

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Tuesday, 13 October 2009

(Extract from book 13)

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

By authority of the Victorian Government Printer

The Governor

Professor DAVID de KRETZER, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

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

Legislative Assembly committees

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

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

Joint committees

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Dr S. O'Kane

MEMBERS OF THE LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT — FIRST SESSION

Speaker: The Hon. JENNY LINDELL

Deputy Speaker: Ms A. P. BARKER

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

Leader of the Parliamentary Labor Party and Premier:

The Hon. J. M. BRUMBY

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. R. J. HULLS

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

Mr E. N. BAILLIEU

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

The Hon. LOUISE ASHER

Leader of The Nationals:

Mr P. J. RYAN

Deputy Leader of The Nationals:

Mr P. L. WALSH

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	Lindell, Ms Jennifer Margaret	Carrum	ALP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Lobato, Ms Tamara Louise	Gembrook	ALP
Asher, Ms Louise	Brighton	LP	Lupton, Mr Anthony Gerard	Prahran	ALP
Baillieu, Mr Edward Norman	Hawthorn	LP	McIntosh, Mr Andrew John	Kew	LP
Barker, Ms Ann Patricia	Oakleigh	ALP	Maddigan, Mrs Judith Marilyn	Essendon	ALP
Batchelor, Mr Peter John	Thomastown	ALP	Marshall, Ms Kirstie	Forest Hill	ALP
Beattie, Ms Elizabeth Jean	Yuroke	ALP	Merlino, Mr James Anthony	Monbulk	ALP
Blackwood, Mr Gary John	Narracan	LP	Morand, Ms Maxine Veronica	Mount Waverley	ALP
Bracks, Mr Stephen Phillip ¹	Williamstown	ALP	Morris, Mr David Charles	Mornington	LP
Brooks, Mr Colin William	Bundoora	ALP	Mulder, Mr Terence Wynn	Polwarth	LP
Brumby, Mr John Mansfield	Broadmeadows	ALP	Munt, Ms Janice Ruth	Mordialloc	ALP
Burgess, Mr Neale Ronald	Hastings	LP	Napthine, Dr Denis Vincent	South-West Coast	LP
Cameron, Mr Robert Graham	Bendigo West	ALP	Nardella, Mr Donato Antonio	Melton	ALP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Carli, Mr Carlo Domenico	Brunswick	ALP	Noonan, Wade Mathew ⁵	Williamstown	ALP
Clark, Mr Robert William	Box Hill	LP	Northe, Mr Russell John	Morwell	Nats
Crisp, Mr Peter Laurence	Mildura	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
Crutchfield, Mr Michael Paul	South Barwon	ALP	Overington, Ms Karen Marie	Ballarat West	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Pallas, Mr Timothy Hugh	Tarneit	ALP
Delahunty, Mr Hugh Francis	Lowan	Nats	Pandazopoulos, Mr John	Dandenong	ALP
Dixon, Mr Martin Francis	Nepean	LP	Perera, Mr Jude	Cranbourne	ALP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Pike, Ms Bronwyn Jane	Melbourne	ALP
Duncan, Ms Joanne Therese	Macedon	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
Eren, Mr John Hamdi	Lara	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Foley, Martin Peter ²	Albert Park	ALP	Robinson, Mr Anthony Gerard	Mitcham	ALP
Fyffe, Mrs Christine Ann	Evelyn	LP	Ryan, Mr Peter Julian	Gippsland South	Nats
Graley, Ms Judith Ann	Narre Warren South	ALP	Scott, Mr Robin David	Preston	ALP
Green, Ms Danielle Louise	Yan Yean	ALP	Seitz, Mr George	Keilor	ALP
Haermeyer, Mr André ³	Kororoit	ALP	Shardey, Mrs Helen Jean	Caulfield	LP
Hardman, Mr Benedict Paul	Seymour	ALP	Smith, Mr Kenneth Maurice	Bass	LP
Harkness, Dr Alistair Ross	Frankston	ALP	Smith, Mr Ryan	Warrandyte	LP
Helper, Mr Jochen	Ripon	ALP	Stensholt, Mr Robert Einar	Burwood	ALP
Herbert, Mr Steven Ralph	Eltham	ALP	Sykes, Dr William Everett	Benalla	Nats
Hodgett, Mr David John	Kilsyth	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Holding, Mr Timothy James	Lyndhurst	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Thwaites, Mr Johnstone William ⁶	Albert Park	ALP
Hudson, Mr Robert John	Bentleigh	ALP	Tilley, Mr William John	Benambra	LP
Hulls, Mr Rob Justin	Niddrie	ALP	Trezise, Mr Ian Douglas	Geelong	ALP
Ingram, Mr Craig	Gippsland East	Ind	Victoria, Mrs Heidi	Bayswater	LP
Jasper, Mr Kenneth Stephen	Murray Valley	Nats	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kairouz, Ms Marlene ⁴	Kororoit	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Kosky, Ms Lynne Janice	Altona	ALP	Weller, Mr Paul	Rodney	Nats
Kotsiras, Mr Nicholas	Bulleen	LP	Wells, Mr Kimberley Arthur	Scoresby	LP
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Languiller, Mr Telmo Ramon	Derrimut	ALP	Wynne, Mr Richard William	Richmond	ALP
Lim, Mr Muy Hong	Clayton	ALP			

¹ Resigned 6 August 2007

² Elected 15 September 2007

³ Resigned 2 June 2008

⁴ Elected 28 June 2008

⁵ Elected 15 September 2007

⁶ Resigned 6 August 2007

CONTENTS

TUESDAY, 13 OCTOBER 2009

DISTINGUISHED VISITORS.....	3453
BUSINESS OF THE HOUSE	
<i>Standing orders</i>	3453
<i>Notices of motion: removal</i>	3486
<i>Program</i>	3490
CONDOLENCES	
<i>South Pacific, Indonesia and Asia: natural disasters</i>	3453
<i>Hon. Brian William Mier</i>	3461
QUESTIONS WITHOUT NOTICE	
<i>India: extradition arrangements</i>	3470
<i>Employment: government initiatives</i>	3470
<i>Water: food bowl modernisation project</i>	3471
<i>Rail: regional passenger services</i>	3472
<i>Government: advertising</i>	3474
<i>Transport: Victorian plan</i>	3475
<i>Water: Yering Gorge pumping station</i>	3476
<i>Water: Victorian plan</i>	3477
<i>Youth: protection strategy</i>	3478
<i>Housing: affordability</i>	3479
ACTING OMBUDSMAN	3483
FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL	
<i>Introduction and first reading</i>	3483
ELECTRICITY INDUSTRY AMENDMENT (CRITICAL INFRASTRUCTURE) BILL	
<i>Introduction and first reading</i>	3483
JUSTICE LEGISLATION MISCELLANEOUS AMENDMENTS BILL	
<i>Introduction and first reading</i>	3483
STATE TAXATION ACTS FURTHER AMENDMENT BILL	
<i>Introduction and first reading</i>	3483
LOCAL GOVERNMENT (BRIMBANK CITY COUNCIL) BILL	
<i>Introduction and first reading</i>	3483
<i>Statement of compatibility</i>	3484
<i>Second reading</i>	3485
PETITIONS	
<i>Liquor: licences</i>	3486
<i>Students: youth allowance</i>	3486
<i>Western Highway: access</i>	3486
<i>Rail: Mildura line</i>	3487
<i>Planning: Mildura</i>	3487
<i>Rail: Traralgon line</i>	3487
<i>Rail: Shepparton line</i>	3487
<i>Gas: Heathcote supply</i>	3487
<i>Barwon Heads Airport: skydiving</i>	3487
<i>Public holidays: show days</i>	3488
<i>Housing: Ringwood development</i>	3488
SCRUTINY OF ACTS AND REGULATIONS COMMITTEE	
<i>Alert Digest No. 12</i>	3488
DOCUMENTS	3489

CEMETERIES AND CREMATORIA AMENDMENT BILL	
<i>Council's amendment</i>	3490
ROYAL ASSENT.....	3490
APPROPRIATION MESSAGES.....	3490
UNIVERSITY OF MELBOURNE BILL, MONASH UNIVERSITY BILL, LA TROBE UNIVERSITY BILL and DEAKIN UNIVERSITY BILL	
<i>Concurrent debate</i>	3490
MEMBERS STATEMENTS	
<i>Water: government performance</i>	3492, 3496
<i>Social Traders: website</i>	3492
<i>Bushfires: roadblocks</i>	3492
<i>Essendon Keilor Secondary College: mentoring program</i>	3493
<i>Bushfires: fuel reduction</i>	3493
<i>Craigieburn and district first response team: awards</i>	3493
<i>Kawarren Primary School site: future</i>	3494
<i>South Barwon Football and Netball Club: achievements</i>	3494
<i>Mildura Sun Festival</i>	3494
<i>Mildura Development Corporation: solar power conference</i>	3495
<i>Hon. Brian Mier</i>	3495
<i>Duties Act: amendments</i>	3495
<i>Annie Dennis Children's Centre: 80th anniversary</i>	3495
<i>Open Mind Fiesta</i>	3496
<i>La Trobe Secondary College: school community</i> ...	3496
<i>Dhungala Gallery Cafe: funding</i>	3497
<i>Cycling: Sydney Road</i>	3497
<i>Maroondah Hospital: funding</i>	3497
<i>Migrants: overseas remittances</i>	3498
<i>Bona Vista Primary School: centenary</i>	3498
<i>Mentone Mordialloc Art Group: exhibition</i>	3498
LAND (REVOCATION OF RESERVATIONS AND OTHER MATTERS) BILL	
<i>Second reading</i>	3499
ADJOURNMENT	
<i>Colac: pharmacy services</i>	3506
<i>Cranbourne Integrated Care Centre: funding</i>	3507
<i>Dunkeld Arboretum: management</i>	3507
<i>Electricity: smart meters</i>	3508
<i>Bushfires: community preparedness</i>	3508
<i>Planning: Edgars Creek parkland</i>	3509
<i>Wild dogs: control</i>	3509
<i>Geelong: hoon drivers</i>	3510
<i>Buses: Kilsyth electorate</i>	3510
<i>Consumer affairs: SmartyPig savings scheme</i>	3511
<i>Responses</i>	3511

Tuesday, 13 October 2009

The SPEAKER (Hon. Jenny Lindell) took the chair at 2.06 p.m. and read the prayer.

DISTINGUISHED VISITORS

The SPEAKER — Order! I would like to recognise the following consular and community representatives present in the gallery today: Ms Julie Grant, the deputy consul general of the United States of America; Mr Budiarmah Bahar, the consul general of the Republic of Indonesia; Mr Lotomau Komiti, the secretary of the Samoan Advisory Council of Victoria; the Reverend Aviti Etuale of the Congregational Church of Samoa; Achmed Subardjor, the president, PERWIRA Indonesian Society of Victoria; Lucky Kalonta of the Indonesian Club of Melbourne; and the Reverend Feke Kamitoni of the Tongan Uniting Church. Welcome to the Parliament of Victoria.

BUSINESS OF THE HOUSE

Standing orders

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

That so much of standing orders be suspended immediately so as to allow:

- (1) precedence to be given to a motion of condolence to the people affected by the recent natural disasters in the South Pacific, Indonesia and Asia;
- (2) the debate to be no longer than 1 hour and the time limit for each member to be 10 minutes.

Motion agreed to.

CONDOLENCES

South Pacific, Indonesia and Asia: natural disasters

Mr BRUMBY (Premier) — I move:

That the following resolution be agreed to by this house —

We, the Legislative Assembly of Victoria, offer our deepest and sincere condolences to the families of the victims of the recent natural disasters in the South Pacific, Indonesia and Asia and the survivors of these disasters, and join with the people of Victoria in expressing our sympathy to those affected.

The past few weeks have been an extremely difficult time for our region, both in Asia and in the Pacific,

where a series of large-scale natural disasters have struck. The breadth of the resulting destruction has been immense, and the suffering of the grieving, the injured and the displaced continues.

As we all know, in February this year Victorians experienced the worst natural disaster in our history. The wonderful sympathy and the generosity shown by our fellow Australians in our time of great need and by others from around the world is still fresh in our minds. It is against this background that I express on behalf of all Victorians my sincere condolences to the families, the friends and the communities of all of those killed in the recent disasters in the Asia-Pacific region.

On Tuesday, 29 September, which was Wednesday, 30 September, in Australia, a magnitude 8.2 earthquake near Samoa caused a devastating tsunami which struck Samoa, American Samoa and parts of Tonga. At this stage the confirmed lives lost in Samoa number 137, with 310 injured. There are 31 dead in American Samoa and 9 dead in Tonga, with 4 critically injured.

Only 17 hours later a magnitude 7.5 earthquake occurred on the west coast of Sumatra close to the city of Padang. The quake was followed by many aftershocks and a second earthquake of magnitude 7.0. Current Indonesian official estimates are 793 dead and 121 679 houses destroyed or seriously damaged. The number of fatalities is expected to increase. Many members will have seen the graphic television footage of affected areas, as I have. In some of the more remote areas whole villages have been declared mass grave sites, having been buried by mudslides.

Vietnam, Cambodia and Laos have experienced flooding and landslides caused by Typhoon Ketsana, which hit on the evening of 29 September. The Philippines has also experienced floods caused by Tropical Storm Ondoy, which hit the island of Luzon on 26 September. Many hundreds have been killed, and the number of displaced is in the thousands. In addition, since 29 September heavy rains have caused extensive floods in the southern Indian states of Andhra Pradesh and Karnataka. The death toll is in excess of 300 people, and 1.5 million people have been displaced. These facts are sobering, and it is with extreme sadness we contemplate the suffering of so many.

Victorians care deeply about these events because we have very close ties with all those countries affected. We have those ties through our families, through our friends, through our associates and through business links.

Tragically Victorian schoolteacher Vivien Hodgins lost her life while holidaying in Samoa. Her memorial service was held this morning at the Wendouree Performing Arts Centre. Ms Hodgins had taught drama and media studies at Mount Clear College near Ballarat for the past 33 years of what was a 37-year teaching career. She was passionate about the performing arts and inspired generations of students to take part in the college's drama productions. I understand the college plans to establish an arts scholarship in Vivien's memory, along with another yet-to-be-determined lasting memorial.

On behalf of the Victorian people I express my deepest condolences to Vivien's family, her husband and two daughters in particular; to her friends; and to her colleagues and students at Mount Clear College. I also express my appreciation for her 37 years of dedicated service to the Victorian education system.

Our thoughts also go out to Victorian Claire Rowlands and her family. Claire was Vivien's travel companion. She was critically injured and is recovering in a Sydney hospital. We wish her a speedy and full recovery.

I would like to take this opportunity today to acknowledge the contribution to the recovery effort made by the Australian government and other state governments around Australia. Here in Victoria our response was swift. At the first news of the Pacific tsunami the Department of Human Services activated its emergency coordination centre. It brought together key staff from the Department of Health, the Office of the Emergency Services Commissioner and Victoria Police to begin planning Victoria's response. Later that same evening the government of Victoria received a request from AusAID to provide two medical assistance teams in support of a request from the Samoan government.

The next day those two teams were airlifted by the Australian Defence Force to the Samoan capital, Apia. The contingent comprised surgeons, emergency department doctors and registered nurses from the Royal Melbourne and Royal Children's hospitals, as well as urban search and rescue paramedics. Their swift deployment to the National Hospital in Apia provided relief to exhausted local staff who had been working non-stop since the tsunami hit. These teams returned to Melbourne at the end of last week. Again, on behalf of the Parliament and the people of Victoria I would like to thank them for their professionalism and their willingness to undertake such a gruelling assignment to help our neighbours.

Additional medical and search-and-rescue teams were placed on stand-by to relieve teams in Samoa and to deploy to Indonesia, but these were not required.

In Victoria itself the Department of Human Services is working to ensure that local communities impacted by the disasters are receiving information and support as required. The Victorian government has donated \$500 000 to the Australian Red Cross Pacific tsunami appeal. I am also pleased to report that Melbourne's Metropolitan Fire Brigade is sending a tanker to Samoa to replace a tanker damaged in an accident during the tsunami response. The tanker is scheduled to be shipped from Melbourne on 18 October. In addition a number of disaster relief appeals have been established, and I encourage Victorians to contribute to them.

In conclusion, it is true in every sense to say that in our state we have a renewed appreciation of the critical importance of a rapid response to natural disasters. But we also understand that the recovery and rebuilding process — and the healing process — requires a long-term effort. Many Victorians will have friends and relatives in the affected areas. Earlier today, when I was at St Mary's House of Welcome, one of the people I met had family members who had lost their lives in Samoa. Many Victorians will be affected in this way. There will be many with family, friends and relatives throughout Samoa, Indonesia, India, the Philippines and other regions. To these Victorians, who have been so personally and deeply affected, we extend our deepest sympathies and support. Finally, we assure them that our state stands ready to assist further and as required in the recovery and rebuilding of these devastated areas.

Mr BAILLIEU (Leader of the Opposition) — I join with the Premier in seconding this motion. Our world has been a much-troubled and restless place this year. Financial meltdown has devastated economies; natural disasters have devastated communities; and terrorism and war are never far from our minds. It has been an experience shared across the globe. For Victorians 2009 began with the continuing agony of drought and the tragedy of bushfire, and there remains much for us to do to recover, to rebuild and to restore hope and dignity to our own state. The assistance Victoria has received in that task has been unprecedented. It has come not only from our own but also from interstate, from our neighbours, from our region and from across the world.

This Parliament has had cause already to express its collective gratitude for that support. That help has included in particular financial and other contributions from the Indonesian government, Papua New Guinea and other Pacific and South-East Asian nations. It has

been an extraordinary sharing of goodwill, of compassion and of the human spirit. It is just a simple observation, but that sharing of the pain and that sharing of the determination to begin anew provides great strength to those suffering most.

We too have shared the pain of others: the tragic earthquakes in L'Aquila in Italy; the shocking mudslides in Messina in Sicily; and horrific fires in Greece, the United States and, of course, more recently in São Paulo in Brazil. Victorians, in particular our multicultural communities, have been untiring in their efforts to reach out and lend a hand wherever possible, just as they have reached out after earthquakes in Turkey and China and the tsunamis through Indonesia and Southern India in recent years.

In Victoria, even with all the challenges at hand, the end of September and the first week of October is often a time of quiet. It is a moment of calm between the excitement of football finals and that even sunnier mood of spring. But this year that respite was shattered by disasters across our region. Earthquakes, tidal waves, roaring winds, floods, mudslides and landslides came roaring through the lives of millions. Those across our region sharing the glow of the waxing moon as September closed had little warning of what was to follow.

On 29 September Typhoon Ketsana roared into central Vietnam, devastating communities, as the Premier said. In the early hours of 30 September a tsunami generated by an undersea earthquake swept across the southern Pacific. It shattered Samoa. It devastated American Samoa. It tore apart Tonga. At around 5.00 p.m. on the same day another earthquake rocked the island of Sumatra in Indonesia, the sixth biggest island in the world, with a population of over 45 million. Within 24 hours another earthquake just a few hundred kilometres to the south had repeated the pummelling. The force of those earthquakes left Sumatra broken. The city of Padang was particularly hard hit.

Then, just as Chinese communities across our region stepped out to mark the full moon and to celebrate the lunar festival, the forces of nature struck yet again, and on 3 October Typhoon Parma belted the Philippines and Typhoon Ketsana, which had become a tropical storm, continued to devastate the area. Floods then consumed the Philippines and extraordinary scenes filmed from the air showed desperate Filipinos stranded in cities with endless flooded streets. In a further cruel blow, on 10 October mudslides following those torrential rains ripped through Filipino communities.

The Premier has outlined the toll — the toll in lives, the toll in property, the toll in housing and the toll in economies. It is an extraordinary toll: hundreds dead in the South Pacific, perhaps thousands in Indonesia, and hundreds again in the Philippines and Vietnam — and hundreds of thousands displaced and devastated and suffering in the process.

The help that has been offered by Australians in particular, and of course by Victoria, as perhaps we have come to expect, has been extraordinary. That help, as the Premier has suggested, has, appropriately, come through the government with a significant donation to the Red Cross appeal fund, support through Oxfam, through World Vision, through Save the Children, through the Sumatra appeals, through Caritas, through SurfAid, through Muslim Aid Australia and through others. This support is, as I said, perhaps a part of what makes Victoria a great place and what makes our heritage of sharing so significant.

I join with the Premier in expressing our condolences to the family of Vivien Hodgins, a Ballarat teacher, and as the Premier said, someone who had been in the teaching service in Victoria for over 30 years and who during that time made an extraordinary contribution. No doubt Vivien and her friend, Claire Rowlands, who were in Samoa at the time, were in pursuit of a time of peace, and the tragedy of their loss is at the forefront of the minds of all Victorians.

In the face of these tragedies I join the Premier in offering the thoughts and prayers of members on all sides of this house in reaching out to communities ripped apart by these disasters. As has been the case before, we share that pain, and we share the determination to be strong and to rebuild. We offer all possible support in that task, and we say thank you to those who have already made sacrifices to do just that. That sharing is very much part of our heritage and very much part of what makes Victoria the multicultural capital of Australia. It is very much part of our multicultural heritage.

At the risk of singling out one person, I note that Mr Budiartman Bahar, the Indonesian consul general, is in the gallery. He will be departing Victoria in the months ahead. I know the sadness with which he will do that and the sadness which consumes all the communities — Samoan, Sumatran, Indonesian, Filipino, Vietnamese and Tongan — and all who have been affected by these devastating natural disasters.

Mr HULLS (Attorney-General) — Some of our closest neighbours in the Asia-Pacific region have, as we have heard recently, been beset by appalling

tragedy. Today, on behalf of all Victorians, our thoughts are of the families of those who perished as well as of the countless number who continue to grapple with the aftermath of such devastating natural disasters.

As members of the house have heard, at least 170 people died on the Pacific islands of Samoa, American Samoa and Tonga. They included one Victorian amongst five Australians, as the Premier has explained and as the member for Ballarat East will no doubt detail. They died after an 8.2 magnitude earthquake resulted in a devastating tsunami that washed entire villages away and left many people homeless and, of course, grief stricken.

In the days that followed, Samoa faced the horrendously difficult task of burying its dead, with a mass funeral for over 100 of the victims. I understand such a step is a radical departure from Samoan tradition, and we can only extend our compassion to communities who are not only grieving for their loved ones but whose grief is compounded in this way. As almost 20 per cent of Australia's Samoan population lives in Victoria, the government also takes this opportunity to offer its sympathies to our Samoan and Tongan communities as they grapple with their terrible loss.

Meanwhile, the people in the region surrounding Padang in Sumatra face the inconceivable task of recovering from two devastating earthquakes that, less than 24 hours later, flattened well over 100 000 houses, and as the Premier has outlined, the latest official count is 793 people dead, with the final toll sadly expected to rise significantly. It is difficult to overstate the devastating effects these earthquakes will have on this region of Indonesia. It is also difficult to overstate the time it will take to rebuild infrastructure, health and education facilities and livelihoods. It is impossible to state the time it will take to rebuild lives. This state also has a significant Indonesian population, and today we offer our compassion and our support to those here, as well as overseas, as they come to terms with what has occurred.

Victorians recently grappled with their own natural disaster, after a devastating summer of bushfires. While no tragedy is the same and these circumstances are vastly different, I believe it is possible for Victorians to relate particularly to what has occurred — to understand the trauma and the terror associated with these disasters. For that reason it is especially important that Victorians extend not only their sympathies but also their assistance, with Australia playing a crucial part in the international effort to bring recovery teams,

medical resources and aid to the most stricken regions. As the Premier has outlined, the Victorian government has donated \$500 000 to the Australian Red Cross Pacific Tsunami Appeal.

As we offer this support we should not forget that the Asia-Pacific region has recently endured a number of other quite devastating disasters. The worst floods the Philippines have seen in 50 years killed many hundreds and left something like 80 per cent of Manila still under water; Vietnam, Cambodia and Laos endured floods and landslides caused by a typhoon; while the worst floods in over a century have killed hundreds and displaced around 1.5 million people in the southern states of India.

Sadly, these events do not just represent catastrophe in the immediate here and now. These events will have a terrible ripple effect — the destruction extending as hopes for food production are decimated and poverty is cemented. These events in India, in the Philippines, in Vietnam, Cambodia and Laos, in Samoa and Tonga and in Indonesia are all reminders not only of the fragility of human life and of how so much can be destroyed in such a short time but also of the fragility of our planet. All of us share this fragility. All of us love our kids and hold out great hope for their future. All of us share this planet and have the responsibility to care for it.

On behalf of all members of the house today I offer our condolences to the friends and families of Vivian Hodgins, a Victorian cherished by the wider Ballarat community, and to the other Australians killed, injured or traumatised by these recent events.

We also extend our heartfelt sadness and compassion for the wider loss not only to the people of the Asia-Pacific region but to the global community as a whole

Mr RYAN (Leader of The Nationals) — I rise to support the motion which has been moved by the Premier. I begin by welcoming the visitors who are with us today from the various nations from which they are drawn. All too often it is, tragically, that we have condolence motions before the house. It becomes no less difficult in each instance to speak to them.

Yesterday marked the seventh anniversary of the bombings in Bali when 88 Victorians died and many others died as well. We recall that tragic and appalling event with much sorrow.

In addition to that event we have had instances of natural disasters occurring over the course of the past

years. Again and all too often we have had cause to stand to speak to these condolence motions.

In the events that have occurred recently we have seen disaster wrought across the Pacific and through the South-East Asian region, particularly in the Philippines, Vietnam, Cambodia and Laos.

The day of 30 September was an appalling day by any standard. Two major earthquakes occurred: one off the coast of Sumatra and another near the Samoan islands. They caused widespread damage and loss of life, and indeed the Premier has recounted much of that detail.

In Samoa the earthquake struck at about 6.48 a.m. local time on the morning of 29 September. It had a magnitude of about 8. A 76-millimetre rise in sea levels was recorded at the epicentre of the undersea quake, which triggered a series of tsunamis. Indeed in some of the material I have read there has been expert opinion that the first of the waves that left the site travelled from that position at a speed of approximately 700 kilometres an hour.

The media reports have given us the awful grim toll of death and injury, and those continue. We have lost four Australians: amongst them was Vivien Hodgins. Our thoughts are also with Claire Rowlands, who was so terribly injured.

Samoa bore the brunt of the tsunami. Reports have estimated the death toll at about 149. The *New Zealand Herald* has reported instances where a mother playing on the beach with three of her children saw them washed away before her eyes. The ABC reported that a Samoan living in Australia lost nine members of his family as a result of this appalling tragedy.

In American Samoa there were reports of waves 5 and 6 metres high coming ashore. In Tonga at the northern island of Niuatoputapu, about 500 km north of the main area of Tonga, the waves went across this coral outlet at about 5 to 6 metres in height; many people died and many others were injured.

In addition to those events we saw the tragedies that occurred in Sumatra: a major quake, again, which occurred at about 5.16 p.m. on 30 September of a magnitude of 7.6. The death toll was in the hundreds upon hundreds, with tens of thousands displaced from their homes. The United Nations estimates that up to half a million people could be homeless as a result of this disaster.

Then there were the typhoons that struck throughout South-East Asia. They wrought their own havoc. More than 4.1 million people have been affected. They hit

early on the morning of 26 September bringing one month's rain in 12 hours in the Philippines. A state of calamity was declared in the capital, Manila, with 80 per cent of the city submerged — the worst flooding in more than 40 years — 450 000 people displaced and hundreds dead.

In Vietnam the typhoon made landfall on 29 September, and many lives were lost. Laos similarly experienced major flooding.

In Cambodia there were about 20 people killed as a result of Typhoon Ketsana. Typhoon Parma followed eight days later when it came to the Philippines with more rain, causing more landslides, mudslides and floods, with 2.2 million people being affected by this disaster and 193 deaths confirmed.

We see this appalling toll reflected in the reports arising from these dreadful tragedies. As is the wont with these events, they tend to go off the front page only days later. As I came in here today I flicked through our major dailies, even getting up to page 20 of each of them, and with due respect to those who are responsible for producing those outlets, there is little reference to these terrible events. That is because the world moves on; other things happen. But for the people caught up in the dreadful tragedies represented by these events there is of course no escape.

As we saw earlier this year in Victoria when 173 of our citizens died, a terrible toll is to be paid. It is ongoing. I convey to those represented here today by representatives from their different nations the sincere condolences of all of us here in the Parliament. Victoria and Australia have advanced aid to these different nations, and that will continue, and quite rightly so, because our hearts, our minds and our prayers go out to those who have suffered and who continue to suffer.

Mr HOWARD (Ballarat East) — The events which took place recently in Samoa, in American Samoa, in Sumatra, Indonesia, in the Philippines and surrounding regions again demonstrated the massive and tragic effects of earthquakes and typhoons. We saw graphically in the media how whole villages can be quickly destroyed as a direct result of earthquakes, the tsunamis that can follow or typhoons.

Thousands of homes were lost along with public buildings, including hospitals and schools. All the more tragic is that hundreds of lives were lost, devastating the lives of so many families left to deal with the terrible loss. As we have heard, at around 6.30 a.m. local time on 29 September the beautiful and peaceful havens of Samoa suddenly experienced a massive earthquake,

which was followed by four giant walls of water between 3 and 9 metres high sweeping across parts of Samoa, wiping out villages and holiday resorts.

Soon after that, many residents from my electorate learnt that two Ballarat teachers who had been enjoying a holiday in this part of paradise were caught up in this tragic event. We learnt that while Claire Rowlands, a teacher from Ballarat High School, was found alive, her travelling companion, Vivien Hodgins, had died. As a teacher who had taught for 33 years at Mount Clear College, and in the other roles she had played as a community member, Viv has touched the lives of so many people across Ballarat and the Hepburn town of Blampied, where Ms Hodgins and her partner, Hepburn Shire councillor Rod May, lived.

Viv was always the most positive of teachers, mostly remembered for her cheerful and caring nature:

Mrs Hodgins was the most caring teacher and I will miss her a lot. She told me she was always there to talk to me, and she was right. Keep strong is what she would say.

These were the memories of one student reported in the Ballarat *Courier*. Another student reflected:

Mrs Hodgins was a great teacher and always had such a cheerful laugh and a smile on her face. Wish there were more teachers like you.

Similar stories have been shared around Mount Clear College since school has resumed, but it is of course very challenging for the students and staff to deal with the knowledge that Viv did not return from her holiday. My heartfelt sympathies go out to Rod and to daughters Carla and Stephanie and to all who are grieving Viv's death.

Our thoughts also go out to Claire Rowlands, now back in Australia and slowly recovering from her extensive injuries as well as from the loss of her close friend.

The thoughts of Ballarat residents also go out to Lili Aiesi, a Samoan woman who has lived in Ballarat since 1997. Eleven of her family members were killed, including six children aged between 2 and 14. Lily learnt that her sister's body was found still clinging to her two-year-old baby.

Such stories help to bring home to us the realities of this disaster. In this house today I join with all members to share sympathy for so many people such as Lily, for the other Samoans living in Australia and for those in Samoa who are trying to deal with their loss and rebuild their lives. We know they need a great deal of help to reinstate water supplies and power, to provide shelter and to counter the threat of disease that has followed.

We learnt following the news from Samoa that a powerful earthquake also hit Sumatra, Indonesia, causing much destruction and with the toll of dead and injured feared to be in the thousands. We also learnt that schools and hospitals, as well as over 100 000 houses, had collapsed.

Devastation on this scale is hard for many of us to comprehend. We know, however, that many people have been devastated emotionally as a result of these terrible disasters and there is much that needs to be done to support them. I am pleased that our government has provided practical assistance in a range of ways, including support with search and rescue personnel, and I am also pleased that the federal government has committed financial assistance. I know that many individuals across our communities will be supporting the Red Cross appeal as well as the many other appeals from organisations collecting to help those who have been affected.

As well as passing on our sympathy through this condolence motion to the many people traumatised by these disasters, I hope members and the broader Victorian community will find ways to direct real, practical assistance to those in need in the aftermath of these traumatic disasters.

Ms ASHER (Brighton) — I wish to contribute briefly on this condolence motion moved by the Premier, in particular to convey our sympathies to the families of victims in the South Pacific, Indonesia and Asia, and more importantly to also convey our support for the survivors.

Other speakers have talked about the tsunami in Samoa, American Samoa and Tonga and have outlined the loss and destruction caused by that tsunami. Likewise other speakers have described the earthquake in Sumatra and the typhoons experienced in the Philippines, Vietnam, Cambodia and Laos. Suffice it to say the death toll is horrendous. We express sympathy for the families of the five Australians who were killed, particularly the family of the one Victorian who lost her life, Vivien Hodgins. We also note the huge number of injuries and the dislocation. It is that dislocation I wish to concentrate on.

The number of villages that have been destroyed is significant, and vast numbers of people are homeless. The Australian aid effort has also been touched on — the financial contributions, medical personnel and their work, disaster relief, search and rescue and a whole range of other forms of support from Australians and Victorians.

I want to briefly touch on the long-term impact on the survivors of these sorts of tragedies. We have condolence motions from time to time in this house. Unfortunately there was one relating to our own community earlier this year, and we had a condolence motion after the 2004 tsunami. I think the initial response from Victorians and from the Parliament is enormous sympathy for the human loss. However, there is a much greater challenge for all of us, and that is the reconstruction efforts — which have been mentioned by a number of the previous speakers. It is not just the issue of food production; it is a question of how we transform that immediate response of wanting to give relief into actually contributing to long-term reconstruction.

I refer very briefly to the impact of the 2004 tsunami because, as I said earlier, we had a condolence motion at that time and we spoke at length about the immediate human response by the world and the immediate ramifications for humans in the countries affected. A number of the economies that were affected are particularly dependent on tourism — for example, the economies of the Maldives and Thailand. Obviously there are great similarities between those countries and Samoa and Sumatra in particular.

One of the things we all need to think about long term is how best to assist in reconstructing that industry. For example, 62 per cent of gross domestic product in the Maldives was dependent on tourism, and that recovery has been very, very slow because people obviously think, rightly or wrongly, it is unsafe to visit. In Thailand, particularly in the area of Phuket, tourist numbers have been slashed dramatically. The figure of most relevance here is that in the first year after the tsunami revenue from foreign tourists in Phuket was down by 79 per cent.

Whilst the airport was virtually untouched and the water supply and water treatment were fine, people justifiably and understandably felt unsafe visiting those countries, yet that is the worst possible reaction in terms of long-term recovery. There is little wonder that newspaper headlines saying Samoa's tourism industry fears a 'second tsunami' have appeared. That terminology was used by the chief executive of the Samoa Hotel Association. Indeed one of the great fears is for long-term recovery in this area. Tourism constitutes 25 per cent of Samoa's gross domestic product, and in dollar terms is worth between \$130 million and \$135 million per annum.

Likewise, Sumatra is significantly dependent upon tourism. Whilst in the short term I, too, wish to express my sympathy for those who have suffered the loss of

family and friends and the loss of their amenity in life — those who are homeless and displaced — I also wish to focus on the survivors of these disasters and to express a deep and sincere belief that Australia and Victoria will be there for the long-term recovery of these communities.

Mr CRISP (Mildura) — It is with sadness that I join other members of this Parliament in supporting this condolence motion. I would also like to acknowledge the dignitaries from the affected countries who are in the gallery today. The events of the last months have touched Murray River communities, particularly those in the Swan Hill and Mildura electorates. Floods in the Philippines, a typhoon in Vietnam, an earthquake and a tsunami in the South Pacific, the devastation of the Indonesian earthquake and, as we have heard, other equally devastating events show that it has not been a good four weeks for this planet. Modern communications bring these events almost live into our lounge rooms. Most of us are moved by compassion and empathy for those affected. For many reasons we in Victoria have much to be thankful for. We should also remember that those affected by these disasters offered their condolences after our tragic bushfires.

Most of the people in the electorate of Mildura who are deeply affected by these disasters live in Mildura and Robinvale. As I understand it, the Samoan families living in Robinvale have not lost any immediate relatives but share in the grief that has affected their home country. Samoan families are part of the larger Pacific Island community, which comprises mostly Tongans, living in Robinvale and totalling around 500 individuals. Many of these people now live permanently in Robinvale, and the Pacific Islander community is supported by the Wesley Methodist Church, the Church of Latter Day Saints, the Seventh Day Adventist Church and the Catholic Church. There is also a strong Christian fellowship in Robinvale. All have offered prayers and donations. The Pacific Islander community is very community minded.

As many of us who have had personal experience would know, Pacific Islander people have wonderful musical ability, particularly singing and playing instruments. Members of that community have offered support for those in need of their assistance. They have also helped in the past as well. The younger generations of Islanders have participated in our education and training systems and are now working in jobs beyond the farms that brought their parents to the Murray Valley. In Mildura the Samoan community is larger than that of Robinvale, but as with Robinvale, it is part of a larger and very supportive Islander community.

I have spoken to Pastor Albert Tufonga, who conducted a memorial service in the Mormon church last Saturday. The service was attended by about 160 people, of whom, Pastor Albert informs me, about 100 were Samoans. Because Samoa is a small country, Pastor Albert told me, many of the congregation have felt great loss. All have been affected in some way or another. Pastor Albert's church has contributed to the aid effort, which at this stage has been food and clothing. People in the Samoan community in the Murray Valley stand ready to contribute to the recovery effort once the emergency has passed. There will be much to be reconstructed, and I am sure that members of the Samoan community will not be alone in making efforts to assist in the reconstruction. I note that the Victorian government has made a contribution on behalf of the people of Victoria, and various other appeals are running. Pastor Albert also informed me that other denominations have conducted memorial services or have offered prayers for those who have suffered loss.

The floods in the Philippines have also touched my electorate. The Filipino community has an organisation in my electorate called the Filipino Community of Sunraysia. I have spoken to its community contact, Yolanda Taverna. Members of the Filipino community also use the arts to make themselves known in the community, and the community has a wonderful dance group that has performed at many functions and community events, and it particularly supports our elderly.

The Filipino community of Sunraysia has about 60 members, and the floods have affected their relatives and others. The assistance so far offered has been through sending money to those affected. The Sacred Heart Church in Mildura is taking part in the appeal for the flood victims organised by Father Tom Brophy, who I understand has a niece who is a nun working in the flood-affected areas of Manila. My community has been affected by these disasters. I offer my condolences and the prayers of my constituents to all those who grieve, and I pay tribute to those in my electorate who are assisting in the recovery.

Mr STENSHOLT (Burwood) — I join other speakers in conveying the condolences and sympathy of the people and the Parliament of Victoria to the representatives here today and the people in the communities they represent. As someone who worked for 20-odd years in Asia and the Pacific and has been involved in a number of emergency situations in those countries I well understand the gravity of what has happened to people in the affected communities in, for example, the Philippines. It is very hard for us to

understand what a mudslide can do, but the recent A Day in Pompeii exhibition showed what can cover entire villages. The member for Brighton pointed out that the reconstruction effort is a large task; we offer immediate sympathy, but there is also the long-term reconstruction.

The Premier mentioned the impact of flooding in India, Vietnam, Cambodia and Laos, and I am very familiar with that. Flooding washes away not only whole villages but also people's livelihoods for a year or two, so there is a reconstruction effort to be considered as well as the impact of the tragedy of lives lost. We have become familiar over the last few years with the impact of tsunamis. I ask the representatives present to convey our profound sympathy and support to the people of the South Pacific. Help has been provided by the people of Victoria and Australia to reconstruct the lives of those who survived, but we are also with them in sympathy for the loss of their families and communities.

Mrs POWELL (Shepparton) — I rise to support the condolence motion moved by the Premier. I offer my deepest and sincerest condolences and those of my electorate in the Shepparton district to the families of the victims and survivors of the recent national disasters in the South Pacific, Indonesia and Asia and join with the rest of Victoria in expressing our deepest sympathy to those affected. I pass on my condolences and those of the people of the Shepparton district, which has a large multicultural population, including over 100 people from Samoa, Tonga and Fiji, who are well established in our community and have formed an islander group.

We also have people from Indonesia, Asia and Vietnam. I know them to be gentle, happy, warm and generous people who care about their families and their community and are very proud of their heritage. They will be thinking of those in their former homelands who are devastated by the recent disasters and would want me to pass on their thoughts and sympathies to the families and friends of those who have been affected.

On 30 September there was a massive earthquake about 240 kilometres from Samoa, and 15 minutes later a tsunami hit Samoa and American Samoa. We can only imagine the fear felt by those hit by the tsunami, with waves 6 metres high washing over the land, dragging people out to sea, destroying homes, buildings, livelihoods, personal belongings and taking lives. In some cases whole villages were lost. Hundreds of people were killed, including Victorian Vivien Hodgins, and many thousands were injured, including Victorian Claire Rowlands. Many thousands are now

homeless. People will live not just with physical but also with psychological scars for many years.

Through the media we have heard and seen many tragic stories. Because of the recent landslides, typhoons and floods across other parts of Asia and Indonesia many other lives have been lost and homes and buildings have been destroyed. There has been great support from emergency services from Victoria, Australia and around the world, which have swung into action immediately. They have given not just money but doctors, nurses and people to help the survivors. Our thoughts are with the survivors and families who have lost loved ones, and we sincerely hope they can rebuild their lives again and move strongly into the future.

Motion agreed to in silence, honourable members showing unanimous agreement by standing in their places.

Sitting suspended 2.56 p.m. until 3.01 p.m.

CONDOLENCES

Hon. Brian William Mier

Mr BRUMBY (Premier) — I move:

That this house expresses its sincere sorrow at the death of the Honourable Brian William Mier and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as member of the Legislative Council for the electoral province of Waverley from 1982 to 1996 and Minister for Prices, Minister for Aboriginal Affairs and Minister for Consumer Affairs from 1990 to 1991.

The Honourable Brian William Mier passed away on Saturday, 12 September 2009, aged 74 years. Brian Mier was a proud Victorian. He devoted his life to serving his community, his union, his party and this Parliament. It is fitting today that we offer condolences to honour such a life.

Brian was born in Footscray in 1935 and educated at the Geelong Road State School, Williamstown High School, Footscray Technical School and the Royal Melbourne Institute of Technology. In his early working life he was a plumber, which meant he was able to bring to this Parliament a real knowledge and understanding of the working life of tradespeople in Victoria.

Following national service he joined the Victorian branch of the Australian Labor Party in 1956. That was the year of the Melbourne Olympics and the year television first came to our state. It was also the year after the ALP, under John Cain, Sr, lost power in

Victoria. Twenty-seven years later Labor won office under John Cain, Jr, and that was the year Brian Mier was elected to Parliament for the first time as a member of the Legislative Council for Waverley Province.

Those years in the wilderness were long and difficult for the Australian Labor Party, but they were also the years in which people like Brian Mier fought for Labor values. During this time Brian served as a party member, a branch secretary, a party official and a campaign organiser. When he was endorsed as the Labor candidate for a by-election in Waverley he described himself to his local paper — the *Waverley Gazette* — as a ‘hard worker’ who was ‘Labor to his bootstraps’. And that is how many of his friends and colleagues would remember him.

His time in the Plumbers and Gasfitters Employees Union as an organiser, and later as federal vice-president, reinforced his commitment to Victorian workers and their families. He knew their stories, and he knew their struggles and concerns.

In his inaugural speech to the Legislative Council he highlighted the plight of injured workers and their families and the ‘severe financial hardships’ they had to endure when they were forced to make their cases in protracted workers compensation board hearings. In those circumstances he was a person who understood better than most the importance of workers’ rights.

In almost 14 years as a parliamentarian Brian served as Minister for Prices, Minister for Aboriginal Affairs and Minister for Consumer Affairs. He was a member of several committees, including the Natural Resources and Environment Committee, the Road Safety Committee and the WorkCare Committee.

Outside of this Parliament, Brian was a member of the Waverley RSL and vice-president of the Victorian Parliamentary Former Members Association. As many members of this house would know, he was a passionate Bulldogs supporter and a respected member of the Footscray-Western Bulldogs Past Players and Officials Association.

Our deepest sympathies go to Brian’s wife, Sheila, his sons, David, Paul and Philip, and his grandchildren, Regan, Sam and Sophie. They should be proud of the man they knew as a husband, father and grandfather, and the man we knew as a servant of the working people of Victoria and a significant contributor to this Parliament.

Mr BAILLIEU (Leader of the Opposition) — I join with the Premier in this condolence motion for the Honourable Brian William Mier. Brian Mier served this

Parliament for 14 years as the member for Waverley Province in the Legislative Council from 1982 to 1996 — two terms — which is a significant contribution to the people of Victoria.

As the Premier said, Brian Mier was born in Footscray and educated at the Geelong Road State School in Williamstown — he was a Willy boy — and at Footscray Technical School, and thereafter through the Royal Melbourne Institute of Technology as an apprentice plumber. He came to this house as a plumber. There have been many fine plumbers who have come to this house — —

Honourable members interjecting.

Mr BAILLIEU — Including the member for Bass! Brian Mier was also a national serviceman from 1954 to 1956. It is easy for people these days to think of nashos as those who only did national service in the 60s because they were impacted on by the Vietnam War. There is another band of nashos — the 50s nashos. I mention them particularly because they are a special band, and they regard themselves as a special group. These days the National Servicemen's Association is housed in my electorate at the Camberwell Returned and Services League. They do a fantastic job, and to the nashos — both 1950s and 1960s — our thanks remain.

Obviously Brian Mier was a great contributor to the Australian Labor Party. As the Premier said, he joined the ALP in 1956. I was just three years old in 1956. Brian gave great service to the ALP, serving in many roles before being endorsed as the candidate and then elected member for Waverley Province in 1982 at the time of the ascension of the Cain government. In this Parliament he became the Minister for Prices, the Minister for Aboriginal Affairs and the Minister for Consumer Affairs from 1990 to 1991. He had various other roles on a variety of committees, and he made a significant contribution to the Parliament.

Brian Mier died on 12 September aged 74 years. As the Premier said, he was a passionate member of the Footscray-Western Bulldogs Football Club Past Players and Officials Association and a passionate Doggy. No doubt he died on 1 September with hope in his heart for an end to the great Bulldog drought. He may have drawn comfort from a victory that weekend, but perhaps he had some premonition of less favourable results ahead.

There is no doubt Brian Mier will be long remembered. I suspect he will continue to oversee the ALP and members of Parliament, and that he will also rouse the

Bulldogs, albeit in renewed spirit and no doubt charged by the arrival of Barry Hall at the Western Oval.

Brian Mier made a huge contribution to the ALP, to the Parliament, to the people of Waverley Province and to the state of Victoria. I join with the Premier in extending our sympathies and our condolences to his wife, to his children and to his extended family.

Mr BATCHELOR (Minister for Community Development) — I join with the Premier, the Leader of the Opposition and with other members of the Victorian Parliament to pay my respects to Brian Mier, and to offer my condolences to his wife, Shelia, and their three sons, David, Paul and Philip.

Brian Mier dedicated much of his life to ensure that the rights of workers were upheld. He made a valuable contribution not only to his immediate community of Mount Waverley, where he lived for much of his adult life, but also to the wider community of Victoria as a member of the Victorian Parliament.

Brian Mier was born in Footscray on 21 February 1935. He attended the Geelong Road State School, Williamstown High School and later Footscray Technical School and RMIT. All his life he had fond memories of Footscray, and of course that was manifested in his support for the Footscray Football Club, which is now the Western Bulldogs Football Club.

He started work as a plumber before commencing his national service in 1954. He was also a member of the Plumbers and Gasfitters Employees Union, and in 1964 became an organiser, a position he held until 1969 when, through a promotion, he became the assistant secretary, a position he held until 1975. During this period he also served as state chairman and federal vice-president of the union. It was during his time as assistant secretary that I first met Brian Mier, and his involvement in the union really set the values that shaped his political involvement. He remained a Labor man all his working life — in fact for all of his life.

Brian's interest in the Labor Party saw him become a full-time officer for the Labor Party. He was secretary of the party's national industrial relations committee between 1980 and 1982, a position he was extremely proud of. He also held various other positions including a time on the industrial affairs committee.

At the time of his preselection Brian was married with three children and had been living in the Mount Waverley area for some 18 years. At a time when there were few facilities Brian remembered with much pride the setting up of the Wayburne kindergarten at Syndal,

being one of the foundation members of the committee who got the kindergarten off to a start.

At the age of 47 Brian Mier began his parliamentary career in the Legislative Council as a member for Waverley Province. In 1982 he succeeded Tony Van Vliet, whose tragic death occurred after the 1982 election, at which John Cain came to power after 27 years of Labor being in opposition. Tony Van Vliet was elected but tragically died before being sworn in, causing a by-election to be held. Brian Mier had the strong backing of party leaders at the time — John Cain and Bob Hawke — and went on to take his place in this Parliament as a result of that by-election triggered by such a tragic circumstance.

In 1990 Brian made it into state cabinet as the Minister for Aboriginal Affairs, Minister for Prices and Minister for Consumer Affairs. Having come from a working class family in Footscray to being elected a Labor minister he more than fulfilled his greatest ambitions. However, his time on the frontbench was short lived, and he resigned his ministry a year later.

Unlike many of the people in this place who dedicate their inaugural speech to family, friends, supporters and even to some of the people who have inspired them, Brian Mier came into the Parliament with a determination to make a difference to the rights of workers. He dedicated much of his inaugural speech to the struggle of trade unions to assist with workers compensation. True to his word, Brian left Parliament on a similar note, with his last contribution to parliamentary debate being on the Melbourne City Link Bill when he questioned the then Minister for Roads and Ports on the impact of reducing the traffic flow along Footscray Road. He was concerned about the impact that might have on such important workplaces located there, such as the fish and fruit and vegetable markets, the headquarters of national trucking companies and Australia's largest shipping and container terminals.

In his statement to the media on the day of his resignation from cabinet Brian said his life had been devoted to the fight against injustice, inequality and discrimination. Brian was a man of great Labor values who spent much of his life working to bring industrial peace to the state. He was respected by his colleagues, and made a valuable contribution to the Parliament and to the state of Victoria, and again I offer my condolences to his wife, Sheila, and to his family.

Mr RYAN (Leader of The Nationals) — I rise to support the condolence motion for Brian William Mier. He died on 12 September at the age of 74. He is

survived by his wife, Sheila, to whom he was married for some 51 years. He is also survived by his sons, David, Paul and Philip.

As a boy he attended Geelong Road State School and Williamstown High School before moving to Footscray Technical School and then on to RMIT. He was a lifelong supporter of the Doggies, and as has been said, in essence he embodied the club's determination.

In 1949 he became an apprentice plumber, and that in turn led him to become an organiser with the Plumbers and Gasfitters Employees Union. He had active involvement in the union for a further period of about 10 years. He served a period as assistant secretary and as federal vice-president. Like many others of his era, he served a period in national service, and just as I often reflect on the fact that my brother served a period of national service and served under his nation's flag, people such as Brian Mier should be congratulated for having done likewise.

In his political life he served 14 years as the upper house member for Waverley Province. As the Leader of the House has remarked, he was elected to the seat in extraordinary circumstances. A by-election was held in 1982 after Tony Van Vliet, the elected Labor candidate, tragically died very suddenly on 16 October of that same year prior to being sworn in as a member of the Parliament.

For the purposes of making a contribution today, as I usually do in these instances I had regard to some of the input my colleagues were able to give me regarding Brian Mier. They say in varying ways that Brian was a colourful and pugnacious character. He had a very dry sense of humour. It is said universally that he was unwaveringly loyal to the ALP. As is probably the case with his contemporaries, he never believed his side of politics to be wrong and he never believed his opponents' side of politics to be right.

In the *Waverley Gazette* article to which the Premier has referred Brian described himself as being 'Labor to his bootstraps'. I am told it was not uncommon to see Brian and the current member for Bass, Ken Smith — both former plumbers, of course — going toe to toe across the chamber, although they were not as toe to toe as I understand Brian was in some instances in the way he conducted himself. Indeed some would say he was a man who pulled no punches!

Whatever might be the case, I am reliably informed that Brian was never reluctant to tell people what he thought about particular circumstances and situations. He served in various ministerial roles. He was the Minister

for Prices, the Minister for Aboriginal Affairs and the Minister for Consumer Affairs. I join with other members of the house in mourning his passing and in supporting the condolence motion moved by the Premier.

Ms KOSKY (Minister for Public Transport) — I rise to join other members of this house in extending my deepest sympathies to Brian Mier's wife, Sheila, and his sons David, Paul and Philip.

I knew Brian through the party but also when I was an adviser, when Brian was a member of Parliament. He was a very likeable chap. He did not shy away from a good argument, but he was always on for a good chat about those issues that were important to him and the reasons he wanted to be a member of Parliament.

As members have mentioned, he was born in Footscray on 21 February 1935 and died on 12 September this year aged 74. He won the by-election for Waverley Province and had been an ALP member for more than 50 years, which I think demonstrates his absolute commitment both to the party and particularly to workers' rights and fighting for them. He saw the party as the best means by which he could actually represent workers' rights and get change occurring for them.

He was also a life member of Legacy. Much has been said about his commitment to national service and also some of his experience with that. He was very much a western suburbs guy, particularly in his early years, going to Geelong Road State School, Williamstown High School, Footscray Technical School and then to RMIT. Not only was he a very proud Victorian but he was a very proud western suburbs man. Even after moving to Glen Waverley he always kept a close eye on the western suburbs.

As has been mentioned, as well as being a strong supporter of the western suburbs he was a strong supporter of the Western Bulldogs. He did get a chance to see the Bulldogs win a flag. Some of us are still waiting, but hopefully it will not be for too long.

I well remember how loud, vocal and sometimes raucous Brian could be at Bulldogs matches, particularly when we might have been just a little bit behind. There were times when we probably had to settle him down just a bit so that he would live to see the next match of the Bulldogs. He was a very passionate and a very strong supporter of the Bulldogs. As has been mentioned, he was also very committed to the party and to the underdog.

He was a very generous man, and he would go out of his way to help people but also to stop and have a chat.

I saw him several months ago here in Parliament. He had come for the meeting of past members. He saw me from right down the other end of the corridor. He came up to me immediately, gave me a hug and wanted to see how I was going and find out what was happening.

He was a very passionate person but also a very considerate and thoughtful person. My thoughts, along with those of the other members of this house, go to his family, who I know will be deeply missing him at this time.

Ms ASHER (Brighton) — I wish to express my sympathy on the passing of Brian Mier, who was the member for Waverley Province in the upper house from 1982 to 1996.

I had the opportunity, when I was a member of the upper house, to serve with Brian between 1992 and 1996. I was able to witness him in full flight, lecturing us Liberals on the rights of the working person.

Unfortunately Brian died in September at 74 years of age. He was, as others have said, Minister for Prices, Minister for Aboriginal Affairs and Minister for Consumer Affairs. He served on a range of parliamentary committees such as the Legal and Constitutional Committee, the Natural Resources and Environment Committee, the Economic Development Committee and particularly the Road Safety Committee. I think that committee has been regarded as one of the most important committees of the Parliament over many years. Brian was one of the people who served on the committee at the time it produced its landmark drugs and driving report. Many of those recommendations have been picked up by the Parliament.

Brian was a strong union man and a long-time ALP member. I think amongst careerists and professionals he was what was called an old-fashioned Labor man. He conveyed regularly to us Liberals that he was an old-fashioned Labor man and a union man supporting workers' rights; we heard that in debate on many occasions in the upper house. His first speech was on WorkCover.

I remember Brian's speech when the Kennett government introduced changes to WorkCover, and I recall many other speeches he made from the heart about the rights of workers and how he saw those rights. Brian was a very passionate individual. He was passionate about consumer affairs and a range of other activities.

I pass on my condolences to his wife, Sheila, and to his three sons. I would also like to convey the condolences

of my husband, Ron Best, who served eight years in Parliament with Brian Mier and served with him on the Road Safety Committee. My husband's conversations with me in recent times absolutely confirm that Brian Mier was what is called a colourful character.

Mr ROBINSON (Minister for Gaming) — Brian Mier was, unquestionably, of the old school. He came to this Parliament with his priorities firmly set, and they were to do the best he could to improve the lot of working men and women in Victoria. Today we are not in the habit of using class-based technology to describe Victoria or Victorians, but the world in which Brian Mier grew up was a world in which those descriptions were used, and Brian was proudly working class. He had a blue-collar pedigree, and this was evident from his attendance at Geelong Road State School, Williamstown High School, Footscray Technical School and then RMIT, followed by a plumbing apprenticeship. Brian's formal education was followed by another very long apprenticeship in the Labor Party; he served as a member of the party for some 53 years.

As the Leader of the House has outlined, Brian's entry to Parliament was unexpected and followed the untimely death in 1982 of Tony Van Vliet, the elected member for Waverley Province. Even though Brian's parliamentary career of 14 years rose to his appointment to the ministry, I suspect his proudest moment might have been during his inaugural speech, which was, of course, on a worker's compensation reform bill, something he believed in passionately for his whole working life.

My acquaintance with Brian did not begin until the latter part of his parliamentary career when I decided I would nominate for preselection in the seat he held at the time. Some members here might have some familiarity with the experience, but what made the situation very delicate was that Brian at that stage had not actually decided to retire. Many of us have experienced that rite of passage on our way to this place. Notwithstanding Brian's reputation as someone who never left anyone in any doubt as to his feelings on all subjects, I have to say that at that time my dealings with him throughout that preselection process were fair and reasonable and conducted civilly.

He retired at that election in 1996, but he remained active in the Labor Party. He was of the old school, but he had a very simple motto. He would often say to me and to other MPs, 'Do your best and do not forget that as Labor MPs you are representing working Victorians who rely upon you to do your very best every day'.

I would like to join with the Premier and extend my sympathy to Brian's wife, Sheila, and to his family.

Mr K. SMITH (Bass) — I join the Premier and other members who have spoken today in expressing my condolences on the passing of the Honourable Brian William Mier. I met Brian when I came into the Parliament in 1988. It is my sad observation that the longer you serve in the Parliament the more often you have to stand up and express condolences on the passing of people you have known personally.

I came into Parliament as a plumber; I was a quiet, unassuming person — and nothing has changed! Of the 44 members of the upper house, 10 per cent were plumbers. There was me, and then there were three plumbers on the other side of the house, who were thugs from the Trades Hall Council! Brian Mier and George Crawford were two of them, and Rod Mackenzie was the third. Rod happened to be the President, which made it a little difficult to have a go at him from time to time, until the Labor Party chucked him out.

It was an interesting time. We were all plumbers and we were all there together. There was a sort of brotherhood of plumbers, and we used to work our way through the building bills and some of the consumer affairs legislation together. It was always interesting to sit down with Brian and George in a quiet corner of the Legislative Council and work out which way we were going to go on issues that affected the plumbing industry. Brian and I were both plumbers, but then he went down the wrong track and became a union organiser, which was a little bit of a problem.

Brian was a good bloke; there is no doubt about that. He never minced his words; you knew where you stood. As someone said, we used to stand toe to toe and you would have a bit of a go across the chamber at one another, but we always showed each other mutual respect. We were both plumbers, and we felt quite comfortable having a bit of a go, because we knew that we could go and have a glass of lemonade together at the members bar.

I only have fond memories of Brian. I can honestly say quite honestly that I felt quite proud, even though I was from the other side of politics, that a humble plumber, as Brian was — although a boisterous one and a colourful speaker who did not mince his words — had become a minister of the Crown in the Parliament of Victoria. He held positions as the Minister for Prices, the Minister for Aboriginal Affairs and Minister for Consumer Affairs. As a plumber I felt it was a privilege to sit alongside Brian, who had managed to achieve so

much, and alongside Rod Mackenzie, who was President of the upper house. There was a collection of colourful characters in the upper house who came from the plumbing fraternity, and I was very saddened to read in the paper about Brian's passing.

I did not realise he was 74 years old, which is quite a young age to pass away. I offer his wife Sheila and his three sons, David, Paul and Philip my sincere condolences. May he rest in peace.

Ms MORAND (Minister for Children and Early Childhood Development) — I am pleased to say a few words on the condolence motion for Brian Mier. I am speaking as the member for Mount Waverley and as someone who only met Brian when I became the member for Mount Waverley. Although he grew up in the west and was very much part of the west, he lived in Mount Waverley for many decades.

As the Minister for Energy and Resources said, Brian came into this place at a by-election in very unusual circumstances. Labor had won the seat of Waverley Province in April 1982 but the elected Labor member was never sworn in due to ill-health and his subsequent death. In fact at the by-election Brian Mier increased the margin for Labor in Waverley Province, which was something I know that Brian was very proud of.

For those members who are interested in the history of politics, the Liberal candidate at the by-election was a 29-year-old Bruce Atkinson, now a member for Eastern Metropolitan Region, who then had to wait another 10 years before becoming a member of the Legislative Council.

As other members have said, Brian's career included being a member of the Cain government cabinet, where for a number of years he was Minister for Aboriginal Affairs, Minister for Prices and Minister for Consumer Affairs. I was told by his friend, former colleague and member for Waverley Province, Cyril Kennedy, that Brian was someone who always made his presence felt in the chamber. I think that has been articulated very well by the Leader of The Nationals and the member for Bass. I think that was code for vigorous interjections. Cyril also told me that Brian was a popular member and that some of those who attended his funeral included former Labor and Liberal colleagues. Cyril, who also still lives in Waverley, told me that Brian played in the junior divisions of the then Footscray Football Club, which led to his great passion for Footscray. When the club was under threat he came into the chamber wearing a Bulldogs jumper, such was his passion.

I had not met Brian before I became the member for Mount Waverley but I certainly have a lot of fond memories of my meetings with him over the past seven years, particularly at the Waverley RSL, where he was a very active member. I always found Brian to be an incredibly friendly person, very approachable and always with a very friendly and ready smile for anybody he met. As others have said, he was very active in Labor activities and campaigns and he helped me on election days. My deepest sympathies go to Sheila, his sons and grandchildren and his many friends in the Waverley community and the Labor family.

Mr JASPER (Murray Valley) — In joining the condolence motion for Brian William Mier, a member for Waverley Province from 1982 to 1996, I acknowledge the earlier comments of the Premier and other speakers. I am one of those members of Parliament who was here in 1982 when Brian entered Parliament. I became friendly with him, as did other members at the time. I noted his trade training background as a plumber, and the member for Bass mentioned that other plumbers were also members of Parliament. I am associated with trade training in the motor industry so I had a strong connection with him anyway in that respect. I noted also his strong connection with the Australian Labor Party and the union movement prior to his entering Parliament.

I listened to earlier comments about his first contribution in Parliament, and I want to read some extracts from that speech because it emphasises some issues that members will relate to. In his speech during debate on the Workers Compensation (Amendment) Bill on 15 December 1982 he stated:

One of the major causes of increased costs in workers compensation premiums is the legal argument mounted before the various boards. The legal profession in Victoria has transformed the workers compensation area into a financial bonanza.

That has happened, and I can understand why he made that comment. He went on further to say:

Industry has changed dramatically with modern technology, and the handling of new and unknown materials.

That was an excellent contribution from a person who had grown up in the trade union movement and who was a member of the Australian Labor Party in speaking on this workers compensation bill.

My connection with Brian started in 1983 when he joined the Legal and Constitutional Committee. I got to know him quite well because, as members would know, when you are a member of a committee you get to know the other members of the committee, regardless

of their political persuasions. It was a very important time for the Legal and Constitutional Committee because the government was considering changes to the way regulations were reviewed in the state of Victoria. I recall that Jocelyne Scutt was the executive officer at the time. It was an important time for members of the committee. We were working on massive changes to the review and scrutiny of regulations and, importantly, the introduction of regulatory impact statements, which are now a major issue in the regulation review process and the other provisions that are contained within that act. Brian and I developed a close relationship while working on those issues.

I also noted some of the comments made by earlier speakers, who mentioned his strong connection with the union movement, the Australian Labor Party and the important part he played within those organisations, including the period when he joined the Parliament. I refer to a statement he made in the latter part of his career which highlights how Brian lived his life:

My whole life as a trade union official, an ALP party organiser and a member of Parliament, has been devoted to the fight against injustice, inequality and discrimination.

I think that sums him up. I found him a good bloke who was very friendly. We talked across politics. I had a number of discussions with him on a range of issues over the time that he was in Parliament. He made a major contribution to the Parliament in the upper house. Often you do not have the same connection with members in the upper house as you do in the lower house but because we had those two years on the then Legal and Constitutional Committee together we maintained that friendship over a long period and discussed a range of issues. I, like other members of this house, add my condolences to his family.

Mr NARDELLA (Melton) — I also pass on my sympathies to Brian Mier's family. I served with Brian from 1992 to 1996 in the upper house. I was very sad when Jean McLean called me to inform me that Brian had passed away. Like the member for Altona, the Minister for Public Transport, I saw Brian a couple of months ago after he attended a retired members function. I saw him and Sheila on the corner of Spring Street and Bourke Street. As you do with old comrades, as you do with your fellow parliamentarians or ex-parliamentarians, we had a talk about how politics was going. Brian was always someone to talk to about politics.

The first time I met Brian was around the 1983 or 1984 elections when I went to ALP head office and he was organising volunteers. He was no longer an organiser at head office, but he kept his hand in and was still doing

that work to assist in the election campaigns through the party.

I then had the absolute privilege of serving with him in the upper house. He was what you would call a solid working-class bloke, not only because of his pedigree and his football following but because of his working life through both his apprenticeship and work in the plumbing trade and then through the trade union movement, where he served his members and his union in a very admirable way. He then had the privilege of coming to this Parliament in the Legislative Council. He certainly contributed in the Parliament when I was in that house. In many debates he was extremely passionate about the things he believed in. He was extremely passionate about the trade union movement, especially in those really difficult debates we had after 3 October 1982 over WorkCover, over workers' rights and over changes to industrial relations legislation. He was extremely passionate about the rights working people should have and how the Parliament and the government should protect those rights. Many a day and night was spent with Brian talking about those issues.

He was proud when he became a minister. Once when we were having a coffee out on the back balcony he told me that he was proud that a working-class person like himself could have the privilege of becoming a minister and, through the Labor Party, be able to serve his constituents in that way. I also had the privilege of being his organiser, along with the Honourable Cyril Kennedy, in Waverley Province in the late 1980s and early 1990s. He was a very staunch supporter of the Australian Labor Party and worked tirelessly out there for the party.

I will miss Brian. He was somebody you could easily talk to. He was a very keen fisherperson. He understood Victoria's national parks inside out; he had an encyclopaedic knowledge of our national parks.

I will miss Brian; I will miss his smile and I will miss him talking to me when we used to catch up. My sympathies go to Sheila and the whole Mier family.

Mr FOLEY (Albert Park) — Brian Mier's life in many ways was a monument to the capacities of the Labor movement and what it can do for working people. A working-class boy from the western suburbs, he worked his way through his apprenticeship, his trade and his trade union; he worked through his role in the plumbers union as a rank-and-file member and then as an official in the Victorian branch of the union, and then in his role as an organiser with the ALP. These activities put him at the heart of some of the most

massive industrial and political events of his time, including the reform and modernisation of the Labor Party — as I understand it, Brian was perhaps not always supportive of some of those reforms; the election of the Whitlam government; and the national dramas of the dismissal of the Whitlam government — and just as an aside there, aficionados will see on the front cover of Gough Whitlam's book, *The Truth of the Matter*, a picture of Gough going up the steps at the City Square, and they will also see a picture of Brian in his role as party organiser assiduously directing traffic.

Then, very much in typical Brian fashion, his support for getting a number of reforms through the hard yards of modernising the Victorian branch of the Labor Party after more than a generation in opposition saw him play a key role in the re-election of the Cain government in 1982. It was in that context, as a young Labor Party member, that I first met Brian. We were working on Tony Van Vliet's campaign in Waverley Province at the time and on the election for the then lower house seat of Syndal. As we have heard, sadly Tony did not live long enough to take up his seat, and a number of us, including the member for Dandenong as I recall it, were quite active as young party members in Brian's campaign organisation for the subsequent by-election. Brian certainly was a hard taskmaster. There was no sympathy when you came back from a day of letterboxing up and down Wheelers Hill in 40 degree heat. All you got was, 'Is that all you have done today, you young blokes?'.

There were also a range of efforts in regard to innovative campaign techniques, and Brian certainly brought home to a young and impressionable party member the importance of organisation and intrigue in the operations of the Labor Party. I recall a number of occasions when I subsequently worked on a relief basis for Brian in his electorate office, which was then located in Oakleigh, when there was regularly intrigue involving the then City of Oakleigh. Members will have to wait for my memoirs to get the full details, but it resulted in a number of activities going before the disputes committee of the Australian Labor Party. Brian was instrumental in assisting a range of those matters to successful and harmonious conclusion. He provided active guidance for young people in the Labor Party and helped them to understand the necessary level of commitment.

In the years that subsequently flowed from that from time to time I was able to stay in touch with Brian as his parliamentary career moved on and he continued his active participation in ALP organisational issues, as the member for Melton said.

I read with some interest in the material provided by the library about Brian's surprise when he became a member of the ministry in his roles as Minister for Consumer Affairs, Minister for Prices and Minister for Aboriginal Affairs, but it should not have come as a real surprise, because his lifelong commitment over 50 years of membership of the party, his regular contributions to the party organisation and the Parliament as well as the local party campaign out in the Waverley area all saw him shine.

Through my own subsequent role as a union official I came into contact with Brian's son Dave, who is a union official with the Electrical Trades Union. Dave shares many of his father's characteristics — his genuineness, his commitment to trade unionism, his organisational skills and his fundamental belief in the righteousness of the position of the Australian Labor Party in all things.

It was interesting to read Brian's contribution when he somewhat controversially resigned his portfolios after a year as minister when, as we have already heard from those before me, he saw the values that underlined and underpinned his contribution to public and political life as the values of fighting against injustice, inequality and discrimination. I personally recall in the early years of the Cain government in the 1980s his steadfast leadership through various party forums in a number of internal debates within the party around the then emerging equal opportunity acts and his personal campaign to ensure that gay and lesbian citizens should be included and treated in the same way as any other group in this community and should not be discriminated against and unfairly held up to ridicule.

In many respects Brian was well and truly ahead of his time and did not always fit the mould of what you would expect from a stereotypical westie plumber. Incredible as it seems today, the champion qualities that Brian led in at that time were relatively controversial in the party, but his contributions have withstood the test of time.

As we have seen from the material provided, Brian's political life was not without controversy. He stood toe to toe in many respects with friend and foe alike. I know from my own experience with Brian and Dave that the commitment they showed to the enduring principles of the Labor Party — to collective action as the basis for social change — through a number of progressive causes, and indeed his support for his family and friends, shone on him and marked him as a true champion of the Australian Labor Party.

Mrs MADDIGAN (Essendon) — I would like to speak briefly about Brian, perhaps less about his parliamentary service than about the time after he had left Parliament. In the last Parliament I had a great deal to do with Brian in his role as a committee member and then as vice-president of the Victorian Parliamentary Former Members Association. What we have heard today showed he was very involved in helping the community throughout his life — more recently, I suppose in relation to the Waverley RSL but also in the work he did with the former members association. Certainly Brian and Sheila, who normally attended with him, brightened up the former members lunches considerably.

If I look back at some of the things mentioned by the Leader of The Nationals, I note that at those lunches Brian was still very keen to support the decisions made by the Labor Party and the role of the Labor Party. He had many energetic conversations with both his own former colleagues and former members from other parties who attended those functions.

Whilst we have heard a considerable amount about Brian's role in supporting workers, he had a much broader role than that. As the member for Albert Park mentioned, he was very strongly aware of the concerns of the community at large and especially those of the underprivileged. He was a strong supporter of the anti-apartheid movement, was very active over the years in his support of that movement and is warmly remembered by parts of the African community in relation to that period.

Brian also strongly opposed the dictatorship in Chile, and he is still the subject of very fond memories of many people in the Latin American communities for the work he did and support he gave to those communities. It was not just workers he was supporting; he had a strong multicultural role at a time when perhaps the multicultural role was less recognised than it is today. Many things about Brian's life and his contribution to the community were well worthwhile. I express my condolences to his wife and his family. I am sure he will be sadly missed by a broad group of people in the community.

Mr WYNNE (Minister for Housing) — I first got to know Brian Mier when I was working for the Honourable Barry Pullen when he was an upper house member for Melbourne Province. During that time we had the opportunity to observe, as the member for Bass indicated, some pretty fierce debates in the upper house — some also involving the current member for Brighton. Luminaries of the Labor Party such as David White, Jim Kennan, Joan Kirner, Caroline Hogg and

Brian Mier were going hammer and tongs in the upper house against the member for Bass, as he is now, and his colleagues. It was a great training ground for young and enthusiastic members of the party, such as me, to learn a bit about how politics really worked in the upper house.

The contribution of Brian Mier as a member for Waverley Province was part of what was by any measure a passionate career in politics. Brian was very much a knockabout and gregarious man who mixed easily with people in all strata of society. He always looked out for young people such as me, and he not only encouraged us to remain committed to the Labor cause but saw the opportunities for us and other young people coming through to learn how Parliament operated. Of course, as has been indicated by other members of the house, Brian had the classic Labor background — that of a plumber, trade unionist, organiser and official — and he was ultimately to become, in extraordinary circumstances, a member of Parliament and a minister of the Crown.

I want to briefly touch on part of Brian's ministerial career — his period as Minister for Aboriginal Affairs from 1990 to 1992. He was dedicated to this challenging ministerial role and was a passionate advocate for the rights of Victoria's first people. During his time as minister, Brian was involved in the Victorian Aboriginal tripartite health council, which focused on improving the health services afforded to Aboriginal people. Brian also oversaw the initial Victorian response to the interim report of the Royal Commission into Aboriginal Deaths in Custody. The work that evolved from the royal commission served as a basis of reform for both sides of Parliament for many years. We should thank and acknowledge Brian for his contribution to the continued effort of governments of all persuasions to improve the lives of indigenous people resident in Victoria.

I extend my sympathies to his wife, Sheila, and to his sons, David, Paul and Philip.

Motion agreed to in silence, honourable members showing unanimous agreement by standing in their places.

ADJOURNMENT

Mr BRUMBY (Premier) — I move:

That, as a further mark of respect to the memory of the late Honourable Brian William Mier, the house do now adjourn until 5.00 p.m. today.

Motion agreed to.

House adjourned 3.57 p.m.

The SPEAKER took the chair at 5.04 p.m.

QUESTIONS WITHOUT NOTICE

India: extradition arrangements

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer to the case of the fugitive Puneet Puneet and to the Premier’s comment in India in September that he had not raised the matter because ‘it was not a priority’. I also refer to the Premier’s subsequent statement: ‘I have not raised the matter in India and do not intend to, as the strong advice from agencies is that doing so could make an extradition even more difficult’, and I ask: when did the Premier first receive this advice, in what form was this advice given and who provided it?

Mr BRUMBY (Premier) — I thank the Leader of the Opposition for his question. It is important to understand in relation to extradition matters that extradition requests are initiated by the police in the relevant jurisdiction. What occurs is that the state or commonwealth director of public prosecutions (DPP) provides advice and then drafts the extradition request. Part of the consideration by the DPP is an undertaking to prosecute the person upon their return to Australia. Extradition is properly regarded as a law enforcement matter between Victoria Police, the relevant director of public prosecutions, the commonwealth and the relevant foreign country. As I understand, the clips released in Australia while I was overseas stated that the commissioner of police said it was not appropriate for state ministers to involve themselves in extradition matters.

On a number of occasions I made it very clear when I was speaking to the media in India and when I was interviewed on the radio back here that the advice I was given by my department prior to travelling was that it was not appropriate to raise these matters. It was not appropriate for the reasons I have outlined. Firstly, extradition treaties are matters between national governments, for a start. Secondly, they are police operational matters, and thirdly — —

Honourable members interjecting.

The SPEAKER — Order! The Minister For Health! I ask the member for Scoresby not to interject in the manner in which he has been interjecting.

Mr BRUMBY — Thirdly, of course, Puneet Puneet is a person who has absconded once already, and the

more commentary there is about these matters the more likely he is to abscond again. While it might be easy for the opposition to score cheap political points in relation to this matter — that is what it is — the reality is that if the common interest here is to see this person returned to justice — —

Mr Baillieu — On a point of order, Speaker, the Premier is debating the question. The question sought explicit detail about the source of advice, what form it came in and who provided it, but the Premier has not yet answered that question.

The SPEAKER — Order! As the Leader of the Opposition has been advised previously, the preamble to any question is taken as part of that question. The Premier is being relevant to the question as asked by the Leader of the Opposition.

Mr BRUMBY — I can only repeat that in relation to this case I am advised that it is at a very sensitive stage. The worst things that one could do would be, firstly, to alert the person concerned by giving unnecessary media coverage to it, and secondly, to breach the long-established and well-established protocols between Australia and India in relation to extradition treaties. At all times I have acted in the best interests of seeing this person returned to justice. I repeat that, while it may be easy for the Leader of the Opposition to make cheap political points, the fact of the matter is that I acted exactly appropriately and consistently with advice from my department and Victoria Police.

Employment: government initiatives

Mr DONNELLAN (Narre Warren North) — My question is for the Premier. I refer to the government’s commitment to make Victoria the best place to live, work and raise a family, and I ask: can the Premier outline to the house how the government is taking action to provide job opportunities for working Victorian families?

Mr BRUMBY (Premier) — I thank the member for Narre Warren North for his question. As the house would be aware, I am delighted that the most recent Australian Bureau of Statistics unemployment data shows that the unemployment rate in Victoria is now at 5.6 per cent, below the national average and the second lowest rate anywhere in Australia.

When the Parliament last sat I remember being asked a question about employment in our state — about the unemployment rate — and I indicated to the Parliament at that stage that over the course of calendar year 2009

our state had produced and generated more new jobs than any other state in Australia. I am pleased to say that, despite the continuing negative comments and the continuing knocking of our economy by the opposition, over 2009 we have created an extra 17 800 jobs in our state, which is the highest for any state in Australia.

Our state is weathering the global financial crisis. For economies of our size around the world — and remember our economy is the size of the Singapore economy, the Malaysian economy and the Irish economy — less than a handful are performing anywhere near as well as we are. Through this crisis we have been able to deliver a budget surplus, continuing strong economic growth and continuing strong job growth. We have done that despite the criticism of our budget strategy by those opposite, who took the opportunity to criticise every single element of our budget strategy, our fiscal strategy, our infrastructure strategy and our job strategy. As we have made very clear across the state: we are not waiting; we are building, and we are generating jobs.

I will give some examples. Construction of the new \$21.4 million Sunbury day hospital has begun, with 100 jobs and stage 1 expected to be completed in late 2010. In Bacchus Marsh we are developing public housing for completion in mid-2010, with up to 80 new construction jobs. Work has also begun on Kyneton's new \$12.2 million police station, creating hundreds of jobs in the construction stage. Specsavers' Asia-Pacific headquarters was built in our state with 200 jobs, and over the next year it will employ through its new Asia-Pacific regional headquarters approximately 200 technicians, warehouse staff and office personnel. I am pleased to say, too, that planning has started for HRL's dual gas demonstration project in the Latrobe Valley. That will generate something like 350 new jobs through the construction process.

We have also seen recently the completion of a whole range of new hotel developments — Mantra Tullamarine, Hilton Melbourne South Wharf, Crown Metropol, the Docklands Travelodge and the refurbishment of the Grand Hyatt. All of these things are delivering jobs across the state.

Yesterday the Minister for Water was in the Wimmera–Mallee. They are off restrictions there — they are down to stage 1 — and I suspect he will say more about that later today. This is a great story about government investment creating jobs, creating confidence and creating the right environment for the future.

One of the other things we have done is create a competitive environment for the building and construction industry and for new housing development. In August this year around 3900 new dwelling units were approved in Victoria — 10 per cent higher than for the same time last year — while for Australia as a whole there has been no growth. I am proud to report to the house that Victoria has had the highest number of dwellings approved of all states for 16 consecutive months — not a bad effort! — and it continues to lead all states and territories on building approvals, with \$18.7 billion worth approved in the year to August.

The world is not yet through the global financial crisis. The fact of the matter is that in some parts of the United States the unemployment rate is still above 20 per cent and in some parts of Europe the unemployment rate is still between 15 and 20 per cent, so the world economy has by no means recovered. But the world economy is on the right path. Consistent with our budget forecasts I expect that we will continue to see some increase in the unemployment rate as we move through to the end of the year — it is a lag indicator, as the commentators would describe it — but in Victoria the fundamentals are very strong indeed: strong national accounts figures, strong building approval figures, strong population growth and, as I said at the beginning of my answer, more jobs generated in our state over the course of calendar year 2009 than in any other state in Australia.

Water: food bowl modernisation project

Mr RYAN (Leader of The Nationals) — My question is to the Premier. Will the Premier confirm that the Victorian government has guaranteed the commonwealth 100 gegalitres of water savings from the second stage of the food bowl modernisation project, irrespective of the total level of savings achieved?

Mr BRUMBY (Premier) — I am pleased that the Leader of The Nationals has asked a question about investment in irrigation infrastructure, because over the years in this place we have had a barrage of criticism from those opposite about our proposals for investing in irrigation infrastructure. If you ever wanted an example of the short-sightedness — the backward looking, in fact — of the opposition, have a look at the Wimmera–Mallee pipeline!

Honourable members interjecting.

The SPEAKER — Order! The Premier is clearly debating the question, and I ask him to cease.

Mr BRUMBY — The Leader of The Nationals has asked a question about the food bowl project, and it is a project which involves investment in irrigation infrastructure, so I am simply making the point that we have virtually completed one project six years ahead of schedule delivering huge water savings and we are in the process of delivering a second major water project.

Mr Ryan — On a point of order, Speaker, the Premier is debating the question and in so doing is blatantly ignoring the ruling you have just made.

The SPEAKER — Order! I do not uphold the point of order.

Mr BRUMBY — What we are seeing with the food bowl project is an unprecedented investment by our government, and soon by the federal government, in what is a great partnership with the people of country Victoria. We have people coming from right around the world to look at the leadership projects we have in water infrastructure, and the food bowl project is one of them. We have shown through the Wimmera–Mallee pipeline how these projects deliver for country Victorians, and again we are showing through the food bowl project how these projects deliver for country Victoria.

Mr Ryan — On a point of order, Speaker, the Premier is debating the question. He has been asked a question about food bowl modernisation stage 2 as to whether a guarantee has been given on 100 gigalitres going to the commonwealth. I ask that he answer it.

The SPEAKER — Order! I do not uphold the point of order.

Mr BRUMBY — As we have said in relation to the food bowl modernisation, it is a great project. We have seen significant investments and works occur this winter, and we will see that next winter. We have made it very clear that the savings generated from the food bowl project will be shared. Stage 1 is being shared one-third, one-third and one-third, and stage 2 is being shared half for farmers and half for the commonwealth, which half will go to the environment.

Rail: regional passenger services

Mr TREZISE (Geelong) — My question is to the Minister for Public Transport. I refer to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister inform the house about recent achievements of regional passenger rail and say whether she is aware of any alternative policies?

Ms KOSKY (Minister for Public Transport) — I thank the member for Geelong for his question. He has had a strong interest in regional passenger rail in the state, as has the Brumby government. We have invested more than \$1 billion in the regional passenger network since coming to office.

We are incredibly proud of our record, of the investment we have made and of the response of Victorians to that investment. We have invested in upgrading the system. We have invested in regional fast rail. We have provided new stations, more services, reduced fares and the new world-class V/Locity trains. I am extremely pleased to report to the house today that we have achieved an all-time record for V/Line rail services across Victoria. I am pleased to inform — —

Honourable members interjecting.

Ms KOSKY — Those opposite may laugh at this, but we are incredibly proud of our record — —

Honourable members interjecting.

The SPEAKER — Order! I ask the minister not to engage the opposition in that manner.

Ms KOSKY — We are incredibly proud of our investment in the regional rail network. I am pleased to inform the house that over 12 million passenger trips were made on the V/Line rail network last financial year. We have had an astonishing 78 per cent growth in patronage over the last three years. Nowhere else around the world has there been such patronage growth on a rail network. It has happened because of the incredible investment we have made — and regional Victorians have responded to our investment.

It does not stop there for the Brumby government. It would stop for other governments, but it does not stop for the Brumby government. Over \$4 billion is being spent on the regional rail link, which will provide dedicated rail lines for Geelong, Bendigo and Ballarat services, and that is in partnership with the Rudd federal government. We have the upgrade of the north-east rail line, which is a fantastic project, the soon-to-return passenger rail to Maryborough next year and a station at Creswick as part of that. More rolling stock is coming on line. We have an extra 54 carriages on order, 17 of which have been received so far. They are rolling out at one per month, and there are more to come.

It is not only the government that believes this was the right investment to make. Others are taking notice of our achievement and investment. An article about rail

right across Australia published in the *Australian* of 1 October states:

The upshot is that Victoria is the nation's leader in country rail services, a business that other states have largely written off as being something from another era.

We are being acclaimed for the investment and the changes we have made to rail services. It is hard to believe not everyone has jumped on board about our commitment and our investment. Not only did some not support regional fast rail and were very negative about regional fast rail in the beginning — —

Mr McIntosh — On a point of order, Speaker, this is question time. It is an opportunity to discuss government business. I suggest to you, Speaker, that the minister is now debating the question. She is entitled to talk about government business, which includes government policy. If it does not amount to government policy, she should not be going down this path. She should confine herself entirely to government policy and not canvass anything she may have dismissed, discounted or otherwise. Accordingly, I ask you to bring her back to the question and to discuss government business — indeed, government policy.

Mr Batchelor — On the point of order, Speaker, the question that was directed to the minister asked the minister about alternative policies; it specifically asked her about that. It has been the custom and practice for some considerable time for alternative policies to be canvassed — to be asked about and then for an answer to be given. Question time is about the answering of questions about elements of government business but also the answering of questions about alternative policies. We have been allowed to do that in the past, and we should be allowed to continue to do it going forward. This is just another attempt by the Liberal Party to disguise the fact that it has no policies whatsoever. More seriously it is an attempt by the Liberal Party to make a farce of question time so we are unable to canvass material that is in the public domain.

Mr Ryan — On the point of order, Speaker, the Leader of the House makes the point very well. Question time should be dedicated to the government answering questions about government-related business. Question time is not an opportunity for the canvassing of policies which may or may not be being advanced by other parties. This is really a furtherance of the ploy that the government has engaged in for some considerable time, which takes it down an inevitable path as we saw played out in the last sitting week, where ultimately the proverbial punchline has to do with other policies — that is, those that are purportedly, according to this government, being

advanced by the opposition parties. That is the ploy. We in this place, with respect, Speaker, are all painfully aware of it. The basic function of question time is to discuss government business, and that is what the minister should be required to do.

Honourable members interjecting.

The SPEAKER — Order! Can I remind members that the footy season has come and gone.

Mr Hulls — On the point of order, Speaker, the opposition's argument is that in question time the government is not allowed to talk about or canvass anything the government may have considered. If we were to go down that path, there would be no chance at all for the opposition to ask any questions. It is a nonsense point of order.

Mr Clark — On the point of order, Speaker, the argument put by the Minister for Energy and Resources and the Attorney-General is wrong insofar as it says that a question relating to any alternative policy is fully in order. It is only in order if it relates to government administration. To the extent to which the question does not relate to government administration, the question itself is out of order. It does not give an opportunity for the government to canvass opposition policies, or indeed anybody else's policies other than government policies, in the course of question time.

The SPEAKER — Order! The question asked was whether the minister was aware of any alternative policies. Alternative policies can be alternative policies of community groups and organisations as well as — —

Honourable members interjecting.

The SPEAKER — Order! The member for Lara will not conduct himself in that manner or he will not stay for the remainder of question time.

Questions such as this have been asked and answered in the past. Question time should not be used as an opportunity to attack the opposition, but I believe the question is in order. To allow the opportunity for debate on alternative policies as they may affect government business surely is in the realm of what this Parliament should be about. This is not the first question that has canvassed alternative policies. I advise the government that attacks on the opposition under the guise of these questions will not be tolerated.

Mr Ryan — On a further point of order, Speaker, consistent with your ruling I ask you with respect to consider the solution to this position as being that the

government should disclose as it proceeds with this answer from whom this policy is said to emanate. That process would avoid this ridiculous ploy down which the government is otherwise about to go yet again, in complete contravention of the rules.

The SPEAKER — Order! I thank the Leader of The Nationals for raising that point of order. As the Leader of The Nationals knows, the Chair cannot direct a minister as to how to answer a question, which leads to the position that the Chair cannot predict or anticipate what a minister may say. However, I suggest to the government that I will take a very dim view of attacks on the opposition under the guise of questions such as we have had today.

Ms KOSKY — As I said, we are incredibly proud of our record in relation to the regional passenger network. It has grown enormously in terms of funding and in terms of the passengers that are using the system on a very, very, very regular basis. Every day right across the state we are delivering more services more often to more people. We have revived the public transport network right across Victoria. We believe in it, we have invested in it, we have a policy, we have a plan and we are putting that plan into place. Members opposite should look at what we are doing and learn from it.

Government: advertising

Ms ASHER (Brighton) — My question is to the Premier. I refer to an email to rural and regional newspapers regarding National Water Week. The email, dated 16 September, is from the state government account manager for the Victorian Country Press Association, Kurt Francis, and states:

VCPA has been in discussions with the state government to run — —

An honourable member — Sorry, who was that?

Ms ASHER — The Victorian Country Press Association, and I am quoting verbatim:

VCPA has been in discussions with the state government to run an advertising feature week commencing 18 October to coincide with National Water Week.

The DSE will most likely advertise with a half page on page 1 of the feature, and in addition there will be a message from the minister which must run without being subbed on the same page.

The quote continues:

It is imperative that this format is adhered to and your booking is conditional on this factor.

I ask: why did the government issue this threat to rural and regional newspapers that government advertising would be withdrawn if its propaganda was not run in full by those newspapers?

Mr BRUMBY (Premier) — I thank the Deputy Leader of the Opposition for her question. Obviously I am not aware of the email, so I cannot vouch for its content — —

Mr Hulls — Or its existence.

Mr BRUMBY — Or its existence. But on the basis that it does exist and that it has been read accurately to the Parliament, because as I said I am not aware of it, I would not have thought that there is an issue about government advertising with the country press. I am struggling to understand what the issue is there. Governments have always advertised through the Victorian Country Press Association and through the regional newspapers. We advertise in the dailies, we advertise in the non-dailies and we advertise in the regionals, and they do a great job getting the message out to their communities.

I have addressed the Victorian Country Press Association on a number of occasions in the past, and I think the Minister for Regional and Rural Development may be addressing its annual meeting in the next few weeks. It does a great job; it does a fantastic job. If you want to get out a message to country people, that is how you choose to advertise. These papers are in touch with the public; they are in touch with country Victorians. I have not seen the email, but it seems to me the Deputy Leader of the Opposition was trying to say that an advertiser cannot determine the form of words that appears in an advertisement. That is news to me, because when you put an ad in the paper — —

Honourable members interjecting.

The SPEAKER — Order! I ask the members for South-West Coast and Polwarth to cease interjecting in that manner.

Mr BRUMBY — My understanding is that if you take out advertisements — —

Honourable members interjecting.

Mr BRUMBY — I am sure if members of the Liberal Party took out advertisements, they would want to write the text. That is what you pay for.

Dr Napthine — On a point of order, Speaker, to assist the Premier, who seems to be confused, the question said that the newspapers had to run the

government editorial or they would lose the advertising. That is what the question said, and the Premier is deliberately confusing the matter.

Mr Batchelor — On the point of order, Speaker, this is an abuse of question time. The member for South-West Coast has used the point of order to rephrase the question in a manner that he regards as being more appropriate than the way it was asked by the member for Brighton. Having her question rephrased is a huge embarrassment for the member for Brighton, but nevertheless he should not allowed to abuse question time by making the point of order.

The SPEAKER — Order! I do not uphold the point of order.

Mr BRUMBY — As I said, I have not seen the email, but it is completely legitimate for governments to advertise. Governments have always done that. The Deputy Leader of the Opposition would do well to go back and have a look at some of the country newspapers — the country press — back in the 1990s. I am sure there were some advertisements taken out by the government of the day at that time.

We have a good record of investment in water. It is an area of vital public interest. It is important that the public has information about water investments and water policies, and I cannot think of a better way of getting that message to the people of country Victoria than through the country press.

Transport: Victorian plan

Mr NOONAN (Williamstown) — My question is for the Minister for Roads and Ports. I refer to the government's commitment to building a better transport system so people can spend more time with family and less time in traffic, and I ask: can the minister outline to the house what consultation is taking place in relation to its proposal to create a second east-west route across metropolitan Melbourne, and is the minister aware of any alternative policies?

Mr PALLAS (Minister for Roads and Ports) — I thank the member for Williamstown for his question and for his continuing support for the government's commitment to introducing the Victorian transport plan, a plan which recognises that in delivering on our transport needs for the future we have to not only balance the amenity of communities but also recognise that the economic vitality of this state is enhanced by our logistics connections. For example, our freight and logistics sector constitutes 14.7 per cent of gross state product, which means that over 300 000 Victorians are

directly employed in this industry. We are seeing the tangible benefits of the delivery of the Victorian transport plan and the pre-existing policies of this government.

On this side of the house we have a real plan for the introduction of east-west travel right across metropolitan Melbourne. It is already in the process of being delivered, and of course we are well aware of the M1 upgrade project — —

Mr K. Smith interjected.

Mr PALLAS — No doubt the member for Bass is well aware of it.

Honourable members interjecting.

The SPEAKER — Order! I ask the member for Bass not to interject in that manner. I also ask the minister not to invite interjections from the member for Bass. I ask the member for Narre Warren North not to interject in the manner he has perfected today.

Mr PALLAS — Some \$1.39 billion has been invested by this government, which is the largest, single state road funded investment in Victoria's history. In December last year the government outlined its \$38 billion — —

Mr O'Brien interjected.

The SPEAKER — Order! I ask for some cooperation from the member for Malvern. If he would like to stand in his place at the appropriate time, I will call him to ask a question. Otherwise I would like his cooperation for question time to continue.

Mr PALLAS — One of the vital constituent elements of the government's Victorian transport plan — our \$38 billion plan to upgrade our road and public transport connections — is a new road tunnel to cross the Maribyrnong River costing more than \$2.5 billion.

Westlink is a vital project for Melbourne that will reduce overreliance on the West Gate Bridge, remove trucks from local streets and improve amenity in the western suburbs of metropolitan Melbourne. Since December I have attended more than 50 community and stakeholder meetings on the plan, including information forums in Footscray and Sunshine. In total more than 160 community members and groups have been consulted about our plan to provide some input into alternatives to that plan, and indeed what best alignment should be put in place as an alternative to the West Gate Bridge. As we have said consistently, our

reliance upon the West Gate corridor into the long term is unsustainable. While there are a number of important amenity issues which need to be addressed and which have been raised as a consequence of that consultation process, we must also recognise that we have to consider the planning for this project. The responses we have received from stakeholders and the community so far have been generally quite encouraging.

This is particularly the case for people in the growth areas of the outer west of Melbourne who insist upon access to metropolitan Melbourne, effectively for their livelihoods, and also for those who live in the inner suburbs of metropolitan Melbourne, particularly the inner west, where they rely upon a dedicated transport alignment in order to improve their amenity and to remove 1.2 million trucks per annum from inner western suburbs streets. The planning study for this project will include a thorough social impact assessment and extensive consultation and community engagement including community workshops, information displays and public submissions. We are committed to a very substantial engagement with the community, and an alternative plan would be to replicate the West Gate Bridge.

Mr Mulder interjected.

The SPEAKER — Order! I ask the minister to stop for one moment. The member for Polwarth's behaviour is hardly conducive to the smooth running of question time in inviting the minister to criticise opposition policy in the face of the points of order that have already been taken. I ask the member for Polwarth not to interject in that manner. I ask the minister to conclude his answer; he has been speaking for some 6 minutes.

Mr PALLAS — An alternative plan would be to replicate the West Gate Bridge. I ask the house to consider whether this would be a good plan or not. Replicating the West Gate Bridge would be a ridiculous addition to the existing requirement on movements into the metropolitan area. This issue was considered by government as part of the Eddington study, and it was rejected essentially because it put far too much pressure on the alignment of traffic movements between the western and eastern suburbs. One of the key problems is in deciding where existing traffic from a duplicated bridge would actually end up. The CityLink tunnels are already constrained in terms of their east-west movements. It would in effect pour more and more traffic through those constrained areas.

Dr Napthine — On a point of order, Speaker, under standing order 58 all answers to questions are required

to be direct, factual and succinct. You have already warned the member to conclude his answer in terms of succinctness. I ask you to bring him to a conclusion on his answer on the basis of being more succinct.

The SPEAKER — Order! I uphold the point of order. I have asked the minister to conclude his answer. I do so again.

Mr PALLAS — Such a proposal of course is not part of the government strategy. It was considered and not thought to be relevant. It would have, in effect, punched a \$3 billion hole in the government's capacity to deliver. Who would argue for such a proposal? Those opposite have been advocating for it. That is why — —

The SPEAKER — Order! The minister has concluded his answer.

Water: Yering Gorge pumping station

Mr WALSH (Swan Hill) — My question is to the Minister for Water. Will the minister confirm that the limited capacity of the pumps at Yering Gorge has seen billions of litres flow down the Yarra River that might otherwise have topped up the Melbourne storages?

Mr HOLDING (Minister for Water) — I thank the member for Swan Hill for his foray into urban water policy in Victoria. I welcome his question. It invites the proposition which has been advanced by those opposite whenever it rains in any part of Victoria: that the response ought to be the construction of additional storage facilities. That is exactly the proposition that is being advanced by those opposite.

In the last few weeks 80 billion litres of additional water has flowed into Melbourne's water storages because of the welcome rainfall that we have received. Even after those inflows of 80 billion litres our water storages are at just over 35 per cent. This is exactly the position that the Victorian government has been putting to the Victorian people — that is, if we are to provide water security for Victorians, the answer is not the construction of yet more storage capacity when our storages are at 35 per cent but rather the construction of alternative water supplies and the use of our existing water in a more efficient way.

That is exactly what the state government is doing. We are investing in irrigation upgrades which will enable us to use irrigation water more efficiently and share the savings that accrue with farmers and stressed river systems in the urban environment, and we are constructing Australia's largest desalination plant.

Mr Ryan — On a point of order, Speaker, the minister is plainly debating the question, which was directed toward the capacity to pump more of the water that is available at Yering Gorge into existing storages. Why is that not happening? Why is that not being done? That is the point of the question.

The SPEAKER — Order! I uphold the point of order.

Mr HOLDING — In addition to those measures that I have already described, today Melbourne Water has provided further information for Victorians about the measures it is taking to harvesting water that is flowing through rivers as a consequence of the recent rains. Some of the things it is doing include pumping the maximum entitlement, which is 1.1 billion litres, as well as any additional spillage which can be picked up from O'Shannassy, and then storing it in Sugarloaf. All of those measures are being taken by Melbourne Water at the moment. These are exactly the prudent measures you would expect Melbourne Water to be taking in order to ensure that we harvest the maximum possible amount of water.

Mr Ryan — You should be pumping the excess. Your pumps do not have the capacity.

Mr HOLDING — The Leader of The Nationals has interjected, saying that we should be pumping basically all the water that is flowing through. That is exactly what he is saying.

Honourable members interjecting.

The SPEAKER — Order! Question time will continue much more smoothly if the minister does not respond to interjections from across the table. I ask the Leader of The Nationals not to interject in that manner from his advantageous position at the table.

Mr HOLDING — On the one hand we hear about the additional water that we ought to be harvesting and on the other hand we hear that when Melbourne seeks to take a greater water quantity from the Thomson members of the opposition are out there collecting signatures for petitions to present in this Parliament to condemn the government for the very measures it is taking to provide water security for towns and cities right across the state.

This government has a comprehensive water plan in place to provide water security for Victorians. We have taken extraordinary measures to make sure that, as a state, we have the water we need for our community. The answer does not lie in the construction of yet more storage. It lies in more efficiently using the water we

have got and investing in critically needed additional infrastructure to provide water security for our state.

Water: Victorian plan

Mr HOWARD (Ballarat East) — My question is also to the Minister for Water. I refer to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister outline to the house how our water plan is providing reliable water supplies for farmers, families and businesses?

Mr HOLDING (Minister for Water) — I thank the member for —

Mr Delahunty — Thanks to John Forrest. Well done!

Mr HOLDING — That is very well anticipated by the member for Lowan. He might know where I am going with this question.

Mr Delahunty — Yes, I do.

Mr HOLDING — I thank the member for Ballarat East for his question because this week has seen some fantastic news for towns and communities across regional Victoria which have been doing it tough. In the midst of our longest and driest drought and faced with the reality of climate change, we have seen communities faced with severe water restrictions. This week brought welcome news for communities in different parts of Victoria.

Yesterday I was very pleased to travel to Horsham to be able to celebrate the announcement by Grampians Wimmera Mallee Water that more than 40 towns across its region have had water restrictions eased.

Mr Delahunty interjected.

Mr HOLDING — The honourable member for Lowan interjects with 'Thank you for the rain'. Let us make it absolutely clear: we are grateful for the rain. We are very pleased about the rain that has been received, but if it were rain alone that had flowed into those storages, then we would not have been able to ease water restrictions.

What has enabled us to make this decision to ease water restrictions? It is the construction of the Wimmera-Mallee pipeline. This is one of the biggest water savings projects in the country. It is six years ahead of schedule. It is saving 103 billion litres worth of water. We have taken a system that operated at 10 per cent efficiency — a system where for every

100 litres you put down the 17 500 kilometres of open channels only 10 litres of water was actually used productively — and we have been able to lay almost 9000 kilometres in pipelines and upgrade and rejuvenate the system. It took a Labor government to deliver this regional development project.

It is this pipeline development that has enabled water restrictions to be eased. More than 35 towns have gone from stage 4 restrictions to stage 1 water restrictions. Some towns have gone from stage 2 to permanent water-saving rules. This is a great investment in providing not just greater water security for those towns but greater water quality as well, with the further dividend of being able to return environmental water to stressed river systems, with the Wimmera River having a natural base-passing flow for the first time in 90 years. Again it took a Labor government to invest in this project. For the first time in many years we are seeing some significant allocations of recreational water to recreational lakes in the area, and that is great for local community spirit as well as being great for the tourism industry.

Today Central Highlands Water has been able to announce the easing of water restrictions in Ballarat. It has gone to stage 4 with exemptions. That is great news for the people of Ballarat. They have been some of the best water savers in the state, reducing their water use dramatically. When Central Highlands made this announcement today it did not just make reference to the encouraging inflows following rains in recent times. What did it make reference to? It made reference to the goldfields super-pipe. Of course the goldfields super-pipe —

Mr Ryan interjected.

Mr HOLDING — The Leader of The Nationals laughs because that has always been his party's approach to this project. This is a project that took a Labor government to deliver. It has seen the recovery of Ballarat's water storages. In 2008 there was four months supply in Ballarat's storages; they were at 7.4 per cent. As of today they are at more than 23 per cent. The people of Ballarat have more than two and a half years in supply. That is great news for them and a great reward for those residents who have made such fantastic water-saving efforts. They will now be able to water their gardens twice per week for an hour. We have put aside 500 megalitres of water which will be used as a reserve for watering public open spaces, sportsgrounds and recreational reserves, which is great news for community facilities in the Ballarat region and another great endorsement of the irrigation and

infrastructure investments that the state government is making across Victoria.

It is great news because of the investment in the Wimmera–Mallee pipeline project and great news because of our investment in the goldfields super-pipe. Not only are we seeing the benefit of encouraging rain in recent weeks but we are also now seeing the response to the investment in significant water infrastructure projects — and it took a Labor government to deliver it.

Youth: protection strategy

Mr DELAHUNTY (Lowan) — My question is to the Minister for Sport, Recreation and Youth Affairs. I refer to the vulnerable youth framework draft strategy the government released in August 2008 that promised to strengthen action across government to protect vulnerable youth in Victoria, and I ask: why, after more than 13 months, has the government failed to release the final strategy?

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — I thank the member for his question. Can I say that I have been waiting since December 2006 for a question from the opposition.

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

Mr MERLINO — I am very pleased that I finally have an opportunity to answer a question, and it is an important question that the member asks in terms of vulnerable youth in this state. A huge amount of work is being conducted on the vulnerable youth framework, and a large part of the focus in terms of providing evidence for the vulnerable youth framework is the efforts of youth services across the state, including in regional Victoria.

We conducted youth service pilots at three sites originally, and then we introduced and expanded that to another three sites; it is all about providing additional youth services. It is about early intervention; it is about coordination of youth services. There is a great span of youth services being provided in Victoria by the federal government, the state government, local government and the private sector, but it is a case of getting the coordination right. We are conducting those youth service pilots, and they are providing the evidence to go towards the vulnerable youth framework which the government will be releasing.

In terms of supporting young people in metropolitan Melbourne and in regional Victoria, it is not about

closing down schools, it is not about reducing services — —

Honourable members interjecting.

Mr MERLINO — The vulnerable youth framework — —

Honourable members interjecting.

The SPEAKER — Order! I ask opposition members, particularly the members for Warrandyte, Kew and South-West Coast, to cease interjecting in that manner.

Mr MERLINO — The vulnerable youth framework is being conducted in cooperation with the Minister for Community Services and the Minister for Education, and it is actually under extensive consultation right across Victoria. For example, the interface councils are doing a lot of work in this space. We are working collaboratively and undertaking extensive consultation with those service providers and with local government, and that is going to deliver the vulnerable youth framework. On this side of the house we will be providing services and releasing the vulnerable youth framework shortly.

Mr Batchelor — On a point of order, Speaker, earlier during question time the member for Brighton quoted verbatim from a document, and I ask that that document be tabled.

Honourable members interjecting.

Mr Batchelor — It is not too late. The reason for asking now is that I have just been advised that the basis on which the question was framed was incorrect and the document was misinterpreted. We would like to see a copy of the document so that we can establish the veracity of the member for Brighton's question.

Honourable members interjecting.

The SPEAKER — Order! The member for Rodney will not interject across the chamber in that manner. I ask the Minister for Health for some cooperation.

My recollection of events is that the Deputy Leader of the Opposition said she was quoting from a document. However, it is quite difficult to ask the Deputy Leader of the Opposition to table a document some 45 minutes after the event, so I do not uphold the point of order.

Mr Batchelor — Further on the point of order, Speaker, I understand the point you are making about the short elapsing of time and the difficulties you are alluding to. This might be overcome by asking the

member for Brighton if she is prepared to table the document she was quoting from earlier, because very serious allegations have been made about her use of this document — that she falsely inferred positions which were not true — and that this falls into a pattern of deceit which describes the modus operandi of the Liberal Party in this chamber. If the member for Brighton is not prepared to table the document, she stands condemned and the accusations stand confirmed.

The SPEAKER — Order! I do not uphold the point of order.

Honourable members interjecting.

The SPEAKER — Order! I suggest to all members that when the Chair stands it is time to cease interjecting. I suggest to the members for Warrandyte, Bass and Hastings that the Chair does not need their advice. I warn the Minister for Community Development that that behaviour will not be tolerated in the chamber.

Housing: affordability

Mr FOLEY (Albert Park) — My question is for the Minister for Housing. I refer to the Brumby government's commitment to create a fairer Victoria, and I ask: can the minister update the house on recent initiatives to ensure that all Victorians have access to housing that is safe, affordable and secure?

Mr R. Smith interjected.

The SPEAKER — Order! The member for Warrandyte is now warned.

Mr WYNNE (Minister for Housing) — I thank the member for Albert Park for his question and for his longstanding interest in public and social housing. I am pleased to advise the house that this week will see the Brumby government begin construction of the 500th unit of social housing to be delivered through the Nation Building economic stimulus plan. These 500 units are just the beginning of the program of delivery in partnership with the commonwealth government through Nation Building. It is the largest addition to public and social housing in decades. We will be delivering these units, as I have indicated to the house before, right across Victoria, with one-third of the stock being built in regional Victoria and two-thirds in metropolitan areas, reflecting the existing distribution of our housing stock.

As the member for Albert Park and members right across the house are no doubt aware, this investment will deliver a significant economic benefit. In fact in

this financial year alone the Nation Building program will directly support over 4000 jobs. By any measure, this is a once-in-a-generation opportunity for us to deliver the most significant boost to public and social housing and to make a real difference in the lives of some of the poorest people in our community.

In that context it was disturbing to read recent media reports of public meetings. These were inspired by ill-informed commentary from some corners about what the government is seeking to do with the stimulus package. As I have indicated a number of times in the house, Melbourne 2030 is our guiding principle in seeking to build our new public housing, which will be built in and near our major activity centres and located near or on public transport routes, close to jobs, close to training and close to community facilities.

This is of course our core strategy. There are some in the community who do not welcome public and social housing. I refer the house to an important article in the *Age* last week which rightly indicated that some people are seeking to use public housing as a political football to encourage local discontent within the community. As the article states, people at these meetings raised concerns about the types of tenants these new housing developments would attract. I quote from the *Age* article:

Public housing is not a dirty little secret we need to contain to what are seen as disadvantaged suburbs. It should be spread around Melbourne, around different types of communities. It should be close to services and job opportunities —

as the government is doing. The article continues:

Clearly, there is a stigma to public housing, with some people afraid that should it be built in their area their houses will lose value or their new neighbours may not be the class of people they would like to live near.

‘The class of people they would like to live near’! Is there something wrong with the member for Mordialloc? Is there something wrong with the member for Derrimut? Is there something wrong with the member for Lara? Is there something wrong with the member for Polwarth? All those members were raised in public housing. Is there something wrong with them? No, there is not.

Some of the most offensive elements of these campaigns are the pejorative depiction of high-rise housing in areas such as my seat of Richmond. People seek to denigrate the residents of those high-rise towers. It is offensive because this is a community I live in; it is a community I grew up in. One of my sisters married somebody from a high-rise tower. That is why it is so

offensive to me to have people on the other side of the house seeking to denigrate these good people.

There was no more powerful reminder of the importance of public housing and indeed high-rise housing than in some correspondence I recently received. I will not name the tenant, but I seek to read something into *Hansard* on behalf of this particular person, a resident of the high-rise estate in Dorcas Street, South Melbourne. She states:

... I would like to give notice of a vacancy of this flat.

It then names this person —

... at age 104, after approximately 47 years at Dorcas Street since its opening, has just agreed to move to full-time residency —

in supported care. It states that the flat:

... will be empty and clean with termination of utilities by this Friday ...

I say to the Leader of the Opposition that he should counsel some on his side of the house against spurious and ill-informed attacks on public housing.

Honourable members interjecting.

The SPEAKER — Order! I ask the minister to restrict his answer to government business. Question time is not an opportunity for the minister to counsel members of the opposition. I ask the minister to conclude his answer.

Mr WYNNE — I conclude on this point. Every time anybody opposes a public housing development I ask them to do this: to think about that 104-year-old lady who lived a happy and secure life in the Dorcas Street high-rise for 47 years in safe, secure and affordable public housing.

The SPEAKER — Order! The time set aside for questions has expired.

Dr Napthine — On a point of order, Speaker, on 17 September I raised a point of order with respect to the accuracy of the *Hansard* record in relation to a member’s statement made by the Minister for Women’s Affairs on 16 September. You responded to my point of order by email, which I now read in part:

I have been advised by Joanne Truman, manager, *Hansard*, that she has checked the audio record of proceedings of 16 September and can confirm that the Minister for Women’s Affairs did say two women; however, the change in the report to three women is consistent with *Hansard* editorial policy.

That statement confirms that the minister did actually say there were two female Liberal members of the House of Representatives. The issue therefore is whether changing ‘two’ to ‘three’ in the *Hansard* record is appropriate. I again quote from the Speaker’s email — —

Honourable members interjecting.

The SPEAKER — Order! The Minister for Health and the member for Footscray will not interject in that manner.

Dr Naphthine — This is an important issue about the accuracy of *Hansard*. I quote again from the Speaker’s email of 17 September:

... the correction of the error made by the Minister for Women’s Affairs was made by Hansard consistent with its editorial policy.

On 6 October I received an email from Joanne Truman, manager, Hansard, which states:

In this case, the minister made a suggestion for this correction by returning her proof (‘green’) to Hansard, and the editor determined that this change could be made, consistent with Hansard editorial policy.

Now we can conclude that the minister did say ‘two’ instead of ‘three’ and that the minister actively sought to change the *Hansard* record. The question now arises whether you as Speaker and the house should allow this change to *Hansard*.

I refer to chapter 20.2 of the *Members Guide* headed ‘Admissibility of corrections’, which states:

The following guidelines are used by Hansard when considering corrections. The general basis on which *Hansard* is prepared and published flows from the following definition of a *Hansard* report by a select committee of the House of Commons in 1893:

... one which, though not strictly verbatim, is substantially the verbatim report, with repetitions and redundancies omitted and with obvious mistakes corrected, but which, on the other hand, leaves out nothing that adds to the meaning of the speech or illustrates the argument.

Chapter 20.2 goes on further to say that it is inappropriate to change the sense of the speech and that changes can be made ‘provided there is no change in the meaning or flavour of the speech’.

At page 260 the 23rd edition of *Erskine May* states:

Corrections are allowed to be made in reports of speeches in the daily part for reproduction in the bound volume, but only if, in the opinion of the editor, they do not alter substantially the meaning of anything that was said in the house.

The thrust of what is allowable in terms of corrections and alterations deals with slips of the tongue or inadvertent mistakes but does not allow members to change the meaning of what they said or to correct clear statements which are subsequently found to be wrong.

I put it to you, Speaker, that the Minister for Women’s Affairs clearly meant to say ‘two’, and that is what she said — in other words, she meant what she said and she said what she meant. This was not a slip of the tongue. This was not a misreading of notes. This was not an inadvertent error. This was a mistake made by the minister due to her own lack of research or lack of understanding. Indeed the actual speech she made — the whole speech — was about the number of female Liberal MPs who were members of the House of Representatives. That was the nub of her speech.

I put it to you, Speaker, that it is inappropriate for any member who makes a mistake through their own lack of research or their own lack of knowledge of a subject to change their greens. For example, a member who came into this house, criticised the government, said there was unemployment of 20 per cent in Victoria and made their speech based on that and later found out that number was wrong should not be allowed to change their greens.

I put it to you that it was only after the minister was alerted to her mistake that she sought to change the figure. When the minister realised she had made a mistake, she had two options. The correct option was to come into the house and make a personal explanation. The wrong option was to try to cover up a mistake by doctoring *Hansard*. She chose the latter option, which goes to her integrity and honesty. But you, Speaker, have a greater responsibility — to ensure the integrity of the *Hansard* record.

Mr Nardella interjected.

The SPEAKER — Order! The member for Melton should not interject in that manner.

Dr Naphthine — I understand, as do other members like me who have been here for a number of years, that members can and do make slips of the tongue or inadvertent mistakes. These can and are appropriately corrected by Hansard. However, when a member makes a mistake due to her own lack of research and it is a key issue of her speech, I put it that by changing that through changing the greens and thereby changing *Hansard* is fundamentally inconsistent with what is said in *Erskine May* and fundamentally inconsistent with the thrust of chapter 20.2 of the *Members Guide* with regard to corrections to *Hansard*. I make no

criticism of the editors at Hansard for their decision. They must trust the changes members submit through the greens. However, we now know that that is not an accurate representation of the issue here.

I ask you, Speaker, to investigate this further and, in discussions with the Minister for Women's Affairs, to check exactly what the situation is here with a view to making appropriate changes to *Hansard* to ensure that *Hansard* accurately reflects what the minister meant to say, and actually said, on the day. I firmly believe she meant to say 'two' — and she did say 'two'. Instead of making a personal explanation to correct her mistake, she sought to cover it up by altering the *Hansard* record, and I ask you to investigate the matter thoroughly.

Mr Batchelor — On the point of order, Speaker, to help you make sense of the point of order raised by the member for South-West Coast, I draw your attention to two previous rulings by eminent speakers who have preceded you that deal exactly with this issue. The member for South-West Coast would have been in this Parliament during both of those, and he has conveniently chosen to forget them or has overlooked them in his extensive research.

First I refer to a ruling by Speaker Delzoppo on 7 September 1993, when he made a ruling in relation to a matter like this. I am referring to *Rulings from the Chair*, which is quite an august tome. Under the heading 'Rights of members — procedure over consideration of proof copies', it states:

Following a point of order being raised alleging that a minister may have altered or tampered with *Hansard*, the Speaker advised the House that members have no rights as such to alter their speeches. What they do have is the right to suggest changes and it is up to the chief reporter of Hansard or the reporter's deputies to decide whether those suggestions accord with the guidelines and should be adopted.

He went on to elaborate a number of positions. That ruling has to be read alongside a ruling given by Speaker Andrianopoulos on 23 August 2001, which under the heading 'Correction of obvious errors' — and this is very pertinent — states:

Hansard staff are required to correct obvious mistakes and factual errors. Members should correct their proofs and *Daily Hansard* before the official version is released.

You can see, Speaker, by looking at the circumstances, which you have already done in this case, that the correction of the factual record has been carried out in accordance with the previous procedures of this house. We do not need to look at other documents; we just need to look at what this house has done in resolving these matters when they have occurred in the past. The

procedures that have been adopted by you and by ministers in fact are correct and in accordance with the custom and practice of this house. Therefore there is no point of order, notwithstanding the verbose and misleading construction that the member for South-West Coast tried to place on these circumstances through his largely, if not totally, irrelevant point of order.

Mr McIntosh — On the point of order, Speaker, the obvious situation can be demonstrated by way of a cogent example that occurred recently in this chamber when, in answer to a question, the Minister for Energy and Resources said in his response, which everybody heard, that the government was in favour of nuclear power or nuclear energy. Clearly — and I will accept it — that was an error; it was an inadvertent comment. He corrected the statement, and the following day in *Hansard* it had been corrected. It was just an inadvertent error that was made by the minister, and no-one joined issue with that as it was clearly an inadvertent error, because whatever else we could say about the government, and certainly the minister, he has consistently said that he is opposed to nuclear energy. That was clarified; it was an inadvertent comment.

However, in the circumstance that the member for South-West Coast has raised, a minister in a 90-second statement apparently made a fundamental error. Of course that fundamental error must stand as part of the record, and the only way it can be corrected is for the minister not to suggest the correct answer but to make a personal explanation. That is the tried and proved process for correcting such an error. The minister should have come into the chamber, indicated that she had made an error because of poor research and not being aware of the total facts, and said that 'two' should have been 'three' — and she should have apologised to the house.

It was an error in the minister's research, and that does not mean it was an inadvertent error. That is certainly not what the circumstances suggest, and accordingly I support the point of order raised by the member for South-West Coast.

The SPEAKER — Order! I do not uphold the point of order raised by the member for South-West Coast. My advice from Hansard is quite clear — that all the normal practices and procedures of Hansard were followed in this instance.

ACTING OMBUDSMAN

The SPEAKER — Order! I advise the house that on 29 September 2009, the Acting Speaker administered to John Taylor, the Acting Ombudsman, the oath required by section 10 of the Ombudsman Act 1973.

FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL

Introduction and first reading

Mr HULLS (Attorney-General) introduced a bill for an act to amend the Fair Work (Commonwealth Powers) Act 2009 and to make related amendments to other acts and for other purposes.

Read first time.

ELECTRICITY INDUSTRY AMENDMENT (CRITICAL INFRASTRUCTURE) BILL

Introduction and first reading

Mr BATCHELOR (Minister for Energy and Resources) introduced a bill for an act to amend the Electricity Industry Act 2000 to provide for the protection of critical electricity infrastructure and critical electricity infrastructure plant or equipment or related vehicles and for other purposes.

Read first time.

JUSTICE LEGISLATION MISCELLANEOUS AMENDMENTS BILL

Introduction and first reading

Mr BATCHELOR (Minister for Community Development) — On behalf of the Minister for Police and Emergency Services, I move:

That I have leave to bring in a bill for an act to amend the Crimes Act 1958, the Criminal Procedure Act 2009, the Infringements Act 2006, the Major Crime (Investigative Powers) Act 2004, the Major Crime Legislation Amendment Act 2009, the Sheriff Act 2009, the Telecommunications (Interception) (State Provisions) Act 1988 and other acts and for other purposes.

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

Mr BATCHELOR (Minister for Community Development) — The title of this bill will be the Justice

Legislation Miscellaneous Amendments Bill, and it will contain a number of miscellaneous amendments of a technical nature — —

Mr McIntosh — Which you don't know anything about, do you?

Mr BATCHELOR — Righto, you will be sorry you challenged! They include proposed amendments to the Crimes Act which will support new digital audiovisual technology Victoria Police would like to roll out. The bill includes amendments that are largely technical in nature in relation to major crime legislation. It proposes amendments to the Sheriff Act which will clarify elements of the operation of that act in relation to a number of matters, and it will improve the efficiency and flexibility of the infringements systems through a number of steps that will all become clear during the second-reading speech.

Motion agreed to.

Read first time.

Sitting suspended 6.32 p.m. until 8.03 p.m.

STATE TAXATION ACTS FURTHER 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 First Home Owner Grant Act 2000, the Land Tax Act 2005, the Payroll Tax Act 2007 and the Taxation Administration Act 1997 and to make consequential amendments to other acts, to repeal the Taxation (Reciprocal Powers) Act 1987 and for other purposes.

Read first time.

LOCAL GOVERNMENT (BRIMBANK CITY COUNCIL) BILL

Introduction and first reading

Mr WYNNE (Minister for Local Government) introduced a bill for an act to dismiss the Brimbank City Council and provide for a general election for that council and for other purposes.

Read first time.

Mr WYNNE (Minister for Local Government) — I move:

That this bill be read a second time immediately.

I can advise the house that members of the other parties and the Independent member have been provided with a copy of the bill and with a briefing in accordance with section 61(2) of the standing orders.

Motion agreed to.

Statement of compatibility

Mr WYNNE (Minister for Local Government) 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 Local Government (Brimbank City Council) Bill 2009.

In my opinion, the Local Government (Brimbank City Council) Bill 2009, 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 Local Government (Brimbank City Council) Bill 2009 ('the bill') is to provide for the implementation of a key recommendation of Mr William Ivan Scales's second report on the monitoring of the ongoing activities and performance of the Brimbank City Council ('the council').

Specifically, Mr Scales in his report recommended that there is a need for substantial and urgent change in the culture of the council, and that this could only occur if the council is removed.

Thus, the bill achieves this by providing for the dismissal of the council, and appointment of a panel of administrators, to constitute the council, until the council's next scheduled general election in 2012.

Human rights issues

Human rights protected by the charter that are relevant to the bill

The bill engages one of the human rights provided for in the Charter of Human Rights and Responsibilities ('the charter').

Section 18: taking part in public life

Section 18 establishes a right for an individual to, without discrimination, participate in the conduct of public affairs, to vote and be elected at state and municipal elections, and to have access to the Victorian public service and public office.

Clause 5 clearly engages and purports to restrict the right under section 18 of the charter. However, the limitation appears to be reasonable and demonstrably justified in a free

and democratic society under section 7(2) of the charter, which is discussed below:

(a) the nature of the right being limited

The right to participate in public affairs is a broad concept, which embraces the exercise of governmental power by all arms of government at all levels. The right to be elected ensures that eligible voters have a free choice of candidates in an election, and as with the right to vote, the right to occupy public office is not conferred on all Victorians; it is limited to eligible persons where the criteria and processes for appointment, promotion, suspension and dismissal are objective, reasonable and non-discriminatory.

(b) the importance of the purpose of the limitation

The appointment of Mr Scales as an inspector of municipal administration under the Local Government Act 1989 ('the act') to perform the role of monitoring and reviewing the governance of the council, was in response to recommendation no. 1 of the Victorian Ombudsman report following his investigation into the alleged improper conduct of councillors at the Brimbank City Council, which was tabled in Parliament on 7 May 2009.

Recommendation no. 1 of the Ombudsman report was that:

The Minister for Local Government closely monitor the activities of the council and, should the poor practices that occurred prior to the 2008 election continue, that he consider suspending and/or dismissing the council and appointing an administrator.

The monitoring and investigations performed by Mr Scales following his appointment demonstrated that the council since it was elected had continued to exhibit the very same poor practices that led to the Ombudsman's initial investigation and recommendations. Mr Scales found that despite the Ombudsman's warnings and his own specific guidance and support to remedy the council's serious deficiencies, there was a clear ongoing failure and unwillingness to reform and understand basic requirements of good governance and good government, and that there was no evidence that the promised change in behaviour had occurred or would occur in the future. This entrenched culture of poor governance, inappropriate conduct, conflicting interests and outside influence meant that the council failed to keep an open and impartial mind and represent the best interests of the community in performing its powers, functions and duties.

The serious nature of Mr Scales's findings, including the continuation of severe deficiencies previously identified by the Ombudsman, and the serious loss of confidence in council by the local community as a result, clearly warrant removal of the council as soon as possible. This action ensures and recognises the right of electors to be represented with probity, integrity and accountability, and in the interests of the community rather than competing sectional or personal interests.

Removal of an elected council is a last resort, and undertaken only in exceptional circumstances. It is regrettable that this is one of those very rare cases, but the government has a responsibility to protect communities from misgovernance by their local representatives. In Brimbank, a clear message received from the community has been the complete loss of confidence in those representatives.

(c) the nature and extent of the limitation

Clauses 5, 6 and 10 purport to limit section 18 of the charter by dismissing the Brimbank City Council, and providing for the appointment of a panel of administrators to constitute the council for a period until the council's next scheduled general election in November 2012.

(d) the relationship between the limitation and its purpose

There is a direct relationship between the limitation and the purpose of ensuring that elected councillors properly undertake the duties of their office.

(e) any less restrictive means reasonably available to achieve its purpose

In a less restrictive and more immediate measure, the council has been suspended by order in council dated 15 September 2009, for a maximum period of 12 months, pursuant to section 219(1) of the act.

Section 219 provides only for the appointment of a single administrator, indicating the expectation that a single person will be sufficient to govern in the council's stead for the limited period of the suspension.

However, as Mr Scales's report clearly demonstrates, the council is fundamentally dysfunctional, and characterised by the continuation of entrenched failures of the kind which the Ombudsman identified in the previous council. It is considered that the serious deficiencies at Brimbank will require a significantly longer period than 12 months so that good government can be restored, and the confidence of the local community can be rebuilt. Further, the appointment of a panel of administrators rather than one individual would provide a structure more suited to governing a municipality as large and complex as Brimbank, and to undertake the extensive necessary reforms.

Mr Scales's report also indicates that he considered whether it was more appropriate to recommend that certain councillors be referred to a councillor conduct panel. However, Mr Scales decided against this option given the matters related to a significant number of the eleven councillors, and that a long drawn-out process of consideration by a councillor conduct panel would significantly undermine the ability of the council to provide good government to the people of Brimbank while these considerations proceeded.

(f) any other relevant factors

There are no other relevant factors to be considered.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because, although it does limit one human right, the limitation is reasonable and proportionate. The limitation strikes the correct balance by providing persons the right to take part in public life and ensuring councillors perform to appropriate standards of probity, integrity and in the public interest.

Richard Wynne, MP
Minister for Local Government.

Second reading

Mr WYNNE (Minister for Local Government) — I move:

That this bill be now read a second time.

This bill will dismiss the Brimbank City Council, in response to the recommendations of two recent separate reports — the first by the Victorian Ombudsman, and the second by Mr William Ivan Scales, AO.

The proposal to dismiss the council follows an order in council dated 15 September 2009, which suspended all Brimbank city councillors pursuant to section 219 of the Local Government Act 1989.

In his May 2009 report into alleged improper conduct by councillors of the Brimbank City Council, the Ombudsman made a range of serious adverse findings, and recommended amongst other things that 'The Minister for Local Government closely monitor the activities of the council and, should the poor practices that occurred prior to the 2008 election continue, that he consider suspending and/or dismissing the council and appointing an administrator'.

Mr Scales was appointed to monitor the council in response to that recommendation. Mr Scales subsequently recommended in his report that the council should be suspended and/or dismissed. The government decided to implement both, with the immediate suspension taking effect on 15 September 2009, and the proposal to dismiss contained in the present bill.

In his report, which was tabled in this house on 15 September 2009, Mr Scales expressed the strong view that many of the most serious failures of the previous council continued to persist in the present.

In summary, his findings demonstrate a profound and systemic failure by the council to provide acceptable standards of government to the municipality of Brimbank.

The government implemented the temporary suspension through the mechanism of section 219 of the Local Government Act.

Section 219 provides only for a maximum period of suspension of 12 months, and it is clear that a longer period will be required for the task. Furthermore, section 219 provides only for a single administrator.

It is the government's view that a panel of three administrators, working together, will be the most effective governance structure to bring about

comprehensive reform in a council as large and complex as Brimbank. It is hard to overstate the scale of that task, which will require rebuilding of effective governance from the ground up, as well as the restoration of community confidence, which is presently in a fragile state.

Accordingly, this bill provides for a panel of administrators to be appointed by order in council, to act as the council in every respect, for the period until the next municipal elections, scheduled in 2012. The costs of the administration will be met by the council.

The decision to propose this legislation has been a difficult one. The removal of an elected council is a last resort, exercised only in the most exceptional cases where no appropriate alternative will suffice. Brimbank City Council is such a case.

The removal of elected councillors is also a limitation of their right to participate in public life. This right is not of course absolute, and the government is confident that in the present case the limitation on that right is reasonable. These matters are fully addressed in the statement of compatibility.

Finally, it is important to add here that Brimbank is not regarded as representative of the local government sector in Victoria, and the government is confident that most councils govern properly and effectively in the interests of their communities. The services they provide are essential to the lives of all Victorians, and indeed it is for this very reason that they must be held to high standards of governance and probity.

I commend the bill to the house.

Debate adjourned on motion of Mrs POWELL (Shepparton).

Debate adjourned until next day.

BUSINESS OF THE HOUSE

Notices of motion: removal

The SPEAKER — Order! I advise the house that under standing order 144 notices of motion 43, 179, 180 and 224 to 233 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 9.00 p.m. today.

PETITIONS

Following petitions presented to house:

Liquor: licences

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house the need to urgently reconsider the proposed massive increases in liquor licence fees in view of the enormous adverse impact such across-the-board increases will have on many highly reputable liquor outlets, and most particularly those in country areas.

Such huge blanket increases in licence fees will impact on employment, community sponsorships, even business survival in some cases. Risk-based fees should actually address the problems which have arisen in 'hot spot' areas, distinguish activities increasing risk of antisocial behaviour, and be imposed selectively to address those issues.

The petitioners therefore request that the Victorian government recognises the damage such across-the-board increases will cause, particularly in many country communities, and review the legislation as a matter of urgency.

**By Dr SYKES (Benalla) (1308 signatures),
Mr DELAHUNTY (Lowan) (380 signatures) and
Mr WELLER (Rodney) (135 signatures).**

Students: youth allowance

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house the proposal to change the independence test for youth allowance by the federal government.

The petitioners register their opposition to the changes on the basis that the youth allowance changes proposed in the federal budget place another barrier to university participation for students in regional areas; unfairly discriminate against students currently undertaking a 'gap' year; and contradict other efforts to increase university participation by students from rural and regional Australia.

The petitioners therefore request that the Legislative Assembly of Victoria reject the proposal and call on the state government to vigorously lobby the federal government to ensure that a tertiary education is accessible to regional students.

By Dr SYKES (Benalla) (77 signatures).

Western Highway: access

To the Legislative Assembly of Victoria:

The petition of we, the undersigned citizens of Victoria, draw the attention of the house, requesting assistance in our campaign regarding the following:

1. Preservation of appropriate access to Western Highway (Melbourne-based ramp at Hopetoun Park Road).

Appropriate access to Long Forest Road and the Hopetoun Park estate needs to be preserved as part of the redevelopment of the Western Highway (Anthony's Cutting).

Current plans would have a negative impact for residents travelling towards Melbourne, forcing local traffic to travel through Melton to access the Western Highway (via Coburns Road). Residents have for decades enjoyed direct access onto this highway and respectfully ask this situation not to be altered.

We seek inclusion of a Melbourne-bound ramp at Hopetoun Park Road to improve local access in this area.

2. Fire-risk danger

Removal of appropriate access would endanger residents because of the fire risk in the area.

3. Review of Bulmans-Clarke Road interchange

We seek an immediate review regarding plans scrapping the Bulmans-Clarke Road interchange and community consultation to occur immediately regarding this matter.

Your petitioners therefore request that the Legislative Assembly of Victoria take immediate steps to have the matters above reviewed and dealt with at the earliest possible time.

By Mr NARDELLA (Melton) (712 signatures).

Rail: Mildura line

To the Honourable the Speaker and members of the Legislative Assembly of Victoria:

This petition of the citizens of the region known as Sunraysia, primarily in the state of Victoria but including cross-border citizens of New South Wales centred on the city of Mildura, brings to the attention of the house the many promises to return the Melbourne–Mildura passenger train, without delay.

The undersigned petitioners therefore ask the Legislative Assembly to bring forward the reinstatement of the said Melbourne–Mildura passenger train, especially in view of:

1. the many undelivered promises;
2. the urgent need to promote public transport in a global warming context;
3. the pressing need to connect remote Mildura to both Melbourne and the national rail network; and
4. the geographic distance now requiring a rapid service (very fast train) to be competitive.

By Mr CRISP (Mildura) (52 signatures).

Planning: Mildura

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house the petitioners register their opposition to the

C58 amendment to the Mildura planning scheme which prevents land-holders from subdividing or building a house in a farming zone on less than 40 hectares of land which will cause financial and social hardship to those affected.

The petitioners therefore request that the Legislative Assembly of Victoria call on the minister to withdraw C58.

By Mr CRISP (Mildura) (22 signatures).

Rail: Traralgon line

To the Legislative Assembly of Victoria:

The petition of the residents of Gippsland draws to the attention of the house the intention of the Brumby government to terminate some of the existing Traralgon V/Line services at Flinders Street station.

The petitioners therefore request that the Legislative Assembly of Victoria retain all current Traralgon V/Line services to Southern Cross station.

By Mr NORTHE (Morwell) (46 signatures).

Rail: Shepparton line

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house the need to reinstate passenger rail services from Shepparton through Numurkah and Strathmerton to Cobram and return, to service this important area and provide the convenience of passenger rail services directly to and from Melbourne, as has previously been provided.

The petitioners therefore request that the Victorian government takes positive action to reinstate passenger rail services as a matter of urgency.

By Mr JASPER (Murray Valley) (46 signatures).

Gas: Heathcote supply

To the Legislative Assembly of Victoria:

The petition of the following residents of Victoria draws to the attention of the house that future growth and development in the Heathcote district is being restricted by the absence of a natural gas supply to the area.

The petitioners therefore request that the Legislative Assembly of Victoria instruct the state government to commit to a further round of funding through the natural gas extension program to subsidise natural gas reticulation to Heathcote.

By Mr WELLER (Rodney) (716 signatures).

Barwon Heads Airport: skydiving

To the Legislative Assembly of Victoria:

The petition of the residents of the Connemara area in the electorate of South Barwon draws to the attention of the house that we loudly deplore any plans for the

skydiving/parachuting to recommence from the Barwon Heads Airport.

We enjoy the relative tranquillity of this rural area and are fearful that any skydiving activities will destroy this sense of peace and quiet. Our past experience of skydiving operations flown out of Barwon Heads Airport remains strongly negative. At weekends and certain weekdays there was the almost constant drone of loud planes gaining altitude overhead, the screams of descending parachutists and the unease produced by some of these parachutists landing in our property, some distance from the target zone.

The petitioners therefore request that the Legislative Assembly of Victoria, in pursuit of maintaining this area free from skydiving, seek a commitment from the owners of the Barwon Heads Airport that they will not support any moves that would lead to parachute activities in the future.

**By Mr CRUTCHFIELD (South Barwon)
(92 signatures).**

Public holidays: show days

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house the inequitable nature of the current policy on the allocation of show day holidays in lieu of the Melbourne Cup Day holiday.

The petitioners point out to the house that this legislation is having devastating effects on the survival of traditional A and P show days due to the inability of local schools and businesses to close and thus attend on the day of the show.

The petitioners therefore request that the Legislative Assembly of Victoria amends its legislation thus allowing local government councils the flexibility to allocate the show day holiday to individual communities according to the day in which the community deems it is appropriate to conduct its show day event.

By Mr WALSH (Swan Hill) (120 signatures).

Housing: Ringwood development

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

The petition of the community of the City of Maroondah draws the attention of the house to the lack of consultation undertaken by the Victorian government in relation to the public and social housing development proposed for Larissa Avenue, Ringwood.

The petitioners therefore request that the government postpone the commencement of the development pending a thorough consultation period with the community, with the continuation of the development to be dependent on the wishes of that community.

By Mr R. SMITH (Warrandyte) (114 signatures).

Tabled.

Ordered that petitions presented by honourable member for Benalla be considered next day on motion of Dr SYKES (Benalla).

Ordered that petition presented by honourable member for Melton be considered next day on motion of Mr NARDELLA (Melton).

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

Ordered that petition presented by honourable member for Warrandyte be considered next day on motion of Mr R. SMITH (Warrandyte).

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

Ordered that petition presented by honourable member for Lowan be considered next day on motion of Mr DELAHUNTY (Lowan).

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

Ordered that petition presented by honourable member for Morwell be considered next day on motion of Mr NORTHE (Morwell).

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

**SCRUTINY OF ACTS AND REGULATIONS
COMMITTEE**

Alert Digest No. 12

**Mr CARLI (Brunswick) presented *Alert Digest*
No. 12 of 2009 on:**

- Criminal Procedure Amendment (Consequential and Transitional Provisions) Bill**
- Deakin University Bill**
- Fair Work (Commonwealth Powers) Bill**
- La Trobe University Bill**
- Land (Revocation of Reservations and Other Matters) Bill**
- Local Government Amendment (Offences and Other Matters) Bill**
- Monash University Bill**
- Personal Property Securities (Commonwealth Powers) Bill**

**Planning Legislation Amendment Bill (No. 2)
Sentencing Amendment Bill
Statute Law Amendment (Evidence
Consequential Provisions) Bill
Superannuation Legislation Amendment Bill
University of Melbourne Bill**

together with appendices.

Tabled.

Ordered to be printed.

DOCUMENTS

Tabled by Clerk:

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Shepparton Public Garden Reserve

Duties Act 2000 — Reports 2008–09 of exemptions and refunds under ss 250B and 250DD (two documents)

Estate Agents Act 1980 — Notice of approval under s 10C (*Gazette G38, 17 September 2009*)

Gambling Regulation Act 2003 — Amendment to Category 2 Public Lottery Licence

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

Ballarat — C123

Banyule — C61

Bass Coast — C95

Boroondara — C64, C104

Brimbank — C110

Cardinia — C123, C136

East Gippsland — C72, C77

Glen Eira — C72

Glenelg — C51

Greater Bendigo — C114

Hobsons Bay — C66

Knox — C76, C100

Mansfield — C14, C17

Maribymong — C80, C81

Mildura — C59

Mitchell — C68

Monash — C65

Mornington Peninsula — C84, C95

Mount Alexander — C23

Moyne — C39

Murrindindi — C22

Nillumbik — C61

Surf Coast — C43 Part 2

Victoria Planning Provisions — VC59, VC60

Warrnambool — C55

Whitehorse — C92

Whittlesea — C117

Wyndham — C129

Yarra — C119

Yarra Ranges — C82, C91

Public Record Office Victoria — Report 2008–09

Statutory Rules under the following Acts:

Associations Incorporation Act 1981 — SR 113

Coroners Act 2008 — SR 109

Gambling Regulation Act 2003 — SRs 108, 114

Guardianship and Administration Act 1986 — SR 107

Infringements Act 2006 — SR 106

Magistrates' Court Act 1989 — SR 110

Road Safety Act 1986 — SRs 115, 116

Sheriff Act 2009 — SR 112

Supreme Court Act 1986 — SRs 109, 111

Subordinate Legislation Act 1994:

Minister's exception certificate in relation to Statutory Rule 109

Ministers' exemption certificates in relation to Statutory Rules 106, 110, 111, 113, 114, 115, 116

Surveillance Devices Act 1999:

Report 2008–09 under s 30L

Report of the Special Investigations Monitor under s 30Q.

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

Courts Legislation Amendment (Judicial Resolution Conference) Act 2009 — Whole Act — 15 September 2009 (*Gazette S319, 16 September 2009*)

Road Legislation Amendment Act 2009 — Section 10 —
1 October 2009 (*Gazette* S332, 22 September 2009)

Sheriff Act 2009 — Whole Act — 1 October 2009 (*Gazette*
G40, 1 October 2009).

CEMETERIES AND CREMATORIA AMENDMENT BILL

Council's amendment

**Returned from Council with message relating to
amendment.**

Ordered to be considered next day.

ROYAL ASSENT

Messages read advising royal assent to:

22 September

Justice Legislation Further Amendment Bill

29 September

Major Transport Projects Facilitation Bill.

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

**Criminal Procedure Amendment (Consequential
and Transitional Provisions) Bill**

Deakin University Bill

La Trobe University Bill

**Land (Revocation of Reservations and Other
Matters) Bill**

Monash University Bill

**Statute Law Amendment (Evidence
Consequential Provisions) Bill**

University of Melbourne Bill.

UNIVERSITY OF MELBOURNE BILL, MONASH UNIVERSITY BILL, LA TROBE UNIVERSITY BILL and DEAKIN UNIVERSITY BILL

Concurrent debate

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

That this house authorises and requires the Speaker to permit
the second-reading and subsequent stages of the University of

Melbourne Bill, the Monash University Bill, the La Trobe
University Bill and the Deakin University Bill to be moved
and debated concurrently.

Motion agreed to.

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,
15 October 2009:

Criminal Procedure Amendment (Consequential and
Transitional Provisions) Bill

Deakin University Bill

La Trobe University Bill

Land (Revocation of Reservations and Other Matters)
Bill

Monash University Bill

Sentencing Amendment Bill

Statute Law Amendment (Evidence Consequential
Provisions) Bill

University of Melbourne Bill.

In moving the government business program for this
week I identify the substantive part of the government
business we are hoping to deal with. Members of the
house would already have heard in the previous
by-leave motion that the four university bills on the
business program will be debated concurrently. In this
context a concurrent debate — effectively over half of
the government business program — should enable us
to complete this business program and a number of
other matters during the course of this week in the
lead-up to 4.00 p.m. on Thursday.

In addition to the government business program we will
be dealing, by leave, with the Local Government
(Brimbank City Council) Bill on Wednesday, and I
thank the shadow Minister for Local Government and
the opposition for their facilitation of that process. It is
important that we deal with the matters contained in
that bill in an expeditious way, and we are providing
time for that in the midst of our government business
program. On Wednesday we also intend to deal with
the amendments that have come back from the upper
house on the Cemeteries and Crematoria Amendment
Bill. I think we will be able to deal quite satisfactorily

with all of these items during this week, and I commend the motion to the house.

Mr McINTOSH (Kew) — The opposition does not oppose the government business program. While the opposition is not concerned at this stage about the government business program, it expresses some disquiet about the fact that the Brimbank council bill, which is not on the government business program, is due for debate tomorrow. I think it will take a considerable amount of time because there are a number of people who, for obvious reasons, want to speak on that bill. The other thing is that the amendments to the cemeteries bill will make an unforeseen change to the debating time available, although again that bill is not on the government business program. The Leader of the House has indicated he wishes to deal with that matter tomorrow.

There are essentially six other bills on the government business program. The university bills will all be dealt with as a cognate debate. The opposition has agreed to participate in that cognate debate as the issues raised are obviously similar across each of those four bills. While it appears that there will probably be adequate time on the government business program — and the last two sitting weeks have demonstrated that there has been adequate time to deal with government business programs of similar length, and there have been other interruptions — I express concern that the Brimbank council bill, which was second-read earlier this evening and will be debated in full tomorrow given the urgency of that bill, will take up some substantial time. Having expressed those matters, as I said, the opposition does not have any concerns at this stage, but it will monitor the position over the next few days.

In conclusion I express my gratitude to the member for Bulleen. Last week while I was in New South Wales attending the under-13s national hockey championships at which my son played left half for the state of Victoria — there are two representatives of the state of Victoria in my family — the member for Bulleen very generously filled my place last week in detailed negotiations with the Leader of the House about the government business program. I understand it took up an enormous amount of his intellectual capacity, but it facilitated a positive outcome for the house, and I express my gratitude to the member for Bulleen. It was also a very successful under-13s national hockey championships in Coffs Harbour.

Mr DELAHUNTY (Lowan) — I do not know how to follow that! The Nationals will not be opposing this government business program. Like the member for Kew, we have some concerns about the fact that we

came into this place earlier today anticipating six bills, and it has now been dropped on us that there will be amendments from the Legislative Council in relation to the cemeteries bill. It is common sense to amalgamate the four university bills and debate them cognately, but the other bills deal more with legal matters, so the legal people here — the real lawyers — will be able to have a feast in relation to the criminal procedure in the sentencing and statute law bills.

An honourable member interjected.

Mr DELAHUNTY — Some people say there are too many of them in here, but there are a few bush lawyers who bring us back to reality. Members of The Nationals have some concerns with the Land (Revocation of Reservations and Other Matters) Bill 2009, and we will be raising those issues in the debate on that bill.

In relation to the government business program, as The Nationals Whip I was kept well informed by the member for Bulleen. I could not believe it when on Thursday night we received an email saying what the government business program would be, and that must have been after consultation with the Leader of the House. It was very rewarding to get the information on Thursday night. I do not know whether it was the member for Bulleen pushing the Leader of the House or just better operations from the Liberal Party point of view, but I attribute it to the fact that the member for Bulleen did a great job.

It was disappointing that the member for Kew was not around last week, but he was up there barracking for the under-13s hockey championship team, and I am informed it did very well up there. Again, we will not be opposing the government business program this week.

Mr LANGDON (Ivanhoe) — I will briefly speak on the government business program. I commend it to the house and commend the logic of it. I am not sure if the government business program has become a roasting for the member for Bulleen or a members statement for the member for Kew. On the business of the actual house, I think we can manage the six bills plus the Brimbank bill as well. I am sure there will be ample debating time. I know we are sitting late today because of the condolence motions, but those sorts of things do happen. If we all work together collectively, I am sure everyone can be heard. I commend the government business program.

Mr HODGETT (Kilsyth) — As has been stated, we do not oppose the government business program for

this sitting week. I share the concerns that have been stated about our ability to get through the eight items listed on the government business program plus the Local Government Amendment (Brimbank City Council) Bill, which we will debate by leave, and also the upper house amendment to the Cemeteries and Crematoria Amendment Bill. Unlike the government, I am aware of a number of people who want to speak on the amendment and on the Local Government Amendment (Brimbank City Council) Bill. I am concerned about whether we can get through them by the 4.00 p.m. deadline on Thursday.

However, while I have no comments to add to your performance, Acting Speaker, in the absence of the member for Kew and in the interests of getting on to statements by members, I will conclude my comments there.

Ms MUNT (Mordialloc) — I rise to speak briefly in support of the government business program. I have every faith that the three whips can organise our parliamentary sitting days in such a way that all of this business can be accommodated. I note the University of Melbourne Bill, the Monash University Bill, the La Trobe University Bill and the Deakin University Bill are associated bills, so while there may be eight bills on the program, some are associated and can be dealt with expeditiously. I have no doubt the government business program can be managed within this parliamentary sitting week.

Motion agreed to.

MEMBERS STATEMENTS

Water: government performance

Ms ASHER (Brighton) — I wish to draw to the attention of the house the government's appalling record on water projects in Ballarat, Bendigo and Geelong. Of the new water projects which were announced in 2007–08, according to budget information paper 1 by 2008–09, 163 projects experienced a cost blow-out of more than \$109 million — that is, \$109 million within 12 months.

For example, for Barwon Water, 79 of the 126 projects announced in 2007–08 have recorded a blow-out of \$93 million; for Central Highlands Water, 6 of the 15 projects announced in 2007–08 recorded a blow-out of over \$10 million; for Coliban Water, 9 of the 22 projects announced in that year recorded a blow-out, with a total amount over budget of \$5.5 million. Furthermore, of the 75 new projects announced in

2007–08 where some funds were due to be expended prior to June 2008, 47 were experiencing problems in that the amount of expenditure forecast was lower than that actually forecast. With few exceptions these are not grand projects. They are routine water and sewerage infrastructure projects that Victorians expect to be delivered on time and on budget.

Social Traders: website

Mr BATCHELOR (Minister for Community Development) — The new Social Traders website was launched recently at www.socialtraders.com.au. Social Traders is a new agency funded jointly by the Brumby Labor government and a private philanthropic foundation. It aims to help establish new social enterprises and build a robust and cohesive social enterprise sector by increasing awareness of the benefits of social enterprise; improving social enterprise access to markets; increasing the finance available to social enterprise; increasing the capability of social enterprises and their operators, and encouraging more effective coordination across the sector. It is an extension of the government's community enterprise strategy which has helped establish new enterprises through seeding grants and business advice since 2005.

Social and community enterprises are social mission-driven organisations which trade in goods or services for a social purpose. They are often referred to as having a triple bottom line because they aim to accomplish targets that are social and environmental as well as financial.

The new Social Traders website includes information about current initiatives and funding opportunities as well as a discussion forum and question-and-answer section. Visitors can also sign up to receive a regular newsletter from the organisation. The website was also used as a portal of information for the Social Enterprise World Forum, which I had the pleasure of opening recently.

Bushfires: roadblocks

Mr DELAHUNTY (Lowan) — With only 15 days to the start of the fire season, one issue of enormous concern to Western Victorians is police roadblocks, and that issue has been highlighted at hearings of the bushfires royal commission. While they have an important function, they are a particular source of frustration and annoyance to some people during fires.

Unfortunately my electorate has had many large bushfires, including those on Black Saturday and in the Grampians during 2006–07, so we are pleased to see

that one of the royal commission's recommendations is that the police, in consultation with the Country Fire Authority and the Department of Sustainability and Environment, review roadblocks to allow for returning residents, people delivering relief, essential service crews and to expedite the exercise of discretion in favour of persons able to establish their bona fides.

This being Fire Action Week the government must resolve this roadblock issue. I note yesterday's announcement that residents will get wristbands for access to bushfire areas, but police, emergency service people and the broader community need unambiguous guidelines, and most believe photo identification such as an endorsed drivers licence or something similar would assist at these roadblocks.

On Black Saturday Western Victoria was fortunate not to lose any lives, but we lost houses, sheds, livestock, machinery and kilometres of fencing. We all have a responsibility to be prepared for bushfires, and this government must also resolve the issues around police roadblocks to assist in fighting fires and to allow residents to return safely to their properties.

Essendon Keilor Secondary College: mentoring program

Mrs MADDIGAN (Essendon) — Yesterday I had the pleasure of attending a function at the Niddrie campus of the Essendon Keilor Secondary College. The college is an excellent secondary institution that covers students from Essendon and Keilor, but mainly those from the Moonee Valley area. Yesterday the Niddrie campus won a prize of \$50 000 from the National Australia Bank for the work it has done in relation to a mentoring program for some of its students.

This has been run in conjunction with Sue Fowler and her staff from the Maribyrnong and Moonee Valley Local Learning and Employment Network. The program they have developed over a number of years has some volunteers from the community outside the school system who act as mentors for students in the school. Students have an opportunity to seek a mentor if they would like one. This has proved very successful in providing some of the students with a significant adult in their life. The parliamentary Drugs and Crime Prevention Committee, of which I am a member, identified in its most recent report on juvenile crime the importance of a mentoring system for young people, some of whom do not have adults in their life on whom they can rely.

This program is now entering its 10th year, and in the last year it has dealt with 200 students in the Moonee

Valley and Maribyrnong areas. It has proved to be a great success in assisting students to stay at school and go onto further education in particular. I congratulate them on their work.

Bushfires: fuel reduction

Dr NAPHTHINE (South-West Coast) — This week is Fire Action Week, and the Brumby government is urging individuals and communities to clean up and make their homes, properties and communities fire ready. However, the very same Brumby Labor government is actually stopping people from making their towns and homes fire safe.

For example, the greatest risk to Nelson, which has been identified as one of the top 50 communities at risk, is fires fanned by hot northerly winds coming from the adjoining Lower Glenelg National Park to the north of the township. But Parks Victoria, a government agency, simply refuses to allow a decent firebreak to protect Nelson to be developed on the southern edge of its 30 000-hectare forest. At the same time DSE (Department of Sustainability and Environment) has now stopped the local Nelson reserves committee of management from cleaning up scrub and undergrowth in the town to make it fire safe.

On Dutton Way near Portland local residents want to clean up an area of coastal scrub, but the local council cannot clean up the area and make it fire safe until DSE undertakes what is called a biodiversity evaluation. The Country Fire Authority cannot burn roadside firebreaks without, one, approval under the municipal fire plan; two, a section 12 permit from VicRoads; three, a road-use consent form from VicRoads or the council; four, a memorandum of consent for traffic control devices from VicRoads and the CFA controllers need to complete a full-day course to operate a stop-go sign; and five, those using herbicides to prepare fire control lines require more red tape and chemical user training and certification.

Craigieburn and district first response team: awards

Ms BEATTIE (Yuroke) — I rise to congratulate the Craigieburn and district first response team on the success of its 2009 annual dinner, which I attended as its special guest on Friday, 9 October.

As members are aware, I have had the pleasure of meeting with the team on many occasions, and it was my great honour at this year's dinner to present the inaugural new member achievement award, which I sponsor, to new recruit Cheree Spowart. Cheree is only

19 years old and was acknowledged for her fantastic contributions to Craigieburn and the wider community in such a short time.

I would also like to congratulate the other award winners for the evening. The team leaders encouragement award went to Adriano Cecati; the Rob Evans team spirit award went to team leader, Casey Nunn; and the Kevin O'Callaghan responder of the year award went to Christopher Tyrrell. They were all very worthy recipients.

It was terrific to see four exceptional women receive their five-year service medals for exemplary volunteer service to their community: Tiziana Giuliano, Robyn Jones, Shannon Simpson and Christine Tyrrell. I would like to offer all these women my hearty congratulations.

It was very special to see representatives from the Craigieburn Country Fire Authority and State Emergency Service units, who were at the dinner to support their first response team colleagues. It was a most enjoyable evening, and I would like to congratulate all the members of the team on their achievements. I wish them well for the future as they continue to strive to be the very best community emergency response team in Victoria.

Kawarren Primary School site: future

Mr MULDER (Polwarth) — At a recent public meeting at Kawarren, residents and land-holders expressed their concern that the former school site is to be sold. It was resolved at that meeting to form a committee to work for its retention. Since the official closure of the school, the site and buildings are no longer available to the community and no ongoing maintenance work is being undertaken. The facilities at the school had previously been used by a number of groups for meetings and community events. These activities play an important role in the wellbeing of the community, and the loss of access to the school buildings is already having an impact.

A decision has been made to relocate the fire station at Kawarren due to limited capacity, and the school site would suitably accommodate a new station given it is connected to all utilities. Facilities could also be included for community use and events.

There are many sound reasons for the retention of this site for community use, not the least of which being that the town of Kawarren has been listed as a community at risk for the upcoming bushfire season. The site is currently designated as a Displan area and has an existing underground bunker. The community

wants the school site retained as an emergency refuge. Consultation with all key stakeholders needs to be undertaken without further delay with a view to retaining this site for community use.

Kawarren is one of the communities in the Otways that should be serviced by a portable mobile telephone tower. Right throughout the Otways there are communities that have very poor mobile reception. I have written to the federal minister asking for support for mobile telephone towers in the Otways.

South Barwon Football and Netball Club: achievements

Mr CRUTCHFIELD (South Barwon) — I am very proud to inform the house of some significant winter sporting victories that have taken place in my electorate.

My beloved team, the South Barwon Football and Netball Club, continued its unrivalled dominance of the local Geelong football league competition. The senior football side had a 57-point grand final victory against St Joseph's. This was its fifth premiership win. The side has won four in the past five years, a major feat for any local football club. Congratulations to joint coaches Paul Corrigan and Matty Verfurth, their support staff and the president, Richard Holtz, and his hardworking committee.

Unfortunately the Swans under-18 team was quite convincingly defeated by Colac, 101 to 41. In under-18, division 2, South Barwon defeated St Joseph's. In under-16, division 1, South Barwon also defeated St Joseph's. In under-16, division 4, the South Barwon two side defeated Torquay. Unfortunately in under-14, division 4, Portarlington beat South Barwon.

However, it was truly the ladies in the netball competition who shone, as they absolutely dominated the competition, winning an astonishing six of the seven premierships on offer. The A-grade ladies smashed a younger Colac side 59-35 to win their sixth straight flag. The B-grade side beat St Albans; the C-grade side beat Leopold; the D-grade side beat Colac; the under-17 team beat Colac; and the under-15 team also beat Colac. Well done to the coach, Sascha Veldhuis, and the committee of the netball club. Overall it was an outstanding contribution from all at South Barwon.

Mildura Sun Festival

Mr CRISP (Mildura) — The Mildura Sun Festival was held on Sunday, 11 October, at the TAFE field day

site. The principal aims of the festival are to promote the concepts of sustainability, provide a forum for businesses and organisations to showcase sustainable products and practices and to introduce the community to renewable technology and sustainable living concepts.

There were three speaker tents with great guest speakers timetabled throughout the day, including Josh Byrne of *Gardening Australia*.

More than 1500 people attended, enjoying the learning atmosphere and sharing information. I would like to place on record my appreciation to the organising committee for its efforts in making the festival a success, in particular Alex Cross. The next festival will be held in two years and will no doubt be even bigger as more change occurs in the sustainability sector.

Mildura Development Corporation: solar power conference

Mr CRISP — On another similar matter, a delegation from Mildura will be heading to the United States next week for the Solar Power International in Anaheim in California from 27 October to 30 October. The Mildura Development Corporation is leading the delegation, which includes the mayor of Mildura, a councillor and local media. Mildura aims to be the solar capital of Victoria, and attending this conference will further assist Mildura with its case and knowledge base. The delegation will be meeting with a number of international solar companies to promote Mildura as well as researching small-scale opportunities for solar technology and infrastructure to suit small investors with requirements greater than rooftop home generation. I look forward to the delegation's return.

Hon. Brian Mier

Mr LANGUILLER (Derrimut) — I rise in support of the condolence motion in this Parliament today for the Honourable Brian William Mier, which was supported, appropriately, by all members of this house. Mr Mier was born on 21 February 1935 and died on 12 September 2009.

I knew Brian. He was a fine Australian, a good plumber and a fantastic union official. He became a good member of Parliament and a fine minister of the Crown. In addition to the comments appropriately made by members on both sides of the house I wish to register that I also knew Brian as a good internationalist. Brian had the time to support refugees like me from countries like Uruguay, Argentina and Chile. He also had time for South Africans when South Africa was under

apartheid. He and his union were strongly supportive of good and fine processes and were pro-democracy and against apartheid.

I wish to register my appreciation on behalf of hundreds of now South American-Australians who live predominantly in Melbourne and appreciate the solidarity and support given to us by people like Brian.

Duties Act: amendments

Mr WELLS (Scoresby) — This statement condemns the Brumby Labor government, and the Treasurer in particular, for an appalling failure to properly consult stakeholders on its recent amendments to the Duties Act, which despite warnings from the opposition and stakeholders, including the Law Institute of Victoria, have now become an absolute legal nightmare for many Victorians.

The Brumby government's failure to heed repeated warnings about the bungled amendments means that Victorians trying to negotiate long-term commercial lease arrangements are now the victims of the Victorian government's incompetence. The reality is that the opposition warned during parliamentary debate in June this year that the Brumby government's botched approach provided no certainty for Victorian businesses or the legal profession.

Lawyers trying to make sense of these Duties Act amendments are outraged at the lack of certainty and clarity created by the government's bungling, particularly in relation to complex property and business transactions involving lease agreements. A key legal committee recently released a document entitled *Risk Alert — New Stamp Duty on Leases!* to highlight the legal nightmare created by the Duties Act amendments. The Legal Practitioners Liability Committee stated:

Clients should be advised that:

if there is any concern about whether duty will be payable they should seek a private ruling from the State Revenue Office ...

The committee's risk alert also warned:

State Revenue Office rulings provide limited certainty but are not binding on the SRO.

Annie Dennis Children's Centre: 80th anniversary

Ms RICHARDSON (Northcote) — On Saturday, 12 September, I joined parents, staff and children at the

Annie Dennis Children's Centre to celebrate 80 years of dedicated service to the community.

In 1928 a committee led by Annie Dennis worked tirelessly to create a creche and kindergarten. At the time the birth rate was rising, as it is today, and the first users included deserted wives, widows and women with unemployed husbands. Originally called the Northcote Creche and Day Nursery, it was officially opened by its founder, Annie Dennis, early the following year. In 1936 a kindergarten was added; it was only the third free kindergarten in Victoria. The kindergarten was named after Annie Dennis, who was mayor of Northcote at the time.

The open day was a celebration of community-based child care. Activities included history displays, a sustainability display reflecting the efforts made towards achieving zero emissions, market stalls, a kids bazaar, food stalls, storytelling sessions, a treasure hunt and a jazz band. The day was a great success thanks to all the parents, the committee of management headed by Daryl Cameron and staff ably led by Lara Di Benedetto.

For 80 years the Annie Dennis centre has been at the heart of the Northcote community. It is a wonderful example of the importance and value of community-based child-care facilities and what can be achieved by those with the community's interests at heart. I feel certain we can look forward to another 80 years of wonderful service for our children thanks to the Annie Dennis Children's Centre.

Open Mind Fiesta

Ms RICHARDSON — Congratulations to Mental Illness Fellowship Victoria and the Fairfield Traders Association, which last Sunday hosted the seventh Open Mind Fiesta in Station Street, Fairfield. Over 35 000 people attended the event which saw the launch of the latest interactive computer learning tool designed to teach people about mental health and mental illness, particularly in the workplace. I would like to thank Mental Illness Fellowship Victoria, the local Fairfield traders and the community for their hard work and enthusiasm for this event. Most importantly I would like to thank those with a mental illness, their families and friends who made this event a wonderful day out for all.

Water: government performance

Mrs FYFFE (Evelyn) — Recent rainfall has been welcomed by gardeners and farmers alike. It has been a real joy to see water tanks overflowing and farm dams

filling. The Yarra River is flowing fast and furious, flooding occurred at Yarra Glen following recent rains and more flooding is forecast for this week, yet Melbourne Water is not harvesting this gift from the heavens; instead it is just sitting back and letting it pour out to sea. Questions must be asked of the minister and answers must be given. Why is more water not being pumped out of the Yarra to Sugarloaf Dam? As of this morning the dam was 54 per cent full with storage available for another 43 000 megalitres.

On Melbourne Water's own figures, at the height of the floods on 1 October the Yarra at Yarra Glen was flowing at in excess of 9000 megalitres per day. If you take the daily volumes pumped at Yering Gorge from 26 September to 11 October, subtract the current maximum pump capacity and subtract environmental flows of 250 megalitres per day, you realise that roughly 30 000 megalitres of water has poured into Port Phillip Bay in just two weeks. Melbourne Water's answer is that it is following this government's 2007 environmental guidelines and that only water in excess of the guidelines can be taken out.

What provision does the government have in place to extract water once flows go over the guideline figures? The answer is none. This tired, lazy, incompetent government has no plans, no sensible practical ideas and for 10 years has neglected and mismanaged Melbourne's water supply. The price of water is ever increasing, the population is increasing, no new storages have been built and fresh, pure drinking water is flowing out to sea because of this minister's incompetence.

La Trobe Secondary College: school community

Mr LANGDON (Ivanhoe) — Today I rise to pay tribute to La Trobe Secondary College, which was known for some 34 years as Macleod Technical School. Recently the last of the original buildings of that school were finally demolished.

Macleod Technical School was opened on 1 November 1963 and become known as La Trobe Secondary College in August 1997. The school's history, in the words of its last principal, Glenn White, is a story of dedication, endeavour and achievement. From humble beginnings in temporary accommodation the college grew to be one of the largest and most vibrant secondary schools in Victoria. The many thousands of students who have passed through the college were fortunate to have been guided by highly committed teachers, other staff and administrators. The school adopted 'Shine' as its motto and named its school

houses after Victoria Cross recipients William Dunstan, Bernard Sidney Gordon, Albert Jacka and William Ruthven.

After the school reached a student population of 950 students in 1976, the changing demographics in the local area caused a drop in student enrolments and in 2007 the school council decided to merge with Banksia Secondary College on its site in Banksia Street. The school on that site is now known as Banksia Latrobe Secondary College. The original site of the college has now become home to the Heidelberg school regeneration initiative, which will see a new prep to year 12 facility boasting state-of-the-art facilities and an advanced learning teaching module.

Whilst a new era opens, all those connected with the La Trobe Secondary College and the former Macleod Technical School should be proud of their involvement. I pay tribute to the 11 school principals and 15 school council presidents for their dedication in all their endeavours. I also pay tribute to all the teachers, school councils and staff for their work.

Dhungala Gallery Cafe: funding

Mr WELLER (Rodney) — Over the past 10 years Njernda Aboriginal Corporation has been working on an exciting concept to bring long-term sustainable employment to our region through the development of the Dhungala Gallery Cafe.

In 2007 Njernda submitted an application for \$1.91 million to the Aboriginal land and economic development program, which is run through Aboriginal Affairs Victoria, to fund the project. The application was partially successful, and \$791 000 was granted on condition that Njernda secure an extra \$400 000 elsewhere. To secure the additional funds, Njernda submitted an application in November 2007 to the federal government's regional partnership program, which it was assured would be successful. However, the program was abolished in 2008 following the 2007 federal election and the funds were not forthcoming.

Since that time Njernda has explored countless other funding opportunities and recently received confirmation that an application to the federal government's Jobs Fund program was successful. Upon receiving this news, Njernda made inquiries of Aboriginal Affairs Victoria to check that the funds allocated in 2007 were still available. To its complete dismay it was advised that the funding had been withdrawn because of the time taken to secure the extra funding. Understandably Njernda is bitterly disappointed that all the hard work invested in this

project over the past 10 years appears to have been in vain. I urge the minister to reinstate the \$791 000 committed to this important project by Aboriginal Affairs Victoria in 2007.

Cycling: Sydney Road

Ms CAMPBELL (Pascoe Vale) — I want to congratulate all those who have worked for sustainable transport, and particularly cycling, which is critical for the environment. Cycling has the added benefit of being good for people's health and wellbeing.

Congratulations to all those who have collectively worked to achieve an enhanced safe cycling route along Sydney Road which will accompany the new clearway signage that is being installed. Thank you to the Minister for Roads and Ports and his staff, who on numerous occasions have met with me and my office team. Thank you to the ever-responsive VicRoads regional director, Niall Finegan, and his dedicated staff; thank you to the energetic members of Moreland Bicycle Users Group, who are always advocating for cycling in my electorate. Thank you to the extremely competent new director of city infrastructure at Moreland City Council, Nerina Dilorenzo, and her team; and thank you to the ever-vigilant Moreland councillors. They have worked collectively to achieve a safe cycling lane on Sydney Road. This safe cycling lane will accompany the installation of the new clearway signage, which is to be installed shortly. We have ended up with a better environment for both cyclists and motorists.

Maroondah Hospital: funding

Mr HODGETT (Kilsyth) — I rise to voice the concerns of my constituents about the length of time it is taking for people to be treated in hospital emergency departments, and I respectfully ask the Minister for Health to investigate this issue with a view to supporting Maroondah Hospital in my electorate of Kilsyth with additional resources.

As one example, I refer the minister to an email sent on 22 September 2009 by Ms Sheridah Wymark to him, to the Maroondah Hospital and to Nicola Roxon, the federal Minister for Health and Ageing. In the email Ms Wymark described her experience. She said her daughter had seen her local GP, who suspected she had appendicitis or an infection, directed her to attend the emergency department at Maroondah Hospital and gave her a letter addressed to the hospital. I quote from the email:

We arrived at 12 midday and saw the triage nurse with the note from the GP.

We then proceeded to wait to see a doctor whilst my child waited in pain.

After 3 hours I inquired as to how long it would be till we saw a doctor and was informed that there were four to six people in front of us.

After 5 hours of waiting I again inquired as to how long before we saw a doctor and was informed that now there were 10 to 12 people in front of us.

During this time my child's pain had worsened ...

I also witnessed other people with children as well as elderly patients walking out in disgust and others told they could have X-rays but probably would not see a doctor that night, whilst others were going home to ring for ambulances, after seeing this as the only way to get in to see a doctor.

I think you would all agree with me when I say that the staff at the Maroondah Hospital are professional, hardworking people, but more resources are needed so that children and the elderly are treated within a reasonable period of time.

As Ms Wymark says in her email:

... something needs to be done about waiting times before someone dies waiting for help.

Migrants: overseas remittances

Mr SCOTT (Preston) — I rise today to discuss the positive role that migration plays in helping development in the poorest countries of our world. Migration is often criticised on the basis that it is the result of a brain drain of people from the poorer parts of the world to the richer parts of the world. However, migration plays an important role in assisting development, particularly in terms of remittances. Studies by the World Bank have shown that remittances from migrant workers in rich countries to people in poor countries amounted last year to approximately US\$328 billion. By comparison, official aid from Organisation for Economic Cooperation and Development nations amounted to US\$120 billion — a significant difference. For example, India earned US\$52 billion from remittances, which is greater than its foreign direct investment.

Such remittances are very effective as they are not channelled through third parties such as non-government organisations and governments and they reach the working families themselves. Migrants also have the capacity to change a society by transmitting the values of democracy they often pick up in Western countries to other Third World countries that unfortunately sometimes lack those values. This does not mean that the rights, especially industrial rights, of migrants in Western countries should not be

protected, as many migrants work in dangerous situations where they are open to exploitation. It is important that migrants are treated ethically and provided with the same protection accorded to other workers under the law.

Bona Vista Primary School: centenary

Mr BLACKWOOD (Narracan) — I take this opportunity to acknowledge the centenary of Bona Vista Primary School, which was celebrated last Sunday. Bona Vista Primary School is a small rural school on the outskirts of Warragul. It has 25 students enrolled, and student numbers are set to increase to 30 in 2010. The school has an excellent reputation for providing a more personal study system, and it attracts students from the Warragul township and its fringes as well as children from the Bona Vista area. Almost 200 past students and current families gathered to make the day a huge success.

I congratulate the centenary committee, principal Cara Brasier, school council president Tim Bridson, the staff, students and all the families who assisted. I commend senior students Ryan King and Ally Van Wichen for the maturity and composure they displayed as they introduced the speakers, including special guest Len Armour. The youngest student, Tara Howe, aged six, and Jean Burns, the oldest ex-student, aged 94, assisted Linda Paulet to plant the centenary trees and bury the 2009 time capsule.

On the day I had the honour of launching a book titled *The Centenary of Bona Vista Primary School*. The book was written by Jo Dickson, a well-known local identity who has devoted an enormous amount of her life to the education of children in the Baw Baw shire. The book details the development of the Bona Vista area from 1876. It provides a history of the school from its inception in 1909 and tells the story of the families who lived and worked in the area, helped to develop the area and supported the school. The book's record of the personal memories of past students, teachers and parents ensures that these very valuable anecdotes will be enshrined in history, never to be lost.

Mentone Mordialloc Art Group: exhibition

Ms MUNT (Mordialloc) — It was my pleasure on 23 September to open the Mentone Mordialloc Art Group Artists in Classes exhibition at its gallery in Granary Lane, Mentone. I have attended many such openings held by the Mentone Mordialloc Art Group, and with my blind eye for art I have always tried to pick a winner, but without any success. This time I walked into the exhibition, carefully inspected all the wonderful

works of our local artists and was particularly drawn to a painting titled *Flinders Lane*, a fabulous oil on canvas with a view straight down Flinders Lane from the Spring Street end. I took a big punt and told the assembled group that the *Flinders Lane* painting looked fabulous. Lo and behold, we announced the honourable mentions and the third and second prizewinners, and when the time came for first prize, there it was: first prize, *Flinders Lane*. It was meant to be. Now, \$850 later, I am the proud owner of *Flinders Lane*, painted by Ringo.

The Mentone Mordialloc Art Group has been in residence at Granary Lane for many years, providing art classes and activities for our local community. The beauty of our local art is always an inspiration; it catches the scenery and spirit of our local area, as Tom Roberts once did. I congratulate members of the Mentone Mordialloc Art Group on their years of exceptional service to our community and the pleasure they have afforded to so many. I also congratulate Ringo on painting such a beautiful piece of art for my home.

The Mentone Mordialloc Art Group's home in Granary Lane now needs some work. Let us attend to it.

LAND (REVOCAION OF RESERVATIONS AND OTHER MATTERS) BILL

Second reading

Debate resumed from 17 September; motion of Mr BATCHELOR (Minister for Community Development).

Ms ASHER (Brighton) — I wish to say a few words on the Land (Revocation of Reservations and Other Matters) Bill and indicate at the outset that the opposition does not oppose this bill, although I understand there are concerns in some communities over some elements of the bill.

We see land bills from time to time. Every year they are frequent occurrences in Parliament when governments of the day choose to change their conditions of use, and on most occasions these changes are very sensible. In the bill before the house there are nine changes to Crown land arrangements. One change is to correct an error which has existed for ages; the other eight changes are to facilitate either major or minor developments that the government and other bodies wish to support.

I refer to some concerns in relation to this bill. The first is, as I indicated, that some of the major developments

supported by the government in this bill do not have universal support, although I acknowledge that universal support is a very difficult thing to obtain.

A second concern is the loss of public land. This is a general concern in the community, and indeed the Legislative Council appointed a committee to look at public land. I place on record that there is a concern about the overall loss of public land. The third and more substantial point is that we in this place have to weigh up the price of progress. Generally in my 17-year political career I have been someone who has supported progress and development providing they are reasonable, and I generally believe that the developments that are put forward in this bill are projects that will advantage Victoria, but as I said, that is not a universal view.

I will go through each project very briefly. The first project where there is an error to correct relates to the Royal Park reserve, which is a reservation of public land which has existed since the 1800s. The origin of the error, according to the bill, is as follows. The instrument and date of reservation is an order in council dated 20 November 1876. A description of the land was made in editions of the *Government Gazette* dated 20 October 1876 and 24 November 1876. Much as it tempts me to blame the government for every error, clearly not even I can blame this government for that error.

The bill indicates that an area of 2000 square metres of Melbourne Zoo land has been reserved for Royal Park reserve, and the bill will now have it reserved for the zoo. On the face of it that seems an eminently sensible change. Clearly a range of governments of all political persuasions — and indeed the minister reminds me that it has taken this government 10 years to get to it — have failed to pick this error up, but I presume the Melbourne Zoo identified it, and it is a sensible proposal to set the record straight. It will have no impact on anyone, I would think, but it is sensible.

The second major change relates to Montefiore Homes. In my previous representation in the upper house seat of Monash Province I visited these homes on many occasions. It is a Jewish community facility, and one that is supported strongly in that community. On page 16 of the bill under 'Schedules' the history of this reservation is set out. The instrument and date of reservation occurred in an order in council dated 29 September 1873, and editions of the *Government Gazette* dated 15 August 1873 and 10 October 1873 gave effect to this order in council. The second-reading speech in part refers to the odd terminology, for this modern era, of the purpose of the reservation — that is,

as a site for 'a Jewish almshouse', which is antiquated language to say the least. The bill will revoke this reservation, and that is strongly supported by Jewish Care. The explanation is that Jewish Care is the operator of the Montefiore Homes, and it wishes to purchase the land for redevelopment purposes. The government is clearly going to facilitate that, and as I say, this is strongly supported by the Jewish community. At the moment the land is used for aged care and community services. I indicated that I have visited that facility on many occasions. The government will ensure that the land is used in future — and the bill specifies this clearly — for aged care and community services. This is what we call progress, and I think it is a very good outcome.

The third change effected in the bill is one relating to the Altona Memorial Park cemetery. Again I refer to page 16 of the bill which sets out the history. The instrument and date of reservation is an order in council dated 18 April 1950, which was set out in editions of the *Government Gazette* dated 22 March 1950 and 26 April 1950. The purpose of the reservation was as a site for a cemetery. The government has indicated in the briefing made available to the opposition and in the second-reading speech that the government now wishes this land to be used for a road project. There is a very clear explanation in the second-reading speech which relates to a roundabout, roadworks and so on, and the bill, in legal terms, transfers this land to VicRoads. Again I am unaware of any opposition to this proposal, and hearkening back to my earlier comments regarding the interests of progress and amenity, and being a modern society, this appears to be a very sensible amendment.

The fourth change is a change effected to the J. R. Parsons Reserve in Sunshine. At page 17 of the bill the history of this is set out in the schedule to the bill. The instrument of reservation is an order in council dated 6 November 1963. I was alive in 1963, which is the first of these dates of reservation on which I was actually alive. Editions of the *Government Gazette* dated 9 October 1963 and 13 November 1963 set this out. The original purpose of the reservation was as a site for public recreation. The government has made it very clear in the second-reading speech that it wishes this tract of land for works in relation to an improved bus lane, that a small part of this reserve is required for bus route 903 and that the land will go to VicRoads. I am unaware of opposition to this amendment, and it would seem a very sensible move to support progress and public transport.

The fifth piece of land this bill looks at is the Kananook Creek reserve. The instrument of reservation is an order

in council dated 23 May 1881, and the issues of the *Government Gazette* giving effect to this were dated 25 February 1881 and 27 May 1881. The reservation was a site for public purposes. I have to say I am far more familiar with this land, given I grew up in this general area, than I am with some of the other pieces of land. This bill proposes an exchange of land for private land from the Seaford Beach caravan park. The land is used by the caravan park now anyway, so there is no change to the current usage. We are advised that the government will acquire the new site for a public car park for Seaford Beach and Kananook Creek. Again, on the face of it, these seem to be very sensible changes to the use of public land.

I now move on to the sixth change that would be effected by this bill, and that is the Yarra Bend Park. The instrument of reservation here is an order in council dated 26 March 1935, and the government gazettes that describe this land are dated 6 February 1935 and 3 April 1935. This is a particularly unusual park. I have visited this park but not frequently; I could not claim familiarity with it. It has its own legislation, the Kew and Heidelberg Lands Act, and currently the Yarra Bend Park Trust manages the park. The bill provides for the transfer of the management of this land to Parks Victoria, and we are advised by the department that the trust supports this. We are also advised via a claim in the second-reading speech that this will give the park access to the resources of Parks Victoria. Clearly, we on this side of the house will monitor whether this access to resources eventuates or whether this is yet another pitch by the government to justify something rather than to apply the resources it claimed it would.

The seventh project relates to the Caulfield Racecourse. This is a very large project, and it is here that we see the most opposition to this particular bill. The history of this reservation starts with an order in council dated 30 January 1884, and the description of the land was made clear in the issues of the *Government Gazette* dated 4 January 1884 and 8 February 1884. The reservation was, unsurprisingly, used as a site for racing, recreation and public park purposes. Again, I have to say I have some familiarity with this site. It is part of my previous electorate and part of a leisure activity I undertake from time to time.

An honourable member interjected.

Ms ASHER — I outlay very little: I go for sure-fire things!

The Melbourne Racing Club wishes to embark on what is called the Phoenix precinct, a very substantial project

including retail, housing and a multistorey building. The bill provides for the transfer of one site, which is currently a car park, to the Melbourne Racing Club in exchange for two parcels of land from the club, one of which will be a public park reserve. At schedules 6 and 7 of the bill, on pages 24 and 25 — and do not jump on me, because I know there is more to come — one can see the disparity in the area of the land for exchange. At schedule 6, headed ‘Caulfield Racecourse’, it states that the land in relation to which reservation is to be revoked is 5865 square metres, and at schedule 7 we see that the land that will be gained as part of this deal is 954 square metres. The obvious point to make is that there will be less land as a consequence of this deal. However, I am in possession of a letter from the Melbourne Racing Club which indicates that it will set aside 4000 square metres of land to create a new road network as part of this development. Again, I would call on the minister in summing up to confirm that that is the case.

As I said, of all the projects, this is probably the most controversial. On page 131 of its final report the Legislative Council Select Committee on Public Land Development noted in relation to the Caulfield Racecourse development:

Community and local council concern over this issue has been heightened as a result of a proposal by the Melbourne Racing Club (MRC) to upgrade the reserve and to develop adjacent freehold and Crown land.

However, it is very clear that the Melbourne Racing Club strongly supports this development. As I said, I am in possession of a letter from the Melbourne Racing Club indicating its very strong support for this development.

The eighth project relates to the home ground of the old Footscray Football Club, now the home ground of the Western Bulldogs, the Western Oval. I remember travelling to that ground as a very young woman. Some of my most horrific memories as an Essendon supporter were at the Western Oval, often in the rain. In those days — of course, we were very young teenagers — there were tin cans, not aluminium ones. If you put four tin cans under a platform shoe, you could stand on them to give yourself an extra 6 inches to see the match — which, if you were my height and 13 or 14 years of age, was required. I learnt to stand on tin cans at the Western Oval and at other grounds.

I see there is a development proposal of very significant proportions for the oval. I refer to page 19 of the bill, which is part of schedule 1 and which clearly indicates the instrument of reservation as the Footscray (Recreation Ground) Lands Act 1968 and the purpose

of the site as recreation. What is proposed is a significant, \$30 million redevelopment involving sports and community facilities and housing. Obviously there will be a lot more money than that if there is to be housing. The proposal is to also have a Victoria University learning centre to teach sports psychology, sports administration and other subjects.

The bill requires the land to be reserved for recreation, social and community services purposes, and in effect this measure will allow this very substantial development. The development has been supported at federal, state and local government level, and obviously that is part of the thinking by the Liberal-Nationals in coalition in not opposing this bill. It will be quite a substantial change at the Western Oval, and clearly if the government wishes to realise the vision represented in much of the propaganda about this, significant additional funds will be required.

The final land change is that to Kardinia Park, Geelong’s home ground. Again, if we are talking about unpleasant memories of an Essendon supporter, I have many unpleasant memories of Kardinia Park in the rain. At least there was some seating in the first couple of rows, which if you got there early enough you could get. However, it was a very long trip back when one’s team lost, which was regularly. I am very pleased that Geelong-Essendon matches are now played in the civilised surroundings of the MCG on an annual basis, so at least if my team loses, it is not so far to go home.

The Greater Geelong City Council has proposed a \$56 million redevelopment of this ground, and there has been significant discussion of this redevelopment for some time. This bill deals with the disparity between duration of leases and licences. Currently leases can be given to football clubs for up to 40 years, and licences can only be given up to 21 years. The reason this occurs is that the granting of the leases and that of licences are governed by two different bills. The leases come under the Geelong (Kardinia Park Land) Act, and the licences come under the Crown Land (Reserves) Act. The bill will allow the licences to be given for up to 40 years to allow licences and leases to be of the same duration, which will clearly help Geelong Football Club. As I have a very close relationship with the Leader of the Opposition, I can indicate to the house I strongly support anything that assists the Geelong Football Club. On the face of it this is a very sensible amendment and one that is related, as I said earlier, to progress and moving with the times.

With that discussion, I again indicate that the opposition does not oppose the bill before the house. We see bills such as this on multiple occasions in sitting

sessions, and on balance — notwithstanding some objections to the Caulfield proposal — these changes are sensible. That is why the opposition will not oppose the bill.

Mr CRUTCHFIELD (South Barwon) — I rise to speak on the Land (Revocation of Reservations and Other Matters) Bill 2009. The previous speaker is correct; it is a regular occurrence that these types of bills come before the house. They are often required to support government or community projects, as are the seven-odd components of this legislation. I will go through them very briefly. Although my view is that they are far from contentious, I understand that some local members will want to talk about elements of this bill in respect of their own electorates, so I will be reasonably brief.

Firstly, I refer to Montefiore Homes Community Residence, which has been used by Jewish Care (Victoria) to provide an aged-care service for nearly 160 years. The revocation will allow the government to sell the site to Jewish Care for a redevelopment and upgrade of the aged-care facility. Importantly the bill applies a restricted Crown grant, which ensures that the site will continue to be used for aged-care and community purposes. Port Phillip council supports that particular development in St Kilda.

The Altona Memorial Park Cemetery measure will enable VicRoads to construct a roundabout at the corner of Dohertys Road and Gordon Luck Avenue, which will allow large vehicles to access the large retail outlets there and will also allow VicRoads to carry out a small upgrade to the intersection of Dohertys Road and Grieve Parade. Hobsons Bay Council has raised no issues I am aware of in respect of that development.

The measure affecting the J. R. Parsons Reserve in Sunshine will enable VicRoads to construct a bus priority lane at the intersection of Wright Street, Market Road and Sunshine Road. That bus lane will form a critical part of the Red Orbital SmartBus route, which has proved to be so successful. It runs between Altona and your electorate of Mordialloc, Acting Speaker. As I understand it, Brimbank City Council has also indicated that there are no issues in respect of that development.

The Yarra Bend Park reserve measure transfers responsibility of the management of the park from the trust to Parks Victoria. Importantly, the three local councils that have responsibility around that area — Yarra, Boroondara and Darebin — support that occurring. They understand that they will have representation on the steering committee, which will allow for input into the overall management of the

Yarra Bend Park, so they have no objections in respect of that.

The Caulfield Racecourse has been mentioned. It is important that this bill facilitates what is called the Phoenix precinct development at Caulfield that has been undertaken by the Melbourne Racing Club. It consists of new retail outlets, mixed businesses and housing in the area. The member for Brighton has articulated support for that in some respects.

Importantly, the Glen Eira council supports most of this measure. It certainly says it supports the Phoenix precinct development, although it is true it has raised some concerns regarding the proposed new reserve. The government has indicated that the site will provide increased open space and has given assurances on the design of it. I do not know about the veracity of the claims, but some issues have been raised about crime prevention principles in terms of building design and recreational design not being incorporated. Certainly the government is determined to ensure that appropriate crime prevention principles are incorporated into the design of the new park and that the development approvals process will be subject to community consultation processes.

Revocation of the Kananook Creek reserve will allow the Seaford Beach caravan park — again, I think that is down your way, Acting Speaker — to purchase a parcel of Crown land which has been used as part of the park for many years in exchange for a block of land which the local council will use for a much-needed car park for visitors to Seaford Beach and the Kananook Creek reserve. My understanding is the Frankston council is very supportive of that as well.

The Royal Park reserve was mentioned. The bill provides for a correction to the reservation — about 2000 square metres beyond the western boundary of the Melbourne Zoo, which encroaches onto the adjacent Royal Park reserve. There will be no physical loss of land from Royal Park as a result of it. The change is needed, in my understanding, to ensure that CitiPower has access to an electrical substation there.

Then there is Kardinia Park — our beloved Kardinia Park! — I do not wish to dwell on that too long other than to say that this is the last week I will wear this tie; I think Geelong supporters do need to move on — —

Mr Holding interjected.

Mr CRUTCHFIELD — For this year. Thank you, Minister, for the correction. Kardinia Oval reserve is the home of the Geelong Football Club but importantly it is also home to a number of other users there — the

Geelong Football Umpires League, which I am a member of; the Geelong Cricket Club; St Mary's Football Club — I have been umpiring the St Mary's under-18s, the kids, although the colour orange does not suit me. As I said, the Geelong Cricket Club is also a tenant there. I played on that oval when playing against St Mary's Football Club. There is a senior citizens club there; there is a swimming pool used by swimming clubs; there are also netball courts for the netball clubs; and Leisure Networks is a tenant of Kardinia Park. This bill allows the City of Greater Geelong to grant licences longer than 21 years. It gives some comfort not only to the Geelong Football Club but also to other tenants there as the development of that critical social and economic driver, the Geelong Football Club, continues to be managed.

The revocation of the reservation over Western Oval is the last one I want to touch on. It will enable a \$30 million development of Western Oval to be undertaken by all levels of government and, importantly, will provide and is already providing the football club with improved sporting, social and community facilities down there, at the home of the Bulldogs, and will include the establishment of the Victoria University Learning Centre.

I note there was some commentary on the Minister for Planning's decision to resume planning responsibility. It was a very welcome one. Certainly the key movers down at Whitten Oval are very excited about the minister doing that, and I think all members would support that principle. It is a state and regionally significant development there. The minister will now consider further planning approvals for the site, and despite some commentary, there will be opportunities for consultation and public comment on that. With those brief remarks, I commend the bill to the house.

Mr WELLER (Rodney) — It is with great pleasure that I rise to speak on the Land (Revocation of Reservations and Other Matters) Bill 2009. From the outset I indicate that we in the coalition are not opposing the bill, as the member for Brighton has quite rightly pointed out.

The main purposes of the bill are to revoke certain permanent reservations and restricted Crown grants, to repeal the Kew and Heidelberg Lands Act 1933 and the Kew and Heidelberg Lands Act 1958 and to dissolve the Yarra Bend Park Trust. It also amends the Geelong (Kardinia Park) Land Act 1950, repeals the Footscray (Recreation Ground) Lands Act 1968 and the Footscray (Western Oval Reserve) Lands Act 1981, and reserves certain land temporarily.

The main provisions of the bill revoke the reservation of specific land at Montefiore Homes Community Residence, as previous speakers have said. This is a common-sense thing to do, so that the Jewish community can redevelop and have ongoing and improved care there. The revocation of the reservation over the Altona Memorial Park Cemetery is to enable VicRoads to construct a roundabout at the intersection of Dohertys Road and Gordon Luck Avenue as part of the Dohertys Road duplication. With progress there is a need to have good traffic movement, and obviously we support this measure.

Clause 5 of the bill also revokes the reservation over the J. R. Parsons Reserve at Wright Street, Sunshine, to enable VicRoads to construct a new bus lane as part of the new Red Orbital SmartBus route which runs between Altona and Mordialloc. Bus travel is a cheap form of transport, and it is obvious that we support making more public transport available so that people can access it right across Melbourne.

Clause 6 of the bill revokes the permanent reservation as a site for public purposes of land occupied by the Kananook Creek reserve in Seaford to enable the government to exchange a parcel of permanently reserved Crown land near Kananook Creek, at Seaford, for a parcel of private land with the Seaford Beach caravan park. We all accept that we need to create facilities so people can use them.

Part 3 of the bill relates to the revocation of the Crown grant of Yarra Park, and provides that Parks Victoria will be the committee of management of the park. I note that in the second-reading speech the minister refers to an amount of \$2 million over four years. The size of Yarra Bend Park is very small compared to the red gum parks that are being proposed in northern Victoria. All that we are being offered for the management of the red gum parks in northern Victoria, which cover many thousands of acres, is \$38 million over four years. When compared with the Yarra Bend Park per hectare rate it shows that there is no equity, and there should be equity when funding land managed by Parks Victoria. Indeed we should review the funding of the river red gum parks and increase the amount of funding for them.

The previous speaker referred to a reservation over Crown land in Caulfield which will be revoked so that retail and housing developments can proceed. People in my electorate wish we could have the same in Undera. I wrote to the Department of Sustainability and Environment (DSE) on behalf of people in the Undera community about a section of the Undera Recreation Reserve which has not been used for some 50 years.

The community of Undera has decided that the land will not be used into the foreseeable future; in fact there is plenty of room for new developments. The Undera community quite rightly planned to subdivide part of the recreation reserve for a housing development, which would be sustainable growth in that community. This occurred some 12 months ago, so I cannot understand why DSE has not brought it forward to the government. I put it forward to DSE, and I cannot understand why it was not included in this bill.

Mr Lupton — I thought you were supporting this bill.

Mr WELLER — I am supporting the bill. I just thought there may have been a little bit more that we could have got into it to make it a very supportable bill.

Part 6 of the bill revokes the current permanent reservation of the Western Oval. Once again we are talking about affordable housing, so why cannot we have the subdivision in Undera where the local community is calling out for extra housing blocks? We want to have the Crown land sold off and the community is saying, 'Let's do it'. There is support from the City of Greater Shepparton, so why is it not here on this list?

The member for South Barwon mentioned Kardinia Park oval and ran through a list of organisations which use that park. He spoke about Geelong winning its premiership this year and about the granting of licences for 40 years rather than 21 years. I am only 50 years old, but in that 50 years there was indeed a stretch of about 44 years when Geelong did not win a premiership, so granting a licence for 40 years does not mean that Geelong will necessarily win a premiership in that time. While I think it is sensible to grant 40-year licences, such a move will not guarantee Geelong another premiership.

I have already spoken about the Western Oval. These sorts of bills are common sense in the main and concern practical matters. However, I question why the annexing of part of the Undera Recreation Reserve was not included so that people in the Undera community could have their wish and have a further subdivision for further housing in Undera.

Mr LUPTON (Prahran) — I am delighted to make some comments tonight in support of the Land (Revocation of Reservations and Other Matters) Bill. In particular I will address most of my remarks to the aspect of the bill dealing with the Montefiore Homes Community Residence in St Kilda Road in my electorate, an aged-care facility managed by Jewish

Care. In some preliminary comments I will deal with the general matters that this bill relates to and then come back and spend most of my contribution dealing with matters relating to Jewish Care.

The bill deals with nine different parcels of land and revokes permanent reservations and Crown grants made under the Crown Land (Reserves) Act which can only be removed by legislation, and in other cases removes or amends legislation and changes the management and leasing arrangements for Crown land sites. The government believes it is important that Crown land and reserves are managed in an appropriate manner and in the public interest. We need to make sure that those areas of land that are utilised as open space or as some form of public recreation and public are managed appropriately and in the best interests of the community. Although by its title this legislation is somewhat obscure, it deals with nine parcels of land in which the communities in which those parcels of land are situated have a vital interest. I will address most of my remarks to the land in my electorate that is managed by Jewish Care in relation to Montefiore Homes Community Residence.

Jewish Care is a wonderful community service organisation that was, interestingly enough, only established in 2001. We sometimes lose sight of the fact that such organisations have not been around in their current form for all that long, because we are dealing with them on a daily or weekly basis. These days we assume that Jewish Care has been with us for a long time, but in its current form it only came into operation in 2001. Of course it is the modern descendant, if you like, of longstanding Jewish community welfare organisations. Jewish Care was the outcome of the merger of Jewish Community Services and the former Montefiore Homes for the Aged in 2001. It was this Parliament that passed legislation which established Jewish Care in its current form.

I want to take this opportunity to commend all the people involved in the operations at Jewish Care, particularly Bruce Salvin, the chief executive officer, and Robyne Schwarz, the president. They do an absolutely marvellous job. In my duties as the member for Prahran I have found that Jewish Care is involved in many operations in my local community, both for aged care and disability services. The people at Jewish Care do a wonderful job, and the government is often involved in programs that Jewish Care runs. I was only recently down at a new disability house which Jewish Care has opened in my community. I was accompanied by the Minister for Community Services. Our government had provided some financial support to Jewish Care for the establishment of that disability

home, which enables a number of people with disabilities in the Jewish community to live in their own premises. It is a wonderful program. Those people are independent, enjoying life and are in a position where they are able to be supported in employment. It is an absolute credit to the community that those developments are taking place.

Jewish Care and its former iterations, Jewish Community Services and Montefiore Homes for the Aged, has been providing these wonderful services to the Jewish community of Melbourne for over 150 years. Montefiore homes is named after one of the great British philanthropists of the 19th century, Moses Montefiore, who was involved in assisting Jewish people around the world who were distressed, oppressed or in other difficulty. His legacy lives on in the Montefiore Homes for the Aged here in Melbourne, and the name Montefiore is associated with Jewish community services of one sort or another in many countries of the world.

Any of us who have been to Jerusalem will know the Montefiore windmill in Yemin Moshe is a great landmark on the Jerusalem skyline. It was named after Moses Montefiore and was built in the late 19th century in the first Jewish neighbourhood outside the walls of the old city of Jerusalem. It is a lasting testament to the inspiration that Moses Montefiore gave as a philanthropist, and that spirit lives on in Jewish Care.

This bill will enable the government to sell the land that Montefiore Homes for the Aged in St Kilda is located on to Jewish Care so that Jewish Care can redevelop and modernise the site and make sure that it is able to provide the quality of accommodation and service to the community that it wishes to provide, and the government is behind that endeavour.

Currently the government cannot sell the land on which the buildings are located because it is permanently reserved under the Crown Lands (Reserves) Act under an outdated Crown grant restricting the land for use to a 'Jewish Alms House and Asylum for Jews who have been reduced to poverty'. That is very old and outdated language coming from an order in council dated 29 September 1873.

In-principle support for Jewish Care's purchase of the site was provided by the Premier in April this year subject to the site continuing to be used for aged care and community purposes. The bill will allow the government to sell the site to Jewish Care for redevelopment and will provide improved aged-care facilities for residents of the home.

The way in which that will happen is the sale of the site will enable Jewish Care to raise sufficient capital for redevelopment. It is unlikely that Jewish Care could raise the level of capital required for redevelopment of the site without holding title to the land. Negotiations are still going on between the government and Jewish Care in relation to the precise nature of the sale that is being discussed. If the bill is passed by the Parliament, as I trust it will be, it will not come into operation until 1 July 2010, unless it is proclaimed earlier, and that will enable the government and Jewish Care to continue negotiations in order to make sure that there is clarification and agreement about the nature of the sale. Those discussions will continue and I am sure will result in a mutually agreeable outcome.

The way in which Jewish Care will be able to continue the wonderful level of service that it provides to the Jewish community will be enhanced by the passage of this bill. The government stands firmly with Jewish Care in its work in the Jewish community to enable the best and highest quality services to be provided to members of the Jewish community. We work together extremely well, and the relationship between us is a very strong one. The legislation will be beneficial to Jewish Care and the Jewish community of Melbourne more broadly. As a consequence I highly commend this legislation to the house.

Mr MORRIS (Mornington) — Management and occupancy arrangements, and the appropriate use of public land have been significant subjects in the history of this house in many debates over the more than a century and a half it has been in existence, and the Land (Revocation of Reservations and Other Matters) Bill 2009 continues that tradition of parliamentary oversight of the application of public land. The bill proposes changes to more than nine separate parcels, but they are in nine particular locations and the circumstances of each are different. The changes proposed vary in some ways, and some are more controversial than others.

While clause 1 of the bill outlines the purposes in a practical sense in terms of amendments to the principal legislation, the second-reading speech outlines the purposes more effectively from an outcomes perspective. It points to a more accurate recording of the Crown portfolio to improve management of the sites. It allows the government to dispose of surplus land, to engage in land exchange and to facilitate projects and developments. The first two are essentially management issues. Anything that improves the management of the Crown portfolio is to be supported, so I have no argument with that. The last point, the facilitator of projects and developments, depends very much on the particular project. Some projects will be

good on public land, some projects will be bad, but no project will be bad simply because it is being built on Crown land. It is very much a matter of assessing each development on its merits.

I have some concerns with the third point I mentioned, which is the ability to allow the government to dispose of surplus land, not in the specific sense of this bill but in the general sense that it has almost become essential to keep reviewing the portfolio and to dispose of what is considered to be surplus land. I suggest the term is a misnomer. As a man said of land a very long time ago, 'They ain't making any more of it'. We do not always take that into account in making decisions on these things.

Before I go any further, given that Kardinia Park is a subject of the bill, I need to make a declaration. As a member of the Geelong Football Club and social club, as is my wife, Linda, we obviously have an interest in that development. Fortunately the proposal for Kardinia Park is not a revocation of a reservation; it will simply make changes to achieve consistency in the use of the land and will allow the City of Greater Geelong, as manager of the reserve, to plan for a longer period of time. Part 7 of the bill certainly supports that. It is a very different approach to that taken with the Caulfield Racecourse reserve and Western Oval reserve in that it clearly has the support of the local government.

Of the remaining parcels of land, the Yarra Bend Park reserve proposal to move management of the reserve from the Yarra Bend Park Trust to Parks Victoria is a management issue, and I do not have any argument with that. The two roadworks reservation changes, the J. R. Parsons Reserve in Sunshine and the Altona Memorial Park cemetery arrangements, involve two relatively small parcels of land, 943 square metres and a tad under 50 square metres, and once again I have no problems with that. The proposal for 619 St Kilda Road — —

The ACTING SPEAKER (Mr Nardella) — Order! The time has come for me to interrupt the proceedings of the house. The honourable member for Mornington will have the call when this bill comes back before the house.

Business interrupted pursuant to standing orders.

ADJOURNMENT

The ACTING SPEAKER (Mr Nardella) — Order! The question is:

That the house do now adjourn.

Colac: pharmacy services

Mr MULDER (Polwarth) — The matter I wish to raise is for the Minister for Health and concerns the provision of a third pharmacy licence for Colac. I ask that the minister write to the federal Minister for Health and Ageing indicating his support for the request by the people of Colac and district that a third pharmacy be located in the town with approval to supply pharmaceutical benefits.

Some two years ago a number of my constituents raised their concerns in relation to the lack of competition, the service standards and the prolonged waiting periods associated with the two pharmacies located in Colac, both of which are run under the same ownership. At the time the matter was raised with the Pharmacy Board of Victoria, and it was assumed the situation would improve. Far from improving, the situation worsened to the point that Colac residents have been driving to Birregurra, Winchelsea and as far as Geelong, which is approximately 75 kilometres from Colac, to fill their prescriptions.

In May this year residents felt so strongly about the situation that a petition was circulated requesting that a third pharmacy be provided in the town. This petition drew 4479 signatures, which is approximately one-third of Colac residents; a telling indictment of the current situation. Residents indicated to me that they believed the need for a third pharmacy was a greater issue than petrol prices in a town in which this debate has dominated over a number of years. This petition was presented to the federal Parliament by Senator Michael Ronaldson on 8 September this year.

Pharmacies are an integral part of the overall health system in Victoria. Customers have a right to expect an appropriate level of service, not to be pressured into taking alternative medications and not, as has been the case in the past, to be subjected to prolonged delays in receiving their medications. In situations such as this it would be usual for customers to take their business to another pharmacist. However, for the people of Colac this is not an option, as the alternative pharmacy operates in the same manner.

I believe a solid case has been made for a third pharmacy to operate in the town and that it is evident that the people of Colac are being discriminated against when it comes to service, price and competition. A number of people have indicated their interest in providing a competitive service and intend to submit applications to the federal government. I trust that when the approval process is finalised it will be with the support of the state Minister for Health. It is important

that the state government supports the situation. The current situation should not be allowed to continue. It is vital that this important link in the delivery of Colac's health service operates in an appropriate manner and that the people benefit from a truly competitive environment.

The petition in relation to pharmacies in Colac was put together by a number of elderly residents in the town, two of whom ended up in hospital as a result of the effort they put in to gather these signatures. They brought the petition to my office; they are dedicated and desperate to do something for the community they live in. We have an elderly community. They need the support and I need the support of the health minister on this issue, and I call on him to contact the federal member and support this application.

Cranbourne Integrated Care Centre: funding

Mr PERERA (Cranbourne) — I also raise a matter for the attention of the Minister for Health. I ask the minister to take action to ensure that the Brumby government supports health services in Cranbourne with appropriate maintenance and infrastructure works.

The Cranbourne Integrated Care Centre provides both acute and non-acute services, including allied health and rehabilitation services, community health and support services, child and adolescent health services, crisis support services, child and adult dental services, services from the Royal District Nursing Service, specialist consulting, day medical services and adult and aged mental health services. Cranbourne Integrated Care Centre is a vital health service for south-east Melbourne. The services are linked with other Southern Health services at Casey Hospital, Monash Medical Centre and Dandenong Hospital.

In the 2007–08 budget the Brumby government committed \$80 million over four years for the statewide infrastructure renewal program. The infrastructure renewal program supports the replacement and upgrade of critical engineering infrastructure such as boilers, chillers, electrical systems, lifts, lighting, water tanks and air conditioning. The program ensures that more of the record recurrent funding provided by this government to our health services can be used to treat additional patients rather than for maintenance works.

The infrastructure program is in addition to the record \$5.5 billion invested since 1999 across Victoria in the largest capital works program in our state's history. As part of this commitment I ask the Minister for Health to take action to ensure that funding is provided from the statewide infrastructure renewal program for the

upgrade of public health services in Cranbourne so they can continue to provide quality health services to residents in my electorate.

The ACTING SPEAKER (Mr Nardella) — Order! Before I call the member for Lowan, I make it clear to members of the house that when they raise adjournment matters they need to ask the minister for a clear action rather than just seek support for something. The member for Cranbourne needs to ask for a clear action next time.

Dunkeld Arboretum: management

Mr DELAHUNTY (Lowan) — I raise a matter for the attention of the Minister for Environment and Climate Change and request the Minister for Sport, Recreation and Youth Affairs at the table to bring the item to his attention. The action I request on behalf of the Dunkeld community is that the minister have his staff from the Department of Sustainability and Environment (DSE) meet face to face with the Dunkeld Arboretum Development Group and discuss management of the arboretum.

This is Fire Action Week, and people are taking actions to minimise fire risk to their properties. Community groups are also doing voluntary work on community land and preparing for potential fires. So it disturbed me greatly to receive a letter from John Prust of Dunkeld and an accompanying letter from the DSE regarding the Dunkeld arboretum. The Dunkeld Arboretum Development Group leases 30 acres in the township of Dunkeld. The lease is managed by the Dunkeld public lands committee from DSE. I believe it also manages the camping ground and the swimming pool. The group consists of about 18 local people. They have working bees and have established attractive bridges and a sealed walking path. They have also kept the area neatly mown. It is recognised that Dunkeld is an attractive tourist attraction: the southern entry to the famous Grampians.

Dunkeld has been identified by the government as a fire-prone town, so 30 acres of fire hazard is a major concern both to me and to the community of Dunkeld. Volunteers are the backbone of our country communities, and the threatening letter the group has received disappoints me greatly and shows a distinct lack of understanding and regard for these important people. I wish to quote from John's letter to me. It states:

As a volunteer in many areas over my lifetime, I am concerned when one receives a letter such as the one attached.

While the content of the letter indicates what is now law, the tone of the letter implies a deep threat to all those who are generous enough to give time and effort to community works on Crown land.

His letter informs me that the president has ordered a 'no mow, no work' to members for their protection. The group wants clarification of what are considered native grasslands. John's letter also states:

Funds and mapping may take 12 months.

I now wish to quote from the letter from the Department of Sustainability and Environment. Under the heading 'Potential penalties' it states:

Many offences under the —

two acts that are listed in the letter —

are 'strict liability' offences where ignorance of the law will not protect a defendant against conviction. A recent prosecution of V/Line for destroying 38 critically endangered ... plants resulted in a fine of \$188 000. The Dunkeld Arboretum Development Group Inc. is subject to the same laws and similar penalties.

And it goes on. It is a very threatening letter. I call on the minister to bring these two groups together. At the end of the day we have to work together for the benefit of our communities.

Electricity: smart meters

Ms KAIROUZ (Kororoit) — I wish to raise a matter for the Minister for Energy and Resources. I call on the minister to take urgent action to ensure that Victorian families, particularly those on low incomes, are not hit with severe price increases on their energy bills with the government's rollout of smart meters. Over the past few months I have read a number of articles, including one in the *Sunday Age* of 23 August and another in the *Herald Sun* of the next day, that highlight the fact that smart meters will cost an average family an extra \$263 a year.

All members of this place are acutely aware that while Victoria is riding the wave, the current global financial crisis is taking its toll on families in electorates right across the state and particularly in my electorate of Kororoit. As a government we need to act responsibly to ensure that Victorian families can ride out this wave of financial uncertainty and not drown in more and more debt which would put them under increased and unwanted financial stress.

The rollout of the new smart meters has started in my electorate. I call on the minister to take action to ensure that Victorian families, particularly those on low incomes, are not hit with severe price increases on their

energy bills with the government's rollout of smart meters.

Bushfires: community preparedness

Mr R. SMITH (Warrandyte) — I rise with a request for the Minister for Police and Emergency Services. I ask him to organise a public meeting with the residents of the township of Warrandyte in order for him to fully explain the steps that the state government is putting in place to mitigate the dangers associated with the upcoming fire season.

On 8 October I was part of a panel at a public meeting called by the Warrandyte Community Association to discuss the issue of the threat of bushfires in the area. I was joined on that panel by a member for Northern Metropolitan Region in the other place, Mr Greg Barber, and the member for Yan Yean. Like other bushfire meetings that have been held in Warrandyte over the past six months, this meeting was very well attended. Around 180 residents came to the meeting. They are residents who are acutely aware of the dangers the bushfire season brings to our community and who are understandably keen to know what measures are in place in terms of refuges, the manner in which information about fires is going to be conveyed, whether the emergency service communication problems have been dealt with and a whole range of issues that have the potential to directly affect these people's lives in the coming months.

I am disappointed to say that having spoken with a number of residents after the meeting I am aware that members of the Warrandyte community walked away feeling that their many questions had gone unanswered. This is despite the fact that the member for Yan Yean, a government member and Parliamentary Secretary for Emergency Services, was in attendance. People I spoke to were frustrated that their questions were avoided or answered with a lack of detail. In one instance someone was told by the member for Yan Yean that they would receive a text message via a landline, an error which the member attempted to explain away by saying she was not across the technical detail.

It is increasingly starting to appear that despite all the media announcements and photo opportunities the Brumby government is painfully short on detail and is leaving communities dangerously unprepared for the fire season. This situation is highlighted by the fact that the Brumby government was even unable to have its fire-ready survival kits available for its Fire Action Week, which started yesterday. This publication was intended to go to every resident in the 52 towns identified as being at risk, but government red tape has

been a barrier to the Country Fire Authority actually releasing it.

Residents of Warrandyte want answers to their questions, and if the local member representing North Warrandyte, who is the Parliamentary Secretary for Emergency Services no less, cannot give them those answers then the minister has a responsibility to ensure that my community's issues and concerns are listened to and addressed.

Planning: Edgars Creek parkland

Ms CAMPBELL (Pascoe Vale) — I raise a matter for the Minister for Planning. The action I seek is for him to respond positively to my call to establish a task force to investigate the impact of residential developments around the Edgars Creek and Merri Creek confluence and to identify opportunities to improve community amenity. The aim of the task force should be to ensure that public open space and bike path facilities are considered in the context of urban development, particularly increased urban development. This task force needs to be established in a timely fashion, and I suggest its first meeting be held in the first week of November and that ideally it be held in my electorate office.

For over three years I have met and worked with an amazing group of people, including community-minded individuals, the vibrant Friends of Edgars Creek, an array of dedicated Moreland council staff and of course the ever-focused Moreland council. Collectively they are driven by our need to retain in perpetuity the current open space affectionately known locally as Edgars Creek parklands. While Melbourne's population has increased, the residential intensity around these parklands has increased through housing on the Pentridge site and projected residential increases around the Coburg 2020 precinct on the corner of Bell Street and Sydney Road, the old Coburg High School site and the old Kodak site. I thank the Minister for Planning and his staff for taking time to personally inspect the land in question with me and to learn of the need for this space to remain as public open space. Present and future locals who live around this valuable open space need the land for recreation, they need it for personal space and they need it to ensure that the residential amenity of Victoria and Moreland in particular is enhanced.

Earlier I outlined the array of dedicated people who have been working in this area over the last three years, and I think we are at a point where we are ready to bring this to some kind of conclusion. In my view it is important that the minister set up this task force in a

timely fashion and that it be representative of interested parties.

Wild dogs: control

Mr INGRAM (Gippsland East) — I raise a matter for the attention of the Minister for Agriculture. The action I seek is for the government to increase the resources and substantially increase the efforts to deal with the wild dog problem within my electorate. Wild dogs are a major problem for agricultural producers right across our region, including the devastation they cause by mauling sheep and even young cows. The financial loss alone for many local farmers is quite devastating, particularly when we get large numbers of wild dogs. The dogs are becoming increasingly large and hybridised. They are getting into flocks and doing an enormous amount of damage.

As I said, the action I seek is a substantial increase in resources. We need to make sure the government maintains the current levels of control, including filling the dogger positions when they fall vacant. We also need to make sure there are resources available when doggers go on leave because they have to lift the traps, and it means there is a large gap when areas are not covered by the doggers. We need to introduce aerial baiting across the alpine areas where the dogs are breeding in large numbers in the national parks. We need to vary the baiting and other control measures so that wild dogs do not establish avoidance behaviour. Wild dogs are fairly skilled at avoiding traps and other things.

We need to make sure that a range of different measures are available to deal with the problem, including making sure funding is available to assist farmers to close the gaps in the existing wild dog fences. We need to make sure that there is an increasing number of doggers and that there is skillsharing to ensure that the skills are not lost.

We need to make sure that dog trappers have administration assistants so that during their time in the field they are able to deliver on-ground actions without being hampered by having to complete excessive paperwork. We also need to review and provide initial support for the wild dog management committees to make sure they are listened to and are really representing and involved with local communities.

For farmers right across my electorate the problem of wild dogs has always been one of the biggest issues. Farmers suffer enormous emotional damage when they see their prize stock ripped apart and destroyed by packs of wild dogs.

Geelong: hoon drivers

Mr TREZISE (Geelong) — I raise an issue in tonight's adjournment debate for the Minister for Police and Emergency Services. The issue I raise for action by the minister relates to hoon driving and antisocial behaviour at Eastern Beach in my electorate, especially over the summer period.

For the information of the house, Eastern Beach over summer is heavily populated by families, especially young families, enjoying the surrounds of the beach, but also in the past it has been heavily frequented by what I would describe as hoon drivers, especially young hoon drivers and their mates. Obviously young families enjoying the beach mixed with young drivers is a recipe for disaster.

The action I seek is for the minister to recognise the problem and ensure local police take appropriate and effective action to ensure hoon drivers do not pose a social problem or more importantly a safety threat to visitors and residents of Eastern Beach over this coming summer.

In raising this issue, I have to note that in recent years police in partnership with other organisations, such as the City of Greater Geelong, which also needs to be congratulated on its work, the Environment Protection Authority and a number of other organisations, have eliminated much of the problem caused by hoon drivers at Eastern Beach. I also must recognise that there is a group of young people who have assisted these organisations and who have cooperated positively in minimising the problem. However, despite the efforts of the police, the council, some local people and residents who have worked to eliminate the problem, there is still an element that spoils the area through its behaviour and, as I said, poses a safety threat to people using the beach.

Also in raising this issue with the minister I have to note that the introduction of hoon legislation in 2005 or 2006 has been effectively implemented by local police and has assisted in minimising the problem over the last couple of summers.

As I said, as a local resident of the area I recognise there are still pockets of antisocial behaviour. Young blokes in cars are essentially doing blockies around Eastern Beach and the boulevard there. That causes a problem for local residents. As I said before, it poses a major safety problem for families, especially young families who are trying to enjoy Eastern Beach over the summer. I look forward to the minister's action in

seeking to at least minimise this problem for the summer of 2009–10.

Buses: Kilsyth electorate

Mr HODGETT (Kilsyth) — I wish to raise a matter of importance with the Minister for Public Transport. I draw the minister's attention to the lack of low-floor buses servicing the local bus routes in my electorate of Kilsyth. The action I seek from the minister is to allocate a greater number of low-floor buses under the government's bus replacement program to service the network in Croydon, Mooroolbark, Lilydale, Montrose, Kilsyth, Bayswater North, Croydon South, Ringwood East and Heathmont.

In January this year I wrote to the minister on behalf of my constituents regarding the provision of low-floor buses in the Kilsyth area. Some six months later I received a response from the minister which provided information about the number of low-floor buses in use across the network and an acknowledgement that a low-floor bus cannot be guaranteed on every service in the Kilsyth area. The minister's letter went on to suggest that constituents telephone customer service at the Croydon depot the day before their trip and make arrangements for a low-floor bus to be on a particular service that they may wish to catch.

I shared the minister's response and suggestion with my constituents, which has generated a flurry of feedback and comments on the minister's suggestion. I wish to enlighten the minister with some of this feedback. The comments included, 'What a ridiculous suggestion on the minister's part to suggest you ring the bus depot the day before you need a low-level bus. Do you know that you are going to have an emergency the day before it happens? Do you know in advance when you are going to be sick and have to use the bus to go to the doctor? Do young mothers with several small children using strollers know the day before that their children are going to be sick and need a doctor? In fact do you ever know the day before that there is going to be an emergency?'

Further comments included, 'I myself know of at least eight retirement complexes on the 688 bus route. People with their disability walkers would find it extremely difficult and traumatising to board a bus with three steps and a pole in the middle should they have to use a bus in an emergency'.

In summary, the message for the minister is clear. While her suggestion may assist in some circumstances, the reality is that for a lot of the time, people are faced with circumstances where they have to use the bus that

day. They do not have the luxury of planning a day or more in advance all of the time. The message is also clear that there is a lack of low-floor buses servicing the local bus routes in Kilsyth.

This is an important matter. We urgently need more low-floor buses servicing the bus routes in my electorate. I raise this in the adjournment debate tonight for the minister's urgent attention and the action I seek from the Minister for Public Transport is to allocate a greater number of low-floor buses under the government's bus replacement program to service the network in Croydon, Mooroolbark, Lilydale, Montrose, Kilsyth, Bayswater North, Croydon South, Ringwood East and Heathmont.

Consumer affairs: SmartyPig savings scheme

Mr SCOTT (Preston) — The matter I raise is for the attention of the Minister for Consumer Affairs. The action I seek is that Consumer Affairs Victoria investigate the SmartyPig savings scheme. This type of scheme has apparently been a great marketing success in the United States of America, encouraging children and young people to open savings accounts and set savings goals through the use of colourful web pages where you can choose your own avatar and link with other savers through Facebook, Twitter and other social networking sites. A common way to start a SmartyPig account is by a relative or friend giving a young saver a SmartyPig gift card in amounts ranging from \$10 to \$500. SmartyPig gift cards are not redeemable except by paying them into SmartyPig accounts.

What is particularly concerning to me about this scheme is that if the gift card is not redeemed before its expiry date, then the funds are forfeited to the bank. My electorate officer examined a SmartyPig card, and on the cardboard folder accompanying the gift card, in very tiny print, it says:

Physical SmartyPig gift cards expire:

on the expiration date shown on the card; or

if there is no expiration date shown on the card,
12 months after the date the card was purchased.

There is no expiry date shown on the card itself, and I would repeat that the expiry date is shown in tiny print on an accompanying piece of cardboard.

I call on the minister to have his department investigate the SmartyPig scheme, especially considering the fact that buyers and recipients of the gift cards may not realise they have an expiry date. These cards are often given as gifts and may not include the piece of cardboard associated with the card which includes

information on the expiry date. I urge the minister to investigate this matter.

Responses

Mr BATCHELOR (Minister for Energy and Resources) — I want to thank the member for Kororoit for raising the important issue of smart meters and congratulate her in her pursuit of the truth. The member for Kororoit has taken a keen interest in energy efficiency and is a strong advocate for these types of initiatives, especially those that will help support people in her electorate and particularly those on low incomes.

As the member mentioned, the rollout of smart meters has already commenced in her electorate and other parts of the state as well. The government is leading the way on smart meters. Victoria is the first state to give approval for a whole-of-state rollout of smart meters. In Victoria this will cover in excess of 2.2 million homes and around 300 000 businesses. In reality this represents one of the largest improvements to Victoria's energy infrastructure in the state's history.

These smart meters are known by a number of names, including advanced metering infrastructure and interval meters. The smart meters will provide two-way communications between the electricity meter in the home or the business and the power company. This will make more immediate information available to users, particularly families, so they can understand what is happening with the consumption of their electricity. This is an important and significant advance. Families will also benefit by knowing how their energy is being used, because the meters will provide electricity readings every 30 minutes. This will help families better understand how they can best reduce their energy use and by doing that, cut their power bills and of course also reduce their carbon footprint.

I want to thank the member for directing my attention and that of the house to two media articles surrounding the rollout of smart meters. These newspaper articles in particular focused on a report that was released by the St Vincent de Paul Society titled *Consumer Protections and Smart Meters*, which claimed that smart meters would cost an average family an extra \$263 per year. This was a false claim, but nevertheless St Vincent de Paul made it in the report that I referred to.

The problem is that the member for Box Hill, the shadow Minister for Energy and Resources, brought it into the discussion. Unfortunately for the member for Box Hill, he failed to do his research in understanding whether the claims made in the report were true or factual. An article on page 21 of the *Herald Sun* of

24 August 2009 quotes the opposition energy spokesman as saying these:

are not smart meters but dumb meters.

He is further reported as saying:

It is clear this rollout is going to add hundreds of dollars to the cost of the average Victorian's electricity bill with very little benefit

I have to report that once again the shadow minister's claims are wrong, wrong, wrong. Unlike those opposite, this government has looked at the figures. We have done the groundwork, and we have done our research. Our work shows that the St Vincent de Paul report contained large errors. In fact the difference between an average consumer's current electricity bill and one with a potential new time-of-use tariff is not \$263 at all. It is nothing like that.

Firstly, the fixed supply charges of \$170 a year, which are already applied to power bills, were included in St Vincent de Paul's 'before' electricity calculations as only \$1.70. However, the full \$170 charge was included in its 'after' bill calculation. In effect that exaggerated the annual bill increase by \$168. But that was not all.

Secondly, the average 'after' tariff calculation in the St Vincent de Paul report was a further \$70 a year higher than the 'before' tariff. The report assumes that the time-of-use tariffs, which it said underpinned this calculation, would magically allow retailers to charge 10 per cent more by using that tariff than they charge today. This is a very unrealistic assumption given the competitive energy retail market here in Victoria, and I will remind the house once again that this is the most competitive electricity retail market in the world.

Mr R. Smith — In the world!

Mr BATCHELOR — That is right. Once these calculations are corrected for these two large errors, the \$263 error is actually closer to zero.

These articles that were published were wrong; it is clear that they were wrong. Since then St Vincent de Paul has admitted that it made major errors when calculating the fees associated with the smart meter rollout, and it has apologised. It got it wrong, and it got it wrong in a very big way; but it was big in that it apologised.

It is a shame that the member for Box Hill has not admitted that his comments were wrong and similarly apologised. I join in the chorus from the opposition here today and call on the shadow minister, the member for

Box Hill, to publicly admit that his comments were nothing more than scaremongering. They were based on facts that were wrong, on miscalculations and on an eagerness to criticise rather than analyse. I ask him to apologise to the people of Victoria for his statements and for once again misleading them.

I thank the member for Kororoit for raising this matter, thereby bringing it to the house's attention and allowing me to clarify this important issue.

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — I will refer the other matters raised by members to the relevant ministers for their response and actions.

The ACTING SPEAKER (Mr Nardella) — Order! The house is now adjourned.

House adjourned 10.34 p.m.