suburbs and regions.

And it is framed around new priorities set by Premier John Brumby in 2007 — priorities that will help to

secure Victoria's future in the face of some significant and tough challenges.

Resilience in the face of risks

Speaker, our government has spent the past eight years building the diversity and durability of the Victorian economy.

As an economy without a large resources base, Victoria has to work even harder to succeed. We cannot generate the same benefits from the mining boom as states like Queensland and Western Australia — we have to rely on our people.

That is why the government has focused on driving growth by improving workforce participation and productivity; by investing in skills and innovation; and by providing efficient, high-quality infrastructure.

The result is a resilient economy — one with the right attributes for growth during difficult times.

In 2007–08, Victoria's economy is expected to grow by 3.25 per cent — underpinned by solid growth in consumer spending, business investment, housing construction and employment.

Since the government came to office, more than 430 000 jobs have been created in Victoria — a 20 per cent increase in employment.

In the past year alone, more than 70 000 jobs were created in the state. In the March quarter, Victoria's unemployment rate was 4.3 per cent — the lowest in over three decades — and our job participation rate remains the highest of the non-resource states.

But there are risks on the horizon.

Inflation, higher interest rates and a volatile global outlook all pose risks for the Victorian economy — with growth expected to slow to 3 per cent in 2008–09.

Our growing population also raises significant challenges, as does our ageing population.

When I first started work, there were seven people in the workforce for every retiree. Soon, there will be four workers for every retiree. There may, in fact, turn out to be as many opportunities as there are challenges from our ageing population — but it certainly raises risks that need to be identified, debated and managed.

And — of course — there is climate change, which brings yet another set of risks, pressures and opportunities.

Negotiating our way through these challenges will not be easy.

We must continue to make the right and the hard decisions on economic reform to drive jobs growth. We must work cooperatively with the new commonwealth government on areas of national reform. And we must ensure that Victoria has an extended capability to invest for our future.

Prudent financial management: more important than ever

Speaker, within the past 12 months the international ratings agencies have reconfirmed Victoria's AAA credit rating, reaffirming the government's long record of responsible financial management.

For the past eight years, this Labor government has met its commitment to deliver a budget operating surplus in excess of \$100 million.

But uncertain times require even greater certainty in Victoria's financial position.

That is why, from this budget, the government will meet a new target of maintaining a budget surplus of at least 1 per cent of revenue.

In 2008–09 the surplus will be \$828 million. Over the following three years, the surplus will average \$907 million.

This new target is Victoria's buffer against harder global times.

We will use these increased surpluses to manage future risks and to invest in vital infrastructure such as schools, hospitals, roads and public transport — just as, in 2007, we used Victoria's larger-than-expected surplus to bring forward investment in urgently needed water infrastructure and new trains.

At the same time, we continue to keep debt at prudent levels.

Worldwide, many governments carry a level of debt to drive their economies and invest for the future. They would be negligent if they did not.

By 2012, Victoria's general government net debt will be 2.9 per cent of gross state product. By any reckoning, that is a modest, manageable and sustainable level of debt — and lower than the level we inherited from the Kennett Liberal-National government.

The increase in budget surpluses will ensure that we can meet our future financial obligations — in

combination with a disciplined use of Victoria's balance sheet and our regular monitoring of the economic outlook.

It also means that we can sustain and improve our historic levels of investment in infrastructure.

Since 1999, this Labor government has invested around \$20 billion to deliver the biggest infrastructure program in Victoria's history. Over the next four years we will invest a further \$17 billion — and we will continue to drive this substantial and unprecedented infrastructure program into the future.

In other words: today's surpluses will be tomorrow's schools, hospitals, roads and trains.

It is an investment that we can afford to make, that we should make, and that our children and grandchildren will thank us for making.

A competitive business environment

Speaker, with the prospect of tougher economic times ahead, it is more important than ever for Victoria to build a competitive, innovative business environment.

The government continues our program of reducing red tape, and we are on track to meet our target of reducing the administrative burden of regulation by 15 per cent by July 2009.

We also continue our record of leadership on tax reform.

In this budget, we will cut the top land tax rate by 10 per cent — from 2.5 per cent to 2.25 per cent — and make an adjustment to all land tax thresholds of around 10 per cent.

This means that the top rate of land tax has more than halved since we came to office.

It means that Victorian businesses now enjoy lower levels of land tax than New South Wales and Queensland for virtually all land-holdings worth between \$400 000 and \$5.7 million. And it means that every land tax payer in the state will benefit from these changes.

We will make a larger than scheduled cut in the payroll tax rate, taking the rate from 5.75 per cent in 1999 to 4.95 per cent from 1 July 2008. This is the first time that the rate has dipped below 5 per cent since the mid-1970s — and it will save businesses \$170 million over the next four years.

We will also increase all thresholds for stamp duty on land transfers by around 10 per cent, giving further relief to families and businesses.

Measures announced in this budget will deliver more than \$1 billion in tax relief to Victorians, taking the total tax cuts announced by the government to over \$5.5 billion.

We will also reduce WorkCover premiums by a further 5 per cent — the fifth consecutive reduction — saving employers \$88 million in 2008–09.

These initiatives will significantly reduce costs for Victorian business, especially our manufacturers. During the course of 2008, we will deliver further support to business through new statements on skills, innovation, and industry and manufacturing.

While Victoria will continue our leadership on economic reform, national action is urgently needed. After more than a decade of indifference at the federal level, we look forward to working with the new commonwealth government to improve national productivity and competitiveness, and create the right conditions for more and better jobs for the next generation of Victorians.

Major new support for families

Speaker, Victoria is in the middle of a baby boom.

Over the past three years, there has been a 12 per cent increase in the number of women giving birth in Melbourne's public hospitals — an increase that is against the trend in many other western countries and contrary to all predictions.

This budget delivers major new support for Victorian families to make sure that they have access to the services they need to give their children the best possible start in life.

We will invest \$31 million to expand maternity services — with new services at the Frankston, Casey, Northern and Werribee Mercy hospitals catering for an extra 2800 births a year and enabling more women in Melbourne's outer suburbs to deliver their babies closer to home.

We will provide \$55 million to significantly improve maternal and child health services, ensuring that children up to the age of five receive check-ups, support and additional help at important stages of their lives.

We will provide a \$79 million expansion in early childhood development services and a \$39 million boost to services for vulnerable families and children.

Speaker, it is the dream of every young Victorian family to own their own home.

From today, first home buyers will be able to receive both the first home bonus and the principal place of residence stamp duty concession. For a family purchasing a median-priced first home of \$317 000, this will mean a saving of \$2460.

This is in addition to up to \$12 000 available to first home buyers through the first home owners grant and the first home bonus. Taken together, this is now a substantial amount towards purchasing a home, and it will help many Victorian families to turn their dreams into reality.

Investment in education and lifelong learning

Victorian families will also benefit from the Brumby Labor government's ongoing investment in education.

In 2006, the government announced the biggest school rebuilding program in this state's history — the Victorian schools plan, which will rebuild or modernise every government school over a 10-year period and 500 schools during the term of this Parliament.

Last year, we provided more than \$550 million for the first stage of the plan and this budget provides a further \$592 million. We have 'fast-tracked' this spending to tackle the biggest and most urgent projects as quickly as possible — leaving around \$700 million to be spent over the remainder of this parliamentary term.

Alongside our massive schools modernisation program, the budget provides funding for seven new or replacement schools, six major school regeneration projects, two new select entry schools at Berwick and Wyndham Vale, and 11 schools being constructed in partnership with the private sector.

We will also invest \$71 million to improve the performance of government schools.

We will offer incentives to get our best teachers into the schools where they are most needed. We will partner high-performing schools with lower performing schools. And we will provide funding to employ up to 75 outstanding graduates from other fields in our schools.

One of the first actions of the Brumby Labor government was to create the Department of Education

and Early Childhood Development — and we will soon commence community consultations on the Blueprint for Early Childhood Development and School Reform.

Along with initiatives funded in this budget, these developments will help to ensure that our government schools give young Victorians the high-quality learning experiences they need to make their way in a rapidly changing world.

High quality health services

The government also continues to invest in our hospitals and health services, making sure they keep pace with the needs of our growing and ageing population, and with the requirements for increasingly sophisticated medical technology and equipment.

Since coming to office, we have significantly expanded the capacity of Victoria's health system to the point where our hospitals are now treating over 300 000 more patients each year than in 1999.

In this budget, we provide a further \$703 million to improve hospital services.

We will provide funds for an extra 16 000 elective surgery patients, an extra 33 500 outpatient appointments and an extra 60 000 patients in emergency departments.

We will build a new day hospital in Sunbury and deliver the next stages of the major redevelopments of Sunshine and Warrnambool hospitals.

We will extensively upgrade emergency departments at Dandenong Hospital and Bendigo Health, and build a new community health centre in Morwell.

We will deliver the biggest single investment in ambulance services in the state's history — which will include upgrades to ambulance stations and services right across Victoria and a new air ambulance service based in Warrnambool.

One of the key priorities identified by the Brumby Labor government for this term in office is to escalate the fight against chronic disease and cancer.

We will provide \$150 million for a new cancer action plan, which aims to increase survival rates for cancer victims by a further 10 per cent by 2015.

We will also provide \$25 million for the Olivia Newton-John Cancer Centre to deliver specialist cancer treatment at the Austin Hospital.

The government has also approved WorkCover investing \$218 million over the next five years for a major new initiative called WorkHealth — the first program of its kind in the world. WorkHealth will conduct health screenings for Victoria's 2.6 million workers, targeting the link between chronic disease and workplace illness and injury.

This budget also invests \$111 million to improve mental health services, including new prevention and recovery services and a new 24-hour statewide information and referral service — building on this Labor government's strong commitment to this often neglected area, demonstrated by our appointment of Victoria's first ever Minister for Mental Health.

This investment in mental health is part of an additional \$1 billion provided under A Fairer Victoria — one of the most ambitious social policy plans ever delivered by an Australian government, which is creating new opportunities and support for disadvantaged Victorians and communities.

More than \$4 billion has now been invested in A Fairer Victoria — and this budget also delivers new investment in services for people with a disability, Indigenous Victorians and people on a low income.

Meeting the growing demand for transport

Another area where strong population and jobs growth is driving demand for services is transport. Put simply: more people means more goods moving around the state, more people using public transport and more cars on our roads.

Patronage on Melbourne's rail network is now at historically high levels and grew by a massive 20 per cent over the past two years.

To manage this leap in patronage, the government has accelerated our investment in the network — including the biggest overhaul of the rail timetable since the completion of the city loop, which will provide an extra 200 services a week on the busiest lines.

In this budget, we are pumping a record \$1.8 billion into Victoria's transport network.

We will construct a passing loop around Westall station, and upgrade the track at Laverton and Craigieburn stations — allowing more morning peak services to run on the Dandenong, Werribee and Craigieburn lines.

We will provide an extra 1700 parking spaces at train stations in Melbourne's outer suburbs and commence

design works to bring forward the time line announced in 2006 for the extension of the Epping line to South Morang.

In this budget, we also provide \$101 million to further improve bus services in our suburbs and regions, including a major overhaul of services in South Gippsland and more frequent services along the Eastern Freeway, as well as \$38 million to extend the bus and tram priority program to improve services during peak periods.

It's not only our public transport system that is feeling the strain. As Sir Rod Eddington pointed out in his recent report to the government, Melbourne faces the daunting task of managing a substantial increase in car travel within two decades.

We are taking action to manage this growth. But this is clearly one area where additional support from the commonwealth will be crucial to reducing the costs of urban congestion and retaining Melbourne's livability into the future.

In this budget, we provide \$112 million to relieve congestion in the short term through our Keeping Melbourne Moving plan, including an extension of clearway times, measures to improve tram and bus priority, and more walking and cycling options.

In March, the government received Sir Rod Eddington's report into improving Melbourne's east-west transport connections, which recommends large-scale road and rail projects. We are consulting with the Victorian community prior to responding to the report later in the year — a response that will be framed within the context of our existing 10-year transport plan and broader long-term transport challenges.

Maintaining and improving livability

Speaker, a modern, safe transport system is critical to maintaining livability, and there is no doubt that Melbourne's and Victoria's world-renowned livability is a vital economic and social asset.

In this budget we continue to deliver initiatives to contain the city's sprawl and create vibrant, livable urban hubs and suburbs.

We will provide \$52 million for Transit City projects in Broadmeadows, Dandenong and Geelong, as well as \$37 million to help local communities plan for population growth.

We will deliver a \$39 million boost for arts facilities, including a new centre for books, writing and ideas at the State Library.

We will build on our plan to make Melbourne the home of the best sporting precinct in the world, providing \$66 million to build a new state athletics centre at Albert Park, upgrade the MCG and increase funding to the Victorian Institute of Sport to support our elite athletes in an Olympic year.

More visitors also means more jobs, and we will invest \$35 million to boost tourism, major events and Victoria's international profile, including \$13 million to support tourism in regional Victoria.

Improving community safety and access to justice

A high level of community safety is also a feature of livable places. In this financial year Victoria will record its highest ever police budget of \$1.75 billion, underscoring the government's strong support for community safety and our police force.

Since 1999 funding for Victoria's police has increased by more than 50 per cent and the state's crime rate has dropped by 23.5 per cent.

This budget provides a \$657 million community protection package that includes additional resources for police, more police station upgrades, improved forensic pathology services and a new prison at Ararat.

However, one area that continues to be a concern is alcohol-related violence, and this budget commits \$37 million for the Brumby Labor government's Alcohol Action plan, including an assault reduction strategy led by Victoria Police.

We also continue to improve Victoria's justice system, investing \$198 million to deliver faster access to justice. In particular, we will provide \$18 million for new ways to resolve disputes, including mediation programs in our courts and new dispute resolution services in regional areas.

Leadership on climate change and water

Speaker, all Victorians share a responsibility to fight the causes of climate change.

This budget makes a record climate change commitment of \$295 million focused on positioning Victoria as a leader in new energy technologies. We will invest:

\$110 million over six years for a carbon capture and storage demonstration project;

\$72 million over six years for the large-scale demonstration of sustainable energy technologies, such as solar energy and geothermal energy; and

\$12 million for the clean coal authority in the Latrobe Valley, to enable Victoria to continue to use the valley's extensive coal reserves in a carbon-constrained world.

The combination of climate change with more than a decade of drought means that Victoria must secure our future water supplies by saving and recycling water, creating new sources of water and moving water to where it is needed most.

The Brumby Labor government is investing \$4.9 billion in new water infrastructure projects across the state, with this budget confirming:

\$117 million for the first stage of the desalination plant at Wonthaggi;

\$129 million for new water pipelines, including \$99 million to fast-track the Wimmera–Mallee pipeline project; and

\$600 million for the food bowl modernisation project.

In March, Victoria secured the new commonwealth government's agreement to provide \$1 billion for the food bowl project — a project that will save in total more than 400 billion litres of water by upgrading irrigation infrastructure in northern Victoria and sharing the water savings between irrigators, rivers and urban areas.

It is a massive, innovative and groundbreaking project that reflects the Brumby Labor government's commitment to our farmers and to using Victoria's water efficiently, responsibly and fairly — as well as to restore the health of some of our most damaged waterways.

High priority for regional Victoria

Speaker, this budget continues Labor's high levels of investment in our regional towns, communities, businesses and industries.

Since coming to office, we have made driving growth and opportunity in provincial Victoria one of our highest priorities. We created Australia's first Regional Infrastructure Development Fund. We established Regional Development Victoria and delivered the \$502 million *Moving Forward* economic statement. We have undertaken the biggest upgrade of regional rail

services in history, making regional centres more accessible and attractive places to live.

Last year, the Premier indicated that improving services to Victorian farmers would be a key priority for this term. This budget delivers on that commitment.

We will provide \$205 million for the Future Farming strategy to deliver better services to our farmers, boost Victoria's agricultural research effort and drive greater productivity, innovation and competitiveness in our farming sector.

I grew up on a dairy farm and I know how important it is to adapt to change and embrace new farming practices. But I also know how difficult it can be to make those changes.

The Future Farming strategy represents a step up in support for Victorian farmers and a new direction for farming in this state. Once again, it is a leading-edge approach — and once again, it shows Labor's willingness to champion and support regional industries.

In this budget, we introduce a regional first home bonus of \$3000 for first homebuyers purchasing newly built homes in regional Victoria. Along with existing first home grants, this will give homebuyers up to \$15 000 towards a new home.

Young people are the future lifeblood of our regions and yet many regional communities still have trouble keeping and attracting young residents. This new bonus will help to retain young people in rural and regional areas and give young families in particular another good reason to consider living in regional Victoria.

This financial year also sees the relocation of the Transport Accident Commission to Geelong, further evidence of Labor's commitment to boosting regional jobs.

We will also invest:

\$137 million to improve regional health care services;

\$47 million to improve regional rail freight connections;

\$224 million to upgrade regional roads; and

\$16 million for major upgrades at eight small rural schools.

We also provide \$278 million to maintain and improve regional passenger rail infrastructure.

In March this year, trips on the V/Line network reached a 60-year high.

That is not only a ringing endorsement of the government's investment in regional rail services — it is also a strong rebuke to those who criticised this investment, said it was not worth the expense, and that it would not work.

It is very clear that our investment in regional Victoria has been a success in terms of population, jobs, business and investment growth — and the Brumby Labor government will continue to deliver this investment and support into the future.

Appropriation bill

Speaker, this Appropriation (2008/2009) Bill provides authority to enable government departments to meet their agreed service delivery responsibilities in this coming financial year.

The bill supports a financial management system that recognises the full cost of service delivery in Victoria and is based on an accrual framework.

Schedule 1 of the bill contains estimates for the coming financial year and provides a comparison with the current year's figures. In line with established practice, the estimates included in schedule 1 are provided on a net appropriation basis.

The budget has once again been reviewed by the Auditor-General as required by the standards of financial reporting and transparency established by this Labor government in 2000.

Conclusion

Speaker, it is clear that this budget comes at a challenging time: for Victoria, Australia and the world.

But it is equally clear that the Victorian economy has the resilience and diversity to meet these challenges and weather the risks ahead.

For eight years, this Labor government has been committed to building those characteristics into the Victorian economy.

We have made education our no. 1 priority.

We have taken action to improve productivity by investing in skills and innovation.

We have boosted Victoria's competitiveness and jobs growth, through billions of dollars in tax cuts,

reductions in red tape and regulatory reform that is acknowledged as the most advanced in the country.

We have invested to record levels in provincial Victoria, creating jobs and opportunities in regional industries and communities.

And we have grasped — and acted on — the fundamental principle that a fair society underpins a successful economy.

Our current strong population growth and baby boom are proof of the success of Labor's approach. We are a state where people want to live, work and raise a family.

Because we are not resource-rich, Victoria has had to carve out a competitive edge from the skills and productivity of our people — and from the livability and attractiveness of our communities.

This budget — the first of the Brumby Labor government — confirms that we are making the correct choices in carving out that edge, in driving productivity, livability and sustainability across the state, and in taking the strong action needed to secure Victoria's future.

I commend the bill to the house.

Debate adjourned on motion of Mr WELLS (Scoresby).

Debate adjourned until Thursday, 8 May.

Serjeant-at-Arms escorted Mr Lenders from chamber.

APPROPRIATION (PARLIAMENT 2008/2009) BILL

Message read recommending appropriation and transmitting estimates of revenue and expenditure for 2008–09.

Estimates tabled.

Introduction and first reading

Mr BRUMBY (Premier) introduced a bill for an act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2008–09 and for other purposes.

Read first time.

*Statement of compatibility***Mr BRUMBY (Premier) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:**

In accordance with section 28 of the Charter of Human Rights and Responsibilities, I make this statement of compatibility with respect to the Appropriation (Parliament 2008/2009) Bill 2008.

In my opinion, the Appropriation (Parliament 2008/2009) Bill 2008, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of bill

The purpose of the Appropriation (Parliament 2008/2009) Bill 2008 is to provide appropriation authority for payments from the consolidated fund to the Parliament in respect of the 2008–09 financial year.

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

The bill does not raise any human rights issues.

2. Consideration of reasonable limitations — section 7(2)

As the bill does not raise any human rights issues, it does not limit any human rights, and therefore it is not necessary to consider section 7(2) of the charter.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because it does not raise a human rights issue.

JOHN BRUMBY, MP
Premier

*Second reading***Mr BRUMBY (Premier) — I move:**

That this bill be now read a second time.

The bill provides appropriation authority for payments from the Consolidated Fund to the Parliament for the 2008–09 financial year, including ongoing liabilities incurred by the Parliament, such as employee entitlements, that may be realised in the future.

Honourable members will be aware that other funds are appropriated for parliamentary purposes by way of special appropriations contained in other legislation. In addition, unapplied appropriations under the Appropriation (Parliament 2007/2008) Act 2007 have been estimated and included in the budget papers. Prior to 30 June, actual unapplied appropriation will be finalised and the 2008–09 appropriations adjusted by

the approved carryover amounts pursuant to the provisions of section 32 of the Financial Management Act 1994.

In line with the wishes of the presiding officers, appropriations in the bill are made to the departments of the Parliament.

The total appropriation authority sought in this bill is \$93.2 million (clause 3 of the bill) for Parliament, for the 2008–09 financial year.

This year, as part of the government's commitment to strengthen state parliamentary accountability, the appropriation includes \$1.8 million over four years and \$3.8 million TEI, for the live audio and video webcasting of all sessions of the Legislative Assembly and the Legislative Council, including question time. This is an important initiative in 'e democracy', improving the public's access to and understanding of the Parliament's operations and the legislative process.

I commend the bill to the house.

Debate adjourned on motion of Mr WELLS (Scoresby).**Debate adjourned until Thursday, 8 May.****BUSINESS OF THE HOUSE****Program**

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

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 4.00 p.m. on Thursday, 8 May 2008:

Children's Legislation Amendment Bill

Energy and Resources Legislation Amendment Bill

Justice Legislation Amendment Bill

Public Sector Employment (Award Entitlements) Amendment Bill

The Uniting Church in Australia Amendment Bill

The government business program sets out our legislative program in this special week — budget week. The number of pieces of legislation that have been included in the program number five in total because of the already foreshadowed desire of the coalition to respond to the budget on Thursday, with which the government is in agreement. I indicate that

once the opposition parties have commenced their response on Thursday it is the government's intention to continue the general response from other members of the Parliament. Accordingly, that will mean that most of Thursday will be taken up with budget responses, apart from just before the luncheon break, when there is likely to be a joint sitting. It also means that the bulk of debate on these five pieces of legislation will take place during the course of today and Wednesday. To assist the members of the house so that they will understand what order of business we are intending to proceed with today, I advise that we will commence government business with the Justice Legislation Amendment Bill, which is listed as no. 5 on the notice paper, and that the other pieces of legislation will flow roughly in accordance with the way they are set out on the notice paper. I commend the motion to the house.

Mr McINTOSH (Kew) — The Liberal Party will not be opposing the government business program. The bills before the house are not matters of significant controversy. There may be one or two issues raised by members, but certainly in my understanding they are not matters of significant controversy. I am concerned about whether we will be able to complete the government business program by tomorrow evening, given that on Thursday members will respond to the budget. However, with that caveat, we will not be opposing the government business program.

Mr DELAHUNTY (Lowan) — The Nationals also will not be opposing the government business program. It is budget week, and as the Leader of the House said, Thursday will be dedicated to the budget responses. We note there is the possibility of a joint sitting to deal with the Labor Party's nominee to fill the Senate vacancy. It is interesting that it has taken maybe two days to get a Senate replacement, but that the people of Gippsland will have to wait until 28 June to re-elect Darren Chester as the new member for Gippsland —

The SPEAKER — Order! The member for Lowan has strayed from the debate.

Mr DELAHUNTY — On Thursday we could be appointing a new senator along with hearing budget responses. As the member for Kew and the Leader of the House said, we have five pieces of legislation to deal with, most of them are not controversial.

Obviously The Nationals will have some concerns about the Energy and Resources Legislation Amendment Bill. Most of the energy and resources for this state come from outside Melbourne, and as we know, Victoria is bigger than Melbourne, so these are big impacts on country Victoria. In particular, planning

issues relating to the north–south pipeline will be raised in the debate on the energy and resources bill.

The Children's Legislation Amendment Bill will also be debated. Education is vital not only to the continuing development of our children but also of our state, and I note in particular the minister's response this morning in relation to preschool concerns. Overall, there is no reason for this government business program not to be concluded this week. The Nationals will therefore be supporting the program.

Motion agreed to.

MEMBERS STATEMENTS

National Volunteer Week

Mr BATCHELOR (Minister for Energy and Resources) — In the lead-up to National Volunteer Week, which is to be held between 12 and 18 May, I would like to recognise the hundreds of thousands of Victorians who give their time and energy to help their communities. Most people are aware of the work that volunteers do to save lives on our roads and beaches, to protect us from fire, flood and storms and to battle the effects of the drought.

However, volunteers also make a difference to the lives of others in less obvious ways, like delivering meals to the elderly, working at the school canteen, coaching sports teams and serving on committees. Victoria's volunteer force impacts on virtually every aspect of our society; many organisations, events and services would simply cease to function without the committed volunteers who donate their time and energy. In addition to strengthening communities, volunteering also has significant benefits for volunteers themselves. It is a great way to meet new people, to feel more connected, to learn new skills and to give something back to your community.

I encourage Victorians who have thought about volunteering but have not yet done so to take action during National Volunteer Week. They could start by visiting www.govolunteer.com.au to find a volunteering job that is right for them. I thank the one-in-three Victorians who volunteer already. Their contributions are vital to the strength and safety of our communities. Volunteers are the backbone of our community. They keep Victoria going.

Bass electorate: health services

Mr K. SMITH (Bass) — Today I wish to raise my ongoing concern about the lack of real help given by

the Brumby socialist government to the people of Bass in the area of health, as confirmed in today's budget.

As members would be aware, this government sat on its hands and watched as Warley Hospital fell over, and it watched the local doctors walk out of Wonthaggi hospital without lifting a finger to assist until there was a crisis, with no doctors at the hospital's accident and emergency ward for months on end. The Brumby socialist government sat idly by and watched our dedicated ambulance officers work themselves into the ground in substandard facilities, with a lack of staff to cover for the shortage of doctors at the hospital.

As recently as the Anzac Day weekend there were no doctors on duty at the Wonthaggi hospital for over 24 hours at a time. Now there is the threat of the closure of the radiology department in less than two months — yet this is after the socialist minister, in one of his floating, unannounced visits to the hospital, said the government would upgrade the hospital to a subregional hospital. When is this going to happen? I did not see anything in the budget that gives me any confidence that this minister will do anything to upgrade the health services of the area.

There is no money in the budget, and there are certainly no time lines. This is a disgrace. The lives of up to 100 000 people rest in the hands of the minister. I hope that the deaths of any of these people do not rest on the shoulders of the minister in years to come.

Animals: cruelty

Mrs MADDIGAN (Essendon) — Today I will present in Parliament and pass on to the Minister for Agriculture a petition from Farouk Ibrahim and 75 of her students from Strathmore Secondary College. Unfortunately the petition is informal, so I will present it to the minister in a different way.

The petition shows considerable concern for the welfare of animals. It asks the Legislative Assembly, and indeed the government, to take into consideration ways to prevent any form of animal cruelty — including intensive battery cage systems — and encourage more humane alternatives to the battery cage system in the form of barn and free-range housing systems. These alternatives would overcome the issues associated with battery cage systems and allow hens to behave naturally.

The transportation of livestock is another issue of concern to the students, and the petition expresses hope that there will be an end to the live export of animals for slaughter. It suggests as an alternative to the

transportation of livestock around the world that perhaps stock could be slaughtered more humanely in Australia and sent overseas as chilled and frozen meat, thereby preventing livestock suffering and undergoing a long sea journey, then experiencing their cruel fate overseas.

I commend the students of Strathmore Secondary College on taking an interest in this subject. I will take pleasure in passing the petition on to the Minister for Agriculture. I know the students will be very interested in hearing his response.

Melbourne Markets: regulation

Mr NORTHE (Morwell) — I rise today in support of the many successful fruit and vegetable retailers throughout regional Victoria who have expressed outrage over new regulations imposed upon country buyers at the Wholesale Fruit and Vegetable Market. S. and C. Tripodi and Sons from Traralgon are among many regional retailers who are fearful their businesses will not survive the new restrictions that have been introduced by the Melbourne Markets council.

Firstly, the country buyers are required to purchase an approved sleeper permit at a cost of \$2000 each to enter the market before trading hours; however, only one access card is permitted for each approved business. Given that some businesses have multiple vehicles, this regulation is extremely restrictive and a significant cost impediment. Secondly, restricting country buyers from purchasing produce prior to 3.00 a.m. on Monday, Thursday and Friday and prior to 4.30 a.m. on Tuesday and Wednesday has ensured major inconvenience and cost impediments to many regional fruit and vegetable retailers.

Regional retailers travel considerable distances to and from the market, and quite simply cannot afford the down time that will be imposed upon their business. Their having to purchase produce at a later time will not only affect trade but also contribute to greater congestion at the market and on Melbourne's roads. The new regulations have created confusion, and the issuing of fines to these businesses has produced a hostile environment at the market. The Minister for Agriculture must step in and end the current inequity and disadvantage that currently exists at the market for country buyers.

Anzac Day: Craigieburn

Ms BEATTIE (Yuroke) — Today I would like to congratulate the Craigieburn Anzac Day organising committee for the terrific job they did in coordinating

the first Anzac Day commemorative service in Craigieburn. As we know, Anzac Day is one of Australia's most important national occasions. It provides an opportunity for reflection and for the acknowledgement of all those who have served their country during times of conflict and crisis.

The commemorative service in Craigieburn was attended by approximately 250 people, which was an outstanding turnout given that this was the first such service in Craigieburn and that only around 50 people were expected to attend. The service was well attended by members of the Craigieburn State Emergency Service, the Craigieburn and district emergency response team, members of the Country Fire Authority, people from local schools and local police, including District Inspector Eoghan McDonald. It was particularly pleasing to see many local residents, including many children, attending and sharing in this significant occasion.

There has been much concern over recent years that the ever-decreasing ranks of our veterans would reduce attendance at Anzac Day services. The response by the local Craigieburn community to their first Anzac Day service suggests that this is not the case, and I have no doubt that attendance at future services will only increase over time. I commend all those who attended the service. In particular I express my congratulations, on behalf of the residents of Yuroke, to the members of the Craigieburn Anzac Day organising committee, whose dedication and commitment ensured that the service was not only well attended but also greatly appreciated. I commend all concerned.

Sambar deer: control

Mr BLACKWOOD (Narracan) — A recommendation by the Scientific Advisory Committee (SAC) to list sambar deer as a potential threat to biodiversity due to the reduction in native vegetation was recently accepted by the Minister for Environment and Climate Change in the other place, Gavin Jennings. The decision to sign off on this decision by the Governor in Council was undertaken without any consultation with the Australian Deer Association. The ADA, with the assistance of Dr Graham Hall, botanist Ken Harris and Dr Tony English, had prepared a 22-page critique of the SAC recommendation. This was not read by the minister or his staff and was totally ignored prior to the minister adopting his final position.

The decision to proceed with the listing also occurred despite specific undertakings being given by ministerial staff to the ADA state president that consultation would occur if an adverse decision was likely. The ADA is the

peak association representing almost 17 000 licensed Victorian deer hunters. Accredited ADA members are already working with Parks Victoria in deer management programs, and hunting should be an integral part of the management plan.

Sambar must stay listed as game to ensure that only humane calibres and hunting methods are used. The minister must revisit his decision, engage the ADA as promised and include the responsible hunting of sambar deer in state and national parks as an integral part of the environmentally sustainable management of this species of fauna.

Anzac Day: Williamstown electorate

Mr NOONAN (Williamstown) — I rise to congratulate the local RSL clubs in my Williamstown electorate on their organisation of this year's Anzac Day commemorative events. In the lead-up to Anzac Day I was fortunate enough to be invited to attend an old diggers day event at the Williamstown RSL. The event was well attended by many veterans in their 70s and 80s, and even a few in their 90s. Senior representatives from the New Zealand navy were also in attendance for the event, with serving officer Lieutenant Commander John Butcher providing a stirring account of the bond that exists between the New Zealand and Australian armed forces.

On Anzac Day I attended the dawn service at Williamstown, which was both moving and of course well attended. In the afternoon I also participated in the Newport RSL's community march and commemorative service, which was also well attended. Both clubs did a commendable job organising these events, and I congratulate the Williamstown RSL president, Ernie Poole, the vice-president, Ray Rowe, and the secretary, Jimmy Ross, along with the Newport RSL president, Jim Gresty, the secretary, Bill Malcomson, and the treasurer, Bill Tehan.

I would also like to make mention of my great-uncle and great-aunt, Vin and Helen Flanagan, who live locally. Both served with the Royal Australian Navy during the Second World War, with Vin working as a stoker aboard a number of ships and Helen serving as a leading stewardess at Flinders naval depot. I know their family is enormously proud of their contribution.

Teachers: salaries

Mrs VICTORIA (Bayswater) — It is not often you will hear me commend the Brumby Labor government. Usually I happily damn it for giving lip-service instead of taking action in education. I remind it of how hollow

its rhetoric is in saying that education is the no. 1 priority. Today I say, 'Bravo'; it has followed the coalition's lead by increasing the pay of teachers.

Clearly the Brumby government has been shamed into accepting coalition policy after years of inaction, while the disruptive stand-off over pay allowed Victorian school standards to sink lower than ever, with the lowest literacy and numeracy rates of any Australian mainland state. Many teachers have already fled for greener pastures, all because of the prolonged delay in getting this deal through. This delay was in addition to holding back on school maintenance funding, where the backlog has doubled to \$268 million over the life of the Labor government, with many schools not scheduled to be fixed until 2016 or beyond.

However, it is truly unfortunate that kindergarten teachers, who would have received a pay rise under the coalition proposal, appear to have missed out on the Premier's backflip. The Brumby government obviously needs a reality check. It was not so long ago that Mr Leane, a member for Eastern Metropolitan Region in another place, said in that place, 'We support teachers 'getting a decent pay rise, but we do not support opposition stunts'. If the coalition proposal was a stunt without any base of good policy, then why did this government cave in and adopt coalition policy, just as it has done on over 30 occasions since the last election?

Anzac Day: Australian Political Exchange Council delegation

Mrs VICTORIA — My thanks go to Mr Chris Rivers for facilitating the Anzac Day service held at the Carillon in Richmond, Virginia, where I laid a wreath on behalf of the Australian Political Exchange Council Australian delegation.

Budget: Mordialloc electorate

Ms MUNT (Mordialloc) — I would like to congratulate the Treasurer on the wonderful budget he announced today, and in particular I would like to outline some wonderful initiatives it contained for my electorate of Mordialloc. These initiatives include a security system upgrade for Mordialloc police station at a cost of \$20 000 — that is a new police station, by the way — and \$500 000 to undertake repairs to the structure and to upgrade the boat facilities and amenities at Mordialloc pier, which is also a wonderful initiative for my local area.

The NightRider bus frequency is going to be increased from one every 60 minutes to one every 30 minutes. I

know that for my daughter and all her friends that will be most welcome, as they are patrons of the NightRider service. Very importantly, at the Kingston Centre there is going to be a 64-bed subacute ward with wonderful new facilities. That represents \$45 million that is being invested in aged-care facilities in my electorate, which is truly wonderful. There are also plans to modernise Cheltenham East Primary School. I am sure the school will really welcome that modernisation as part of the Better Schools Today program.

Monash Medical Centre will get a pregnancy assessment unit worth \$4.8 million and will also get new magnetic resonance imaging facilities at a cost of \$4 million. New Children's Court services will be available at the Moorabbin court complex, which is a new court built by this government. Park-and-ride facilities for 55 additional cars will be provided at Cheltenham train station, which will be very welcome, I am sure, for all the commuters in the Mordialloc electorate.

VicForests: firewood contracts

Mr INGRAM (Gippsland East) — I rise to condemn VicForests on its latest stunt in the ongoing firewood saga in Gippsland. Recently VicForests ran full-page, colour advertisements in local newspapers saying that, thanks to many firewood suppliers across Gippsland, no-one will be left in the cold this winter. Many of my constituents, including pensioners, are unable to get firewood in my region because of the continued policy failure by both the Department of Sustainability and Environment and VicForests and because many of the firewood contractors have fallen through the gap between the two. This latest blatant propaganda is an attempt to cover up the incompetence of VicForests and DSE in dealing with this issue.

The advertisements that have been run have been promoting preferred firewood suppliers to customers, but they have conveniently overlooked the fact that many of the contractors listed no longer have access to state forest firewood. In going through the telephone numbers in the advertisement I found that one was incorrect and actually directed people to the local DSE office. Another phone number has been disconnected, and one of the other contractors who is mentioned will have no further access to firewood coupes after October.

VicForests says that it has recently sold 300 tonnes of firewood, which is well short of the 1.2 million tonnes of firewood that are consumed in Victoria every year. VicForests, DSE and the government need to fix this

problem and make sure that my constituents have ongoing access to firewood.

Malmsbury bypass: opening

Mr HOWARD (Ballarat East) — The opening of the Calder Freeway Malmsbury bypass in my electorate on 12 April, just a few weeks ago, has enabled Macedon Ranges shire to be a much better place in which to live. Now the residents in that northern part of Macedon Ranges shire can travel to Melbourne on this upgraded highway and know that their town of Malmsbury is a more peaceful place, a safer place and a more family-friendly place to live. They are certainly very pleased with this outcome and recognise that this state government committed up-front many years ago the funding to complete the Calder Freeway. It was unfortunate that the federal government took so long to match the state government dollars, but at least now that has happened and we have seen this section of the Calder Freeway completed.

On the following Sunday, 20 April, the community held a street party to win back the street for the community. There was a parade in the street and there were dance presentations by the school students. The crowd was entertained by many local performers, and there were many produce stalls as well as activities for children, including a jumping castle, an apple-bob competition and coach rides. A sheep-kissing competition was also held, although there did not seem to be many takers for that event.

I, along with my family, enjoyed the day. Malmsbury main street is once again available for the community to enjoy, along with the many other attributes of Malmsbury. I want to congratulate the community on this event.

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

Telecommunications: mobile phone towers

Mr MORRIS (Mornington) — The matter I raise this afternoon is the location of telecommunications towers in residential areas. Mobile phones are a fact of modern life, and adequate coverage and the construction of necessary infrastructure are essential, but the siting of towers continues to be of great concern to the community. There have been two recent applications to build a tower in Mount Eliza.

The first, in Fulton Road, was for the placement of a small tower in the front garden of a house in a very quiet residential street. Not surprisingly, the residents of the street and surrounding streets were not happy. They

fought hard, and the application was withdrawn. Now another application has been made, this time to build a church belltower 15 metres high adjacent to an existing church and to place a telecommunications transceiver on top — once again in a residential area, but this time on a site shared with a primary school. Both the parents and the community are up in arms.

In neither case do I criticise the carriers, as no guidelines prevent them from putting up these proposals, but clearly neither application is in line with community expectation. I call on the government to work with the federal communications minister to develop guidelines to ban towers from residential areas.

Planning: Mornington Peninsula

Mr MORRIS — On another matter, amendment C87 to the Mornington Peninsula planning scheme has now been sitting on the desk of the Minister for Planning for almost six months without a decision. This is a government which goes on endlessly about cutting red tape and speeding up the planning process. How about cutting some of the tape that binds up the minister's office and implementing the wishes of the people and the council of the Mornington Peninsula?

Youth: AXA 614 bus

Mr HUDSON (Bentleigh) — In the last sitting week I had the pleasure of visiting the AXA 614 youth bus run by the Salvation Army for the young people of Melbourne. In reality the bus is a coach that has been fully refurbished into a mobile youth centre on wheels. It is equipped with computers, Xboxes, a plasma television, three surround-sound systems, hang-out couches, chess tables, a mini kitchen and a private counselling room. It is a home away from home for those young people on the streets who do not have one. The bus also works around the housing estates at Flemington and Fitzroy, and provides a vital link with the global world. The bus cheered me for several reasons.

Firstly, because it gave me an opportunity to renew acquaintances with some great people from the Salvation Army such as Eva Burrows, David Eldridge and Wilma Gallett. I have known David since my days as a youth worker at the Brotherhood of St Laurence's action and resource centre in Fitzroy. It is a tribute to people like Eva, David and Wilma that they are still out there helping our young people for little reward other than the change they bring about in so many lives.

Secondly, it was a joy to see the Attorney-General on the barbecue serving sausages and hamburgers, and to

have the Premier and other members of Parliament drop in for a snag and a chat.

Thirdly, it was great to see AXA supporting the Salvation Army in its work through the AXA Charitable Trust. The trust was established from unclaimed moneys following demutualisation, a fund I helped negotiate with the then Treasurer, now the Premier. I think the Premier would agree that they have been funds well spent.

Finally, it is great to have a Labor Prime Minister in Kevin Rudd who is so committed to tackling youth homelessness as a national priority.

Rail: Wodonga spur line

Mr TILLEY (Benambra) — I rise to speak on a matter of grave concern in relation to recent indications regarding the project commonly known as the Wodonga rail bypass with further cost-cutting measures by the decommissioning of the spur line to the Mars company. Mars is the city's biggest private employer, and it has not been consulted on this matter. The company's long-term future depends on a serviceable rail link. Mars began operation in Wodonga in 1967 and the rail line now carries almost 4000 containers, mostly for export markets, being shipped directly from the manufacturer to the port of Melbourne.

The original decision by Uncle Ben's, now known as Mars, to set up in regional Victoria, and in particular in Wodonga, was based on the availability of rail. Previous plans maintained the track, but this latest cost-saving measure would force freight onto road, adding more than 70 trucks a week to border roads, driving up the cost of production and making competing on the world market all that more difficult. Particularly at a time when government is supporting regional development, this decision would have enormous negative flow-on effects in the Benambra electorate. I hope the minister will shortly allocate a time to speak with representatives from Mars to negotiate to avoid any cost-cutting or the decommissioning of the spur line into the Mars area.

Tracey Greenbury

Mr PERERA (Cranbourne) — I rise to speak today on the passing of Tracey Greenbury, who died as a result of a cold-blooded murder last Monday morning. Tracey had a good upbringing. She was very strong willed, had a happy-go-lucky personality and always had a cheeky smile. She was a keen sportsperson who obtained a black belt in karate. Tracey's parents, Max and Pam Greenbury, have been proud members of the

Australian Labor Party for over 30 years. Max as the booth captain, supported by Pam, has manned the local booth for many years at every federal and state election. They are indeed true believers. Max was the assistant secretary of the former Federated Engine Drivers and Firemen's Association, now known as the Construction Forestry Mining Energy Union, and his wife, Pam, was an organiser with the Liquor Hospitality Union, now known as the Australian Liquor, Hospitality and Miscellaneous Union. Max has been a very passionate supporter of the Karingal Bulls football club for many years. Tracey helped the club by volunteering as a timekeeper in 2005.

It is so sad that Tracey lost her life in these horrific circumstances — a young lady, and a young, proud mother of two. Tracey lived for her children, Harley and Jamie-Lee. She always spoke of the wellbeing of her children. A trust fund has now been set up for Harley and Jamie-Lee. The Karingal Football Club has been so kind in arranging this on behalf of the Greenbury family. Max and Pam work hard to provide a better life for their children. They find it very hard to cope with this sorry episode of their daughter being killed through no fault of her own — —

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

Hospitals: regional and rural Victoria

Mr WELLER (Rodney) — I rise today to speak of what is possibly the most important part of every community, the local hospital. In the past the emergency department of a hospital was a place of efficiency, urgency and premium care. Today I regret to alert the Parliament to the fact that those days are gone. As a result of underfunding by the Brumby government the state of care in our hospitals is appalling and, quite frankly, unacceptable.

As an example, I recently had a group of Kyabram residents contact me in regard to a car accident they were involved in a few weekends ago. Devoid of any charges against speeding or drinking this was an accident of a common nature. Five young adults were injured and shocked in the accident, and after police deemed an ambulance unnecessary, the young adults arrived at the Goulburn Valley hospital for examination. The blanket neglect that followed was a shameful indictment of the Brumby government's failure to properly fund our health system.

Despite having significant injuries, none of the patients from the accident were given cautionary neck braces or even the simple remedy of a blanket to help buffer the

clinical shock they were suffering. The group arrived at the hospital at 7.30 p.m. and left the hospital at 5.15 a.m. the following day, still not having seen a doctor. Incredibly, witnesses say other patients were leaving and driving to Melbourne to be seen. Is this the kind of hospital care we deserve in the country? I ask how members might feel if their children or even their friends were treated in this way at their local hospital?

Tracey Greenbury

Dr HARKNESS (Frankston) — I, too, would like to acknowledge the life of Tracey Greenbury, who was very recently and tragically killed in Frankston. I know many members will join with me in sending condolences to her parents, Max and Pam, her children, Harley and Jamie-Lee, and other family members at this very difficult time.

Children: Frankston forum

Dr HARKNESS — On a happier note, I would like to talk about the importance of children's services in my electorate of Frankston. A child's earliest years are crucial to their success as an adult. Last Tuesday I proudly hosted a forum on child-care services and early childhood development. I was delighted that over 50 representatives of local child-care providers, playgroups, kindergartens and maternal and child health centres attended to hear from four guest speakers that I had arranged to make presentations. It was fantastic that the Minister for Children and Early Childhood development arrived enthusiastic and keen to discuss children's services in Frankston.

Along with the minister, presentations were provided by the child safety commissioner, Bernie Geary; Mandy Gatliff, the family services manager at Frankston City Council; and Mark Dreyfus, the federal member for Isaacs representing Maxine McKew, the federal Parliamentary Secretary for Early Childhood Education and Child Care. The old blame game is clearly over, and all three tiers of government are now working in partnership and cooperation with local kids and their families as the main beneficiaries. The forum gave those attending a chance to hear directly from key decision-makers, as well as providing an opportunity for the minister to hear directly from local professional service providers. It was a successful afternoon.

Rail: Somerville and Tyabb level crossings

Mr BURGESS (Hastings) — I was recently provided with a copy of VicTrack's report on level crossing safety on the Stony Point line. It was compiled using the Australian level crossing assessment model,

or ALCAM. With respect to the report, VicTrack states that all public level and pedestrian crossings throughout Victoria will be assessed to enable strategies to be put in place to improve safety. Given the stated objective of the report is to improve rail safety, it is astounding that two notoriously dangerous crossings are missing from the report. I am speaking of the Bungower Road level crossing in Somerville and the Mornington-Tyabb Road level crossing in Tyabb. Both of these crossings have recorded fatalities in the last eight months. Geoff Young died at the Bungower Road crossing on 22 August last year, and Kay Stanley died on the Tyabb crossing on 28 January this year. These crossings were absent from the report without explanation; therefore neither received a safety assessment rating.

The minister's office has denied that the two crossings were missing from the report, stating that it was an interim report of crossings nominated by councils and VicRoads and was now out of date. Unfortunately for the minister's credibility, the local council confirmed that the report is the one provided by VicTrack for comment and was current 10 days ago. During question time in this place just three weeks ago the minister referred to the ALCAM report and stated:

That work has been completed on every level crossing and is being sent to every local government around the state.

One can only speculate about what the government is trying to hide in relation to the safety aspects of these two level crossings. The Brumby government is a notoriously secretive government that relies on spin in place of substance. Secrecy has become so ingrained in this government that it appears unable to identify the line where this secrecy becomes life threatening. People's lives are at stake, and the government must for once put its responsibilities to Victorians above its own public image.

Political parties: participation

Mr SCOTT (Preston) — I rise to draw the attention of the house to the low level of participation in Australian political parties when compared to other jurisdictions around the world. From publicly available information I learnt that less than 1 per cent of enrolled voters participate in registered political parties in Australia. I note that in the Liberal Party there has been some debate about declining participation and an ageing membership. This situation confronts not just political parties but also other membership-based organisations. By way of contrast I note that 30 million people out of a population of just over 300 million in the United States of America have already participated

in the Democratic primaries, let alone the Republican primaries.

Low levels of political participation are a serious issue for this Parliament for two reasons: firstly, political parties are publicly funded; and secondly, they play an important role in our society by making many political decisions outside of the Parliament which are critical not only to who is here but what decisions are taken in our society. A proportion of 1 per cent or less of registered voters simply cannot reflect the broader community, no matter how dedicated, well-meaning and thoughtful their participation is. I encourage any member of the public to participate in a political party. We face a challenge to our democracy as the small number of people who participate in our political parties declines. I urge the house to consider this matter.

Footscray: Buddhist temple

Mr SEITZ (Keilor) — Last Sunday night I was privileged to attend the Heavenly Queen Temple Society annual dinner at the Happy Reception centre at Ascot Vale. I congratulate the chairman, William Tsang, for organising the annual dinner and the work he is doing in building a permanent temple at Footscray. The society converted a reception centre it purchased in Footscray into a temple, and ever since it has been lobbying and working at raising funds to build a permanent temple on land in Footscray on the Maribyrnong River that was provided by the state government.

It has taken many years for the project to evolve and develop. At the moment pylons are being put down for the footings of the new permanent temple building. Once the temple is built it will be a tourist attraction for the western suburbs. I was pleased to read in the paper this week that the western suburbs attract large numbers of tourists, and the development will attract further tourism. I am asking that the government, through the minister responsible for community funding, look at this project and support the development as a tourist attraction for the community and as an educational process to promote harmony between the Buddhist community, the main Indochinese community and the wider population within Victoria and the western suburbs, which have a large Asian community.

The DEPUTY SPEAKER — Order! The time for members to make statements has expired.

Mr McIntosh — On a point of order, Deputy Speaker, I raise the issue of the contribution made by the member for Mordialloc, who seemed to be raising

matters relating to the annual budget. The appropriation bill has just had its second reading and debate has been adjourned until Thursday of this week. I understand that former Speaker Maddigan made a ruling that legislation could be commented upon during members statements, although there seems to be some degree of ambiguity in that ruling. I think we all understand that there is an enormous amount of latitude allowed during question time in the asking of questions in relation to the budget, given its importance. I am just wondering whether the formal position in relation to members statements and raising matters relating to the budget could be clarified in discussions between you and the Speaker.

The DEPUTY SPEAKER — Having discussed the matter with the member for Kew, I will raise it with the Speaker to seek clarification. There are a number of rulings from the Chair that relate to anticipation. Some may suggest that that may not be the case, but I think we need to clarify the ruling in regard to statements by members, and I will do so.

JUSTICE LEGISLATION AMENDMENT BILL

Second reading

Debate resumed from 17 April; motion of Mr CAMERON (Minister for Police and Emergency Services).

Mr McINTOSH (Kew) — I say from the outset that the opposition welcomes this legislation, certainly in relation to amendments to be made to the Serious Sex Offenders Monitoring Act 2005, but takes the view that it does not go far enough. While we welcome the changes in relation to sex offences against adults being incorporated in the legislation, the use of extended supervision orders should be extended far more broadly to all serious offences, such as and including murder, manslaughter, kidnapping and armed robbery.

There is also a concern in relation to clarity with the Firearms Act. We ask the minister to clarify for the benefit of the house how far that bill can go in enabling vets and animal health professionals to carry different types and styles of tranquilliser guns and whether or not that extends to representatives of the Department of Primary Industries, for example, who would be assisting farmers during a tragedy following an event such as a bushfire, where a number of injured animals would have to be put down. That is a matter that has been raised with us. It is a matter that I raised during the briefing, and this is where the ambiguity I referred to occurs. My recollection of that briefing is that the

answer was, yes, that it does extend to allowing such people to carry more than just one longarm within the meaning of the Firearms Act.

The member for Benalla, who has been acknowledged by the government as one of the significant contributors to this amendment, certainly has a much better professional working knowledge of this change. After discussions with him I am still concerned that while it may cover tranquilliser guns in the hands of vets and health professionals, it does not extend to allow more than one gun to be carried either by farmers or other people, such as representatives of the Department of Primary Industries, who may have to go out and destroy or put down a large number of animals that may have been injured in an event such as a flood or a bushfire.

Those tragic circumstances are something we are probably all aware of, and certainly we want to facilitate that. But it may be somewhat unclear whether that is covered by this amendment or indeed the legislation. I will certainly be seeking some clarity from the minister on that issue, and I will be going into it in a bit more detail.

There are a number of amendments in the bill that do not trouble the opposition. The Secretary of the Department of Justice, as well as the commissioner for corrections, Mr Anderson, are now given an opportunity to monitor the performance of all correctional services. While correctional services are delivered principally by the state, we know that some of those services are provided by private companies. One of those companies, located at the Melbourne Custody Centre below the Melbourne Magistrates Court, has been the subject of a recent adverse finding by the Ombudsman, and further monitoring or oversight by the commissioner or the secretary is something that the community would insist upon. When I visited Port Phillip Prison, which is operated by a private company, I found that its management welcomed increased oversight, and the relationship between the government and the private provider is achieving a very worthwhile outcome. The opposition sees any additional oversight as being an improvement. We have not had any concerns raised with us about that particular matter.

The bill also contains amendments to the Corrections Act that abolish the Prison Industry Advisory Committee and replace it with the corrections education and employment ministerial advisory committee. That is certainly a wise change. The whole nature of employment in prisons is undergoing a profound change. It is driven by economics, rather than a will to deliver employment or industry education for prisoners. As we all know, prisoners are required to work. They

are rewarded with some monetary contribution which they are then able to use to purchase things such as cigarettes, chocolates, soap or other necessities they might require. It is not a significant amount of money, but earning it provides useful employment to those who are incarcerated, the theory being that an idle prisoner will be a dangerous prisoner. There is also the other factor, which is that you not only keep them occupied but you hopefully provide them with skills they can use for the benefit of not only themselves but of the whole community once they are released from prison.

This leads to the difficulty that with increasing competition from overseas countries for the manufacture of many items, prisons are finding it increasingly difficult to obtain the necessary work, whether it be metalwork, carpentry or otherwise — all very useful activities. The principle applying in prisons is that you do not compete with an Australian industry and potentially put Australians out of work. Import substitution is what our prisons are trying to provide. Doing that creates a difficulty because the ability to compete, even at the profoundly low levels of salaries that are paid to prisoners whether they are inside the prison walls or otherwise, is a matter of concern. In my visits to a number of prisons in Victoria that matter is regularly raised as a concern, and I am sure that members on both sides of politics want to address that matter. They want to achieve an outcome that not only provides prisoners with worthwhile employment, which in turn has an educative function, but also keeps them occupied while they are in prison.

Certainly the expansion of this employment function from being industry advisory to education is supported by the opposition. Education is an important part of any working activity in a prison, as well as providing an opportunity for prisoners once they are released to gain employment. The substitution of the Prison Industry Advisory Committee with the corrections education and employment ministerial advisory committee is hopefully a step in the right direction towards providing all of those beneficial outcomes, and it is supported by the opposition.

In relation to the Firearms Act, whether it was a strategic leak or just an accident, there was a report in the paper recently indicating that there was concern by Victoria Police about imitation firearms which may comply with the regulations and be lawful longarms in the state of Victoria but are designed to look like semiautomatic weapons. This bill contains an amendment that provides the opportunity for the Chief Commissioner of Police to permanently categorise firearms which imitate, look like or can be adapted to a restricted or prohibited firearm. The opposition again

has received no adverse comments in relation to this matter. We are all very keen to ensure that firearm regulation is put on a proper footing, whether it be the cost of firearms, dealers licences, licence fees or that only lawful firearms are properly regulated and provided for in the act. Any legislative change that contains some degree of flexibility to enable the chief commissioner to categorise dangerous firearms as restricted or prohibited is something that we all need to support.

I understand from the briefing on the bill that the Victorian government is working very closely with the Australian Customs Service. The problem is that Australian Customs may be able to prevent their importation, but once these weapons arrive in the state of Victoria federal responsibility lapses and therefore close cooperation under the national firearms agreement is worthwhile. This is something that the opposition supports as it enables the chief commissioner to flexibly regulate or prevent restricted and prohibited firearms from being either used, sold or operated in the state of Victoria.

There are also amendments to the Firearms Act regarding a matter that the member for Benalla has raised on previous occasions in this place and by way of correspondence to the department. I congratulate the member for Benalla for bringing this matter to the government's attention. During the briefing the government representatives were good enough to acknowledge the work that the member for Benalla had put into this and his clear understanding of the matter. The fact is this amendment to the principal act has come about because of what he has done. From a personal point of view as the shadow minister who is responsible, I draw upon the member for Benalla's expertise, as do other members of the opposition. I commend him for his hard work in dealing with this matter.

However, there is the problem that while we accept there is a reason to amend the Firearms Act to enable vets and animal professionals to be licensed for a number of different types and styles of tranquilliser guns, there is an issue as to whether or not that permission would be extended to farmers or members of the Department of Primary Industries (DPI) to carry a number of guns in the tragic circumstance of a large number of animals needing to be put down following such events as bushfires. I have had personal experience of that and I understand the angst that it creates in the minds of farmers and local communities. In those circumstances I would certainly like to see farmers and DPI representatives being given the opportunity to carry a number of appropriate

weapons — not just tranquilliser guns but rifles as well. This matter was raised at the briefing. There may be some degree of ambiguity about it. I notice that the Minister for Police and Emergency Services has entered the house, and I would ask him to clarify precisely whether it could be extended to include farmers and DPI representatives to be licensed to use a number of weapons in those tragic circumstances.

I thank the member for Benalla for his input in relation to this matter. The opposition does not oppose this aspect of the bill but we seek some clarity from the minister as to whether it extends beyond vets and animal professionals using tranquilliser guns through to other forms of weapons. Is a normal rifle included in the term 'tranquilliser gun'? I ask the minister to clarify that matter.

A number of machinery amendments are being made to a number of other acts which correct typographical errors. In the Administration and Probate Act as a result of changes made to that act by the recently passed Relationships Act there is an error: an 'or' is to be replaced with an 'and'. In the Liquor Control Reform Act a correction is made from 'late night' to 'late hour' licences. As we know, many premises open well beyond midnight and that provides some degree of clarity. There is an amendment to the Infringements and Other Acts Amendment Act; a typographical error indicated that for a particular type of infringement notice the penalty would be \$5000 when everybody in this chamber understood that to be a mere \$500. The amendment corrects that.

My principal area of concern is in relation to extended supervision orders and the Serious Sex Offenders Monitoring Act. In 2004 I rose in this chamber and raised what I then called 'continuing supervision orders' with the Attorney-General during an adjournment debate. This came about after discussions with representatives of the parole board who raised with me their concern that a number of prisoners remain a danger as they approach the completion of their term. They expressed profound concern that those offenders would be released and there was extreme likelihood that many of them would reoffend in some way. I included not only sex offences against children and adults but also other serious offences such as murder, armed robbery and kidnapping. In the course of the debate I said my intention was to talk about serious offences as defined by the Sentencing Act. The continuing supervision orders could be used as a very flexible tool to deal with those people who were assessed as being a continuing danger to the community.

Some six months later the government finally moved to introduce the Serious Sex Offenders Monitoring Act but limited it to those offences that related to children. While the opposition supported the legislation at the time, we expressed our concern that the bill did not go beyond child-related offences. After discussions with the Clerk it was clear that we could not amend the bill to incorporate other serious offences such as murder, armed robbery and kidnapping. Because the bill related to serious sex offences, I sought to include rape in the bill. At the time the government voted against my amendment to include the term 'rape' in the serious sex offences schedule that could make a prisoner eligible for an extended supervision order. The minister responsible replied that the bill was limited to child-related sex offences because there was a very high degree of recidivism. I think the figure that was being bandied about at the time was that some 35 per cent of child-related sex offenders will reoffend upon their release.

On the basis of that statistical outcome, the government was going to limit the Serious Sex Offenders Monitoring Act to apply to only child-related offences. The one exception was bestiality. Again, notwithstanding that that offence against an animal can be committed by an adult, the government responded by saying that there is a strong correlation between bestiality and child-related sex offences and that is why bestiality was included. At the time, the opposition was incredulous as to why rape was not included. As I said, on behalf of the opposition I sought to amend that bill to include rape in the schedule of offences. I note that at the time members of The Nationals voted with the opposition but that proposed amendment was defeated both here and in the upper house.

The *raison d'être* for extended supervision orders is not a statistical outcome. The secretary of the department who makes an application to the court has to prove to a very high standard that there is a very high chance that a person will reoffend once they are released from prison. They are the very things I had talked about some six months before when I expressed the concern that had been put to me by representatives of the Adult Parole Board of Victoria. Most importantly, at the end of the day the original Serious Sex Offenders Monitoring Bill 2005 was not about statistics; it was about the high standard of proof. I can understand why everyone is concerned about paedophiles and the high rate of recidivism among them. I acknowledge that, given the statistical data we have, a large number of the first intake, if you like, of people who would have had an extended supervision order imposed on them would have been people who had been found to have committed child-related offences. That did not

necessarily mean that at that particular time we should have ruled out including rape in the serious sex offenders schedule.

I note also that, some six months after the passage of that bill, on behalf of the opposition, Richard Dalla-Riva, a member for Eastern Metropolitan Region in another place, moved a private members bill which sought to have rape included in the schedule of offences, so that an extended supervision order could be imposed once it was proved to the requisite high degree that a person was a continuing danger to the community. Again I note that The Nationals supported the Liberal Party in its private member's bill, but the government used its numbers to prevent that bill from being passed by the upper house. That was again on the pretext that it was presumptuous, given the fact that there was a high level of statistical evidence that the largest number of extended supervision orders would be for child-sex offenders. I reiterate that this is not about statistics but about whether a person remains a continuing danger to the community.

It is on that basis that the opposition again expresses its disappointment that the extended supervision order provision does not extend to all serious offences, including murder, kidnapping and armed robbery. We welcome the change to include sex offences against adults in the range of offences. We suggest that the provision should be expanded beyond just sex offences to all serious offences. If, on the application of the Secretary of the Department of Justice, it is considered necessary by the authorities on a very high degree of proof that that person remains a continuing danger to the community, an extended supervision order ought to be made. Likewise, it is the view of the opposition that currently extended supervision orders are working effectively.

I have had the opportunity of visiting Ararat prison and the adjunct area, where currently I think some 11 people are subject to extended supervision orders. Perhaps the minister might correct me if that is wrong, but certainly a number of people there are subject to extended supervision orders and are monitored inside that compound, if you like, at Ararat prison. The one exception is, of course, Mr Fletcher, who, as I understand it, is residing in one of the houses inside the boundary of the prison effectively but outside the prison walls, because Mr Fletcher is legally blind.

Most importantly, I would have liked to have seen a provision that could have provided a much more flexible outcome, a bit like parole itself. With parole, when a prisoner reaches their term, they are then eligible for parole and can be released into the

community, with pretty tight tow ropes. The parole board can essentially prescribe any condition it likes. It can prohibit the consumption of alcohol and the taking of drugs and prescribe where the prisoner can go and what they can engage in, and it can provide a curfew and require that that prisoner report to police — a whole range of conditions can be imposed on a prisoner. As one member of the adult parole board said, it is essentially putting a tow rope on the prisoner and gradually releasing it, after seeing how the prisoner complies with the conditions associated with the tow rope once they are released into the community. If the conditions are broken, the scheme of parole no questions are asked and the prisoner goes straight back into prison and serves the remainder of their sentence. If they comply, they can be released. Again, it is in the hands of the adult parole board.

I have a great deal of confidence in the adult parole board. I have often said publicly that a great deal of odium is directed at members of the board by people in certain sections of the community and the media for undertaking their lawful responsibility. That responsibility certainly ends once a prisoner reaches their maximum term and then no tow ropes can be applied. I can understand why, in the case of Mr Baldy and Mr Fletcher, someone would be assessed as being a continuing danger to the community and be subject to the pretty strict conditions of an extended supervision order and why, while they are not in prison, they effectively do not go out into the community unless they are supervised. It is an expensive exercise, but the opposition supports the way it pans out.

I would like to see the extended supervision order being used as a flexible tool, as parole is, so that where someone is assessed as a continuing danger — and that would have to be proportional to the outcome — and is released even after they have reached their maximum term and are no longer subject to the usual parole laws, they can be released with significant tow ropes that could be released gradually to see how they comply in the community or otherwise. It does not necessarily have to apply to the Mr Baldys and Mr Fletchers of this world. It could be used as a much more flexible tool. In effect it would be like continuing parole after the maximum sentence has been served, to enable the authorities to keep a pretty strict regime operating on those people they consider a continuing danger but who have also been assessed by a court to be a continuing danger. I do not disagree with the high standard that is required by this legislation, but I would like to see a flexible tool, not just the type of incarceration we see at Ararat. That is a matter for some debate.

Our principal concerns with this are that while we welcome the change that includes sex offences against adults, principally rape, in the schedule of offences for which extended supervision orders can be granted, we see the need for the provision to be extended to apply to other serious offences. If someone has committed a sex offence against an adult or committed a murder or an armed robbery and they remain a continuing danger to the community, the courts should be able to make that assessment, and if they make that assessment the person should be subject to an extended supervision order. With those remarks, I indicate that the opposition does not oppose this legislation.

Ms GREEN (Yan Yean) — It is with great pleasure that I join the debate on the Justice Legislation Amendment Bill. This bill amends a range of acts under the justice portfolio, including the Serious Sex Offenders Monitoring Act, the Corrections Act and the Firearms Act. The bill makes some minor or statute law revision amendments to three acts administered across the justice portfolio, being the Administration and Probate Act, the Liquor Control Reform Act and the Summary Offences Act. I was pleased to hear the member for Kew indicate the coalition's support for this legislation. That sends a good message to the community that it is supported across the Parliament.

In relation to the Serious Sex Offenders Monitoring Act the bill proposes to extend the provision that currently exists for post-sentence supervision of high-risk child-sex offenders under an extended supervision order to adults. The purpose of this scheme is to enhance community protection through the close supervision of these sex offenders and by facilitating their ongoing treatment. These sorts of offenders are the ones that strike the greatest level of fear into the hearts of our community, so it is appropriate that we should make these changes.

There are some technical amendments to the Corrections Act which go to the oversight roles of the Secretary of the Department of Justice and the commissioner for corrections, consistent with the government's commitment to ensure the proper management of prisons. In particular the government has committed to the prison system providing more than just punishment through secure and humane containment. By enshrining in legislation the oversight functions of the secretary and the commissioner, the bill strengthens this commitment.

Further amendments to the Corrections Act repeal the Prison Industry Advisory Committee in anticipation of the new corrections education and employment ministerial advisory committee, which relates to the

government's 2006 commitment to provide offenders with opportunities and incentives to address offending behaviour while providing life skills education and employment focus programs in prisons. This is something else that is of real benefit to the community, because ensuring that prisoners are able to integrate back into the community at the conclusion of their sentences is going to minimise the likelihood of recidivism, lead to a safe community and continue this government's commitment to having the safest state in Australia, as is the current situation.

The bill makes amendments to the Firearms Act. The member for Kew made reference to these in some detail. The amendments enable the Chief Commissioner of Police to declare that a category A, B or C longarm that is designed or adapted for military purposes or substantially duplicates such a military firearm be put into a higher category, being a category D or E. The bill will bring Victoria into line with the vast majority of other states and territories of Australia that have recognised the potential impact of military-style weapons being present in the community and possibly falling into the wrong hands.

The amendment has been prompted by concerns that arose about the potential for the Heckler and Koch R8 firearm being made available in Australia. Although it has category B firepower, its appearance is modelled on the Heckler and Koch G36, which is a 5.56 millimetre assault rifle of three types — standard, carbine and light machine gun — which was accepted into service by the German army in 1995 and is currently used by armies, national forces and police forces in a wide range of countries.

I am pleased that the various shooters groups that operate very responsibly in this state have welcomed this change, which is what responsible shooters do, and our legislative framework should allow responsible sporting shooters to undertake their sporting activities but also protect the community. I am pleased that we are working in partnership with those groups.

The member for Kew made some very flattering remarks about the member for Benalla and acknowledged that he had made some suggestions, coming from a veterinary background as he does, around some of these amendments which will make explicit provision for more than one category C tranquilliser gun licence to be issued for the purpose of primary industry, including to appropriate Department of Primary Industries (DPI) staff and veterinarians, if persons seeking more than one licence can demonstrate a genuine reason for having more than one tranquilliser gun. The member for Kew referred to the situation

following bushfires, where animals need to be put down humanely, but he also made comments on behalf of the member for Benalla, saying that the member for Benalla had concerns that this would not cover DPI officers.

I can reassure both the member for Kew and the member for Benalla that this provision will provide sufficient scope for animal welfare officers within DPI. They will be able to be covered under this, because the DPI has indicated that most animal welfare officers are individually licensed under categories A, B and C, and this currently covers a large range of firearms. Currently the DPI has between 100 and 150 category B rifles and shotguns across the state, and in addition has 18 category C rimfire rifles and semiautomatic shotguns, and one category C tranquilliser gun. The DPI has also advised that generally DPI officers use either category B or C firearms in emergency mass destruction events, such as after a bushfire or flood, and it generally sends multiple officers to such events to assist landowners in the process of identifying stock to be destroyed and assisting in that destruction. I can reassure both the member for Kew and the member for Benalla that their concerns are not valid ones.

The member for Kew made me wonder whether he was damning the member for Benalla with faint praise in talking about the great contribution he has made. I wonder why the coalition decided to drop him to the backbench. I think they have done him in there. Also, in making a big deal about this in his comments the member for Kew seemed to confuse the member for Benalla with the member for Benambra. It must be hard for a spiv from Kew when he gets out into the bush; it would get confusing.

The ACTING SPEAKER (Mrs Fyffe) — Order! On the bill, please!

Ms GREEN — I have sympathy for the member for Benalla.

As I said, the bill also makes some statute law revision amendments to three acts: the Administration and Probate Act, the Liquor Control Reform Act and the Summary Offences Act. Some of these are corrections of typographical errors and minor changes within the scope of the bill.

In conclusion, this is another piece of progressive and forward-looking justice legislation. As a member of this government I am proud of the constant stream of progressive legislation that comes from the justice portfolio, and I am grateful for the work of the public servants within that department. They put in a great

deal in working collaboratively with the government to deliver these pieces of legislation, and they spend a lot of time briefing members of both the government and opposition sides, so I put on record my thanks. I welcome the changes specifically in relation to serious sex offenders and the extension beyond child-sex offenders to adults. This is consistent with the government's objective of keeping Victoria as the safest state in Australia. I commend the bill to the house.

Dr SYKES (Benalla) — I rise to speak on the Justice Legislation Amendment Bill 2008. I am going to focus on the amendments that relate to the Firearms Act, and my colleague the member for Morwell will concentrate on other aspects of the bill later. I was unable to make the briefing that has been referred to by previous speakers, but I understand that my role in the formulation of one amendment was recognised, and I am thankful for that recognition. To use a phrase often used in this Parliament by members on the other side, there is more to be done. If the government had consulted me in more depth, we would have had better legislation here.

The particular clause that I have an interest in is clause 10. It inserts a into the Firearms Act 1996 new section 9(3)(c) which allows the chief commissioner to license a person to possess, carry or use more than one registered category C longarm tranquiliser gun. The need for this amendment was raised with the Minister for Police and Emergency Services by Dr Andrew Jacotine, a Mansfield veterinarian, in a letter to the minister on 31 October 2007. Disappointingly, Dr Jacotine had not received a reply to that letter by March this year, so he contacted me and asked me to follow up on his behalf. I did so, and I wrote to the Minister for Police and Emergency Services on 12 March. I received a reply from the Department of Justice on 9 April apologising for the delay in responding to the issues raised by Dr Jacotine and myself, which states:

We will write to you and to Dr Jacotine in due course, once we have concluded our inquiries.

I have not received any further communication on the matter. This is a pity because, if we were to work together on this matter, we could have addressed the specific issues raised by Dr Jacotine relating to the use of tranquiliser guns. Dr Jacotine is skilled at using guns to shoot tranquiliser darts at animals in zoos and has opportunities to use this skill to work nationally, so he has an interest in this area. To a large extent his particular need has been addressed, but I do not believe the issue of the use of other category C firearms has

been addressed satisfactorily. I acknowledge the commentary given by the member for Yan Yean. I think the particular explanation coming from the Department of Primary Industries is that there is no need for one individual officer to have authority to carry, possess or use more than one category C firearm, because in any mass destruction situation there is more than one licensed person. That may or may not be the case. I should say that I had communications with a very relevant and key firearms person in the DPI today, and that person did not share the view expressed by the member for Yan Yean that there is no problem.

I might just touch on some experience I have had in the area of mass destruction of animals. I was first involved in the mid-1970s, when we had to destroy large numbers of valueless sheep and cattle. We shot thousands of animals a day, and I will tell you that it is tough going, both emotionally and physically. Often there were one or two animal health staff and unqualified support staff from other sections of the department.

We had a similar situation in 1983, and of course we have had situations in Victoria with the destruction of large numbers of animals as a result of bushfires. I also oversaw mass destruction of animals, particularly the helicopter shooting of animals in the Northern Territory, where you could shoot up to 500 buffalo a day. Unfortunately I also had experience in the United Kingdom, where I participated in the destruction of millions of animals.

The key issue is that when you use these firearms or tranquiliser guns repeatedly and continuously during the day, they fail; therefore you need backup firearms, and it is essential that more than one firearm be available to you. I put it to the government and the advisers that it is not always going to be the situation where there is the same number of licensed category C firearm users as there is the need for firearms, particularly in a big crisis where you need to be able to get your staff out to a number of locations to undertake emergency slaughter. In that case you may well have licensed people being assisted by unlicensed people, so the ability to possess multiple firearms becomes relevant.

There are also concerns within DPI about the current legislation and lack of protection in situations where multiple firearms are stored at a regional location. There may be four officers in that location who are licensed as individuals to access those firearms, but if an emergency arises and one person accesses all of those firearms to take to a location, then that person is going to be in violation of the law as it stands at the

moment if they carry more than one category C firearm. It would not make sense to have four officers drive four cars to take four category C firearms to an emergency situation.

Similarly, if you are heading off to firearm training courses for which the approved firearms trainer takes the category C firearms from storage to the training venue, then that person would feel vulnerable if they were taking four category C firearms to a training course. Such a situation is not covered by the legislation as it stands at the moment, so I believe the position put by the government is not in touch with the grassroots and middle management concern in the DPI and needs to be addressed.

As has been mentioned by the member for Kew, there is the other situation where individual farmers need to destroy large numbers of animals in a short time, therefore they have the need for the backup category C firearms. That is a more complex issue, because it is a more variable situation. However, given that probably 90 per cent or more of the mass destruction is going to be done by trained animal health staff from the DPI or professionals working under their supervision, it would not be beyond the realms of possibility to incorporate another adjustment — another amendment to the existing legislation — that would enable exemptions to the requirement that only one firearm be possessed, carried or used and that that exemption apply to official use, such as the mass destruction of livestock or the training of officers on the issue or the carriage of the firearms either to mass destruction sites or to training sites.

I put it to the government that there is more to be done and that there is a need to get in contact with the grassroots people — the ones who are out there doing it. There are officers in the organisation who have many years experience in this very unpleasant task of destroying large numbers of animals, and they will endorse my remarks that firearms do break down. From my work in the Northern Territory I remember that some fellows were working out in Arnhem Land, which involved several hours of driving time and a number of hours flying time, so it was absolutely essentially that they took several SLRs (self-loading rifles) with them. Those weapons had been used during the Vietnam war, and those fellows would have two or three SLRs so they could continue to do their job during the day.

Interestingly, this large level of destruction was going on in the mid-1980s. At that stage I was involved in tightening up firearms use in the Northern Territory, which preceded Mr Howard and his measures at a

national level. I put in place draconian measures to reduce the number of firearms that could be possessed by any individual to no more than seven. You might think that is a large number, but when you look at the situation of the need for two or three SLRs, the need to shoot from helicopters and the need for closer range activities with smaller animals, including the destruction of animals in yards, where a handgun is required, you can see why seven can be an inappropriate number.

We have moved on from that sort of activity, but the fact is that the need remains. I say to the government that I am prepared to work with its members to address these issues and to develop common-sense firearms legislation which achieves both the occupational health and safety and public health concerns but also protects animal welfare. I am happy to work with the government on that.

Mrs MADDIGAN (Essendon) — I rise to support the Justice Legislation Amendment Bill. While the bill amends a number of acts, I wish to restrict my comments to the Serious Sex Offenders Monitoring Act 2005 and the amendments to that act. Personally, I think sex offences form one of the most awful categories of offences, and they seem to me to be particularly cowardly offences, as they are always perpetrated by people who are either physically or mentally stronger than others. I am sure we have all read books or articles or seen programs about the long-term effects on people who in most cases have had a violent sex offence committed against them. We can all understand how powerless and distressing it must be. Certainly for many people it affects the rest of their lives. The community needs to be protected against people for whom a prison experience does not appear to have the hoped for effect of reforming and changing their views on what sort of behaviour is appropriate.

I have a great deal of sympathy for the families of victims. I am reminded of the case of William Watkins, who in 2006 killed two sisters. He himself was killed in Western Australia by the West Australian police. I think it must have been most distressing for that family when it found out that he had a history of offences stretching back as far as 1985, which included convictions for rape, aggravated burglary and assaulting police. He had also been jailed in 1998 for bashing and stealing from a blind woman. Whilst we might hope that the prison experience is one that makes people change their behaviour or change their views, there are some people in the community for whom that is not effective and from whom the community has to be protected in the future.

The legislation is particularly relevant to some of my constituents, because when Mr Baldy was housed, he was housed in Ascot Vale, which is part of my electorate. Luckily for me, I was overseas at the time, but my electorate officer certainly had the opportunity to speak to many people about it. I was impressed by some of the comments in the letters I received when I returned. I thought they showed a great deal of sympathy for Mr Baldy in terms of seeing him as a serious offender and someone who had to be housed and looked after in some fashion. However, they quite rightly pointed out that the middle of a suburban area was an inappropriate lodging place for him. It was perhaps unfortunate that the location he was found was very close to a school crossing. Certainly if I had had children attending that school or using the school crossing, I would have shared the views of the residents in the area.

It is the history of these sorts of crimes that has led the government to the introduction of these amendments to the act and the introduction of the original bill in 2005. It is part of the community safety strategy that was put forward by the government as part of its election policy, where the government committed to work with the Sentencing Advisory Committee with a view to introducing a continued detention scheme for those serious sex offenders who pose a high ongoing risk to the community. As other members have said, while that was introduced in 2005 for child offences, this bill now extends it to offenders against adults. Apart from that, it also provides the court with additional powers to make an interim order for those people, pending the final determination of extended service application or pending appeal.

It is a very delicate balance. People who have committed a crime and have completed their sentence have rights as well. We would hope that the prison system proves an effective weapon in ensuring that people change their views or their behaviour patterns. Certainly if someone through the prison system has shown that they are aware of the difficulties with their behaviour, they have the right to re-enter the community. But if they have had a history of offences and if they have done things like refuse medical treatment or counselling services, I think the community as a whole has the right to insist that such offenders have supervision orders and are kept away from the community in a way that protects the broader community.

This legislation lists a number of offences, some of which have been mentioned in passing by some members. Some of the major and most serious offences are rape; indecent assault; indecent act with a person

with a cognitive impairment by providers of medical or therapeutic services or special programs; procuring sexual penetration by threats or frauds; and a range of others. All of these are crimes of the strong against the weak.

As I said earlier, the bill also makes related changes to facilitate the clinical assessment of sex offenders against adults. According to some of the information that we have been provided with, unlike child sex offenders, many sex offenders against adults have violence as a key element of their offending. The full clinical assessment of these offenders would require separate examination by experts in sex offending and violent offending. The proposed amendments in this bill will facilitate these assessment arrangements to ensure that the court receives a comprehensive clinical assessment in deciding whether to make an extended order. Obviously sometimes some of the processes involved with this would take time, which brings in the other part of the changes to this bill — that is, the introduction of interim extended supervision orders. That is to ensure that a person is kept under a supervision order, if necessary, until the permanent one is brought into place, as we certainly do not want people to be released into the community who we think are a threat to the community.

Once again, we have to take the rights of the offenders into consideration as well. Currently there are provisions for right of appeal against the extended supervision order decisions, and there are powers for the Court of Appeal to determine such an appeal. It does not have a power to make decisions over interim extended supervision orders. In fact this bill allows that, so the case can go back to the court for further consideration rather than just allowing the person to go free.

This bill has some really good provisions that I think the community will welcome. Just as an aside I point out that, as a consequence of these provisions, a person applying for a working-with-children check who is subject to an interim extended supervision order will fail the check and will not be able to participate in child-related work. Similarly, that applies to a person currently under an extended supervision order. It is a logical progression to relate it to interim supervision orders as well. The working with children unit has been consulted about these amendments and is happy to support them.

These amendments to the Serious Sex Offenders Monitoring Act 2005 will make people in the community — and I again use the Ascot Vale community as an example — feel much safer from

people who have a history of sexual and violent offences. The provisions included in this bill ensure that there is community safety. It still gives the person who has offended the right to appeal against that sentence. But, all in all, it should provide a much better system for people who have been victims of sex offenders. I commend the bill to the house.

Mr MORRIS (Mornington) — It is a pleasure to join the debate on the Justice Legislation Amendment Bill 2008, which is an omnibus bill in every sense of the word, except perhaps for its thickness. It proposes amendments to the Corrections Act, the Firearms Act and the Serious Sex Offenders Monitoring Act as well as minor changes to the Administration and Probate Act, the Liquor Control Reform Act and the Summary Offences Act. Without doubt the headline changes in the bill relate to the amendments to the Serious Sex Offenders Monitoring Act; they are the ones that are on the public radar. The other changes impact directly on the people who are concerned in particular areas of activity, but the sex offenders changes are the changes that the public will take note of, and I believe will largely support.

Moving quickly through the changes to the Corrections Act and the Firearms Act, the Corrections Act is amended in a number of ways that are largely unremarkable. Clause 4(1) of the bill requires the Secretary of the Department of Justice to be responsible for monitoring the performance of the correctional services area in order to achieve the safe custody and welfare of prisoners and offenders. This is an improvement on the current situation. The present system, particularly the privatised prison at Port Phillip, which I have had the opportunity to see at firsthand, operates well but improved oversight is always welcome. I think that is worthwhile. The Corrections Act is also amended by the abolition of the Prison Industry Advisory Committee, which I understand is a redundant provision. There are consequential amendments because of the changes and the introduction of interim extended supervision orders, but I will come back to those when I get to the serious sex offenders monitoring part of the bill.

I turn to the changes to the Firearms Act. The definition of 'longarm' is extended. There are changes to the declarations processes, particularly the insertion of new provisions for permanent declarations to be made by the Chief Commissioner of Police, and again these are largely unremarkable. Changes with regard to tranquiliser guns provide that the chief commissioner may license a person, particularly a person engaged in primary production or official commercial or prescribed purposes, to carry more than one registered category C

longarm, which is a tranquiliser gun. The matter has been well canvassed by the member for Kew and in particular by the member for Benalla, and we look forward to a positive response from the minister on the matters they raised in their contributions to the debate.

The bulk of the bill is concerned with the extension of the operation of the Serious Sex Offenders Monitoring Act. It is amended in a number of ways. It introduces a new definition of interim extended supervision order and a new process for such orders. Clause 14 substitutes new section 7A(3) of the act. A change of language will ensure that the direction to an offender to undertake an assessment must be complied with and that a penalty for failing to undertake that assessment will apply. New section 7B introduces an additional provision to ensure that the secretary has the power to direct an offender to seek an additional assessment, such as a second opinion or perhaps a more authoritative opinion than might be available from the initial assessment, and introduces a new offence of failing to comply, which carries a penalty of level 7 imprisonment — that is, a maximum of two years inside. There are changes to ensure that the additional assessment that is made can be taken into account as part of the process, along with a number of clarification issues.

A new division 4A, which I referred to earlier, provides for the introduction of interim extended supervision orders (ESOs). It allows the secretary to apply for an interim order where an application has been made for an ESO or an application has been made for a renewal or an extension of an ESO. The bill also provides for the Court of Appeal to grant an ESO where the court is of the view that the original application or the original order may well have been flawed and to send it back to the original court for rehearing.

However, the real meat of the bill is contained in clause 24, which amends the schedule to the principal act. It is slightly unusual because it is a change of omission. It is an amendment to the schedule which details relevant offences — that is, offences that make a person an eligible offender under section 4 of the principal act, a person in respect of whom the secretary may apply for an ESO.

Quite often the words deleted by clause 24 are 'if the person against whom the offence is committed is a child', or 'where the victim is a child'. By these omissions we are expanding substantially the operation or the potential operation of the act, because it makes things like sexual penetration, compelling sexual penetration, indecent assault, assault with intent to rape, procuring sexual penetration by threats or fraud, sexual

servitude and deceptive recruiting — all those sorts of actions — offences against adults as well as against children and brings them under the operation of the Serious Sex Offenders Monitoring Act. So the scope of the act is expanded substantially. However, it remains confined to sex offenders. We are speaking of particularly abhorrent crimes, whether they are perpetrated against a child or an adult.

Once again we see the government playing catch-up. It refused to consider a regime of this nature when the legislation was originally discussed in 2005. At the time, amendments were moved that would have introduced a regime of this kind, but the government chose to vote down those amendments in both the Legislative Assembly and the Legislative Council. The government had the opportunity to atone for that mistake when a private members bill was introduced by Mr Dalla-Riva, a member for Eastern Metropolitan Region in the other place, but once again it was voted down. Finally, three years later, the government has come to its senses and made what I think is a good decision. Unfortunately for some reason it seems unwilling to extend the extended supervision order regime to other heinous crimes, particularly crimes that are shocking to the victims, which is essentially the sort of crime we are talking about here. It is typical of the sort of legislation we deal with week in, week out — it is okay, but it does not go anywhere near far enough.

However, I am delighted to see the government once again climb on board and belatedly pick up Liberal Party policy — take up a position that was taken by members on this side of the house three years ago — because it proves once again that when it comes to issues that matter to Victorians, it is the people who sit on this side of the chamber who set the tone of the debate; it is the opposition that comes up with the policy initiatives that really matter to all Victorians.

Mr FOLEY (Albert Park) — I rise to support the Justice Legislation Amendment Bill 2008, which deals with issues and administrative arrangements arising from the police and emergency services and corrections portfolios and delivers on some substantial 2006 election commitments. I welcome the support for the bill from all parties of the house as further evidence of the practical, measured and recent changes to legislation that keep the state ticking over.

The bill foreshadows amendments to a number of acts — the Corrections Act, the Firearms Act, the Serious Sex Offenders Monitoring Act — as well as minor amendments to the Administration and Probate Act, the Liquor Control Act and the Summary Offences Act. It also deals in passing with a range of acts such as

the Bail Act. I would like to focus most particularly on the substantial parts of the bill that deal with the amendments to the Serious Sex Offenders Monitoring Act.

More broadly, corrections — that is, prisons — is the unglamorous but sadly necessary part of the justice system. The deprivation of liberty is as serious an act by the state against its citizens as you can get. It is not a step lightly taken by the state. Its consequences are severe for the life, opportunities and future of individuals that are subject to it, yet it is a step that the state rightly reserves as its prerogative to ensure that peace, good order and the delivery of justice and community safety are achieved. It is an even more difficult question when we deal with the issues of those who are sometimes dubbed the worst of the worst — that is, those who have been convicted of serious sex offences, particularly against children but, as is envisaged by the scope of this act, also against adults. Sadly many of these people have shown no signs of remorse or engagement for the purposes of rehabilitation and recovery, have refused treatment and have been assessed by independent experts as having very high chances of reoffending. Under the amendments made by the bill, the Secretary of the Department of Justice needs to establish a very high level of evidence against these people to ensure the application of extended supervision orders.

It is the extension of the serious sex offender regime from dealing solely with offences against children to include offences against adults that is the key provision of this bill. In many respects it is difficult to comprehend the nature of these crimes. It is also difficult to comprehend why there should be a difference between the regime which applies to crimes committed against a 17-and-a-half-year-old and that which applies to crimes committed against an 18-year-old. It is reassuring to note that the bill provides for the ongoing role of independent experts, the Adult Parole Board of Victoria and the courts in the upholding of the rights and processes around interim orders.

It is even more reassuring to note that in the bill we see the good work done through the Charter of Human Rights and Responsibilities Act 2006 coming to bear on how corrections and the state deal with the rights and liberties of those subject to the serious sex offender regime and equally the rights and liberties of the victims of those terrible offences. As the charter sets out, the rights to equality, privacy, liberty and security are paramount rights that Victorians cherish. The bill, subject to the independence of the courts, seeks to ensure that at the end of the prison sentence, following

the initial conviction and ongoing monitoring whilst offenders are in prison, there is a process in place to subject a very limited number of very serious sex offenders to an ongoing regime of deprivation of liberty.

The bill also provides for the instructions and directions relating to attendance for medical treatment; the imposition of interim orders, conditions, instructions and directions as to where and how to abide by a requirement to report to authorities; and directions relating to a requirement to reside in particular premises situated on land that is within the perimeter of a prison. The bill also makes provision for the substantial area of how the most serious sex offenders should go about monitoring their life and their day-to-day arrangements should they be progressively released into the community.

Reassuringly the bill provides that a medical expert who is preparing an assessment report has the discretion to seek an assessment of an eligible offender from additional medical experts for the purpose of informing that report. The bill provides for that additional assessment to be done with the cooperation of the offender, and provides for how it should be dealt with if the offender does not fully cooperate. The bill provides that conditions of arrangements will be contained in a series of both interim orders and ongoing orders. It is also worth noting that the bill proposes amendments to the victims register whereby existing section 30A of the Corrections Act will be extended to deal with both interim extended supervision orders (ESOs) and supervision orders.

Clause 6 of the bill amends the definition of extended supervision orders so that persons on the victims register may be given information about the application for and details of an interim ESO. It would of course be reassuring to the victims of terrible crimes to know when the persons convicted of those crimes are to be released into the community. That is further evidence that this government takes seriously the rights of victims as an integral part of the justice system.

The bill also provides for the photographing of sex offenders in community corrections centres through the extended supervision order arrangements. It also provides for the terms and conditions of interim orders and the conditions, instructions and directions on those offenders subject to extended supervision orders. The bill requires, should it be necessary, compulsory attendance at hearings of those offenders subject to the Serious Sex Offenders Monitoring Act and subject to ESOs, and it provides for how they will be dealt with at such hearings. Perhaps controversially the bill does not

deal with reverse onus provisions in the way that has been proposed by some members opposite.

The monitoring of how sex offences are dealt with will continue to be controversial in this community. This bill delivers on the state government's commitment on this issue at the 2006 election. This bill maintains the delicate balance that is needed to protect both the community and community safety. This bill is worthy of support from this house, and I wish it a speedy passage through this place.

Mr NORTHE (Morwell) — I am pleased to join the debate on the Justice Legislation Amendment Bill 2008. The main purpose of this bill is to amend a number of provisions in a number of acts. They include the Crimes Act 1958, the Crimes (Criminal Trials) Act 1999, the Evidence Act 1958, the Magistrates' Court Act 1989, the Sentencing Act 1991 and the Sex Offenders Registration Act 2004. I think the most important aspect of this bill is the amendments that are proposed for the Serious Sex Offenders Monitoring Act 2005. These amendments will allow for the scheduling of relevant offences to be expanded to include sex offences against adult victims. Effectively that means that a prisoner who is serving a jail term for rape will be eligible to have an extended supervision order (ESO) imposed upon them on the completion of their sentence. This, as I just mentioned, applies to offences involving not just child victims but adult victims as well.

The bill amends the Corrections Act so that the Secretary of the Department of Justice will have the responsibility of monitoring the performance of all correctional services in Victoria. As the member for Kew mentioned in his contribution, this will apply not only to government departments that manage correctional services but also to private operators. I think it is important that we ensure we have the scope to monitor the performance of all our correctional services. The bill also repeals redundant provisions in the Corrections Act that deal with the former Prison Industry Advisory Committee, which has now been replaced by the Corrections Education and Employment Ministerial Advisory Committee. This is to assist with the education and transition of prisoners into the community. Another important aspect of this is that the committee will not only deal with assisting prisoners with their education and acquiring of skills but also with the transition period while they are integrating back into the community.

The bill amends the Serious Sex Offenders Monitoring Act 2005 as mentioned, and also provides the Court of Appeal with the power to grant an interim extended

supervision order. Where the Court of Appeal finds an ESO to be flawed, it can remit the matter back to the original court for rehearing. It is another important aspect of this bill that it gives the power to the courts to grant an interim ESO should the appropriate authorities deem it necessary.

With regard to the extended supervision orders, I applaud this important, albeit small, step in the right direction. The orders will apply to offenders convicted of sex offences against adult victims as well as to offenders convicted of sex offences against child victims. However, as the member for Kew quite rightly pointed out, this particular provision could have the scope to include other serious offences such as murder, manslaughter and armed robbery, and it could even include kidnapping and drug trafficking as well. Extended supervision orders could potentially be applied in those circumstances.

Whilst I do not want to deal in hypotheticals, it is important to realise that recently the media has outlined the concerns of the community in this area. Just in the last week or so we have unfortunately seen a convicted murderer reoffend. As I said, we are dealing in hypotheticals, and we do not know whether an extended supervision order would have made any difference in that instance, but it is important that at least the ESOs are out there for the safety of the community and are available for the appropriate authorities to impose where necessary. Also, in the last week or so we have read about a convicted repeat rapist who is due for parole, and that has caused great concern in the community as well. I know that the police are quite concerned that repeat offenders such as that could be allowed back into the community, so the extended supervision orders have a vital role to play in relation to those particular offenders.

The Nationals have previously made proposals in this house relating to standard minimum sentencing, and again that is an important aspect of the sentencing of convicted criminals. It is important that we support and show confidence in our police when they apprehend criminals. It is important that we also have the prison resources to be able to rehabilitate those who have been incarcerated.

The Sentencing Advisory Council put out a report in May of last year entitled *High-Risk Offenders — Post-Sentence Supervision and Detention Final Report*. It made reference to extended supervision orders and indicated how the current scheme operates. It made particular reference to the fact that at that time there had been 14 successful applications for extended supervision orders and indicated that the conditions for

an offender who is the subject of an ESO includes curfews, outings made only under escort and a requirement to live in a temporary centre established by Corrections Victoria, which of course is at the Ararat prison and there are a number of such offenders there at the moment.

The members for Benalla and Kew made reference to the amendments to the Firearms Act. Under the amended Firearms Act the Chief Commissioner of Police will be able to permanently categorise as a restricted or prohibited firearm a firearm which imitates, looks like or can be adapted as a restricted or prohibited firearm. The member for Yan Yean quite rightly pointed out that this will align Victoria's legislation with the legislation in the majority of other states and territories. The Sporting Shooters Association of Australia and other similar organisations support that amendment to the act, so it is well supported by this side of the house.

The bill also amends the Firearms Act to incorporate a provision — this was first identified by the member for Benalla, of course — which will enable veterinarians and other animal health professionals to have back-up weapons as well as different styles and types of tranquilliser guns. The second-reading speech states that individuals such as vets and other animal-care professionals may obtain more than one tranquilliser gun where they can demonstrate a genuine reason for doing so. The amendment is necessary to ensure that vets have back-up guns in the event of their primary guns breaking down or requiring servicing and so have the necessary tools to effectively carry out their duties.

Some concerns were raised about whether staff of the Department of Primary Industries or individual farmers would be covered by this legislation, and the member for Yan Yean gave some hope, particularly to DPI staff, that they may be covered by it. I commend the member for Benalla for pursuing this issue. He referred to the issues faced by many regional Victorians, particularly when there are floods and bushfires and other events, when they may have to destroy livestock in a humane way. It is imperative that they have access to multiple tranquillisers and firearms in those events. It is important that we support regional Victorians in that regard.

This bill is an important step in the right direction. I believe it has the scope to progress further, particularly in the light of ESOs being extended to other serious offences such as murder, manslaughter, drug trafficking and the like. The ESOs that have been issued seem to be working quite effectively at the moment, and I think the community in general supports these provisions

flowing across to other serious offences. The government and all political parties need to continue to support victims of crime and to ensure we have safe communities to live in. ESOs have an important part to play in our local communities, and I think the majority of our communities support this initiative being carried across to cover other serious offences that unfortunately are committed from time to time. I do not oppose the bill.

Mr SEITZ (Keilor) — I rise to support the Justice Legislation Amendment Bill. In doing so I want to make some observations. I congratulate the minister on the work he has done in bringing the bill before the house and on having looked at the whole situation in relation to serious sex offenders in particular. As we know, these issues evolve over time. We need somewhere to house offenders. The media criticises the government if an offender is detained on land which is within the prison compound but might not be within the prison itself — it might be in a house where wardens used to live or in other accommodation buildings within the prison boundary. The old legislation made it difficult for the corrections system to find appropriate accommodation. This legislation will assist us to expand and develop the system.

An interim extended supervision order can be issued by the Court of Appeal. The community and the media are concerned particularly about sex offenders. I notice from the second-reading speech that the minister looked at the way the system operates in the Canadian courts. Such research is very important.

I am getting the wind-up signal from the Government Whip, so I just want to comment on tranquilliser guns, which again are an important issue. We need to clarify the use of such weapons, and the secretary will be able to categorise them. A tranquilliser gun can be lethal if it is used irresponsibly, just as a car can be a lethal weapon if it is used irresponsibly and is in the hands of an irresponsible driver.

I had experience with guns when I was training with the military, and I know how easy it is for people to misuse them. In recent times we have become aware of terrorism and how weapons have disappeared from the military because ordnance officers have not recorded them properly. That is an important issue. As civilians we know weapons can get into the wrong hands, so they need to be categorised. Not only do we see military-style weapons, which is the description we used to have in the past, but today weapons that look like military weapons can be prescribed and categorised. People have to be licensed so they know how to use their weapon and where to store it. It is

important that people know how to handle their weapons.

Tranquilliser guns have always been considered to be weapons used by vets and other such people to restrain animals. We see them in safari movies, where animals in the wild are brought down, examined and made part of a research effort. They are put to sleep and then reawakened, and it looks very romantic and interesting. However, as I pointed out, tranquilliser guns can be lethal if they are misused. This legislation is very important, because a tranquilliser dart could be used on a human. We hear about atrocities perpetrated by serial offenders who commit such offences, and that is an important issue. It is important that we have this legislation. I will wind up so other members have a chance to speak. I commend the bill and wish it a speedy passage.

Mr LIM (Clayton) — I am pleased to be speaking in support of the Justice Legislation Amendment Bill 2008. This bill is another good example of the Bracks and Brumby Labor governments protecting the community. It is a long time since the Tories could claim to be the party of law and order. The Liberal Party surrendered that claim when Jeff Kennett slashed the public sector, including police numbers, after having promised to increase police numbers. It is Labor that stands for community safety. We have increased, and then increased again, police numbers. We have built new police stations in suburbs and towns where the Liberals left the old stations to rot. And we have introduced a number of bills that are tough on crime.

The bill that we have before the house aims, firstly, to clarify the statutory oversight functions and responsibilities of the Secretary of the Department of Justice and those of the commissioner for corrections; secondly, to repeal the Prison Industry Advisory Committee; thirdly, to enable the Chief Commissioner of Police to declare military-style firearms to be of a higher category than their firepower would otherwise allow, thereby strictly limiting the availability of such firearms. Fourthly, it will allow vets and other animal care professionals to have access to more than one tranquilliser gun. Fifthly, it will extend and strengthen powers to monitor sex offenders under the Serious Sex Offenders Monitoring Act 2005 by extending its operation to offences against adult victims and providing for interim extended supervision orders. Sixthly, it will make three statute law revision amendments to acts administered across the justice portfolio. These are the Administration and Probate Act 1958, the Liquor Control Reform Act 1998 and the Summary Offences Act 1966.

The amendments I wish to speak about are those relating to firearms and sex offenders. We have previously tightened and toughened legislation on child sex offenders. This bill extends it to offences against adults. The bill amends the Serious Sex Offenders Monitoring Act 2005 by, firstly, extending the act's operation to include those sex offenders who have committed relevant sex offences against adult victims; secondly, by providing for additional assessments for adult sex offenders by experts in violent offending in addition to experts on sexual offending, where required, to ensure the court receives a comprehensive clinical assessment in deciding whether to make an extended supervision order; and thirdly, by providing for new powers for the court to impose interim ESOs, pending the final determination of an ESO application, and on an appeal against an ESO.

In my view this tough approach is justified. Even if it results in an increased penalty, as far as I am concerned, protecting the community from convicted sex offenders is a greater priority. I mentioned this earlier in the house. As they say, a leopard does not change its spots, and I, for one, have no compunction in requiring serious sex offenders to report for life. This is clearly a situation where society is entitled to place a greater priority on community safety than on the civil liberties of an individual. One need only look at the recent tragic situation in Austria to see how a convicted sex offender was not noticed as he proceeded to commit far more horrific offences.

The bill also amends the Firearms Act by enabling the Chief Commissioner of Police to declare a category A, B or C longarm firearm that is designed or adapted for military purposes, or substantially duplicates such a military firearm, into a higher category — category D or E. The bill will bring Victoria into line with the vast majority of other states and territories of Australia, which have recognised the potential impact of military-style weapons being present in the community and possibly falling into the wrong hands. These weapons are used overseas by armies and police forces. These military-style weapons are killing machines, and a tough regulatory regime is needed to protect our community.

This bill again demonstrates the commitment of this state Labor government to protecting our community and making it a safer place to live. I commend the bill to the house.

Mr CAMERON (Minister for Police and Emergency Services) — I thank the honourable members for Kew, Yan Yean, Benalla, Essendon, Mornington, Albert Park, Morwell, Keilor and Clayton

for their contributions. There is certainly a clear consensus that what we want to see as a community is the protection of the community where possible with an extended supervision regime, or a continuing detention regime — depending on how you want to frame this — when it comes to serious sex offenders.

I think the debate highlights that these things are not easy. People are sentenced and they are punished, and under our law when somebody has been punished they are then entitled to go about their business. So when we have an extended supervision regime, that is not about punishment, it is about community protection. That is because a court has determined that there is such a high degree of probability that someone will reoffend, that someone will commit these terrible crimes, that there should be some additional orders placed upon them, including, where necessary, the removal of their liberty. These laws that we have at present are the toughest laws in the state's history. These laws go the next step; they go even further. They will now become the toughest laws in the state's history when it comes to attempting to protect the community from what are some of the worst people that we have in our community.

I thank honourable members for their contributions around those matters. There are other changes in this legislation, and I will just touch on a couple of them. There are changes in relation to the firearms regime, around military-style weapons. We know from abroad that there are some weapons that are low-powered but have the look about them of military-style weapons — —

Dr Sykes — They are not weapons, they are firearms. They are firearms, not weapons.

Mr CAMERON — They are called military-style weapons. When it comes to these military-style weapons — and that is firearms that look like military weapons — we want to give the chief commissioner the ability to declare those in advance. While there will be some people in the community who have that American notion about their inalienable right to carry a gun, that is not a view we have in this state. There has for a long time been a bipartisan approach that we believe there have to be restrictions when it comes to firearms, and it is very appropriate that we are anticipating the future for those types of firearms that unfortunately we see abroad.

The honourable member for Benalla raised issues related to the Department of Primary Industries and certain firearms. I will correspond with the DPI about those matters and whether it believes our arrangements are adequate. If they are not, it can come back to us and

we can consider the matter because, as the house probably appreciates, we regularly have justice bills, and if necessary we can incorporate any changes into one of those bills.

I again thank honourable members for their contributions to the debate, and I wish the bill a speedy passage.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

ENERGY AND RESOURCES LEGISLATION AMENDMENT BILL

Second reading

Debate resumed from 17 April; motion of Mr BATCHELOR (Minister for Energy and Resources).

Opposition amendment circulated by Mr CLARK (Box Hill) pursuant to standing orders.

Mr CLARK (Box Hill) — The Energy and Resources Legislation Amendment Bill makes a range of miscellaneous amendments to energy and resources legislation. These include provisions to increase various penalties, to allow licences for electrical contractors to be issued for longer periods, and to require earlier lodgement of applications for geothermal and petroleum retention leases. The bill also allows the minister to consider compliance with an approved consultation plan when the minister is deciding whether to authorise compulsory acquisition of land for a pipeline easement.

With one exception, this bill is more significant for what is not in it than for what is in it. The house is entitled to ask, for example: where in the bill are measures being brought before us by the minister to provide a better response to storm damage to electricity infrastructure to make sure that we do not have a repeat of the events of recent weeks where thousands of Victorians had to wait for hours and days on end before having their electricity restored after blackouts? People were left in the dark not only literally but also in terms of the information they were able to obtain about what was going on. Where is the legislation and where are

the other measures we need to ensure greater resilience of our electricity distribution system to the impacts of climate change? These were identified as being a potential and indeed an actual issue by the Premier and the minister in responding to the recent blackouts, but it is an issue on which the government has been inactive in actually implementing steps to ensure that our infrastructure is able to cope if climate change is to bring more wild storm events and greater pressures on that infrastructure?

Where are the legislative measures that may be needed to ensure there is a proper inquiry and an investigation into the consequences of those blackouts in recent times and what can be done about them? Instead we see yet another closed and ineffectual inquiry being conducted by the government, this time by the Emergency Services Commissioner, who, whatever his qualifications may be in relation to emergency services, is certainly not in a position to make the necessary assessment and recommendations about what needs to be done with our electricity infrastructure?

Also, where are the measures we should look to see in energy and resources legislation coming before this house to sort out the mess with smart meters that has been created by the minister? It is a mess that is threatening to impose billions of dollars of cost on Victorian power consumers who will have to pay for inadequate and outdated technology that will not give the functionality that is needed for smart meters but will simply add to their power bills. This is a threatening debacle that will make the minister's regional fast rail and myki debacles look small by comparison.

Where are the measures in this bill which will allow and encourage a flexible, open and responsive rollout of smart meters that will provide integrated meter-to-bill functionality in order to release the full potential savings and the full potential to offer consumers far greater control over their power use and far greater scope to achieve savings?

Where in this bill are the measures that will facilitate the construction of the new power plants that Victoria will very soon need, including preparing for the urgent construction of a clean-coal-fired plants as soon as the technology becomes available, assuming that the carbon capture and storage technology can be proven as most members will very much hope it can be? Where in this legislation are the measures that will cover the proposed changes to the regulation of electrical inspectors that the government is currently considering? They are changes that many inspectors fear will put dozens of them out of business because in the way the charges are being introduced. Where is some of the

legislation that was foreshadowed in the statement of government intentions? Where is there any sign whatsoever that the promised review of the resources industry legislation that was referred to in the statement of government intentions has even commenced?

None of these measures are dealt with in the bill before the house. Instead, this bill contains what is largely a range of mechanical and administrative alterations, some of which are worthwhile, one of which causes us some concern, but none of which deal with these major issues to which I have referred. The bill amends the Electricity Industry Act 2000, the Electricity Safety Act 1998, the Electricity Safety Amendment Act 2007, the Geothermal Energy Resources Act 2005, the Mineral Resources (Sustainable Development) Act 1990, the Petroleum Act 1998 and the Pipelines Act 2005.

Clause 3 allows Energy Safe Victoria to register electrical contractors for up to five years rather than annually. This measure has the potential to be worthwhile by allowing a longer registration period, thereby reducing the paperwork that electrical contractors are required to go through on an annual basis. The opposition understands from the very helpful briefing with which we were provided by departmental officers that Energy Safe Victoria intends to implement what I would describe as a risk-oriented policy for determining for how long particular electrical contractors will be registered.

One of the examples we were given was that new contractors may be put on an annual registration whereas more experienced contractors may be on a registration that lasts for five years. This seems a sensible approach provided that Energy Safe Victoria ensures the policy that it implements as to how long any particular contractor is licensed for is done on a fair and impartial basis that is properly oriented to relevant factors and avoids any irrelevant considerations and any potential partiality or bias in the decisions about how long particular contractors are registered for.

The bill increases various penalties. Clause 5 provides that electrical inspectors who fail to record defects when issuing certificates of inspection will be liable to penalties that are increased from 10 to 50 penalty units. When damage is done by virtue of activities under a tourist fossicking authority, the penalty is increased from 10 to 50 penalty units. Similarly there are substantial increases in other penalties — for example, the penalty for constructing or operating a pipeline without a licence has increased from 120 to 240 penalty units for a natural person and 600 to 1200 penalty units for a corporation under clause 17 of the bill. Clause 20 of the bill provides that anyone failing to comply with a

requirement of Energy Safe Victoria under an approved electricity safety management scheme will in future be liable to a penalty of 200 penalty units, an increase from 50 as applies at present.

The bill also redrafts the prohibition on the use of cathodic protection systems unless registered by Energy Safe Victoria and operated in accordance with the act, regulations and conditions of registration. The changes made by clause 6 of the bill to effect this are more about redrafting to accommodate changed practices in the industry and ensure that relevant parties are appropriately caught by the legislation rather than about making any substantive change to the law.

Clause 9 of the bill will allow a fresh tender to be run at any time after a geothermal energy tender does not result in the issue of any exploration permits. That is designed to give greater flexibility to issue those permits.

Clause 10 of the bill requires that the minister is to set an order of priority in consideration of competing geothermal exploration permit applications if more than one application is received on the same day. That is to operate in conjunction with a provision that says when a minister is considering any particular application, the minister has to consider that application on a freestanding basis and not in comparison with any other applications. But the curious thing is the legislation also provides that when the minister sets the order of priority of competing permits, the minister is to do so having regard to the contents of the different applications. It also seems a bit odd that if one application is received at 5.00 p.m. on one day and another application is received at 9 o'clock the following morning, they will be assessed in chronological order. However, if one is received at 9.00 a.m. and the other is received at 5.00 p.m. on the same day, then this new requirement of comparing one against the other will apply. As I say, that seems somewhat incongruous and I would welcome any comments from government members who will speak on the bill as to the logic that underlies that provision.

Clauses 11 and 21 provide that a late fee will be payable for applications for retention leases that are lodged less than 90 days before exploration permit expiry in relation to geothermal energy and petroleum respectively. The opposition understands from the briefing with which we were provided that this is intended to allow adequate time for proper assessment of the applications and to avoid things being left to the last minute before applications are lodged.

Clause 12 gives the department head one month to decide whether to approve work plans or rehabilitation plans that have been revised at the request of the head of the department. Clause 14 makes clear that a tourist fossicking authority may be granted to both an individual and a company. That seems a worthwhile clarification.

Clause 20 provides that exemptions for persons operating under an approved electricity safety management scheme may be granted to parties additional to the network operator. Again, that seems a worthwhile redrafting, and it allows for the fact that persons other than an operator may be operating under an approved electricity safety management scheme and therefore should receive an exemption by virtue of that scheme being in place.

The last amendment to which I want to refer is the one that causes considerable concern to the opposition, not only in the context of energy pipelines but also in the context of water pipelines. It is an amendment that will authorise the minister to consider compliance with an approved consultation plan when deciding whether to allow a pipeline proponent or licensee to move to compulsory acquisition after the failure of negotiations with landowners. By way of explanation, I should inform the house that the Pipelines Act 2005 contains provisions requiring that a consultation plan be prepared and contain certain information and that the proponent needs to make that plan, once it has been approved, available to owners and occupiers of land over which the pipeline may be constructed or where there is to be investigation of the possibility of establishing a pipeline. Amongst the information that is required by section 17 of the Pipelines Act to be included in that plan is — and I quote from subsection (2):

- (a) general information about the types of activities to be undertaken by the proponent for the purpose of any survey under Division 2 or the construction and operation of the pipeline;
- (b) information about how potential adverse impacts of the construction and operation of the pipeline on land, health, safety and the environment are to be managed;
- (c) details of the procedures that are to be followed under this Act and any other Act to permit the construction and operation of the pipeline including the procedures for any compulsory acquisition of land;
- (d) a statement —
 - (i) advising that owners and occupiers of land may seek independent advice on the pipeline proposal; and

- (ii) setting out current contact information for the Department.

The idea that there has to be a plan as to how consultation is to be conducted is a quite sensible one. It is hoped that, if that plan is approved by the minister and is then complied with, that will help minimise some of the conflicts and stress that can arise between the pipeline proponents and landowners.

The legislation as it currently stands then provides that if a proponent for a pipeline enters into negotiations with a landowner to acquire the land or an interest in the land for the purposes of the pipeline but they are unable to reach agreement with the landowner, they can then apply to the minister for approval to proceed to compulsory acquisition. The amendment that is before the house is to include a provision that:

In considering whether the proponent or licensee has taken all reasonable steps for the purpose of subsection 95(1) of the Pipelines Act, the Minister may consider whether the proponent or licensee has satisfied the requirements set out in an approved consultation plan.

As it currently stands, the legislation says that before the minister may authorise compulsory acquisition the minister must be satisfied that the proponent or licensee has taken all reasonable steps. The opposition's concern about this measure in the bill is that it does not go far enough and indeed that it evidences a lack of consideration for the interests of landowners by the government that has been manifest in the case of a number of pipeline proposals and projects that are currently being attempted by the government, including, perhaps most notoriously, the north–south pipeline.

The opposition believes that, be it in the case of energy pipelines or water pipelines, it should not be optional for the minister to consider whether the consultation plan has been complied with; it should be mandatory for the minister to consider whether the consultation plan has been complied with. That is the purpose of the amendment that I have had circulated. It is in form a very simple amendment: it proposes changing the word 'may' to 'must'. The consequence of that, as I said, will be that the minister will be required to consider whether the requirements of an approved consultation plan have been complied with. It will not simply be optional for the minister to do so.

There is probably a lot more that can and should be done to remedy some of the injustices that are occurring in the case of various pipeline projects such as the north–south pipeline, but in the context of this legislation this is a measure that we believe should be put in place to send the message to the government that

the rights and situations of landowners should be taken seriously and that it is not just a matter of an option for the minister; it is something that the minister should be required to do. Some of the practical difficulties and concerns that are being experienced by many Victorians at the moment in relation to pipelines, in particular in relation to the north–south pipeline, is a subject on which I am sure many of my colleagues are going to have a considerable amount to say during the course of the debate on this legislation.

In conclusion, as I said at the outset, while the provisions of this legislation are in the most part technical or administrative and a number of them as far as they go are worthwhile, we are concerned first of all that a lot more needs to be done in the energy and resources portfolio that is just not being done by the minister and is not being reflected in this legislation. In relation to pipelines, we should be making clear in this bill that this Parliament expects the government to have far more regard for the interests of land-holders than it has shown to date.

Sitting suspended 6.28 p.m. until 8.02 p.m.

Mr HARDMAN (Seymour) — It is a pleasure to speak on the Energy and Resources Legislation Amendment Bill, which will amend the Electricity Industry Act 2000, the Electricity Safety Act 1998, the Electricity Safety Amendment Act 2007, the Geothermal Energy Resources Act 2005, the Mineral Resources (Sustainable Development) Act 1990, the Petroleum Act 1998 and the Pipelines Act 2005.

The bill delivers on our government's commitment to doing a number of things, including ensuring an efficient and secure energy system, which we all want. We live in a time of great uncertainty, and the member for Box Hill talked about climate change and an event that occurred recently. We want to know that the best possible recovery can occur in our community in response to such a future event, and this bill goes some way to helping that.

The bill delivers on reliable and safe energy services. A really important part of our lifestyles and our ability to live as a community in areas such as the electorate of Seymour, north of Melbourne, is reliable energy services, and we do that well, but we can always improve. It is great to see further legislation to ensure that our electricity companies are doing all they can to provide reliable and safe energy services.

The bill delivers on access to environmentally sustainable energy at affordable prices. We have spoken in this house over the last year about the

Victorian renewable energy target and the Victorian energy efficiency target, and there have been some great announcements in the budget today about feed-in tariffs and all the things we are doing to make sure that in Victoria we are providing the best mix we possibly can and giving people the opportunity to produce their own energy through renewable sources. But we are also looking seriously at the practical issues we face, including that brown coal resources, which are abundant in this state, are going to provide the best possible energy for the lowest possible greenhouse impact. The government should be commended on these efforts.

As well, the bill aims to ensure that Victorians continue to benefit from best practice regulation by improving the energy and earth resources legislative framework. This will have benefits right across government, industry and the community. That is an important aspect and something of which the government always needs to be conscious. The Bracks government and Brumby government have put in a great deal of effort and time into reducing the legislative burden across all areas, which means that business can go about its work with less hindrance and therefore less frustration.

Dr Sykes interjected.

Mr HARDMAN — The bill also standardises penalties, reducing the regulatory burden in the energy portfolio, thereby increasing regulatory certainty.

Dr Sykes interjected.

Mr HARDMAN — I find it very interesting that the member for Benalla, the biggest peanut in the Parliament, is carrying on like a pork chop after tea. He should be quiet and go back to sleep.

A key objective of the bill is to require owners of cathodic protection systems to register with Energy Safe Victoria in compliance with its regulations and conditions of registration. When I was being briefed on this bill I thought it was really important that I understood what a cathodic protection system is, and it is worthwhile explaining it to the house.

It is designed to use direct electric current to protect metallic structures from corrosion — for example, water, fuel and gas pipelines, and storage tanks, and steel across a number of industries, including in underground cables. The cathodic protection system is used by large utility and petrochemical companies as well as independent service station operators, from very large corporations down to the local bloke who is trying to run a service station in rural Victoria.

Another key objective is to provide more flexible registration periods for electrical contractors of up to five years. That takes the burden off those hardworking people who are out there helping our communities every day.

Dr Sykes interjected.

Mr HARDMAN — The member for Benalla continues to interject because he cannot control himself after tea time!

The ACTING SPEAKER (Ms Beattie) — Order! The member for Benalla will have the call later.

Mr HARDMAN — Importantly the bill will increase penalties on licensed electrical inspectors who fail to record defects in electrical works inspected. That means consumers are protected from people who have been a bit slack. The member for Box Hill flagged that the opposition may use that as an excuse to raise the north–south pipeline issue, and the member for Benalla has been sitting on the other side of the chamber carrying on about that, as he has done about Lake Mokoan over the last few years. He is a man who said he was going to save Lake Mokoan, but he failed; yet he still comes in here holding his head high. He should not do that, because he has not delivered on his election promise, and he deserves to be remembered for that.

I can assure the house that I meet on a very regular basis with the Sugarloaf alliance group, which is made up of Melbourne Water, the John Holland Group and all the people who are constructing the pipeline. My key purpose in meeting these people is to ensure that the local land-holders who will be impacted by the pipeline have their rights upheld. I sit down with the Sugarloaf alliance group on a regular basis and ask for assurances that it is meeting and talking to land-holders about their specific concerns, which are that they need to be able to conduct their business activities and go in and out of their farms while the pipeline is being constructed. They need to be assured that their vineyards are protected from phylloxera and other diseases that might come onto properties and that as much as possible their amenity is protected during the construction process.

That is what they are doing — they are going out there and talking to people and listening to them, rather than barking from the other side of the chamber, like the member for Benalla, who cannot listen and does not understand. This is about consultation, and that is what these people are doing. They are talking about the route and asking the land-holders which is the best way to go — —

Dr Sykes interjected.

The ACTING SPEAKER (Ms Beattie) — Order! The member for Benalla!

Mr HARDMAN — They are asking about the waterways and the species of plants or fauna that may be impacted by this, and finding the best way to get through their property.

Of course there is another issue — that is, where there is still an impact, what compensation should be payable to these people if they are impacted by the pipeline.

The member for Box Hill has circulated an amendment to clause 18 of the bill. I can assure the member that I have spoken with the minister's office, so I know that he is aware of the amendment, and the government is working to provide a reasoned response to that. I am sure that the member for Box Hill will get an answer when the minister comes in to sum up. I commend the bill to the house and wish it a speedy passage.

Mr WELLER (Rodney) — I rise to speak on the Energy and Resources Legislation Amendment Bill. This bill has many parts, and I would like to start off by referring to its amendment to the Pipelines Act. The Pipelines Act is an extensive act, and is one that perhaps the member for Seymour should have read. After speaking to the people he represents he should have asked the minister to use his powers to use the Pipelines Act to protect the people he says he is protecting.

Section 3 of the Pipelines Act states that some of the objectives of the act are:

- (b) to create an effective, efficient and flexible regulatory system for the construction and operation of pipelines;

and —

- (c) to establish sound consultative processes relating to the construction and operation of pipelines;

Furthermore, in part 2 of the Pipelines Act, section 11(2) says:

The minister may make a declaration under subsection (1) if the Minister considers that —

- (a) it is necessary to regulate the pipeline under this Act for safety or environmental reasons; or
- (b) it is in the public interest for the pipeline to be regulated under this Act ...

I would indeed say that the north–south pipeline should have been brought in under this act, and that the minister should have used the powers he already had

and should have exercised them to protect the people that the member for Seymour states he has been talking to. The good people of Seymour need to be protected, and that is why we are raising these matters.

I turn to section 49 of the Pipelines Act, which is headed 'What matters must the Minister consider?'. It states:

In determining an application for a licence, the Minister must consider the following —

- (a) the potential environmental, social, economic and safety impacts of the proposed pipeline;

If members were at home watching television last Thursday night or Sunday night they would have seen documentaries that are very relevant to my electorate. Thursday night's *Catalyst* on the ABC was about the health of the Murray-Darling Basin. The program showed extensively how the health of the Murray-Darling Basin was stressed because of the drought. It also showed that the lakes in the lower Murray — and even around Bottle Bend near Mildura — were becoming acidic because of the lack of flow, so why would we build a pipeline to take a further 75 000 megalitres from the stressed Murray-Darling Basin, which is turning acidic in areas, when that 75 000 megalitres could well be used to protect the environment?

The social impacts of taking water from northern Victoria are quite horrendous — 75 000 megalitres is 150 dairy farms, which is potentially one factory. Which town is the government proposing to close? Is it one of the towns with a dairy factory in northern Victoria, or is it one of the towns with a horticultural factory?

Section 49 of the Pipelines Act states that, in determining an application for a licence, the minister must consider:

- (c) the benefit of the proposed pipeline to Victoria relative to its potential impacts;

It has no benefits to Victoria. The north-south pipeline transfers water from a drought area to a higher rainfall area. Melbourne could find its own water supply from stormwater. An article has been put out by some engineers that suggests it would be a cheaper option to capture stormwater in Melbourne than to build a \$750 million pipeline that takes water from a dry area to a wet area.

Section 92 of the Pipelines Act is headed 'Proponent or licensee to lodge notice with Registrar', and soon we reach section 95, which is headed 'Decision of

Minister' and to which the member for Box Hill is proposing an amendment. This clause is relevant to the minister granting a permit to compulsorily acquire land for a pipeline. It states:

- (1) Before making a decision on an application under section 90, the Minister must —
 - (a) be satisfied that the proponent or licensee has taken all reasonable steps to reach agreement with the owners of the land in relation to the purchase of the easement;

Now we are trying to amend it to provide that when making a decision for access to land for a pipeline the minister 'may consider whether the proponent or licensee has satisfied the requirements set out in an approval consultation plan'.

Why have an approval consultation plan if the minister can ignore it? Surely it would be better to have the provision read that the minister 'must' consider whether the proponent or licensee has satisfied the requirement set out in an approved consultation plan. If we are going to have the words 'consultation plan' inserted into the act, why would it not be that the minister 'must' consider it? If the minister does not have to consider it, then he is open to lobbying to make him ignore whether or not due process has been followed.

Part 10 of the act refers to rehabilitation and compensation. Section 140 asks, 'What is a rehabilitation bond?'. As the member for Seymour has pointed out, it is quite appropriate that there are concerns that there could be disruption to the landowners going about their business, whether it be a winery, a sheep farm, a beef farm or another type of farms. If the proponent were to put up a bond, that would make sense. It would make them realise that they have put up this money and if they do not do the right thing, they stand to lose that money. The land-holders have a safeguard that if the rehabilitation is not carried out appropriately and in a timely manner, there is money set aside to compensate them for the negligence to their land-holdings.

This process should have applied to the pipeline that went from Colbinabbin to Lake Eppalock. The farmers at Toolleen are still negotiating with Coliban Water over the rehabilitation of the pipeline that was finished last September. The land has not been rehabilitated satisfactorily, and because this act never applied to this pipeline, Coliban Water and the people who built the pipeline are weaving their way out from taking their responsibility properly by reinstating those stretches of the pipeline that pass through farms. That process should involve repairing pasture, crops and topsoil to

make sure that those stretches of land are not subject to erosion when the wet weather returns. We need to ensure that when the rains and seasons return to normal we do not allow the land to be eroded. We also need to protect the farmers who protect that land. So I think it would have made sense. I support the member for Seymour who said that this bill should apply to the north-south pipeline.

We also talk about the owner-occupier's right to compensation. In regard to division 4 headed 'Compensation', section 151 of the act states:

- (1) The owner and the occupier of land are each entitled to compensation from —
 - (a) a proponent who enters the land in accordance with Division 2 of Part 4 to carry out any survey ...

So it is ongoing. Without this bill being applied to the north-south pipeline, what guarantee have the land-holders along the north-south pipeline that they are going to be protected into the future? In the future, after the building phase, we could have a malfunction in the pipe which springs a leak. A vehicle could drive in which could take in ovine Johne's disease or, as the member for Seymour said, it could in fact take phylloxera into a winery, which would be devastating to the winery industry in that area. The legislation has some holes in it. I support the amendment.

Mr SCOTT (Preston) — It gives me great pleasure to speak on the Energy and Resources Legislation Amendment Bill 2008. I will be speaking in support of the bill. In my speech I would like to concentrate, firstly, on the amendments made to the Geothermal Energy Resources Act 2005. These amendments clarify that a minister may undertake a further tender process at any time for applications for exploration permits where an initial tender does not result in the granting of permits over tendered land. Further, it clarifies that the minister may specify criteria for assessment of an application for geothermal energy exploration payments made in response to an invitation by the minister, and it enables the minister to assign an order of priority based on a merit assessment of applications received in respect to the same land on the same day through that process.

Geothermal power, in my view, is very important. Any amendments that improve the Geothermal Energy Resources Act, as these do, are worthy of support, because geothermal is a non-polluting energy source. 'Renewable' is a slightly debatable term, since over a long period of time the use of geothermal power reduces the energy underneath the ground because of the heat that is taken out. But that period of time is a

very long one, by all estimations. It is a renewable energy which is baseload power. Geothermal power is not reliant on rain, it is not reliant on wind, and it is not reliant on sun. It is energy that is trapped underneath the surface of the earth that can be tapped.

Mr Stensholt — Hot rocks!

Mr SCOTT — Exactly. As the member for Burwood helpfully interjects, it is hot rocks. Water is pumped down into the hot rocks and steam is extracted from that process, which can be used to generate electricity. It is also very important because it is not a new technology. The first testing of geothermal power took place in 1904. It is a well-established technology for generating electricity. In Iceland 19 per cent of electrical energy is generated by geothermal power. This is a technology that is used on a wide scale in large parts of the world. Although it currently produces less than 1 per cent of the world's energy, the scope for it is actually quite enormous. A report that was done in the USA indicated that geothermal power containing hot rocks that were 10 kilometres below the surface would provide all of the world's current needs for approximately 30 000 years. Geothermal power is a very important future resource. It is very important that this state and this government, which I know takes this matter seriously, is taking the process forward.

Mr Barry Goldstein, the director of petroleum and geothermal for Primary Industries and Resources of South Australia, estimated geothermal power, within a reasonable short period of time, could generate 6.8 per cent of Australia's baseload needs, which is a very significant amount. As I said, in the longer term, using the deep geothermal power located in hot rocks about 10 kilometres underneath the earth, there is not limitless supply because demand will increase in the future. However, there exist huge energy resources that hopefully into the future will provide a clean source of power for many Victorians. The Romans certainly have used geothermal power to heat buildings over a long period of time.

The bill also makes some changes to increase electrical safety, which is something that I would hope would be at the forefront of every person's mind. Electricity supply is an important aspect of our society, but of course electrical safety is something that should be taken seriously by all members of the house. As was stated previously by the member for Seymour, the bill increases the penalty on licensed electrical inspectors who fail to record defects in electrical work inspected. This is a very serious issue.

With the indulgence of the house, I will just talk a little bit about what electrocution can mean. If I remember the adage correctly it is ‘volts jolt, amps kill’. If you get a strong enough ampage through the heart, you will die; there are no two ways about it. The sorts of voltage levels you will get in Australia — about 60 milliamps, which is hardly a very strong current — will kill you. If you get a current directly through your heart, you are likely to die.

Dr Sykes interjected.

Mr SCOTT — The member for Benalla is suggesting that members of this place have no heart. I think that is a cruel indictment of himself rather than anyone else. If we do not get electrical safety right, people die. People in this state have died from electrical accidents, so every member of this house should take electrical safety seriously. As I know other members wish to speak on this bill I will keep my comments brief. This is a sensible piece of legislation which deals with serious issues in an appropriate manner. I commend the bill to the house.

Ms ASHER (Brighton) — I want to make a couple of comments on the Energy and Resources Legislation Amendment Bill before the house. In particular I want to concentrate on the amendment flagged by the member for Box Hill. I just want to explain to the house the importance of this amendment and the reasons the Liberal Party and The Nationals are in support of the amendment.

The Liberal Party and The Nationals do not oppose the bill; we simply want to amend it to strengthen it. Clause 18 suggests:

After section 95(1) of the Pipelines Act 2005 insert —

“(1A) In considering whether the proponent or licensee has taken all reasonable steps for the purposes of subsection (1)(a), the Minister may consider whether the proponent or licensee has satisfied the requirements set out in an approved consultation plan.”.

The member for Box Hill’s amendment seeks to change the word ‘may’ to ‘must’, so that the minister must consider whether the proponent or licensee has satisfied the requirements set out in an approved consultation plan.

Basically this is a series of amendments to the Pipelines Act 2005, which contains compulsory acquisition powers that have some application, if gazetted, to water. That is the motivation for moving this particular amendment. Acquisitions generally in relation to water can take place in two forms. Firstly, there is a power under the Water Act and in particular there is a power

under regulations under that act for water authorities to acquire land on a compulsory basis. When we first reconvened after the 2006 election the Liberals and The Nationals spoke at some length in this house about these wide-ranging powers for water authorities.

However, there is also a second means by which governments can compulsorily acquire land for water projects, which is what has currently been gazetted by the Minister for Water — that is, the powers under the Project Development and Construction Management Act. These powers apply, for example, to the Bendigo–Ballarat pipeline — and that is indeed how the minister gave himself additional powers in that area. I hark back to the Water Amendment (Critical Water Infrastructure Projects) Bill 2006. The government at that point argued that it needed additional compulsory acquisition powers over private land and that we all should come back to the Parliament prior to the end of 2006 to debate this vital, pivotal piece of legislation. In the second-reading speech for that bill the government argued that the Ballarat–Bendigo pipeline could not be completed unless it had these additional powers.

This is not so, because as members of the house would be aware, the Bendigo section of that pipeline has been completed. The government had adequate powers under the Water Act — in particular the regulations under that act which enable water authorities to acquire land — and under the Project Development and Construction Management Act to acquire the land to build its pipeline. We on this side of the house worry a great deal about the government’s attitude to the acquisition of private land in relation to water projects. We would argue that the government is quite cavalier in its attitude to the acquisition of private land, given that it wanted to have even more powers and claimed in the second-reading speech that it needed additional powers. We can all see that the Bendigo element of the project is already complete.

The reason the member for Box Hill circulated this important amendment is that, if there is going to be compulsory acquisition of private property — and we on this side of the house value private property rights enormously, notwithstanding the government’s cavalier attitude in the critical water infrastructure projects bill — we believe it must be subject to an approved consultation plan. It is not just if the minister feels in the mood at one particular time. It must be considered, because the acquisition of private land is so important. There needs to be better protection for landowners in the face of this government’s rapacious desire to acquire land.

A number of current issues have inspired this amendment. Obviously the north–south pipeline is a critical issue. There being a range of acquisitions, and possibly there will be more acquisitions of private land under this project, we are simply saying with this amendment that the minister must consider whether there has been an approved consultation plan. In terms of the substantial motivation for this amendment, we on this side of the chamber believe the north–south pipeline is wrong. It is wrong firstly because it breaks an election promise by this government that it would not take water from north of the Divide to bring to Melbourne, and it is wrong secondly because the first 75 gegalitres of water from this project are for the election year 2010 — just for the election year — guaranteed for Melbourne. It is morally wrong to impose this project.

I suspect the member for Seymour sitting in the chamber might think this project is slightly morally wrong as well, for his own reasons. It will be interesting to see how the member for Seymour votes on this amendment when it is put. It will be interesting to see whether the member for Seymour stands up for his constituents or whether he is a Labor Party representative here in Spring Street rather than being the member for Seymour representing his constituents' interests. That will be interesting to see.

I suggest the way around this amendment for the government, rather than having to vote on it, would be to announce that the pipeline will not proceed. This is not a novel idea from me; it is an idea that has emanated from within the Brumby government. I refer to an article in the *Australian* of 2 May by journalist Rick Wallace:

Plans to alter or even dump Victoria's contentious north–south pipeline project amid a rural backlash have been discussed within the Brumby government.

You can see, Acting Speaker, that this is not my idea; this is something that has come from within the Brumby government. I further quote from the article:

One senior source —

could that be the member for Seymour? —

... the pipeline ... was under review because it was hurting the party badly in country areas. 'There's been a proposal ... for it to be scrapped', the source said. 'There's concern that it's a problem and it might cost us a seat'.

I read this with interest and thought, 'Could the seat be an upper house seat; or could it be Ripon? What seat is being jeopardised by this immoral proposal to transfer water from a drought-stricken area in country Victoria

to Melbourne?'. I can always rely on the Labor Party to inform all of us.

The article goes on to say:

Treasurer John Lenders did not guarantee the pipeline would go ahead ...

The member for Seymour has very high-level support in this regard. The article further says:

Work has begun on establishing the route of the pipeline, which will pass through the Labor-held seat of Seymour, which is thought to be in jeopardy because of it. Senior Labor figures, including Mr Brumby, are concerned about Labor's declining support in rural Victoria, which saw it lose two seats in Gippsland at the 2006 election.

I make the observation in support of the amendment that it will be interesting to see how the member for Seymour votes on it, because the amendment stands up for his constituents and for rural Victoria. If the dilemma becomes too great for the member for Seymour, the government could decide to scrap the project and save his seat.

Mr STENSHOLT (Burwood) — I am delighted to speak on the Energy and Resources Legislation Amendment Bill 2008 in support of the excellent presentation by the member for Seymour, who I am very honoured to follow. I am a little disturbed that the member for Brighton does not seem to want any water for her own constituents; it is a bit of a worry that she treats them with such disdain.

A number of issues are dealt with by the bill. I will not go into any detail on the proposed tourist fossicking authority. Some other important issues, including electrical safety and geothermal power, which have been mentioned by other members, are dealt with in the bill. The bill makes a range of amendments to improve electrical safety in Victoria. I have spent a fair bit of time working on occupational health and safety, so I am a very strong believer in making sure there are safer workplaces and safer homes.

Clause 6 makes it clear that the registration and operation of a cathodic protection system should be the responsibility of the owner as the effective controller of the system. A cathodic protection system, as defined by the Electricity Safety Act 1998, is one that uses direct electrical current to protect metallic structures — often underground steel structures such as water, fuel or gas pipeline, steel pier piles and underground cables — from corrosion. The danger created by the electrical currents means there is a need for protection. They need to be registered and inspected to ensure they operate correctly. This is a very small part of the legislation, but

it ensures greater safety by making sure that the owner is held responsible for it in that regard.

I have considered views about cutting red tape in Victoria, and the Brumby government has very good targets in this regard. I commend it on clause 3 of the bill, which is another example of what it is doing to achieve these targets. It is actually doing things, rather than being like the opposition, which stands for nothing, as we have heard time and again. The clause will make sure that the registration period of electrical contractors continues for up to five years. This will be of great assistance to those in the industry.

A number of provisions in the bill increase penalties. For example, they will apply to licensed electrical inspectors who fail to record defects in electrical work when issuing a certificate of inspection. It is very important that there is follow-up on that and that if the inspection is not done properly and if the certificate of inspection is found to be incorrect, appropriate penalties be imposed. It is very important that penalties keep pace with the cost of living, and this provision is an example of that.

Another important aspect of the bill I wish to comment on is geothermal energy. I have had an interest in this since before I was elected to this Parliament, I did some work in the department of geography and environmental science at Monash University. A number of people there were interested in geothermal research and were conducting research on sinking cores and were involved in all sorts of other technical projects. I am very pleased that Victoria is leading the way in renewable energy with the Victorian renewable energy target and other targets the government is seeking to achieve. This is an example of the government's desire to facilitate the exploration of all possible uses of Victoria's energy resources.

Previous speakers on this bill have asked exactly what geothermal energy technology is. It is obviously underground, and particularly involves the Palaeocene rocks that you find in the Otway Basin in Gippsland. There are also some in the Murray–Darling Basin. Some research has been done in South Australia, and we want to extend that research into Victoria, to places where there are hot dry rocks or hot water. Mapping has been done by the department in terms of temperatures up to 150 degrees centigrade. Once you tap into this, water then converts to steam, and the steam that is coming either from the dry rock or from the heated water underground can be used to turn the turbines and create electricity, which is the idea.

Here in Victoria the state has been mapped, and in 2005 the Geothermal Energy Recourse Resources Act was passed, which allowed for this further exploration and work to be done. A number of tenders were put out — one in 2006 — and companies were offered permits to explore a total area of 80 000 square kilometres across the southern part of Victoria. Geothermal mapping is in its infancy, and the geosciences experts have to do a lot more work in this regard in order to do the mapping, and part of this exploration will contribute to the science of understanding the geothermal characteristics under the ground here in Victoria and, in the main, under the sea. I am sure the member for South-West Coast will be well aware of that in terms of the basins off the area for which he is the member.

A number of permits were issued in 2007 to a number of companies. Hot Rock Ltd, for example, got exploration rights from Lorne, west past Warrnambool and Portland to the border; Geogen Victoria, Torrens Energy Ltd and Proactive Energy Developments Ltd received exploration rights; and Greenerth Energy Ltd got three permits under the system which has been established here in Victoria. These companies have signed up to exploration expenditure of \$64.2 million over five years.

Earlier this year — in fact only a few days ago — more ground was released for further permits. According to a press release of Thursday, 24 April, from the Minister for Energy and Resources, announcing the release on that day of 19 new Victorian exploration areas:

... the new exploration areas were located mostly in the Wimmera, in the north of the state, and also in Gippsland, and covered more than 154 000 square kilometres.

It is very encouraging that this tender has been put out for companies to explore further parts of Victoria. It is interesting, looking at the geothermal map, that a lot of the work has been done in southern Victoria and that not a lot has been done in the north. Under these new permits, if taken up, companies will be able to map the northern part of Victoria, do the exploration and, we hope, come up with some viable demonstrations and pilot projects which will then lead on in the longer term to improving the use of such renewable energy sources here in Victoria. I commend this bill to the house. This is an excellent example of taking things further in geothermal energy as well as making Victoria a safer place to live, work and raise a family.

Dr NAPHTHINE (South-West Coast) — I rise to speak on the Energy and Resources Legislation Amendment Bill, which covers a number of areas, including electrical safety, geothermal energy, the Pipelines Act and mineral resources legislation. I wish

to particularly concentrate on the Geothermal Energy Resources Act and talk about some of the activity with respect to geothermal energy and resources in my area. I will highlight some of the work that has been done, but in particular I will highlight some of the hypocrisy from the Labor government, which purports to be a strong advocate for alternate energy. I will highlight how there is a vast gap between the government's rhetoric on these issues and its actions on the ground.

First, I will talk about some of the successes. I refer to an article in the *Warrnambool Standard* of 2 April this year under the heading 'Region first for water power'. It states:

A \$12 million commercial geothermal power plant which will generate enough energy to power 1250 homes will be built in the south-west by the end of next year.

Further, it states:

The renewable energy plant comes after Queensland company Hot Rock Ltd yesterday announced it had discovered that the Willatook-Koroit district contained geothermal water.

The water, between 140 and 150 degrees, is found in rocks 3 to 3.5 kilometres below the ground and produces a clean, renewable resource used to generate electricity.

It further refers to comments from Hot Rock Ltd managing director Mark Elliott. The article states:

He said an advantage of geothermal energy was that it was available 95 per cent of the time, unlike wind and solar ... which were weather dependent and only available 30 per cent of the time.

The article concludes by saying:

Hot Rock Ltd will use the south-west plant as a pilot plant. The company expects to —

generate —

a number of larger geothermal plants throughout the state in the future which it predicts will meet the power needs of a quarter of a million households.

That shows there is some work being done, particularly in south-west Victoria, on developing the potential for geothermal energy. There is enormous potential for growth with that energy and it is important to support and encourage that development.

However, I wish to raise some concerns about some of the barriers that are placed in front of people seeking to develop alternate energy. It is a pity the member for Burwood has left the chamber, because he said that one of the things he sought to champion as a member of Parliament and a member of the government was the need to remove red tape at every opportunity.

I quote from an article in the *Portland Observer* of Monday, 21 April 2008 — a fairly recent article — the headline for which is 'Red tape swamps project'. That is right up the alley of the member for Burwood. It says:

A renewable energy company is blaming state and federal government red tape for the dramatic downsizing of its Portland wave energy project.

Oceanlinx has withdrawn its proposal to deploy 18 1.5 megawatt wave energy converter units with a total generating capacity of 27 megawatts — and is now planning to deploy two units each with a 1 megawatt capacity.

...

Its 27 megawatt capacity project was to have been the largest wave energy development in the world.

However, the proponents of the project have said they have withdrawn that proposal due to an excessive:

and potentially lengthy ... assessment process ...

They blame the state government's red tape for the slowdown and potential kiboshing of a major wave energy project, which is really important for our community. I challenge the member for Burwood to live up to his rhetoric about getting on with removing red tape and help this company get on with this very innovative wave energy project.

I also wish to refer to the geothermal situation in Portland itself. For 25 years Portland had a working, geothermal energy system, which was closed down by this government. This government purports in this legislation to be the champion of geothermal energy, but in 2006 it closed down the Portland geothermal energy system — the only working geothermal energy system in Victoria.

I refer to a document produced by SKM in collaboration with Monash University, *The Geothermal Resources of Victoria*, produced for the Sustainable Energy Authority of Victoria in February 2005. It says:

Deep groundwater bores, currently owned and operated by Portland Coast Water —

now Wannon Water —

for the purpose of municipal water supply for the city of Portland, produce groundwater at temperatures between 57 and 60 degrees ...

Water produced from Portland 14 (also known as the Henty Park Bore) is used for geothermal heating purposes. Drilled in 1982, Portland 14 free flows under artesian pressure at approximately 90 litres per second from a production interval between 1254 and 1365 metres below ground level. In 1985 it —

produced —

about 22 litres of hot water to a number of heat exchangers to heat the city's swimming pool complex, arts centre, civic centre, municipal offices ... and elderly citizen's centre ... The estimated cost savings ... with ... geothermal energy for heating in 1985 was approximately \$120 000 per year ...

At the time it was closed down this geothermal heating system heated the Portland and District Hospital, the police station, Fawthrop Centre, the public swimming pool, the municipal offices, CEMA Arts Centre, the civic centre, the library, the tourist information centre, the Richmond Henty hotel, State Emergency Service offices and Portland Maritime Discovery Centre. And guess what? Since the authority has closed down this geothermal bore it has had to install a gas-fired heating system to heat the water to put into the water-based facilities. It is absolute waste and mismanagement.

The report I referred to before says in its conclusion:

Given the large area over which geothermal waters can be extracted and the relatively small level of development to date, there is a huge potential for expanding and further utilising the geothermal resources of Portland and the Otway Basin in general.

Indeed Sinclair Knight Merz said that the Portland geothermal scheme was a flagship for alternative energy use in Victoria with huge potential for expanding and further using the geothermal resources in Portland.

I challenge this government to reopen the Henty bore, to reopen the Portland geothermal system and to show that geothermal can work and will work on a sustainable basis. Guess what? The scientific studies show that it is well worthwhile. A recent report entitled *Portland Water Supply — Henty Park Bore* dated November 2005 by Sinclair Knight Merz estimated that a new bore with a 50-year life span would cost \$1.4 million and would produce annual savings to the Portland community of \$300 000 in heating costs.

The annualised capital costs of the new bore of \$28 000 are much less than the annualised savings of \$300 000. We have independent experts saying this is a great system which should be reopened. I challenge the government to put its money where its mouth is. This would be a good investment because it would return a positive benefit to the community in terms of saved greenhouse gases, cheaper energy and a working geothermal system.

This government, which gives us plenty of rhetoric about alternative energy, has a real opportunity to do something about it, and instead of closing down the geothermal system it should reopen it. The bore is still

there; the geothermal water is still there; the only thing that is not there is a government commitment to this project. I quote Neil Buckingham, a former Portland municipal engineer, who said:

It is my opinion that if the geothermal system is closed down, then this decision will go down in history as one of the most stupid and irresponsible decisions ever made in this area, and those involved should be ashamed of the role they played in the decision, even if it was only to do nothing to stop it from being closed down.

I say, 'Hear, hear!' to that. The people who were largely responsible for allowing this great system to close down were the members of the Labor government here in Victoria. They should be ashamed; they should hang their heads in shame. They should understand that when they speak about geothermal energy they should listen to their own rhetoric and then understand what they have done in their term in government. There was only one geothermal system operating successfully in Victoria, and it was closed by the state Labor government. So much for its care about alternative energy and geothermal energy.

Mr INGRAM (Gippsland East) — Thank you, Acting Speaker, for the opportunity to speak on the Energy and Resources Legislation Amendment Bill 2008. The bill makes a range of amendments to the Electricity Industry Act, the Electricity Safety Act, the Geothermal Energy Resources Act, the Mineral Resources (Sustainable Development) Act, the Petroleum Act and the Pipelines Act. It is a fairly short piece of legislation making mainly minor changes, although some of them are important.

I would like to focus on a couple of those changes in particular. Many members, including the member for South-West Coast, have spoken about geothermal energy. I would also like to make some comments about the Petroleum Act and the amendments to that act, and also about some of the changes in relation to extractive industries.

One of the challenges we have in Gippsland, which pretty well cuts across the amendments in a number of areas, is that we have a large portion of the petroleum industry, both oil and gas, coming out of Bass Strait. That also impacts on the groundwater systems. Most of the Gippsland region has a large, deep water aquifer — that is, the Latrobe aquifer — which is a fairly high temperature aquifer.

Because of the interconnection between the oil and gas industries and also the groundwater, when oil and gas are extracted that impacts on the groundwater table. It has always been one of the contentious issues. We have the potential for geothermal energy and extraction from

that aquifer, but because of the nature of the oil and gas industry it has not been required to ensure that its extraction does not impact on that groundwater table. There has been a very rapid and continual decline of the aquifer, which has meant that many people who got licences and bored into that deepwater warm geothermal aquifer no longer have the same rights they once had. People have had to invest very seriously in that. That is a very important issue that unfortunately is not dealt with.

In relation to the amendments to the Petroleum Act, we have a large number of exploration permits throughout our region, and some important opportunities exist within the Bass Strait oil and gas reserves, particularly further east. As exploration has moved there resources have been found. Probably some of the best resources have already been developed. But there is a lot of concern about those companies going from the exploration phase into the development of the fields in that they are not required to ensure they do not have an impact on the deep groundwater. There is total interconnection. If we do not introduce permits and place through regulation restrictions on the oil and gas industry, there will be an impact on the potential for geothermal and other treatment, as the member for South-West Coast indicated before.

One of the other issues that has arisen since I became a member of Parliament has concerns the Pipelines Act. We have the east coast pipeline running gas from Gippsland all the way through to Sydney. When that was being put through it was quite an interesting process for a member of Parliament, because at the time of the negotiations between Duke Energy, each individual land-holder and the state there was no compulsory acquisition. Basically that company had to negotiate each individual allotment. That was a very difficult process.

Since I have been in this Parliament we have made changes to the pipelines and the rights of governments to provide greater assistance for businesses to develop those pipelines. I think it is important that we get the right to make sure we have the ability to determine where pipelines go and that the power of compulsory acquisition should be used only in limited cases. Some of these projects are very important for the state of Victoria and for the nation, and it is important that we do not allow individuals to override that.

We need to make sure there are proper processes in place. That consultation process is important. We also need to make sure there is a requirement to return the land to its productive capacity and to compensate land-holders for any loss of production during that

process, and that is what the Pipelines Act does. With those words I indicate that I support the legislation before the house.

An honourable member interjected.

Mr INGRAM — I take up the interjection. The amendment is a sensible alternative to ensure there is a process. Too often we allow outs for governments with some of these processes. Normally I would support the change proposed from ‘may’ to ‘must’. It is important to make clear what will go on.

Another issue raised by the bill before the house is rehabilitation in relation to metal extraction — rehabilitation bonds and so on. I cannot find exactly where that is referred to in the legislation, but it has been an issue in East Gippsland. East Gippsland is one of the few areas in the state where there is still a large amount of exploration for mineral resources on land, and we have had a number of instances where the bonds were not adequate. There are provisions in this bill to make sure that there are rehabilitation plans that are approved work plans. It is important that we get that right, because in Gippsland we have seen the mess left behind for the government to clean up when things do not go according to plan and mining businesses go bankrupt. The Benambra copper mine is a classic example of that; the government has had to step in and clean that up. It is important in going forward to make sure that the government has those tools when it approves work plans or rehabilitation plans. With those words, I commend the bill to the house.

Mr WALSH (Swan Hill) — I must admit I am heartened by the support of the member for Gippsland East for the member for Box Hill’s proposed amendment, and I thank him for his contribution and his saying that it makes eminent sense that we actually change ‘may’ to ‘must’.

The Energy and Resources Legislation Amendment Bill 2008 changes quite a range of legislation: the Electricity Industry Act 2000, the Electricity Safety Act 1998, the Electricity Safety Amendment Act 2007, the Geothermal Energy Resources Act 2005, the Mineral Resources (Sustainable Development) Act 1990, the Petroleum Act 1998 and the Pipelines Act 2005. I would like to make a few comments on some of the changes to particular legislation.

Firstly, in relation to the Electricity Safety Act 1998, one of the things the bill will change is the registration period for electrical contractors from one year to up to five years. The member for Burwood made some comments about the reduction in red tape. If this is the

best it can do to reduce red tape, it is a poor attempt by this government. Although it is a change for the better, one of the things we need to be mindful of here is that all the fees and fines that are charged for these particular registrations and licences are indexed. Even though people may have their registration period lengthened, on 1 July this year, 1 July next year and 1 July every year, those fees are going to be indexed. The member for Burwood may think he has made a small gain, but we all know that the price of everything is going to go up on 1 July every year.

The Victorian Competition and Efficiency Commission was brought in by this government to try to reduce some of that red tape that the member for Burwood spoke about. But the best I can see from the Victorian Competition and Efficiency Commission is that it has produced some very weighty and lengthy documents. Very little has changed over that time.

Part 3 of the bill deals with changes to the Geothermal Energy Resources Act. My understanding of these changes is that they in effect make sure that those with exploration permits actually use them for exploration rather than hoarding them, thus potentially excluding some people from developing this industry. It is something that we need to seriously explore for the future of the industry. We do not particularly want people hoarding those exploration permits into the future.

The main contribution I would like to make is on the amendments to the Pipelines Act 2005 and the amendment circulated by the member for Box Hill. Clause 17 of part 5 amends the Pipelines Act 2005 by increasing the penalties for the construction and operation of a pipeline without a licence to construct or operate that pipeline from 120 penalty units to 240 penalty units for a natural person, and from 600 to 1200 penalty units for a body corporate.

The interesting change proposed by this legislation is in clause 18, which inserts a new section 95(1A) into the Pipelines Act. When we look at this section that is being incorporated into the Pipelines Act we are talking about the compulsory acquisition of land to build a pipeline. We are talking about compulsory acquisition, which is why I think the member for Box Hill's amendment is so important. We are talking about compulsorily acquiring land from an individual, and if we as a Parliament hold dear people's rights to their own property, everyone in this house should support the member for Box Hill's amendment. The amendment that is being inserted into the act by the bill as it stands says:

In considering whether the proponent or licensee has taken all reasonable steps for the purposes of subsection (1)(a), the Minister may consider whether the proponent or licensee has satisfied the requirements set out in an approved consultation plan.

We on this side of the house put forward very forcefully that we believe that word 'may' should be changed to 'must'. If you go to the *Concise Oxford Dictionary* and look up those two words, you see that 'may' is defined as expressing possibility; expressing uncertainty or irony. When we come to pipelines, particularly the north-south pipeline, we are probably talking about irony there, but the issue is that the word 'may' does not give a definite direction to the minister that he may do something. It actually expresses uncertainty. But if you go to the dictionary and look at the definition of 'must', it says it means to 'be obliged to'; 'be certain to' or 'expressing insistence'. So I think to say that 'may' is suitable in there is not right, that we must have the word 'must' in there so there is a definite obligation on the minister to make sure he puts in place reasonable steps when people are going to have their land compulsorily acquired.

The proposed addition to section 95 in the Pipelines Act refers back to sections 90 and 91 of that act. Section 90 states:

A proponent or licensee may apply to the Minister for consent to compulsorily acquire an easement over private land for the purposes of constructing and operating the pipeline.

which is all fair enough. But the proponent has an obligation to have put in place a process to deal with people, and what the amendment says is that the minister — if the amendment is carried — 'must' review that process of a consultation plan that has been put in place, not just 'may'.

We believe that if this bill is going to give individuals here in Victoria the best rights to their land, this amendment should be carried so that the minister actually has to put that in place. If we are talking pipelines — and a few people have mentioned the various pipelines that have gone through their electorates as time has gone by — we should realise that the Pipelines Act has been a very valuable tool for individuals who have had difficulty dealing with major companies as those pipelines are going through their properties.

The sad thing is that we all at one stage looked forward to having gas pipelines put through our electorates. We had a \$70 million election promise from the Bracks government at the time that it was going to put natural gas into country Victoria. We would have made sure that the Pipelines Act was there and that the people in

our electorates would have been dealt with fairly as the natural gas pipelines were rolled out into country Victoria. Seventy million dollars specifically out of the Rural Infrastructure Development Fund was promised to assist with getting natural gas out into country Victoria.

Mr Nardella interjected.

Mr WALSH — As the member for Melton says, his government changed the rules. It changed the rules so that money was no longer there for country Victoria to get natural gas, that money was there to enable the interface councils around Melbourne to get natural gas — a great election promise; another promise that was broken by this government, like the promise: ‘I will never, ever: cross my heart!’. Former Premier Bracks said, ‘I will not take water from north of the Divide to south of the Divide’.

Mrs Powell interjected.

Mr WALSH — He should have kept his promise. The member for Shepparton interjects and says he should have kept his promise but the then Premier of Victoria, going to the election in 2006, gave a firm commitment to the people of Victoria that he would not take water from north of the Great Dividing Range to south of the Divide.

I know the Acting Speaker is looking at me about being on the bill but we are talking about the Pipelines Act here. We are talking about the building of pipelines and the easements required and the compulsory acquisition of land to build those pipelines on. So the election promise not to bring water from north of the Divide to south of the Divide is very relevant to the Pipelines Act because with that broken promise we now have a pipeline being built from Yea through the Sugarloaf Reservoir, which is going across a substantial amount of private land. It is using the Water Act to compulsorily go through that particular piece of land. I suggest to the house that it would have been a lot fairer to the people involved if they had had to deal with what is happening under the Pipelines Act, particularly after the amendment proposed by the member for Box Hill is carried unanimously by this house, rather than under the Water Act.

I also remind the house that the government has form on this issue. As the member for Brighton said, the house was reconvened urgently after the 2006 election to introduce the Water Amendment (Critical Water Infrastructure Projects) Bill because the government said it needed extra powers to introduce and implement water projects in this state. Surprisingly the world has

gone on and those projects have been delivered without that particular piece of legislation. If it had been passed, people’s rights would have been stripped away, just as people’s rights are going to be stripped away if the member for Box Hill’s amendment is not agreed to by this house, because we are going to find that the minister only may do something. What we want to ensure is that the minister must actually review those consultation plans so that people get a fair go and are not ridden over roughshod by the Brumby government.

Mr HUDSON (Bentleigh) — It is a pleasure to speak on the Energy and Resources Legislation Amendment Bill. I am very pleased to speak on this bill because it is about the Brumby government’s commitment to safety. I think we can all acknowledge that the government has a great record on safety — safety in the workplace, safety on roads and safety in terms of making sure that we have safe work practices in Victoria. One of the reasons we have been able to drive down WorkCover premiums is because we have made sure in everything we have done legislatively in this house that we have driven safety for workers and safety for consumers. That is a great change from the sorry record of those on the other side of the house when they were in government.

This bill is about ensuring that not only do we have safety but we are streamlining administrative costs and current practices. It will ensure that we have greater electrical safety in Victorian homes by increasing penalties for non-compliance. This legislation puts the onus on the person giving a safety certificate as an electrical inspector to make sure they have done a proper job on the inspection. At the moment the penalties are low. I am proud to stand up here and say that my father is a sparky. He has been a sparky for 60 years.

Dr Sykes interjected.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Benalla is out of his place and should not interject.

Mr HUDSON — Mate, they couldn’t light you up with an electrical jolt! I can assure you, 240 volts wouldn’t do it for you.

Whilst my father is winding down his electrical work, he is still in great demand as a tradesman. The reason he is in demand is that he is a perfectionist. He likes to go to enormous lengths to make sure the job is done as it should be done. I am sure he would have loved me to follow in his footsteps and become a sparky, but I had

an early induction into electrical work when I was on school holidays.

I went along with dad, and I had to bang in clips for the electrical wire along the joists underneath schools he was wiring up. It was a pretty tough job crawling over the rubble. My specialty of course was the very small cavities where you had to literally move on your back across the rubble and bang the clips in. It was not easy work, and I think that put me off being a sparky for life. But after I review what I have to put up with in here, maybe I should have followed him into the trade. Needless to say, even though I did not become an electrician, he taught me some very significant lessons in life. They were about the importance of hard work, of paying attention to detail and of making sure that you do the job well. This bill is about picking up on those situations where inspectors do not do the job as well as they should.

That is what we are doing here: we are driving an improvement in safety by increasing the penalty for not properly carrying out these inspections. At the moment the penalty is only about 10 penalty units, which is about \$1000, as each unit is worth about \$114. That means if an electrician issues a faulty or inadequate electricity certificate, he is basically paying a penalty of only about \$1000. That is clearly inadequate. It does not deter electricians from issuing faulty inspection certificates.

What we are doing through the bill before the house today is increasing the penalty for non-compliance to 50 penalty units. That is a fivefold increase in the penalty, and it will be a much more adequate deterrent. It will bring the penalty for non-compliance with a written notice up to \$5000, and it will be up to 250 penalty units for a body corporate, which is about \$250 000.

The bill will also give Energy Safe Victoria the power to issue fines or suspend and/or cancel the registration of a licence. That is incredibly important. We have had very poor commentary from the courts about the minimum penalties that are in place. But where prosecutions have been brought by Energy Safe Victoria — and I think about five prosecutions have been brought each year — the courts have said they would like to impose higher penalties but their hands have been tied because the penalty provisions of the act have not been strong enough.

This bill clearly strengthens those penalty provisions. It places a much higher premium on workplace safety and safety in the home. Whilst we do not know the exact numbers, we do know from the Metropolitan Fire

Brigade that a large number of fires are caused by electrical faults. It is important that we have an appropriate regime of deterrents and a strong regime to ensure compliance.

The other aspect of the bill goes with amendments that were made last year that enabled Energy Safe Victoria to issue a rectification notice, at no cost to the consumer, where a certificate of electrical safety was wrongly issued. That provision is section 45AB of the Electricity Safety Amendment Act, which protects the rights of consumers. Whilst in the past it was possible to prosecute the inspector for non-compliance, there was also a need for rectification of the work. The householder would be left with non-compliant electrical work that needed to be rectified, and since they had already paid for the work it was unreasonable to expect that they should have to pay for the work again. Section 45AB ensures that the work is rectified at no cost to the householder. That provision has been an important legislative advance in recent times.

Some electrical inspectors who have been prosecuted have been found to have written multiple permits across Melbourne on the same day, when obviously it was not possible for them to have been able to travel the distances between the different locations where the permits were given and physically make those inspections all on the same day. Some inspectors have claimed to have made inspections and been paid for the them but have not done the physical inspection work. Again the increase in the penalty will be a very significant deterrent to inspectors engaging in those kinds of shoddy practices in the future.

We can see that this bill will make Victoria a safer place, because it will increase the level of deterrence for not conducting proper inspections. It will also require electrical inspectors not only to rectify and report on the known faults but also to actually check for other faults the householders may not be aware of and which might need to be rectified.

The other important part of this bill is the proposed increase in the periods of registration for electrical inspectors from one year to five years. It will mean those electrical contractors and inspectors who have been in the industry for years and have demonstrated a good record in terms of their competency, skill and experience, and who have a low rate of assessment risk, have the opportunity to apply for a five-year renewal instead of an annual renewal. That is going to save costs and is a sensible measure.

Sadly my father, who is 79, had a heart attack at the end of last year. I do not know whether he will be renewing

for another five years, but I am very proud of the work he has done as an electrician over 60 years, and I am very proud of this bill. I commend the bill to the house.

Mrs POWELL (Shepparton) — I am pleased to speak on the Energy and Resources Legislation Amendment Bill 2008. The bill amends seven principal acts, but I would like to concentrate my contribution to the debate on the amendments to the Pipelines Act. More particularly, I would like to support the member for Box Hill's proposed amendment to clause 18. As the member for Swan Hill said, this clause deals with compulsory acquisition, which is something we should all take into account. We are talking about private land-holdings, Crown land and people's livelihoods.

When we are dealing with such matters, we have to make sure that we consider whether people have been consulted and dealt with appropriately. We do not believe that is the case. Had they been dealt with under the Pipelines Act rather than the Water Act, as the member for Swan Hill rightly said, they may have got a fairer deal. I do not think anybody believes that the pipeline should be going ahead, but we believe people would have got a more consultative deal under that act, and the government would have realised right at the start that there was no support for the pipeline. Perhaps it would have abandoned the pipeline, which is what we hope it is going to do now.

Clause 18 says:

“(1A) In considering whether the proponent or licensee has taken all reasonable steps for the purposes of subsection (1)(a), the Minister may consider whether the proponent or licensee has satisfied the requirements set out in an approved consultation plan.”.

The member for Box Hill's amendment proposes to change the word 'may' to 'must'. The member for Swan Hill talked about the difference in language: 'may' is more wishy-washy than 'must', which means obliged to. It is very important that we make sure this government does everything properly for the people living in the pipeline area.

If the government had taken the Pipelines Act into account, it would have seen much earlier that there is no support for the pipeline and that there has been too little consultation and information given. The government has already costed the pipeline project, but it tells us that it has not identified the route yet. There is so much anger and angst in the community about the government standing by its record and not caring about what people are saying. It has been putting ads on television which it thinks is consultation, but we all know it is spin and propaganda. It is spending millions

of dollars of our money trying to sell this pipeline, which will not be sold. People out there are coming to grips with the fact that they really need to stand up and say no to it, or that is what is going to happen.

The amendments in this bill increase the penalties for constructing or operating a pipeline without a licence. Section 9 of the Pipelines Act deals with the pipelines to which the act applies. The act applies to pipelines for the conveyance of petroleum, oxygen, carbon dioxide, hydrogen, nitrogen, compressed air, sulphuric acid or methanol. Section 11 says the minister may declare pipelines to which this act applies. We believe the minister should have applied this section to the north-south pipeline. It says:

- (1) The Minister may by order published in the Government Gazette declare any pipeline or proposed pipeline to be a pipeline to which this Act applies.
- (2) The Minister may make a declaration under subsection (1) if the minister considers that —
 - (a) it is necessary to regulate the pipeline under this Act for safety or environmental reasons; or
 - (b) it is in the public interest for the pipeline to be regulated under this Act.

We believe both of those conditions would apply to the north-south pipeline. The pipeline should come under this act and therefore either of those conditions would apply; in fact, the pipeline should come under both of them.

The Pipelines Act also deals with consultation plans. We all understand that the Auditor-General has strongly said that consultation under this government has been absolutely dreadful and not rigorous enough when dealing with those stakeholders who own the land that this pipeline will go through. Imagine having property that you have farmed in the beautiful Yarra Valley for generations and the government coming to you and saying, 'We are going to build 70 kilometres of pipeline through your land, through Crown land and through beautiful vineyards. We don't really know where it is going yet, so we can't really tell you so you can't be prepared'. At the end of the day we need to make sure that those people whose land it is proposed the pipeline will go through are actually being dealt with fairly.

The consultation plans are referred to in section 16 of the Pipelines Act:

- (1) A proponent for a pipeline must prepare a consultation plan for the proposed pipeline before the proponent does the first of the following in relation to that pipeline —
 - (a) gives a notice of intention to enter land under Division 2; or

(b) gives a notice of a pipeline corridor —

which this government has not done yet —

under Division 3.

- (2) The purpose of the consultation plan is to show how the proponent will consult with owners and occupiers of land about the proposed pipeline.

The act then sets out the information that the proponent is to provide to the owner and occupiers of land. It says in section 17:

- (2) The information to be provided to owners and occupiers of land must include —
- (a) general information about the types of activities to be undertaken by the proponent for the purpose of any survey under Division 2 or the construction and operation of the pipeline;
- (b) information about how potential adverse impacts of the construction and operation of the pipeline on land, health, safety and the environment are to be managed —

and the government has not done any of those things. There is also to be:

- (d) a statement —
- (i) advising that owners and occupiers of land may seek independent advice on the pipeline proposal ...

My understanding is that a number of those people along the corridor are looking at some of the things they can do to stop this pipeline.

Section 49 of the Pipelines Act is about what matters the minister must consider. It says that the minister must consider the following:

- (a) the potential environmental, social, economic and safety impacts of the proposed pipeline;
- (b) the potential impact of the proposed pipeline on cultural heritage (including Indigenous cultural heritage);
- (c) the benefit of the proposed pipeline to Victoria relative to its potential impacts ...

I think that alone shows that this community is not going to be getting value for money. There are better ways to get water for Melbourne, such as by using Melbourne's own resources and recycling, than putting a 70-kilometre pipeline across a beautiful area of regional Victoria. The height of the pipe is such that a grown man can stand up in it —

Dr Sykes — Even you!

Mrs POWELL — I think it is bigger than me! We do not even know which way it is going. There is a lot of angst in the community. The member for Seymour said that he spoke to the landowners in his area who were impacted by the north–south pipeline. I am sure he must be uncomfortable because he has to support the government project. The member must know that the pipeline will adversely affect his community.

I drove down to the Yarra Valley a couple of weeks ago, and I stopped in Yea. A number of people there recognised me and wanted to tell me what they thought about the north–south pipeline. All along the Yarra Valley there are posters which say 'Stop the pipeline'. The issue has become very divisive. There are businesses that are against businesses and farmers who are against farmers. The government has now offered grants to those people affected by the pipeline. Those people can apply for a grant, but in very small print it says that they cannot criticise the pipeline. In effect those grants are trying to gag those people by not allowing them to criticise the pipeline.

There are many advertisements about it on television at the moment. The government is trying to sell this pipeline, but it will not be able to because nobody wants it. Today the Minister for Water said in question time that support for the pipeline is growing. It is not. Support for the pipeline is diminishing. We tell him all the time about all of the people who do not want the pipeline.

I do not know where the Greens stand on this issue. Although pumping water across the Great Dividing Range must increase greenhouse gases absolutely astronomically, the Greens are very quiet about this. They are not saying anything adverse about the government but quietly they say, 'Yes, we don't support it'. We need them to come out and oppose it.

People in Melbourne are opposing it. They are saying, 'We don't want this'. I speak to people in Melbourne all the time. They are concerned that it is proposed to take water by a pipeline coming from the food bowl of Australia to Melbourne, where people have their own ways of recycling water and reaching their own targets for that recycling. For the government to say that it will take the first 75 gigalitres of water from a drought-stricken region to an area that can recycle water — that is, which has other alternatives — is just absolutely staggering.

I am calling on the government to scrap the north–south pipeline. I understand that there is some disquiet amongst government members about the decision. I can understand that. Surely they are listening to their

communities. If they are, they will be hearing their communities saying, 'This is not a good idea. Abandon the north-south pipeline'.

Mr BROOKS (Bundoora) — I rise to speak in support of the Energy and Resources Legislation Amendment Bill 2008. The purposes of the bill are to amend the Electricity Safety Act 1998 in relation to the regulation of cathodic protection systems, to enable electrical contractors to be registered for periods of up to five years and to increase the penalty for an offence under that act; to amend the Electricity Safety Amendment Act 2007 in relation to the penalty for an offence under that act; to amend the Geothermal Energy Resources Act 2005 in relation to the tendering for exploration permits and in relation to retention leases; to amend the Mineral Resources (Sustainable Development) Act 1990 in relation to matters relating to tourist fossicking, to repeal certain redundant provisions and to increase the penalty for an offence under that act; to amend the Petroleum Act 1998 in relation to retention leases; to amend the Pipelines Act 2005 in relation to an increase in penalties for certain offences; and to make other miscellaneous amendments to those acts and the Electricity Industry Act 2000.

My attention was drawn to the annual report of Energy Safe Victoria. It notes that in the reporting period 2006–07 unfortunately two deaths by electrocution occurred. The report notes also that in the previous reporting period, 2005–06, seven people died by electrocution in Victoria and notably three of those electrocutions happened as a result of trucks touching powerlines in rural Victoria. While those numbers are not as stark as one sees in the road toll, for example, or in other public safety areas, they are still of concern. It is very heartening that in its annual report Energy Safe Victoria notes that it will continue to strive to reduce and possibly eliminate electrocutions and serious electrical incidents.

In speaking to this bill this evening, I intend to direct my remarks to part 2, which is specifically the amendment of the Electricity Safety Act 1998. Clause 3 amends the act to provide for registration of electrical contractors for periods of up to five years, whereas currently electrical contractors have to renew their registration annually. Here we are talking about contractors as opposed to licensed electricians — that is, people who are licensed electricians but contract in their own business.

Clause 4 repeals sections 34(2)(a) and 41(2)(a) of the Electricity Safety Act 1998. The sections provide for fines to be issued by Energy Safe Victoria where it is considered that disciplinary action is necessary. Three

other sections on penalties listed in the principal act are retained. The first, which is that a person must pay a fine of up to \$500, is removed by the bill. Anybody who has engaged an electrical contractor recently would understand that a fine of up to \$500 is not a very heavy deterrent for poor behaviour by electrical contractors, given the prices that they charge and the money that they make.

Clause 5 amends section 45(4) of the Electricity Safety Act 1998 to increase the penalty for licensed electrical inspectors who fail to record defects in electrical work when issuing a certificate of inspection. Again, when it comes to electrical safety, this is a very important clause. The penalty is increased from 10 to 50 penalty units, so it is a substantial increase in the penalty that will be incurred by electrical inspectors who fail to record defects in their certificates.

Clause 7 substitutes a definition of 'prescribed offence', essentially moving offences from the regulations into the legislation. Again, when it comes to the government sending a message to those people employed in the electrical industry about the seriousness with which we view electrical safety, I think it is important that those offences are enshrined in the legislation as opposed to being in the regulations.

The annual report of Energy Safe Victoria indicates the number of people who are working in the electrical industry. In 2006–07 there were over 9000 registered electrical contractors — that is inclusive of people renewing their contracting licences and those who were initially registering as electrical contractors. That is up from just over 7000 in the 2002–03 period, and the total number of electrician licences in that 2006–07 period was up around 25 900. So there are a large number of people performing electrical work in Victoria every day. This bill is another step in the government's program of ensuring that the legislation and regulations governing electrical work are best practice and clearly set out the seriousness with which this government views electrical safety.

It was interesting listening earlier on to the debate, and in particular to the member for Brighton, the shadow minister for urban water, and her arguments around the amendment that has been put forward by the member for Box Hill. The shadow minister for urban water spent nearly the entirety of her time talking about the Sugarloaf interconnector, the north-south pipeline, and railing about how this bill would give extra power to such projects in terms of compulsory acquisition and dealing with people when consultation was under way. In fact, the amendments in this bill in relation to the Pipelines Act are clearly not included. Schedule 1,

part 2 (Exclusions) of the principal act specifically states:

This act does not apply to the following pipelines ...

It lists them from (a) through (b), (c), (d), (e) and then down to (f), which refers to:

a pipeline for water supply, drainage or sewerage (not including a pipeline for the conveyance of geothermal water within the meaning of the Geothermal Energy Resources Act 2005) ...

Quite clearly the member for Brighton, the shadow minister for urban water, does not understand the Pipelines Act 2005, has not done her homework, and as we have seen a number of times, members of the opposition, particularly on the front bench, have been too lazy to do their homework, read the legislation and understand what they are talking about. They are quite happy to play the cheap political games, and they are quite tough when it comes to trying to pick on one or two members of the government but they do not understand the legislation. They did not bother flicking to schedule 1 and checking whether or not the Pipelines Act 2005 actually applied to water pipelines, and it does not. I commend the bill to the house.

Mrs FYFFE (Evelyn) — I am pleased to rise to speak on the Energy and Resources Legislation Amendment Bill 2008. We are told by the government that the purpose of this bill is to ensure an efficient and secure energy system, safe delivery of energy services and access to energy at affordable prices, with an emphasis on environmental sustainability.

Residents of the Yarra Ranges understand better than some the importance of reliable energy. On 2 April this year, parts of Victoria were struck by a severe windstorm that left a trail of debris and many properties without electricity. While most people were back on line within 24 hours, many residents of the Yarra Ranges, particularly those on the Warburton Highway side, including me, were without electricity for four days. The windstorm was a timely reminder of how dependent we have become on energy services. Without them our refrigerators do not cool, our hot water tanks do not heat, our washing machines do not wash, and for those of us on tank water — and there are many on that side of the valley — our pumps do not work, so we cannot flush the toilets and we cannot shower.

Looking at what happened during the period around that windstorm, where do we see measures in this bill to assist in avoiding a repeat of the recent power blackouts? It is disappointing that an opportunity has not been taken with this legislation. The bill amends the

Electricity Safety Act 1998 to provide that the owner of a cathodic protection system must not operate such a system unless it is registered by Energy Safe Victoria and must operate such a system in accordance with the regulations and conditions of the act. This amendment could be strengthened by reinforcing that it does not apply to persons employed for the purpose of testing a protection system. Nor should the clause be invoked in circumstances where maintenance or an extension to the system is being carried out.

The Department of Energy, Utilities and Sustainability in New South Wales has already adopted such provisions for anyone wanting to apply for an approval for a cathodic protection system. It is a wise inclusion that prevents a contractor from being held accountable in a situation where it is beyond reasonable expectation for the contractor to be aware of the owner's compliance with registration regulations under the Electricity Safety Act.

Currently electrical contractors are required to renew their registration annually. The bill will amend the Electricity Safety Act to provide for registration periods for electrical contractors of up to five years. This will ensure consistency with existing licence renewal arrangements for electrical works. Although the government has not outlined it in Parliament, one of the anticipated benefits of a longer renewal period for electrical contractors is expected to be a percentage saving on annual registration renewal fees. According to the Energy Safe Victoria website, electrical contractors at present have to pay an application fee of \$240 for a one-year period and \$170 to renew their registration each year thereafter. Any subsequent fee should reflect the reduced administrative burden of registration only occurring once every five years. It is my hope that the government will not see such a change as an opportunity to profit from a cumulative charge that incorporates administration fees when the administration requirements are one-fifth of what they will be.

The bill is also set to repeal redundant provisions and make other minor and statute law revisions of an administrative and machinery nature. They include amendments to the Pipelines Act 2005 to increase the penalties for constructing or operating a pipeline without a licence and amendments to the Electricity Safety Amendment Act 2007 to exempt any person that has an approved electricity safety management scheme.

I would like to speak in support of the amendment circulated by the shadow minister to make it mandatory for the minister to consider a proponent's compliance with an approved consultation plan before deciding

whether to authorise compulsory acquisition. The previous speaker attacked us for not understanding the legislation, but I would like to make it clear that the Pipelines Act does not apply to water pipelines unless the minister declares the act to apply to a particular water pipeline by notice in the *Government Gazette*.

The north–south pipeline or the Sugarloaf interconnector, whichever words you want to use, is of concern to many people in my region. The project — —

Mr Nardella — Rubbish!

Mrs FYFFE — Perhaps the honourable member who is making his usual ridiculous interjections would like to come out to my electorate and meet some of the people.

Mr Nardella — Any time.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Melton should not interject in that manner.

Mrs FYFFE — The project impact assessment report hearings were advertised on 19 February 2008, and the closing date for submissions was 18 March 2008. Many of my community members were prevented from making submissions because it was harvest time, an intense time when small businesses, which are often family owned and operated and working long hours operating under drought conditions, did not have time to make written submissions.

The allocation of what some would say are mythical water savings is causing a lot of anger, in that as much as the marketing of this project is aimed at saying irrigation systems will be improved, the fact is that water will be taken away and delivered to Melbourne without the Victorian public and in particular the affected region knowing what basis has been used for the figures being quoted by the government of how much water allegedly will be saved by the upgrade of the irrigation systems. The 30 per cent of saved water — —

Mr Brooks — On a point of order, Acting Speaker, the member has strayed completely from the topic of the bill and is talking about a completely different issue. I ask you to bring her back to the topic of the bill.

Mrs FYFFE — On the point of order, Acting Speaker, many speakers prior to me have been talking about the north–south pipeline, or the Sugarloaf interconnector, as it is also known. My comments are

based on the amendment circulated by the shadow Minister for Energy and Resources.

The ACTING SPEAKER (Mr Ingram) — Order! I have looked at the bill in detail, and I believe that a number of members have strayed from it. It is a requirement of the Chair to ensure that members follow the specific nature of the legislation. I bring the member back to the bill.

Mrs FYFFE — Further on the point of order, Acting Speaker, I believe that I was speaking on the amendment.

The ACTING SPEAKER (Mr Ingram) — Order! I have ruled on the point of order.

Mrs FYFFE — The amendment put would make it mandatory rather than optional for the minister to consider that proponents comply with an approved consultation plan before deciding whether to authorise compulsory acquisition. I was speaking about the consultation time that was being taken with the hearings and the fact that some of the people who own the land through which this pipeline will pass could not make submissions because it was harvest time. I was also talking about the fact that they would not have had time to argue about the 30 per cent of the water that is supposed to be saved.

The pipeline will be going through areas of land the owners of which have not had the opportunity to explain to the government in detail what would happen to their properties. The pipeline will pass close to vineyards and areas sensitive to phylloxera, and it will also cross waterways and creeks. The works will take more than two years, and we do not know what damage will be caused to those waterways and creeks and how much winter filling of farm dams will be affected by this pipeline.

Concerns have also been expressed that there has been no time for consultation with environmental groups in that area. That is why I am speaking so strongly in support of the amendment to be proposed by the shadow Minister for Energy and Resources that the time for consultation should have been extended; there should have been a serious period of consultation. If this pipeline goes along the route that is proposed, for each megalitre of water pumped over the Divide, 1 tonne of CO₂ will be released into the environment, adding to global warming and climate change. I support the proposed amendment by the shadow minister.

Mr Nardella — Wrong! Wrong! Renewable energy, you fool!

The ACTING SPEAKER (Mr Ingram) — Order! I call the member for Mill Park.

Ms D'AMBROSIO (Mill Park) — I could defer to the member for Melton, but I will resist the temptation. I am very pleased to speak in support of the Energy and Resources Legislation Amendment Bill.

Mrs Fyffe — On a point of order, Acting Speaker, I believe the member for Melton called me a fool. I am offended by that remark, and I ask him to withdraw.

Mr Nardella — I am happy to withdraw that I called the member for Evelyn a fool.

Ms D'AMBROSIO — I am pleased to speak in support of the Energy and Resources Legislation Amendment Bill. The bill amends several existing acts in order to increase the efficiency and security of our energy systems, to improve access to affordable energy and environmental sustainability and also to streamline some administrative processes. The bill will also increase certainty and efficiency in earth resources regulations and is designed to achieve best practice regulations for Victorians.

I turn my attention to the amendments to the Electricity Safety Act with respect to cathodic protection systems. The amendments will recognise that an owner of a cathodic protection system may not necessarily be the same as the operator of that cathodic protection system. That will ensure that responsibility for the regulation of a cathodic protection system will lie with the owner — that is, to ensure the safety of that system, its correct installation and its compliance with regulations under the act.

Up until now the law has failed to differentiate between an owner and an operator as potentially being two separate people. That has meant that there has been some slippage in where responsibility can lie for the correct installation and maintenance of a cathodic protection system. Laying the responsibility with the owner of a cathodic protection system provides certainty as to where the ultimate accountability lies for safe and efficient cathodic protection systems.

Not many people are aware of what cathodic protection systems are all about. It is something that normally would not excite a lot of people, except for those who are particularly keen on high-level electrical technology. But without cathodic protection systems, many buildings of steel construction, some of which are partially buried underground, would eventually corrode and collapse. Without those cathodic protection systems, over a period of time we would probably see

city building structures collapsing and electrical towers collapsing through erosion and the like.

Cathodic protection systems literally underpin our built environment. Whether that built environment comprises pipelines underground, whether the built environment comprises electrical towers that carry and distribute masses of electricity throughout the state, or whether those types of built environments include simply an outboard motor on a fishing boat, they all consist of metals that come into contact with either water or earth and which are subject to corrosion without adequate cathodic protection systems in place.

When you paint a picture of the importance of that to our built environment and the economics of our society and the way we function and operate, you can see very quickly that we need to ensure the correct installation and maintenance of cathodic protection systems, the responsibility for which lies squarely with specific people. This amendment specifies clearly that the responsibility would be with the owner of a cathodic protection system.

Given there has been an increase over time of subcontractors who manage or operate cathodic protection systems, there has been a need to update or modernise our legislation to ensure there is no gap in where the responsibility and accountability lies to maintain the necessary level of cathodic protection systems that underpin our economy. It is a good thing, it is necessary, and I am very pleased to speak in support of it.

The owners of cathodic protection systems would be registered by Energy Safe Victoria, which of course is the independent regulator for electricity, gas and pipeline safety. Energy Safe Victoria arose through this government's previous legislative enactments going back to 2005, which established this body to ensure that we could move towards a synergy of regulatory responses to the function and operation of gas and electricity systems. They are very important measures that are included in the legislation.

I also want to turn my attention to an amendment to the Geothermal Energy Resources Act. This is energy that is derived from hot water or steam from beneath the earth's surface, which is generated into electrical energy. Currently the act is unclear as to whether, where a previous tender process for the granting of an exploration permit has resulted in no permit being granted for whatever reason, the government can immediately proceed to conduct a competitive tender process under section 18 of the act.

The amendment will clarify that the government can proceed with another competitive process under section 18 at any time. That provides some certainty to this new industry about the regulatory processes for a multitude of grants that can be permitted by the government, including exploration grants. It is a minor amendment, but nevertheless one that will add further to the certainty surrounding this new industry, which is one of a number that this government is committed to doing further work on so that we are able to become less reliant on energy-generating industries which produce excessive amounts of CO₂. It has to be a good thing.

The bill contains amendments to the Electricity Safety Act allowing for the registration of electrical contractors for up to five years, thus moving away from the existing annual registration requirements. This will create a synergy with the existing situation under which electricians can be licensed for five years. This will reduce administration costs to electrical subcontractors, which will no doubt be a welcome move. There are about 9000-odd electrical contractors, and I imagine that many of them would reap the benefits of reduced administrative costs by virtue of the fact that they will have to apply to register only once every five years instead of annually.

The bill makes a number of amendments to other acts within the purview of the Energy and Resources Legislation Amendment Bill. Some of them are tidying up exercises, tightening up of administrative requirements, and others go a little bit deeper than that, but they hold the government to the light in terms of its commitment to an efficient energy system in Victoria, whether it be gas or electricity —

Business interrupted pursuant to standing orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house do now adjourn.

Water: Werribee irrigation district

Ms ASHER (Brighton) — The issue I have is for the Minister for Water and the action I request of him is that he secure recycled water of acceptable standard for the Werribee irrigation district and its farmers.

I recently met with Water for Werribee, a group of irrigators in the Werribee irrigation district. Six hundred people are employed in this area, and I am told that the turnover there is about \$100 million. These people

grow vegetables — mainly cauliflowers, lettuce, broccoli and cabbage — and they are particularly concerned about their supply of recycled water from the western treatment plant. They have produced a discussion paper on this matter. By way of a subsidiary comment, it would be beneficial if the Minister for Water would read this discussion paper, meet with them and hear of their concerns prior to acting on my request for him to secure them a supply of recycled water of a suitable standard.

There are a number of problems with the recycled water in Werribee, the principal one being the level of salinity. Many members would be aware of reports mainly in the *Melbourne Age* in recent times which referred to lettuces that were brown because of the disputed quality of the recycled water available from the western treatment plant. Page 3 of the discussion paper prepared by the Werribee irrigation district irrigators makes the point that they would like recycled water with a salinity level below a maximum of 1000 EC (electrical conductivity); currently they are receiving water with salinity levels between 1800 and 1950 EC. At the moment demand exceeds supply, and the minister will need to turn his attention to that.

However, in terms of economic development for this region, I refer to page 6 of the discussion paper, which succinctly says why the minister needs to act on this. It says:

Securing sufficient water of a quality and cost consistent with the sustainability of the Werribee irrigation district will give irrigators confidence to invest for the future and to enter into supply contracts for their produce.

A group of irrigators in a Labor electorate wants a secure supply of recycled water, with improved content. The water is too saline now, and the western treatment plant has made the significant decision not to desalinate it at this time. I urge the minister to act on this immediately.

Sunshine Cricket Club: funding

Mr LANGUILLER (Derrimut) — The action I seek from the Minister for Sport, Recreation and Youth Affairs is to provide financial support to Sunshine Cricket Club, which is seeking \$1000 from the Emergency Grants Fund to replace essential sports equipment. By way of background, in late January vandals attacked the club's wicket covers and left a damage bill in the order of \$2000 for replacement covers. The club needs new replacement wicket covers in order to compete in the subdistrict competition.

The Sunshine Cricket Club was formed in 1948 by a group of people who wanted to play turf cricket in the Sunshine district. A turf wicket was installed at Selwyn Park in Albion. The new club was entered into the Victorian Junior Cricket Association for the 1948–49 season. The club won the premiership in its first season, and was elevated to the Victorian Sub-District Cricket Association in 1949, with two teams entered. It won premierships in 1956–57, 1966–67 and 1983–84, so the club has a terrific record. It also won in the west group, which was not recognised as a premiership at the time.

The club stayed at Selwyn Park until the 1970–71 season, when the then Sunshine council asked it to move to its current location at Dempster Park, North Sunshine. I understand that conditions were fairly primitive when the club first occupied Dempster Park, but with a lot of hard work from the community and the club and with the assistance of local government the club now has good facilities, with the main ground and centre wicket being second to none in the competition.

The club has progressed to fielding four open-aged senior teams affiliated with the Victorian Sub-District Cricket Association and five junior teams in the West Metro Junior Cricket Association. The Sunshine Cricket Club is within the Victorian Sub-District Cricket Association and the North West Cricket Association for the junior teams. It caters for people ranging from six-year-old children to adults. Sunshine is a very multicultural area, and the club has attracted players and members from a very wide and diverse range of cultural backgrounds.

I ask the minister to support the club in its attempt to replace the wicket covers that were damaged by the vandals. I am very confident that the club and the municipality will be able to restore the facilities to their original condition.

Teachers: preschools

Mr CRISP (Mildura) — The action I seek from the Minister for Education is to ensure that the pay of kindergarten teachers is brought into line with the better pay that other teachers have just successfully won. Although the recent announcement that teachers were successful in their push for better pay was welcome, there is much disappointment in my electorate that kindergarten teachers are now expected to do more work, particularly with the 1000 new places for the disabled — another very welcome measure — which are not funded by the teachers' victory.

The DEPUTY SPEAKER — Order! I think the matter should be raised with the Minister for Children

and Early Childhood Development if it relates to kindergarten teachers.

Mr CRISP — Thank you for your guidance, Deputy Speaker. That is one of the issues regarding the transition of kindergarten teachers between the early childhood and education areas.

Pay parity already existed, and this announcement, although good news for primary and secondary teachers, has left kindergarten teachers out in the cold, despite the fact that kindergartens are now being incorporated into the education department rather than being in the community services department. The delay in incorporating preschools into the education department means parents will continue to be asked — —

Mr Nardella interjected.

The DEPUTY SPEAKER — Order! The member for Melton!

Mr CRISP — Parents will continue to be asked not only to pay for kindergartens but to give their time to manage them. The government has introduced into the Parliament a bill which will insert into the legislation a new principle that every child should be able to enrol in a kindergarten program at an early childhood education and care centre. This is an extremely desirable principle, as everybody recognises the value of a preschool education. However, the Brumby government's delays in acting to incorporate kindergartens into education will result in making parents pay in either time or cash — or more likely both — for this principle.

Kinder committees are hard work, and our kinder mums and dads work very hard for our community to provide those kindergarten opportunities. We need to move this issue along so that this valuable work they do can be supported by whichever department is currently responsible so that we can in fact deliver the principles that we in this Parliament want so much.

Chandler Highway: bridge

Ms RICHARDSON (Northcote) — I raise a matter for the Minister for Roads and Ports concerning the Chandler Highway and, in particular, the Chandler Highway bridge which crosses the Yarra and joins the suburbs of Alphington and Kew. I ask that the minister commission VicRoads to conduct an investigation into traffic movements and congestion across the bridge. Residents heading south along the Chandler Highway or north from the Eastern Freeway would well know the Chandler Highway bridge across the Yarra. The

lanes on both sides of the bridge narrow down to a single lane and become a bottleneck very quickly. At peak hours in particular cars can bank up waiting to get across the bridge.

The bridge was of course an old railway bridge that was converted to a road in 1930, and it has remained a single-lane bridge since that time. Residents have been divided over whether the bridge should be expanded. Some have been of the view that expansion will bring more trucks and cars into the area; others have argued quite strenuously that we need to duplicate the Chandler Highway bridge as soon as possible.

The recent announcement by Amcor to vacate its site on the corner of the Chandler Highway and Heidelberg Road has brought the debate about the bridge to a head, and it has heightened the need to investigate the traffic movements across the Chandler Highway bridge over the Yarra. There is no doubt that the decision by Amcor will have a huge impact on the Alphington area. I have heard it estimated that this 16-hectare site could contain something like 3000 households. That is an incredible number of families that could be moved into this area if the land is rezoned from industrial to residential zoning. It is an enormous number of families, and when you come to think about it, the area could be considered a new suburb in that part of Melbourne. We obviously need to make a plan about what impact this will have on services in the area: our local schools, our kindergartens, our child-care centres, our community centres, our sporting facilities and the like. All of these things will be impacted on if the area is zoned residential.

I want to take this opportunity to congratulate South Alphington and Fairfield Civic Association members, who were right at the forefront of this debate about how we manage the departure of Amcor from the Alphington site. Their foresight is to be commended, and I look forward to working with them to ensure that we get the best possible outcome for residents living in the area or people moving into the area in the future. I therefore call on the minister to investigate the traffic movements on the Chandler Highway bridge in a bid to improve its use in the future.

Narcissus Avenue–Tormore Road–Boronia Road, Boronia: traffic lights

Mr WAKELING (Ferntree Gully) — The issue I rise to speak on is the intersection of Narcissus Avenue and Tormore Road with Boronia Road in Boronia. The action that I seek is for the Minister for Roads and Ports to install traffic lights at this busy intersection. Boronia Road, as the Minister for Sport, Recreation and Youth

Affairs would be well aware, is a major through road in the city of Knox. The road carries significant east–west traffic and services the communities of Boronia, Ferntree Gully, The Basin and beyond. The intersection of Tormore Road and Narcissus Avenue with Boronia Road is a major intersection for users of Boronia Road. Narcissus Avenue serves as an entry point for residents in the Ferntree Gully electorate who reside in Boronia.

To the north, Tormore Road, located in the neighbouring electorate of Bayswater, not only services Boronia residents living within its catchment but serves as the gateway to Boronia West Primary School and the sports facility of Tormore Reserve — home to the Boronia football and cricket clubs — and is also the entry point for Knox City Council's regional swimming complex, Knox Leisureworks. Given the volume of traffic that is both entering and exiting Narcissus Avenue and Tormore Road, the problem is further exacerbated by the fact that the intersection is located on a crest, thus causing commuters to make a blind right-hand turn when entering Tormore Road from Boronia Road.

I have been approached by a number of concerned residents about the need for this intersection to be upgraded. A number of local organisations are also concerned about the intersection, including local Ferntree Gully resident Peter Cole, who has been forced to form a lobby group with other local community organisations to pressure the government to listen to their concerns and act on this important issue. Both the member for Bayswater and I have worked together on this important issue for a long time.

At the last election we both campaigned heavily for this intersection to be upgraded and called upon the then government to provide urgent funding for the installation of traffic lights at the intersection. She and I will continue to work together with other concerned residents to force the government to listen to the concerns of our respective communities. It is a very important intersection. This has received a lot of publicity of late in local newspapers. Members of the community have made their voices heard loud and clear and have said that they want something done about this intersection — and they want something done now. The community has called for the upgrade to occur so that we do not face the potential for the loss of a life at this intersection being realised.

I call upon the Minister for Roads and Ports to listen to the concerns of my community and to take action to ensure that the intersection of Narcissus Avenue and Tormore Road with Boronia Road is upgraded with the installation of traffic lights.

Geothermal energy: exploration

Ms DUNCAN (Macedon) — The matter I wish to raise is for the Minister for Energy and Resources. I ask the minister to take action to further facilitate the exploration for geothermal energy resources in Victoria. Increasingly in a carbon-constrained future renewable energy will become more and more significant. Furthermore, with the impending introduction of an emissions trading scheme in Australia, the need for more clean energy sources is becoming increasingly urgent.

Last year this government released land across Victoria for the purposes of geothermal energy exploration. Some of this land falls within my electorate of Macedon. Greenearth Energy Ltd has been granted an exploration permit over the area. Geothermal energy is a clean and green energy source that is generated by the combination of naturally occurring heat from dry rocks and water reservoirs deep beneath the earth's surface. Compared to other forms of renewable energy such as wind and solar power, geothermal energy is a relatively unknown quantity. While geothermal energy sources in Victoria have scarcely been explored, there is a growing awareness of their potential.

Environmental experts are now singing in chorus about the urgency with which we need to combat the effects of climate change. There are fewer and fewer sceptics who are becoming quieter and quieter in their opposition. Given that the energy sector contributes approximately one-third of Victoria's greenhouse gas emissions, it is vital that we explore all means of producing electricity in a more sustainable way. Geothermal energy could offer that potential.

Some cynicism is expressed about geothermal energy, and some green groups have spoken out against it. Given the huge amount of emissions that are produced through electricity generation, we desperately need to find ways of generating electricity with many fewer of those emissions. It may be through clean coal, which some people see as a pipe dream, but my view is that we need to be doing lots of things together, and exploring geothermal energy is one of those things. We need to explore that in conjunction with using solar and wind power, reducing our energy use and becoming more efficient. I therefore call on the minister to take action to further encourage geothermal energy exploration in Victoria. I believe it is part of a range of things we need to be doing. This is one part of the puzzle of solving the problem of how we reduce our greenhouse gas emissions.

East Gippsland: icon walks project

Mr INGRAM (Gippsland East) — I raise a matter for the attention of the Premier. The action I seek is for the government to endorse and implement in its entirety the icon walks project in East Gippsland. The icon walks project is an ecotourism proposal that was developed by the Orbost and District Community Forum with significant input and support from Parks Victoria, the Department of Sustainability and Environment (DSE), the East Gippsland Shire Council, me, and other people within the community.

Many members of this house will know that East Gippsland contains world-class natural assets which are the basis for an outstanding opportunity to develop nature-based tourism. There is a large number of existing walks and other nature-based tourism opportunities in the area. Croajingolong National Park has just been declared a national landscape by the commonwealth. As I said, this proposal has been put forward by Parks Victoria, DSE, me and the East Gippsland Shire Council. We have been doing a large amount of work to try to get support.

The government has committed to part of this project. It has endorsed a number of new short walks, and basically the community is seeking matching funding to have those short walks implemented by the commonwealth. The full project is a range of 32 short walks, upgrades to 27 existing walks and the development of five new walks. It includes the development of the Croajingolong wilderness coastal walk, which runs from Cape Conran all the way up to the New South Wales–Victorian border. It also includes the development of further eco-lodges or standing camps. It has come about as a result of the Orbost and District Community Forum commissioning a report prepared with federal funding. As I said, the proposal has involved a large amount of work and is widely supported within the East Gippsland community. It is important that our region develop these opportunities, particularly for small towns like Orbost, Cann River and Mallacoota, which will be the major beneficiaries.

The action I seek is for the government to endorse the entire eco-walk package and to work with the commonwealth government to ensure that full funding is achieved so that our community will gain the full benefit from the spectacular natural assets we have in the region.

HMVS *Cerberus*: preservation

Ms MUNT (Mordialloc) — The action I seek this evening is from the Minister for Planning in the other

place, and it is in regard to the HMVS *Cerberus* in Sandringham. I ask the minister to encourage his department to continue meaningful talks with the federal Department of the Environment, Water, Heritage and the Arts, which is the department of Minister Garrett. The Friends of the *Cerberus* group has been running a campaign for many years now to try to save the *Cerberus*, which is in Half Moon Bay. In its newsletter 86 it has reported that Minister Garrett has asked his department to arrange a meeting with Heritage Victoria to discuss the options and priorities for managing the *Cerberus* and following these discussions he will consult further with the Victorian Minister for Planning, the Honourable Justin Madden, on those options and priorities for managing the ship.

I would just like to give a brief history of the *Cerberus* because it is a fascinating story that is an important part of the history of Victoria. The HMVS *Cerberus* — the HMVS stands for Her Majesty's Victorian ship — is an exceptionally important ship, not only for our local maritime history concerned but for the naval history of the world. The *Cerberus* was launched in 1868. It marked the beginning of a new generation of steam-powered ships, transforming the Victorian economy in an age when the main form of transport for trade with England and continental Europe was via the sea. Today the *Cerberus* is in fact the world's last remaining monitor warship. This proud and distinguished ship, which at one time was the pride of the Victorian Navy, made her final voyage to Half Moon Bay in 1926, where she has lain ever since. She has weathered the constant and unrelenting battering of the sea surprisingly well. However, the passage of time and the persistence of the elements led to a partial collapse in 1993, and the *Cerberus* continues to disintegrate at a rate of approximately 16 millimetres a year.

Over the last few years the Victorian government — and this is a credit to the former minister, Mary Delahunty, and a former member for Higinbotham Province in the other place, Noel Pullen — has allocated \$70 000 to save the turrets from the *Cerberus*, which have been removed. The *Cerberus* is a local gem that is much loved by the local community. In my youth I used to jump off and swim around it, even though the signs said I should not, but it has deteriorated since that time. I urge the minister to ask his department to continue the talks to see what can be done for HMVS *Cerberus* in Half Moon Bay.

Schools: Kilsyth electorate

Mr HODGETT (Kilsyth) — I wish to raise a matter with the Minister for Education in light of the

government's announcements in today's budget. The action I seek from the minister is to inform the schools in my electorate of Kilsyth of the timetable detailing when they should expect to have their maintenance issues dealt with.

I have 16 state primary, secondary and special development schools in my electorate. On behalf of students, teachers and parents at those schools, I ask the Minister for Education to outline her strategy, her plan, her timetable — whatever words she wishes to use — for the much-needed and ongoing maintenance to be undertaken and completed at these schools. As a result of last year's announcements, 5 of the 16 schools received no additional maintenance funding. Of the remaining schools, two received \$1.67 and \$4.35 per student respectively. What can you fix for \$1.67?

When I visit the schools in my electorate I witness firsthand the maintenance issues faced by the school community. The issues in these schools are wide ranging. I have been told that one school community fundraises to maintain the school property. Two years ago it raised in excess of \$50 000 to have the buildings ready for the beginning of the school year. Parents have had to raise money to fix the gutters and downpipes. Another school has had to move furniture away from external walls as the floorboards are rotting. School toilets require refurbishment and upgrades to the plumbing system.

I have been phoned by irate parents who have seen teachers forced to use a staffroom which one parent suggested was in such a deplorable state that it was not even fit to keep cattle in. School principals are doing the best they can to work through the bureaucracy, but they cannot look sideways to decide what needs to be done, and by creating uncertainty the minister and the government have done little to allay these fears. I ask the minister whether the schools can expect some payment from the government to maintain these government buildings, or do they need to tax themselves some more and rattle the cans on street corners?

Of course, the change of federal governments in our country has left my schools further in the lurch. The Howard Liberal government's Investing in Our Schools program yielded dividends to the schools in my electorate. Will the minister face the angry crowd of tin-rattling students, parents and teachers in Kilsyth and answer why she is keeping them in the dark? Will she tell them who has been left in the cold?

This government has promised a 10-year program to fix schools in our state. I ask the minister to show me the

plan for the schools in my electorate, show some respect to the principals, teachers, parents and students in my electorate, show these people their school maintenance timetables and make the lives of principals easier than she is currently making them.

Albert Park electorate: sporting facilities

Mr FOLEY (Albert Park) — My issue is for the Minister for Sport, Recreation and Youth Affairs, who, I happily note, is at the table, being as he is the true champion of sport and healthy lifestyles in Victoria. The specific action I seek from the minister is to ensure that the state budget for 2008–09, under its allocations for sport and recreational programs, delivers an increase in community sporting facilities at Albert Park’s Bob Jane Stadium and in Albert Park more generally.

As we all know, this area is a very important part of Melbourne’s recreational landscape. Rich in history as the Lake Oval and home of the former Australian Football League club, South Melbourne, the ground has been an important part of the rich sporting tradition and cultural heritage of the Albert Park district.

Albert Park — that is, the park as opposed to the electoral district — is the largest area of open space in my electorate and indeed in the surrounding communities. It is a park that is tremendously popular with recreational users and sporting clubs right across — —

The DEPUTY SPEAKER — Order! I am sorry to interrupt the member for Albert Park. Earlier today in the chamber we had a discussion about the question of anticipation in debate — in this instance, on the budget and appropriation bill. We do not have a ruling about anticipation for adjournment matters but we do for other areas, and we are seeking clarification on the issue. I would advise the member to seek action from the minister perhaps to ensure that facilities at Bob Jane Stadium are upgraded and to not refer to the appropriation bill at this stage.

Mr FOLEY — I will take your guidance and perhaps rephrase my request to seek assistance from the minister to ensure the upgrade of the processes in the Albert Park — —

Ms Asher interjected.

The DEPUTY SPEAKER — Order! The member for Brighton should know that the Chair is always available to offer advice to members. The member for Albert Park, to continue without assistance.

Mr FOLEY — As we know, the park also contains 200 hectares of parkland and is the home to many local community and sporting clubs — golfing, rowing, walking, football, soccer and boating clubs and many others. It also houses the Bob Jane Stadium, which is currently the long-time home of the South Melbourne Football Club. It would be my request to the minister that he consider how he would deal with any issues regarding the development and refurbishment of the Bob Jane Stadium and across the park as a whole. In particular I point out the problem that the South Melbourne Football Club has operating from the Bob Jane Stadium. Sadly its activities are dispersed across a number of suburbs as it seeks to deal with the difficulties of the constrained operation of its facilities. The men’s teams are at Albert Park, the women’s teams are at St Kilda and the juniors are out at Caulfield.

The DEPUTY SPEAKER — Order! The member’s time has expired. I am sorry that the member had to be interrupted. Ten matters having been raised, I call the Minister for Energy and Resources to respond to the member for Macedon.

Responses

Mr BATCHELOR (Minister for Energy and Resources) — The member for Macedon raised with me the need to encourage the development of alternative clean energy resources, and she particularly emphasised the potential for geothermal energy. The member for Macedon is spot-on; the potential of geothermal is particularly important in trying to develop alternative renewable energy resources. The advantage that geothermal energy has over other renewable sources of energy is that it has the potential to provide baseload electricity, unlike wind and solar power.

An honourable member interjected.

Mr BATCHELOR — This is the real advantage here of providing baseload, and we would ask those who do not understand these subtle differences to become more informed and get a better understanding of what the advantages of different aspects of renewable energy are. As the member for Macedon highlighted, there is a need for increased investment in renewable energy sources here.

An honourable member interjected.

Mr BATCHELOR — And this need has never been more pressing.

Mr Ingram interjected.

Mr BATCHELOR — There is a lot of hot air going on in here tonight.

The DEPUTY SPEAKER — Order! The member for Gippsland East should cease interjecting.

Mr BATCHELOR — The Brumby government recognises the serious threat posed by climate change, and members can rest assured that this government is taking action to reduce emissions by encouraging investment in existing and new technologies, which of course include geothermal. Geothermal has the potential to provide clean and reliable energy, and the important factor here is that it is able to do that with close-to-zero greenhouse gas emissions. As I said earlier, its other advantage is that it has the potential to provide baseload energy from renewable sources.

In hydrothermal energy systems, deep underground water which has been naturally heated to steam temperatures is brought to the surface, and the steam is used to turn the turbines and to make electricity. Also in the geothermal area, in the dry rocks system, water is injected from the surface deep down underground onto these dry hot rocks. It is injected and returned to the surface in a very highly heated form. That method is also used to convert that heat energy into electricity.

The close proximity of high voltage electricity transmission lines adds a potential to geothermal energy here in Victoria. It makes Victoria an extremely attractive site for geothermal investment because of the need for having an energy resource close to an existing transmission resource and therefore dramatically reducing the infrastructure costs of any resultant energy production.

The member for Macedon mentioned that last year this government offered permits to some 12 exploration sites across Victoria for geothermal exploration and that five companies, as a result of that public tender process, have been awarded licences for those sites. As a result they have committed to spending a total of some \$64 million over the next five years. This level of exploration for geothermal energy is great news for Victoria. I am pleased to report to the Parliament tonight, and particularly in response to the member for Macedon, that this government has released a further 19 areas for geothermal exploration. We are looking for interested companies to invest their money in trying to find this resource, because we know that if you do not look for it, you certainly will not find it. These new areas are mostly located in the Wimmera.

Honourable members interjecting.

Mr BATCHELOR — That appears to be news to the member for Sandringham, but it is certainly true. These new areas are mostly located in the Wimmera, in the north of the state, and also in Gippsland, and they cover some 154 000 square kilometres. The release of these areas will encourage more investment in Victoria's emerging geothermal industry.

Clearly we understand that there is no silver bullet when it comes to tackling climate change, and this is why this government is encouraging investment in a whole range of different energy technologies. Earlier this month the Premier announced a \$72 million fund to help finance proposals for large-scale, renewable energy demonstration projects across the state and eligible considerations would be projects that involve solar power, wave power, biomass and geothermal. These are all forms of renewal energy. This fund forms the next stage of the successful energy technology innovation strategy — ETIS as we have called it — and the successful grant program that is housed under the ETIS program.

ETIS funding has so far leveraged some \$250 million from the commonwealth and \$1.2 billion of co-investment, primarily from industry, in a range of brown coal, renewable and clean energy innovation projects right across Victoria. In fact in the latest ETIS round this government contributed some \$50 million towards the cost of the construction of one of the world's most advanced solar power stations and that has been done in partnership with a company called Solar Systems. When Solar Systems solar power station has been completed, we will see a 154 megawatt power station with sufficient plant to provide electricity to light up a city the size of Geelong. This essentially will be through zero emissions energy generation.

Through investment in projects such as these the government will continue to demonstrate its dedication to combating climate change and further position Victoria as a global leader in the development of renewable energy. This absolutely addresses the issues raised by the member for Macedon and there is no doubt that the electors in the electorate of Macedon are very lucky to have a member who is so astute in understanding the needs of renewable energy and obviously supports these projects not only for her electorate but for the rest of Victoria.

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — The member for Albert Park raised the issue of a potential upgrade of facilities at Albert Park, and specifically whether any upgrade would include an increase in community use. In any upgrade of Lake Oval and Albert Park there is a real opportunity

to increase community sporting activity as part of such an upgrade. One clear way would be through the installation of synthetic pitches, of turf pitches, of pavilions and of lighting. Importantly upgrades of that nature would increase community use. For example, touch football, rugby and soccer are all activities that currently occur at Albert Park, and the installation of community facilities such as synthetic and turf pitches will result in increased participation.

I can assure the member for Albert Park that I will give strong consideration to increasing community sport in any upgrade that occurs at Lake Oval and Albert Park. I thank the member for his continued interest in and support of grassroots sport and look forward to working with him and the Albert Park community, the council and Parks Victoria to ensure that community sport increases with any development in that region. The Brumby government will always place as high a value on grassroots sport as it places on any major project. This is clearly demonstrated through the emergency grants to replace essential sports equipment program.

The member for Derrimut raised an application to the program by the Sunshine Cricket Club. I assure the member that I will take on board his strong support for that application. The emergency grants to replace essential sports equipment program is one of the smallest grant programs the Brumby government offers, yet it provides enormous relief to many of our sporting clubs in times of hardship. The program offers a 50 per cent reimbursement to clubs for any losses incurred as a consequence of fire, flood, significant storm event, theft or criminal damage. These grants go a long way towards helping local sporting clubs to function and serve the community while they get back on their feet following a disaster.

I thank the member for Derrimut for raising the plight of the Sunshine Cricket Club with me, and I ask him to convey my best wishes to the club and assure it that I will strongly consider its application. The Brumby government understands the mutual dependency of grassroots and elite sport and will continue to invest in both.

The member for Brighton raised a matter for the Minister for Water; the member for Mildura raised a matter for the Minister for Children and Early Childhood Development; the member for Northcote raised a matter for the Minister for Roads and Ports; the member for Gippsland East raised a matter for the Premier; the member for Mordialloc raised a matter for the Minister for Planning in the other place; the member for Kilsyth raised a matter for the Minister for Education.

The member for Ferntree Gully also raised a matter for the Minister for Roads and Ports. Whilst it is outside my electorate it is an issue I am well aware of, and I also have been approached by members of the community and have raised these issues with the minister. I will ensure that these matters are referred to him for his action.

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

House adjourned 10.41 p.m.

