

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

**LEGISLATIVE ASSEMBLY
FIFTY-FIFTH PARLIAMENT
FIRST SESSION**

Tuesday, 12 September 2006

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Tuesday, 12 September 2006

The SPEAKER (Hon. Judy Maddigan) took the chair at 2.03 p.m. and read the prayer.

CONDOLENCES

Honourable Neil Benjamin Trezise, AM

Mr BRACKS (Premier) — I move:

That this house expresses its sincere sorrow at the death of the Honourable Neil Benjamin Trezise, AM, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as member of the Legislative Assembly for the electoral districts of Geelong West from 1964 to 1967 and Geelong North from 1967 to 1992, and as Minister for Youth, Sport and Recreation from 1982 to 1985 and Minister for Sport and Recreation from 1985 to 1992.

This condolence motion hits close to home, because in this Legislative Assembly Neil Trezise was a colleague of some, a mentor of many and a friend of all, and he was also the father of the present member for Geelong. We pass on the condolences of the government, of this house and of the whole of the Parliament of Victoria to the family and friends of Neil Trezise, particularly his wife, Joan, daughter, Helen, and son, Ian, and I know some of them are present here today. Of course we certainly pass on our condolences to the member for Geelong.

Two words best sum up Neil Trezise — ‘disarmingly good’. Those are the two words used by former premier John Cain when describing Neil Trezise’s ability as a minister. They describe a working-class boy from Ballarat who never stopped working and never forgot where he came from. They describe a youngster who caught the train from Ballarat to Geelong and walked for miles and miles to win a game at Kardinia Park. They describe a man who wore no. 28 for the Geelong Football Club and coincidentally served the community of Geelong for 28 years as a member of Parliament.

He was a man who excelled at just about everything he did but who never felt the need to brag about anything he did. He was a man who let his actions speak for themselves. ‘Disarmingly good’ could be applied to almost anything Neil Trezise did.

He was a disarmingly good amateur boxer, and at the state funeral there were many from the boxing fraternity who came to pass on their condolences. He was a champion cricketer. As we have heard, he could have gone on in cricket but instead went on to become a great footballer. He was a jockey before he found fame

as a footballer — and he was a disarmingly good footballer, as we all know. He captained Geelong, playing 185 games and booting 272 goals, and was a member of the 1951 and 1952 premierships sides. He was a great player and a great advocate for the football club.

He was also a disarmingly good coach. His stewardship of the Geelong reserves was a major factor in the shaping of the famous 1963 premiership side. He was also a great clubman, serving as vice-president and president of the Geelong Football Club.

He was a disarmingly good horse breeder and owner, having a hand in multiple city winners, including Dark Ruler. As we all know in this house, he was a disarmingly good politician, winning his first election by just 64 votes. That would resonate with the current member for Geelong, who also had a very close run in his first election campaign. At a time when the ALP did not hold a seat in Geelong, Neil Trezise won his seat by 64 votes.

He was also a disarmingly good minister. Without Neil Trezise the Melbourne Cricket Ground would have lost the grand final. He convinced the then Victorian Football League to continue to play the grand final at the Melbourne Cricket Ground, and of course it will be played there forever and a day as a result. And without Neil Trezise the Australian Open may well have lost its status as a major tournament. He helped develop the new National Tennis Centre, and as the responsible minister ensured that that grand slam event would be held in Melbourne for a long time to come. None of us could imagine the grand final without it being played at the MCG. That is what we mean in this place when we say that Neil Trezise was disarmingly good. He did not just play in grand finals as a sportsman, he saved the grand final as a politician. That single achievement alone is more than most parliamentarians could hope to accomplish in their whole political career.

Neil Trezise’s personal motto was best summed up recently by his son, the member for Geelong, who spoke so eloquently and so well at the state service at Kardinia Park. The member for Geelong said:

He often said to me that in the game of politics you need to be playing the ball and not the man. That’s exactly how he led his life.

‘Playing the ball and not the man’ says everything about Neil Trezise. He never forgot where he came from, and he never stopped serving. Just last Sunday Nipper was scheduled to attend a committee meeting of the Windermere Racing Club at Burrumbeet Park near Ballarat. As we learnt at the state service, it was a place

he had to stand outside of for many years because he could not afford to go in to watch the races, but eventually his horse went on to win the Burrumbeet Cup, which was a very proud moment in his life. He made a commitment to always be at the Windermere Racing Club for working bees. The club's president, Melville Charles, told the Ballarat *Courier* that Nipper never missed a working bee and would always turn up with a rake and fork. He was always there, and he would never stop trying.

He also never stopped trying on the football field. As Geelong great, Bobby Davis, said, 'Nipper was very brave, almost too brave for his own good'. He never stopped trying in public life, fighting bravely for his community and serving the people of Geelong and the surrounding district for 28 years.

As impressive as his achievements are, none of them fully captures the quality of Neil Trezise, but perhaps two stories told in the *Geelong Advertiser* come close to the mark. Journalist Doug Aiton recounted a story that Nipper told him about football allegiances in the 1950s. Nipper was driving in the bush when his car got a puncture. Another car pulled up to help. But then the good Samaritan paused. He asked Nipper whether he was 'that footballer, Neil Trezise'. 'Yes', Nipper replied. In response, the not-so-good Samaritan climbed back into his car and drove off, because, as he informed Nipper, 'I am a St Kilda supporter'. The journalist suggested that the Saints fan had taken tribal loyalty a bit far, but Nipper just shrugged his shoulders and smiled.

Doug Aiton also recounted a story about sitting next to Nipper at a Geelong game. When he discovered that his companion had lost his Geelong tie, Nipper gave him the Cats tie he was wearing. That was Nipper Trezise to a tee — when he gave something he never asked for it back and never asked for anything in return.

He may be known as 'Nipper', but Neil Trezise was one of the giants of Victorian sporting and public life who stood up for the battlers in his electorate and across Victoria more broadly. He was one of the most successful ministers for sport, recreation and youth we have ever had in this state. He will be greatly missed by all of us.

I again extend my condolences to the family, friends and supporters of Neil Trezise. His was a moving state funeral, and I want to congratulate all those involved. I know it would have been very difficult for the member for Geelong in making his presentation, but he did a magnificent job. I include the member for Geelong North, who spoke along with a number of others. Neil

Trezise will be sorely missed as a great member of Parliament, a great hero on the sporting field, a great contributor to the community and a person who served his electorate with distinction for 28 years.

Mr BAILLIEU (Leader of the Opposition) — It is an honour to speak on this condolence motion for the Honourable Neil Benjamin Trezise. What an alluring life the Nipper led — it was the stuff of dreams, really. Neil Trezise was a fine man. He was much loved, and he made a wonderful contribution. He inspired others, he warmed others and he led others, and he was a friend to many. Indeed the legendary Bobby Davis said recently — and you can almost hear him saying it — that he was 'one of the most loved fellas around Geelong'.

What a life it was. He was a good cricketer, as the Premier said, an accomplished boxer and a good all-round sport. He was a footballer with the Cats — a dream alone for so many of us. He played in two premierships, which seemingly these days is beyond a dream! He was captain when the captaincy was not always the curse it has become in recent years. He was captain-coach of the seconds and led them to three flags to boot. As an administrator he was hands-on and close to the club. Then there was the presidency of the Geelong footy club and life membership in 1956.

He began his public service as a teacher and was then — as we all know so well — elected to this Parliament. He was later elevated to the ministry in the portfolio that he loved and in the industry that was his home, with family and friends around him and so much to do. His was a life with the game he loved, with the club he loved, in the city he loved and in the service of those he loved and respected — and all that in the state he loved and with the family he loved. For those of us who share at least some of his passions, in short all I can say is, 'We wish!'.

Neil Trezise was a fine man. As the Premier also remarked, he was invariably and endearingly modest. He was also very likeable, generous and engaging. We may have had our political differences, but I liked him a lot. He always went out of his way to greet me and to offer a welcome, whether in Geelong or at the many functions where we met, and we managed to share many a happy conversation.

Neil Trezise was a first-rate Victorian. Born in February 1931 in Redan in Ballarat, he went to school at Ballarat High School and became a teacher through the Ballarat Teachers College. He transferred to Geelong when he was recruited by the Geelong Football Club in the late 1940s. As the Premier said, he

had a celebrated career on and off the field. He had the joy of playing in back-to-back premierships in 1951 and 1952. He then went on to assume the vice-captaincy and the captaincy. Neil later took on the role of captain-coach of the seconds, and added three reserve grade premierships to his trophy cabinet. He went on to serve as vice-president for a number of years, and then as a selector and president.

There would be very few people anywhere in Australia who could claim to have served their football club with greater commitment or greater distinction. The Reg Hickey memorial award he received in 1983 for services to football was a fitting tribute.

Neil continued to run his sports store in Geelong — and the store was something of an icon. Many people might have been content with that, but in 1961 he had a crack at running for Parliament and fell just short. He backed up again in 1964, and won. From 1964 to 1967 he was the member for Geelong West, and from 1967 to 1992 he was the member for Geelong North, a total of 28 years. In 1982 he was appointed the minister for sport and recreation in this state.

Along the way he rejected factional politics. He was a fiercely independent member of the Labor Party, and perhaps that is why he had such longevity in the ministry. As the Premier has remarked, he was responsible for many important parts of Victoria's sports heritage, including the National Tennis Centre. The tributes that have been paid in recent days in the newspapers and elsewhere by the football club, the Australian Football League, Racing Victoria, the Melbourne Racing Club, the Melbourne Greyhound Racing Association, the Thoroughbred Club of Australia, the Melbourne Cricket Club, the Victoria Racing Club, the Sandown Greyhound Racing Club and Greyhound Racing Victoria are just some of the tributes which are not only much appreciated but also an acknowledgment of the great service of Neil Trezise.

Neil retired in 1992 but led an active life afterwards, including his role as an MCG trustee. He was made a member of the Order of Australia for his extraordinary contribution to Victorian life, and I think it was a fitting tribute from a nation in debt to Neil Trezise. In life, sport and politics Neil Trezise always 'played the game as it should be played'. To his wife, Joan, Ian, Helen and their families, our deepest condolences.

Mr WALSH (Swan Hill) — I join this condolence motion on behalf of The Nationals. Neil Trezise was born in Ballarat on 8 February 1931 to Clarence and Melva. His father was a fitter at a Ballarat foundry. He grew up in the years of the Depression and the Second

World War, which probably led to the empathy that he had with battling families for the rest of his life. He never lost that common touch, as previous contributors have said.

He was educated at Ballarat High School and Ballarat Teachers College, and he was recruited by the Geelong Football Club in 1949 from Redan in the Ballarat Football League. The Leader of The Nationals reliably informs me that the Melbourne Football Club actually entertained Neil Trezise at the grand final in 1948 but did not follow up on that contact. As a Melbourne tragic, he would say that life could have been different if the Melbourne Football Club had actually followed up with Neil Trezise. He may not have been at Geelong after all and those flags may not have been won.

Neil went on to play 185 games for Geelong over 10 years, forming a very famous roving combination with Peter Pianto and kicking 275 goals. As has already been said, he played in the 1951 and 1952 premiership teams under the captaincy of Fred Flanagan. He went on to be captain of the Geelong Football Club in 1959. I think the true testament to his sporting career is that when he retired from senior football he went on to be captain and coach of the reserves team and won a Gardiner medal for the best and fairest in the reserves — and he also won three flags with the Geelong reserves at that time. As has been reported, he was one of the driving forces behind developing the players who went on to win the 1963 premiership for Geelong. Unfortunately it was the last premiership they won — something that we hope will change shortly.

After he finished his career with the Geelong seconds as captain and coach, he went on to serve 13 years as vice-president of the club and 2 years as president. All those who have ever been involved in a football club would have to say that is an outstanding contribution to any club, particularly one at Victorian Football League level, as it was then known.

His early career was as a schoolteacher. More importantly, he also set up a sports store in Malop Street in Geelong, which he operated for 30 years. He only sold it when he was appointed Minister for Youth, Sport and Recreation in the Cain government. He believed there was a conflict of interest in operating a sports store and being the minister responsible for youth, sport and recreation.

As has been said, in 1964 he won his first election to state Parliament by 64 votes, but the test of the person was that in 1961 he stood for a seat and lost by 101 votes. He was a stayer in all the fields or pursuits that he undertook. He became the member for Geelong

West in 1964, but the boundaries of that seat were redistributed in 1967 and the name was changed to Geelong North. During that time he took on a marginal seat and then a safe seat, showing the commitment he had to the people of Norlane and Corio. He represented that area in this Parliament for 28 years, up until his retirement in 1992.

It is always interesting to read a member's speech in the address-in-reply debate when he is first elected to Parliament. On reading Neil Trezise's address-in-reply speech this morning I realised that it is one I would have been equally proud to have given. The things he spoke about are all dear to our heart. He said he would like to focus his attention on the development of Victoria, particularly in the areas of recreation, decentralisation and education. He said the electorate he represented was mainly a housing commission area and indicated his passion for representing those people. I refer to the part of his speech where he spoke about decentralisation:

In regard to decentralisation, it is well known that the people who advocate the promotion of country industries in Victoria have been fighting a losing battle. Bold policy measures have been lacking.

It is an issue that he took up throughout his 28 years in Parliament. He also talked about the then recent decision to establish a third university in the metropolitan area as not being good for Victoria. I have no doubt that when Deakin University was later established in Geelong it was a very proud moment for him. He went on to talk about the need for bold and imaginative action when it came to education in Victoria. It was an issue that he pursued throughout his career in Parliament.

Members of The Nationals offer their condolences to Neil's wife, Joan, and to Helen and Ian and their families. I finish with a quote of something Ian said when talking about his father in a report published in a Geelong newspaper. Ian said:

He used to say, 'In our house, if you don't vote Labor and you don't barrack for Geelong, you don't get fed'.

Obviously Ian did vote for Labor and did barrack for Geelong, because he was fed! On behalf of The Nationals I extend my sympathy to the Trezise family.

Mr THWAITES (Minister for Environment) — I am honoured to support the condolence motion for Neil Trezise, who was a great sportsman, a great parliamentarian, a great minister, a great community man and a great family man. Despite all his talents and contributions he remained a very humble and down-to-earth person throughout his career. In many

ways that is the secret of the reason why he was so universally liked and respected across all political parties and groups in the community.

We have heard about his football career. I am concerned about the early Melbourne reference, but he did have an outstanding career. In many ways his political career was very similar to his football career. When he first entered Parliament an article appeared in the *Sun* of July 1964 that described him as:

A cool, canny and very courageous player. He always seemed to pop up when the Cats needed him most.

But he'd never say much about it afterwards: the *Sun's* football writers rate him one of the most modest stars they've ever interviewed.

I think that that in many ways characterised his political life as well. The article goes on to say:

He won Geelong West for Labor by exactly 64 votes out of more than 26 000 cast after a nerve-racking, week-long count.

No doubt his son, Ian, would see that as a landslide. As we have also heard, Neil went on to build that majority and increase it in every election. I hope the current member follows in his tracks in that regard. He did have a very long and distinguished career of 28 years. Not many people have achieved that level of service in representing Geelong as well as 10 continuous years as a minister, firstly as Minister for Youth, Sport and Recreation and then as Minister for Sport and Recreation.

It has been said that he was as surefooted as a minister as he was on the football field. I think John Cain said he was one of those ministers you could absolutely rely on. I would like to touch on a few of Neil's achievements as minister, because they have had a lasting impression on Victoria. One was the establishment of the Victorian Institute of Sport in 1990. That institute is now renowned around the world for training our elite Olympic, Paralympic and world athletes. It is an institute we can all be very proud of, and it is the best-performing sports institute in Australia. It is noted for its development — and this is something that was very much Neil's philosophy in sport — of the total person, not just their athletic ability.

Another major initiative Neil was associated with, together with David White and other ministers, was the establishment of VicHealth. When Neil was minister, tobacco sponsorship was very important for sport. The establishment of VicHealth, which was supported by all parties, led to a change in sponsorship arrangements so that tobacco sponsorship was exchanged for VicHealth sponsorship. Neil was instrumental in that.

We have heard about Neil's role at the Melbourne Cricket Ground and its retention for football. However, he was actively involved in the construction of the Great Southern Stand. Together with the Premier of the day, Neil was also involved in the construction of the National Tennis Centre at Melbourne Park.

While Neil was associated with elite sports and was an elite sportsman himself, his real commitment was to grassroots sport. He said at the time he first became a minister that that was his great passion. As he described it:

We want to help sports, and provide facilities, for the ordinary person, so many more can be involved.

Early on he was one of the people who pointed out the problem of watching too much television and inactivity. He saw recreation and sport as a key way of overcoming those problems.

Neil was also a believer in equality and a fair go. He was a great advocate for people with disabilities, particularly in sport. Neil developed a manual on outdoor activities for all which is still used today by planners of outdoor recreational facilities. Neil wanted to see facilities available for everyone — people of all different abilities — right across the state. He was also a strong supporter of swimming pools. Under Neil's leadership the government established pools that were available all year round in regional Victoria.

We have heard that Neil was a very down-to-earth fellow, and that was certainly my experience. He could be very dry humoured. Coming from a country background, he did not like pretension: he liked people who were straight talking. I know that he did not always get that from bureaucrats. When he first became minister, apparently one of the senior bureaucrats came to him and said, 'Minister, I hasten to envisage the following scenario'. Minister Trezise unflappingly responded, 'You mean, you reckon'. The bureaucrat went a bit white, but that summed up Neil. He was always absolutely down to earth.

Neil lived a model life which left Geelong, sport and Victoria a better place. I offer my condolences to Neil's family: his wife, Joan, his daughter, Helen, and our colleague and friend, Ian.

Mr DOYLE (Malvern) — I was honoured, with a number of colleagues from both sides of this house, to attend Neil Trezise's funeral at Kardinia Park, that shrine where many of us have worshipped over many decades. It was a fitting place to say farewell to Nipper.

I want to make only a brief contribution to this motion. The Premier, the Deputy Premier, the Leader of the Opposition and the Deputy Leader of The Nationals have listed Nipper's many personal, sporting and political achievements. However, I want to talk a little about some personal reminiscences of Nipper.

I first met Nipper before I was a member of Parliament. I knew of him, of course, as a legend of the Geelong Football Club, but I did not know him. Nipper had at that time announced his retirement, and I had just been preselected for the seat of Malvern. We met in the men's toilets at the Victoria Racing Club at Flemington, as we were to meet many times over the next 15 years.

Honourable members interjecting.

Mr DOYLE — At times you need to go there, and we did! He introduced himself to me, and we had a brief chat.

We talked about racing, we talked about football and we talked about politics, and it still strikes me that that is a very sensible order in which to have those conversations. At the end of that first meeting we shook hands and, looking me in the eye, he said, 'If I can ever help you, if I can ever give you some advice, give me a call'. Some people might think that was odd coming from a Labor minister, and Nipper was Labor through and through. He was at the end of a very distinguished career, knowing that his beloved side of politics would lose the election in 1992, yet making an offer to the newest of the new and to someone from the other side of politics who until that moment had been a stranger to him. But he meant it, he absolutely meant it, and I have always thought, 'What a generous impulse. What a generous thing to say to someone who was starting his political career, albeit on the other side of politics'.

As I said, we met many times after that at the races and at the football, and I was always struck by the fact that that generosity and that straightforwardness I first encountered were typical of Nipper. We were always pleased to discuss the issues of the day. We stuck to politics, football and racing, and that just about covered the field for both of us.

I thank Ian for his words at his father's funeral. It must be a particular honour and a particular trial to say farewell to your father in such a personal way in such a public forum, but I think we were all the richer for his contribution on that day and, I hope, today as well. At the funeral a remark made by Ian struck a chord with me, because Nipper had said it to me as well. We were at the races — it was during my time as leader — and he said to me, 'You know, Rob, not all the bastards are

on the benches opposite, and not all the good blokes are on your side'. And do you know something — he was right!

Nipper was a decent man, and he was a good bloke. In searching for a word to describe my feelings for him I would say that he was a civil man, and as praise goes in our business of politics there is not much higher praise than that. To be loved and missed by so many people, as he will be, is a testament to his life and a testament to his decency and to his contribution to our great state. My condolences to his whole family.

Mr BATCHELOR (Minister for Transport) — The house was saddened at the passing of the Honourable Neil Benjamin Trezise on 20 August this year. Along with many members of both sides of the house I had the great honour to attend his recent state funeral at Kardinia Park. The member for Malvern commented on how great that state funeral was and particularly on the compelling contribution made by his son, Ian. I join him in that acknowledgment.

Neil was born in Ballarat on 8 February 1931 to a Labor father. I think Neil and other members of his family acknowledged the influence of his father, Clarrie, who was a fitter by trade. Neil said that it was because of his father that he grew up thinking about politics, even if he really never thought that he would actually be a part of them. He, as part of that family, was thinking about politics from an early age.

He worked as a teacher for a while, but his true passion, as everybody knows, was playing sport, especially football. Between 1949 and 1960 Neil played 185 games for the Geelong Football Club, where he was a key player in its premierships teams of 1951 and 1952, and he captained the club in 1959. His association with the football club continued long after his retirement from senior football and included a very successful stint as reserves coach between 1960 and 1963. Between 1973 and 1975 he was president of the great Geelong Football Club. In 1983 the Geelong Football Club presented Neil with the Reg Hickey memorial award for outstanding service to football, and you can understand why the club made that decision.

Neil was passionate about horseracing as well as about football. He part-owned a number of winning racehorses in the city, the most notable being Dark Ruler.

Neil was first elected in a very close contest for the seat of Geelong West in 1964. Characteristically, he was humble in victory and expressed his sympathy to the outgoing Liberal-Country Party member — a humility

which earlier speakers have commented on and which, I think, was a characteristic he carried through to his departure from politics.

His victory was a significant one for the Labor Party in Victoria, because it was the first time since the great split of the 1950s that the Labor Party had defeated an incumbent Liberal Party member at a general election. That fact looms large in the history of Labor Party elections. It is also a fact that Gordon Scholes, who was elected to the commonwealth Parliament in 1967, acknowledged the contribution Neil made to Geelong and the foundation that he laid for the revival of the Labor Party in that region of Victoria.

While the road back to government after the split was a long and difficult one, the successes achieved by Neil Trezise in 1964 and thereafter and his work as a local member in Geelong were crucial factors in the eventual return of a Labor government in Victoria. When that occurred a long time later with the election of the Cain government in 1982, Neil Trezise became the Minister for Youth, Sport and Recreation, and from 1985 until his retirement in 1992 he continued as the Minister for Sport and Recreation.

From 1990 as a backbencher I had the honour to work with him as a sports minister. During his time as a minister, a member of the government and a member of the Parliament I always regarded him as an individual. He was extremely generous, humorous and well liked. He was always available, and he was hardworking. He was inclusive and an extremely popular member of the caucus. As you have heard, Speaker, he was extremely popular not only within the Labor Party but right across the chamber, and of course that popularity extended to the electorate.

It was an interesting time, and I will tell a story that reflects on his popularity within the chamber. On occasion he, like all ministers, tried to get questions put forward during the time for questions without notice. The procedure that exists now is similar to the one that existed then. Former minister Tom Roper was in charge of the Labor Party's questions committee, and it was Tom's role to determine what questions got up. As usual, Tom always got asked a question, and Neil found it very difficult to get a question put by a member of the Labor Party. On one occasion Tom was sitting here when a question was asked, and it was the one Neil had wanted put forward. The question was directed to Neil but Tom was a bit confused, because Neil had got a member of the then National Party to ask it.

An honourable member — They will do anything to get a ticket to the grand final!

Mr BATCHELOR — No, you can't do that unless you are well respected and admired! He was greatly respected as a parliamentarian and as a minister, particularly in his portfolio of sport and recreation. On his retirement from state politics he named two of his biggest achievements as the development of the National Tennis Centre and persuading the then Victorian Football League to keep the grand final at the Melbourne Cricket Ground — and the Premier referred to those achievements during his contribution earlier.

These achievements, amongst many others, will remain the legacy of his contribution to public life. The Honourable Neil Trezise will be sorely missed by all Victorians, and I offer my sincere condolences to his wife, children and grandchildren and my special condolences to our parliamentary colleague, the member for Geelong, Ian Trezise.

Dr NAPHTHINE (South-West Coast) — It is indeed an honour and a privilege to speak to this condolence motion for Neil 'Nipper' Trezise. Nipper, as he was known throughout the length and breadth of Victoria, was certainly an absolute gentleman, and I think that best describes him. He would probably prefer to describe himself as a good bloke. He was very humble, as other members have mentioned, and he always had time for everyone. It did not matter where you ran into Nipper or under what circumstances, because he always took the time to say hello, ask how you were going and what was happening, and have a relevant conversation. He had a lot of time for everybody, no matter how busy he was.

He was also a quietly effective person, whether it be in his local community of Geelong, around his footy club or as a minister of the government. I grew up in Winchelsea, which is just out of Geelong. I went to primary school at Winchelsea and then secondary school at Geelong, and like many others in this house, I follow the Geelong Football Club with a passion. When I was a child, Nipper Trezise and Peter Pianto were two of my greatest heroes. Nipper was a football hero and a Geelong institution. Trezise's sports store was famous in Geelong. Any time you wanted a new pair of footy boots or a tennis racquet, you went to Trezise's. It was the only place in town to go to, and I remember many trips to Trezise's sports store.

Later I had the honour and privilege of serving in this Parliament from 1988 to 1992 while Nipper was Minister for Sport and Recreation. He sat opposite, where I am pointing. I can understand what the Minister for Transport was saying about Nipper having a frustrating time in trying to get his questions up, but

he certainly was effective in the house when he did speak.

But as a then new member of Parliament I remember Nipper being one of the first members from either side of the house to come and introduce himself. He always had a kind word, he often had good advice and he often sought you out at various stages to say, 'That was a great speech', or, 'That was a good speech', or to make some suggestion. He would whisper in your ear — and I remember this — and say, 'Look, Denis, you might wish to push along the matter of some funding for this particular sporting body', so you would raise it in the house or raise it in the local media. Sure enough, a month or two later the Minister for Sport and Recreation would announce that funding.

I remember that Nipper often used to send his ministerial car around to pick up me and my then parliamentary colleague Stephen Elder, the former member for Ripon, who was probably a little more notorious and forward than I was — Stephen had a great relationship with Nipper — to take us to functions or to take us home after Parliament rose. He was that sort of fellow. He was a great friend and a great colleague, even though he was on the other side of the house.

He was a minister from whom, and I can say this for both sides of the house, we could all learn something. He was always cognisant of the role of the local member. He never visited an electorate without notifying the local member, irrespective of what side of the house they were from. He always involved local members in the activities he was undertaking.

I remember early in my career when he came to the Dartmoor footy club to open a new facility. He went out of his way to make sure that I, as a new member, was involved in and was recognised as part of the process. That is the sort of thing that endeared him to both sides of the house. As the Premier said, he played the ball, he never played the man. He certainly took his politics seriously, but he never forgot that it was a privilege and honour to serve the community.

The Nipper that I knew was as much at home in the committee room at Flemington as he was standing on the hill with all the different people at the Casterton races, and he was as much at home in the Long Room at the Melbourne Cricket Ground as he was in the outer at Kardinia Park — and he was probably even more at home at some of the suburban and country footy grounds. He was a genuinely good bloke, and he was a very effective local member, a very effective minister. As others have said, he certainly made a difference in

terms of his service to this Parliament, his service to the Geelong community and his service to Victoria as a whole.

It was a privilege and an honour to know Nipper Trezise, and I extend my condolences to his wife, Joan, and the family.

Mr HULLS (Attorney-General) — Neil Trezise, as we have heard, was a great Victorian and a quintessential man of the people. Beyond his great love for his family, the three great passions of Neil Trezise's are also passions of mine: the Geelong footy club, the Labor Party and the great sport of racing.

Naturally anyone who has given a lifetime to the Geelong footy club is a hero to me. Throughout his 10 years as a crucial member of the team, including playing in two premierships sides, his 272 goals in 185 games, his captaincy in 1959, his coaching of the reserves and his ongoing service in a variety of capacities, including that of club president in 1974, Neil Trezise was the epitome of a dedicated Geelong man. A peer of 'Woofa' Davis, whom he succeeded as captain, and Reg Hickey, who bequeathed him the moniker that would last him a lifetime, Nipper Trezise was a much loved and respected member of the Geelong side.

Though sorely missed from the Geelong front line, his eventual entry into state politics in 1964 was a welcome one, and he represented the real passion which he and the majority of members in this place have — that is, a love of the Labor cause. Neil Trezise was a Labor man to the core, well known to his constituents, with an easy charm and an ability to relate to anyone. As we have heard, serving the Cain and Kirner premierships for some 10 years, he was part of many iconic Labor reforms, from freedom of information to WorkCover and equal opportunity. He was a member of a party that implemented those reforms.

In his role as Minister for Youth, Sport and Recreation and then Minister for Sport and Recreation he personally presided over an era of change and, amongst other things, was instrumental in ridding the racing industry of the white line. Some members may recall that the white line was a line painted on the ground at Flemington, Sandown and Caulfield racecourses to denote sections of the members areas prohibited to women. It effectively became, I guess, a metaphor for many inequalities women faced in the racing industry. When elected to government in 1982 Neil Trezise moved swiftly to eradicate this remnant of the Dark Ages. No doubt his wife, Joan, will well remember her own role in bringing the debate to the fore when, accompanying no less than the Premier of Victoria, she

was barred and therefore unable to watch the running of the Melbourne Cup from the members area.

Despite those extraordinary and controversial times, Neil's love of racing endured. As a somewhat fresh-faced Labor boy amidst a sea of top hats and tails during the Spring Racing Carnival I was always extremely grateful to see Neil's smiling face approaching me at Flemington and Caulfield. As one of two amongst only a few in business suits at the time Nipper was always very quick to point out to me who was good to talk to and who was best to avoid. In fact his advice sometimes surprised me as he steered me away from some whom he deemed to be 'rotten Tories' while later describing the occasional few as 'decent Tories'. At the time I had not actually known there were such things!

Nipper Trezise instilled in all those around him, including his children, of whom I know he was immensely proud, a love for all things decent, a love for the fair go and a love of fair play. It was certainly a privilege to have known him, and I too want to take this opportunity to convey my deepest respect and condolences to Joan, Helen, Ian and their families.

Mr PERTON (Doncaster) — I had the honour of first meeting Neil Trezise when he was in opposition during the Hamer and Thompson governments. My predecessor, Morris Williams, who was also a great character, always saw Neil as a great friend in the Parliament. Like the member for Malvern, when I was first introduced to Neil Trezise he was a model of courtesy, a person who would encourage a young person to enter politics and public life, whether they were a 'decent Tory', in the words of the Attorney-General, or a young Labor member. He was a great Victorian and a great citizen who believed in building up people in every circumstance.

As the former Leader of the Opposition said, he was a civil and civic person who had almost no peer in this state, including when he was a minister in the term of Parliament which we shared. Everyone has talked about that cheery face and the smile. I am not such a great racegoer, but when you met him at a function, at the races, the football or any sporting event, there was that extraordinary courtesy in introducing members of the then opposition. He was a model minister and a model member of Parliament.

In his first speech as the member for Geelong West Neil touched on the issues he believed were important for the future welfare, progress and development of the state. They were recreation, decentralisation and education. He worked hard on each of those, and he

worked hard in a bipartisan sense. He was a teacher early in his career. In his speeches on education he always talked about bold and imaginative action. I know the Minister for Education and Training would certainly see herself as living up to that, and I am sure the member for Nepean would also be guided by that sort of call for action.

He was factionally non-aligned, as the Attorney-General said, a Labor man through and through, but believing in the old principles of the Labor Party: a fair go, building up the working man and giving every person equal opportunity through a good education system, through a good social welfare system, through good health and through good planning.

This was a great man. It was a great honour for me as a young man to have known him and been encouraged by him. Ian's speech at the funeral was a model of a speech of a feeling son and also one of great humour. Neil's grandchildren, who participated at the funeral, are fine young men and women of whom I know he was very proud and of whom, I am sure, he would remain proud. On behalf of my electorate and the Liberal Party, I extend my condolences to Neil's entire family.

Mr PANDAZOPOULOS (Minister for Gaming) — It is an honour to participate in the condolence motion for the Honourable Neil Trezise. Much has been said in this place and will continue to be said about his love and passion for sport, particularly Aussie Rules and the great Geelong Football Club — I can say that as a Collingwood supporter after last weekend! His 10 years of service as a minister in the Cain and Kirner governments included his massive contribution to the racing industry and to the things that we enjoy at our major events.

His parliamentary and football careers were well known and have been spoken about since his passing. What was not as well known — although it has been touched on — was his massive passion for horseracing. It really started from his early working life in the racing stables and his unrequited desire to become a jockey. You cannot get a better career in racing than being the minister responsible for racing for 10 years. I know he was very proud of his achievements despite not being able to be a full-time participant in racing in other ways.

We all know that he was a very modest man. As we heard from the Premier, he was a keen supporter of the Windermere Racing Club, where he continued to be active until his recent passing. As the Premier said, the club's president, Melville Charles, is quoted in the

Ballarat *Courier* as saying that Neil used to attend all the working bees up until the last one — and knowing Neil Trezise, I can absolutely understand that. He rolled up his sleeves and pitched in with that as well as with all the other work he did. That was one of Neil's great attributes. Neil was a great supporter of that racing club to the end, and I know he was proud to have become a life member of it earlier this year. It is a nice accolade to have finally received.

The Cain Labor government came to office after nearly 30 years of Liberal governments in Victoria. It is fair to say that Neil was met with initial distrust bordering on hostility by the racing establishment at the time. The Attorney-General highlighted one particularly strong issue that caused a lot of excitement at the time. We can only wonder what those circumstances were like, yet it was only about 20 years ago that that happened in our state.

It is testimony to Neil's strength of character and his interpersonal skills that he quickly turned that around, with racing stalwarts of the era such as Peter Armytage and Sir Rupert Clarke becoming firm friends and allies in the struggle to modernise the Victorian racing industry in line with the great heritage it has had over a number of years.

Neil's tenure as the minister responsible for racing in many ways brought our industry into the 21st century. For example, under his leadership the racing industry introduced — it is pretty basic now — after-race dividends and payouts at TAB agencies. In the past, if you had a win it was paid either after the last race or on the next day. This smart little move made him an instant champion and hero with lucky punters. It was a pretty basic move. Not only did that little measure make him an instant hero with lucky punters, but under his stewardship there was also further innovation and support for the industry so that turnover growth and industry revenues increased.

In the days when the TAB was a statutory body Neil enabled seating to be provided in TAB agencies. Before then you could not sit down inside a TAB agency. If members are not at the Melbourne Cup — they will all be busy — and have to get to a TAB and need a seat, they should think of and thank Neil for that basic improvement to facilities and services. He was all the time thinking about the basic needs of punters.

One of Neil's great decisions in racing involved the pioneering of Sunday racing. It is hard to place ourselves in that era, but it is fair to say that punting options were restricted and limited at the time. It took not only a Cain government but a Cain government's

star minister to take on tradition and drag us into the modern era, and we are all thankful for that now.

Neil was also instrumental in securing the future of radio race broadcasts by negotiating and putting together a funding package for the industry purchase of radio station 3UZ, which now trades as Sport 927. Can you imagine that it nearly reached the stage where you could not hear the races on radio! How much poorer would the industry have been without that — and it is so important still.

Neil also assisted in the establishment of an industry-owned but independent drug-testing laboratory trading as Racing Analytical Services Ltd to improve industry integrity assurance procedures. For example, at the time swabs taken at races were sent interstate for testing; we were not even doing our own swab testing. Our racing industry has a great and long heritage, but a lot of the basics were not being delivered, and Neil championed all of those. He also approved funding — as governments were then involved with TAB distributions — for major capital improvements at city and country racecourses. Great racetracks, which we now take for granted, came from that 10-year capital investment under Neil's stewardship.

As the minister responsible for major events I can say that Victoria has also thrived from his legacy in growing our state's events. The Premier referred to some of the infrastructure that is an essential and core part of our events capacity. As a former shadow minister for sport, recreation and racing I can only be eternally grateful for Neil's support in my difficult times in opposition. As we have heard, he was well respected across all political spectrums, which is a rare feat for any minister and unheard of in respect of a minister of 10 years service. I might even take up the suggestion from the Leader of the House and negotiate with The Nationals and get some questions up!

To be side by side with Neil Trezise opened many doors in the hard yakka of opposition, which was really because of his great credibility. As the member for Malvern said, he had a spirit of wanting to support the new kid on the block, and his liking of a competitive playing field meant he supported everyone. I appreciate the introduction he gave me to the racing and sports industries. I can tell you that it was pretty hard after 1992. Neil was one of those people who went out of his way when I became shadow minister in 1996 to lend his support, open a few doors and make introductions, which was of course very important along the way in building our road to government.

As the Premier said, Neil is well remembered for securing the permanent location of the grand final at the Melbourne Cricket Ground (MCG). He oversaw the development of the National Tennis Centre at Flinders Park, which is now known as Melbourne Park. He also established the hugely successful Victorian Institute of Sport. As an elite athlete himself Neil understood that elite athletes of his time were not paid what they are getting now. They certainly gave not only of their time but also from their pockets and from their families' pockets. They invested a huge amount to compete for Victoria and for Australia.

He knew from his own experiences that we could do more to show our gratitude to these elite Victorian athletes and give them the scope and opportunity to aim higher and achieve more. The formation of the Victorian Institute of Sport allowed for exactly that. On a per capita basis elite Victorian athletes are now the leaders in Australian elite sport and are out there as our champions not only at major events in Victoria but also at major events held overseas.

Neil was also heavily involved in the Melbourne bid for the 1996 Olympic Games. With the failure of that came the formation of the Melbourne Major Events Company in 1991, which has now become the Victorian Major Events Company. Imagine if Neil and the government of the day had not driven that — would we be the major events capital of Australia now? The answer is clearly no.

Neil was an example of a Labor minister as part of a Labor government making a difference. Under his leadership the MCG was rebuilt, and with this government's support it is now of a world-class standard. The light towers and the Great Southern Stand are both monuments to his foresight and vision. The Premier referred to the long-term security of tennis's Australian Open with its being given a permanent home at what we now know as the Rod Laver Arena at Melbourne Park. It is a great event that we enjoy every January here in this state. We take for granted our sporting assets and our position as the sporting and major events capital of Australia. The strong position we all enjoy today is a legacy of a great man and a great minister who saw the importance of building the state that he served.

At Neil's funeral Ian said that Neil always identified himself with the working class community. He was a battler or, as he liked to call himself, a 'lucky mug'. I am pleased to say that I and the many other people who knew Neil are all lucky mugs for having known and been supported by him. In all his 28 years in Parliament

he was driven by a sense of public duty, and he was always striving for something better.

I extend my condolences to Neil's family, particularly to our colleague Ian Trezise, his sister, Helen, and their families. Neil will be deeply missed and always remembered.

Mr MAUGHAN (Rodney) — Like other members who knew him, I remember Neil Trezise with a great deal of affection and respect. He was very good to me when I came into this place after a by-election in 1989. I can certainly relate to the comments made by the member for Malvern, the member for South-West Coast and the member for Doncaster, because Neil Trezise treated me with a great deal of respect. He was friendly, he was welcoming, he was generous, he was modest, he was direct and he was down to earth. I had a great deal of affection for Neil Trezise.

He is best remembered as an outstanding sportsman, and in particular for his achievements in football with the Geelong Football Club and his love of sport generally, all of which has been well documented today. He was a modest, decent and fair man, and as has already been indicated by previous speakers, he stood up for the battlers in our community. He was an outstanding Minister for Sport and Recreation. As previous members said, he left his mark on this state through a number of monuments — the Melbourne Cricket Ground redevelopment and the Rod Laver Arena.

The establishment of VicHealth was a great contribution for which Neil Trezise will be well remembered. In addition there are sporting facilities all around this state that owe their origins and existence to Neil Trezise as minister. The member for South-West Coast described how Neil Trezise would at times indicate to members that they should speak up on a particular issue, and when they did, he would deliver. I am sure he did that with many members right around the state.

He was a member of this house for 28 years and was highly regarded in his role as minister for 10 years. I am privileged to have known him, and I was privileged to attend his state funeral. I congratulate his son, Ian, on his moving eulogy to a wonderful man. I extend my sincere condolences to his wife, Joan, his daughter, Helen, his son, Ian, and their respective families.

Mr MILDENHALL (Footscray) — I worked for Neil Trezise as a public servant for the 10 years of his ministry. Much has been said of his approachable, affable and considerate nature. This was confirmed in

his political dimension, and we have heard that it was also true at the sporting, community and family levels.

I can confirm it was also the case in the workplace, where he was engaging and engaged. Part of his style came from another era. I had been working for the department for a year when the government changed. I remember two things that showed some of his style. One of the first letters that arrived was from the then MP for Sunshine, Bill Fogarty, who was a long-serving mate of his. We closely examined the letter that arrived. It was addressed to 'Nip' and signed 'The Fog'. We wondered whether a new form of salutation was now required for correspondence.

Nipper was also a fundamentally decent bloke. The previous minister had committed the equivalent of the next 10 years of capital works grants in annual subsidies, beginning the year after he left office. I can imagine the temptation facing incoming ministers these days in deciding whether such a commitment should be honoured. Nipper did it without hesitation, such was his concern for the communities named.

Some mistook his affable style and working-class background as leaving him ill-equipped for the leadership demands of the ministry. But he was decisive and knew his strengths. Internally it was suggested to us that briefing notes should be simple and kept to a maximum of one page. But Nipper was the first minister in the Cain government to have his so-called permanent head removed from office.

If Nipper could help people, he would. I lost count of the number of people from councils or non-government organisations who, after dealing with Nipper, would say, 'What a great bloke'. Many users of the tennis centre and the Melbourne Cricket Ground's Great Southern Stand projects, with which Nipper was integrally involved, would no doubt agree.

When I heard of his passing I was genuinely shocked. My immediate instinct was to write to Ian and say, 'In a sporting and political world often populated with egotists and blow-hards, we have lost a humble, decent man who has left us a legacy of commitment and achievement that has inspired many of us'. He will long be remembered. My condolences to Joan, Helen, Ian and their families.

Mr COOPER (Mornington) — I first met Neil Trezise when I was elected to this house in 1985. As the member for Rodney said, Neil Trezise was one of the first members to come up to you, say hello and introduce himself. To me he said, 'If there is ever anything I can do to help, please let me know'. It was

not an empty gesture, and they were not empty words — he actually meant it. Between 1985 and 1992 I observed a remarkable politician at work.

One of the things I noted during that time and have not noted since — even when we were in government, and certainly during the time we have been back in opposition — was the remarkable way in which Neil Trezise operated his portfolio in this house and outside. He and his then shadow minister, Tom Reynolds, a former member for Gisborne, were so close you would have thought they were from the same party. In fact, on this side of the place we often referred to them as the Bobbsey Twins, because they would go to events together. If they did not know somebody, they would be introduced by the opposite number, and so forth. The two of them operated in a very close and cooperative way. I have not seen that since from any other minister, no matter what their political colour, and perhaps we might not see it again, but it was typical of the two of them, and particularly of Neil Trezise. I think he was the one who started it. He was always interested in ensuring that his opposite number got a fair go.

From what I understand, not being a Geelong supporter but having observed him play, he was like that on the sportsground as well. When he played football he did not play it in a mauling, personal way; he actually played the ball and tried to ensure that everybody had a fair go. He loved the game. As we heard today, he loved racing, he loved football and he loved life. He was a very special person.

In the notes that we have been given on Neil I see that he was awarded membership of the Order of Australia. Like many other members in this place, twice a year I look through the names of people who have been given an Order of Australia and note that sometimes they include the names of members of Parliament, both from this place and from the federal Parliament, who are people we know. I am sure many members like me sometimes raise their eyebrows and think, ‘What did that person do to actually earn that award? Did they just get it because they were a member of Parliament and because they were doing their job?’ — the job they had been paid to do. That was not the case with Neil Trezise. If ever a man earned an Order of Australia, it was Neil Trezise. He took his responsibilities to the community much further than just being a member of Parliament. He was a very fine man and a fine Australian. He was certainly an asset to this state, and he will be sadly missed.

Ms OVERINGTON (Ballarat West) — Other members today have spoken of Neil Trezise’s distinguished parliamentary career and his long,

brilliant sports career. I want to talk about the Neil that I knew. I first met him in 1978 when, on one of his frequent visits to Ballarat, he came to the campaign office of Frank Sheehan. I was working as a volunteer in Frank Sheehan’s campaign office. Frank and Nipper had known each other for a number of years through their involvement with football. Neil was a frequent visitor and used to call in to give Frank some very valuable advice. He was a good mentor to Frank, as the candidate, and also to our, at that time, struggling campaign team. We did not win the election, but Neil continued to assist Frank in his campaign, and we won in 1982. Frank always said what a great support Neil had been to him and to the other newly elected members of that time.

Neil continued his frequent trips to Ballarat, and it was during this time that I met his father, Clarrie — that was in the early 1980s. Clarrie was a wonderful character who would come and spend an hour with me each week, where we would talk about politics, Ballarat, his family, and of course his son, Neil, who he was so proud of. Neil had many friends and interests in Ballarat. As we heard today, one of those interests was the Burrumbeet racing club. He was a committee member and was just recently made a life member. He was delighted when a horse he owned, Dream Ruler, won the Burrumbeet Cup in 1986.

Neil started his football career at the Redan Football Club. Redan is in the heart of my electorate. Until recently he would call into the Bunch of Grapes Hotel, which is close to the Western Oval, the home of the Redan Football Club, to catch up and talk football with all his old friends, including mates like Charlie Rumble. The guys from the pub told me that it was not unusual for Nipper to bring a cut lunch and a thermos and sit on the bench seats at the oval talking to all those who walked by.

Since my election Nipper used to regularly call in to my office, just to see how I was getting on. I always found Nipper a genuine man in everything he did. For me it has been a privilege to have known three generations of the Trezise family, all good men. I extend my sincere sympathy to the whole family.

Mr LONEY (Lara) — It is an honour to join this condolence motion, but I have to say it has been a much greater honour to have known Neil closely. Neil was not just a great footballer and not just a great politician, he was a great person. I admired Neil’s commitment, I respected his wisdom, and I enjoyed his company. My wife, Judy, as his goddaughter, knew Neil from birth. They had a very close and mutually protective relationship. I only knew Neil for 30 years or so — it

was not long enough. I knew him firstly politically; his contribution to my community was immense.

I worked on many campaigns with Neil, where his qualities shone through. One of Neil's great qualities was simplicity, and you would see that when you sat down to write campaign brochures. Unexpectedly for politicians, there is generally a fair amount of hyperbole and ego in campaign brochures. If you wrote one for Neil — and that is what I used to do on many of the Geelong campaigns — the first thing you noticed was that there was no ego. Whereas for another member of Parliament you might write that they were 'the greatest member this electorate has ever had', if you put that in a brochure for Neil, he would say, 'You can't say that. That's not right', and it would have to be changed.

He also queried the use of language. I remember one campaign meeting where a brochure had been prepared — I will not say by whom; it was one of the other Geelong members at the time — that spoke about a particular thing being a 'watershed in Geelong history'. As those who have sat at a meeting with Neil would know, he said, 'Do you know what that means?', and then to the person on his other side, 'Do you know what that means?'. He then asked the person who wrote it, 'Watershed — what does that mean?'. The person who wrote it started to stumble in trying to explain it. Neil's response was, 'If we do not know what it means, how will they know what it means when we send it out?'. It was about simplicity.

As I said, with Neil there was no ego, but you had to be accurate when you were talking about him. It was not a matter of ego; it was a matter of accuracy. Richard McCullough, one of our parliamentary attendants, who comes from Geelong, told me an early story about Neil. Also being a Geelong supporter — and there are a few of us around in this place — he was talking to Neil about the great sides of 1951 and 1952. He said to him, 'Yes, Neil, and you were second rover to Peter Pianto'. Neil shot back, 'First rover'. He was, of course, but his reply was about accuracy, not ego.

I followed Neil into the seat of Geelong North, and that was Neil's doing. Neil came to me and asked me to think about it. I first said no to him, but he came back again and eventually I did, and I thank him for his support. He was a tremendous supporter, and I have to say that, in my area, if you did not have Neil's support you were not going to win. One of the great political mementos that I treasure is a banner from the *Geelong Advertiser* after that election that simply says, 'Loney wins Nipper's seat'. If something was in the paper he would ring you, and he always had something positive

and encouraging to tell you or had an idea for you to follow. He was a very encouraging and positive person.

I remember the same sort of thing when people talk about his career as a minister. When he announced his retirement a reporter from the *Herald Sun* rang him and said they had been going through his files trying to do the story assigned to them by the editor. The reporter said he was getting short on content because he had gone through the files looking for all the mistakes and crises Neil had as a minister but could not find any and could not write the story. That was Neil. His courtesy to others was also mentioned. There was one group of people Neil had no time for. The Attorney-General spoke about the rotten Tories and the decent Tories. That was not the category, but there was a category that if Neil put you into you were dismissed — and that was if you were a pooh-bah. He had no time for pooh-bahs; they were on the out list altogether! That showed up in his life with his friends and others. He did not knock around with pooh-bahs.

My own best memories of Neil are personal ones, particularly around football and sport. Some of those great memories are of working on the staff of the Geelong Football Club and, after a game, standing in the corner of the dressing rooms with Neil and his brother-in-law and great mate, Ron Hovey, talking about the football and other things. Quite often, particularly if we played at Waverley, Neil would ask, 'How are you getting home?'. I would say, 'On the bus, Neil, on the players bus going home'. He would say, 'I have a car', and I would go home with him. We would spend an hour and a half in the car from Waverley talking about all sorts of things. They were treasured times with Neil.

Neil was a wonderful man and a very generous man to me personally. The Sunday night that Ian rang me to tell me about his death it just stunned my wife and me. We never expected Neil not to be there. I pass on my sympathies and those of my wife, Judy, to Joan, to Ian, Helen, Jenny and Jim, and to all those grandchildren whom Neil loved so much. We certainly will miss him.

Mr HOWARD (Ballarat East) — I am pleased to speak in support of the condolence motion. Neil Trezise was someone I first met in the mid-1980s in my early days as a Labor Party member in Ballarat. As someone who had grown up in Geelong I was well aware of Neil's reputation both as a great Geelong footballer and as a long-serving member for Geelong North and, previously, for Geelong West. But it was not until I was secretary of the Ballarat East branch, thinking about planning a fundraising event, that I came upon the idea of a sports trivia night.

In discussing the concept of the event with Frank Sheehan, the then member for Ballarat East, he advised me that it seemed a pretty good idea but that to make the event really work we ought get Nipper Trezise along. I contacted Neil, who by this time was Minister for Youth, Sport and Recreation, and he was only too pleased to accept. He said that he was always happy to accept any event that brought him back to his old town of Ballarat and he was always very pleased to support his friend Frank Sheehan. On the night, in between the sporting trivia questions, Neil was able to enlighten those present with humorous anecdotes about his sporting and government experiences. He was certainly an unassuming man and a man of humour who helped to make that night a great success.

It was many years later before I came to spend much time with Neil again — in fact it was after my election to Parliament in 1999. Following that I met with Neil again on a number of occasions, often in the company of his son, the current member for Geelong, but at other times on his own. I remember one occasion in particular when I attended an event for former Geelong footballers at The Heights, a National Trust of Australia property in Geelong. On that occasion Neil and his wife, Joan, were there and Neil, as he regularly did when I came upon him in more recent years, engaged me in discussion about how things were going in Ballarat. In the discussion it was clear that Neil had been following events in Ballarat anyway and already knew much about what I was going to share with him. Clearly he had taken an ongoing interest in my career, as he had in the career of Karen Overington, the member for Ballarat West. He would always be pleased to offer some gentle advice, and that advice was much appreciated.

As has been said by so many in the chamber today, Neil was a gentle but observant man who was very good at developing relationships with those around him and making life better for people. I certainly appreciated my encounters with him. I also know Neil was a great family man, loved and valued by all the members of his family. I am sorry that a close mate of mine has lost his dad, and I pass on my condolences to Ian, to Joan and to all the family.

Mr ROBINSON (Mitcham) — It is with both sadness and pleasure that I join the debate on the condolence motion this afternoon in honouring the service to Victoria of the remarkable Neil Trezise. While I did not know Neil Trezise as well as some of the older members of this place, I did have the opportunity of meeting him on many occasions in recent years, and mainly at a number of Melbourne

racetracks where, in his retirement, he was able to pursue his lifelong passion for horseracing.

One thing that stood out for me was Neil's enduring friendship with a noted horse trainer, George Hanlon. I understand that they were great mates and that Neil regularly backed horses trained by George. In 2000 a Hanlon trained horse, Diatribe, won the Caulfield Cup in record time. If I remember correctly, it won at quite healthy odds. I suggested to Neil a little while after the race at the track that as a friend of George no doubt he would have received the good oil on the horse and collected a very healthy dividend. Neil's response was that, yes, he had backed the horse but only in the same way that he had backed all of George's other horses and all the other horses he had punted on at that stage in his life — namely, with a dollar each way.

I am not so sure that it can be said of Neil that throughout his life his punting habits were so frugal. I think perhaps at an earlier stage of his life they were a little more generous, but certainly at that stage of his life he was someone who enjoyed horseracing for the sheer spectacle.

Significantly, as Victorian racing minister in the 1980s Neil Trezise oversaw the establishment of the Victorian owners and breeders incentive scheme (VOBIS), a scheme that became a national leader and has since been emulated elsewhere throughout Australia. The scheme was kicked off with some government seed funding but grew through the contributions of owners and breeders and their nomination fees. In the past 20 years the scheme has paid out bonuses of around \$60 million to owners and breeders. That is not to say it was an initiative which enjoyed unqualified support across all government departments and the racing industry when it was proposed. Indeed some elements in the racing industry thought it was a form of socialism by stealth and should be resisted at all costs. It is a great tribute to Neil's work as minister that the scheme was established and has succeeded so brilliantly.

As chairman of the parliamentary Economic Development Committee, which over the past 18 months has been looking at the thoroughbred breeding industry, I took the opportunity last year to go down to Geelong and visit Neil at his home and talk to him about the history of VOBIS. What struck me about the meeting was that while he could have rightly claimed the lion's share of the credit for introducing VOBIS, as indeed he could have with regard to the National Tennis Centre, the retention of the grand final at the Melbourne Cricket Ground and any number of other initiatives, he very generously gave credit to a

whole range of other people for the work they had done.

I guess that was the nature of Neil Trezise. His generosity of spirit impressed all who met him. He must rank as one of those exceptional individuals whose reputation was enhanced by the many years he spent in this place as a representative of Geelong, as a shadow minister and as a minister. I too wish to extend my condolences to his family.

Ms MUNT (Mordialloc) — I simply wish to pay my respects to Neil Trezise as a man who gave a lifetime of service to the Victorian people and a lifetime of loyalty to the Labor Party. Sitting here listening to the tributes from people who did know him, it has become very apparent that Neil was held in high regard and was loved by all sides of politics. There can be no greater recognition than to be held in high regard by all.

I particularly want to pay my respects on behalf of a former member for the Mordialloc area, Peter Spyker, who was one of Neil Trezise's contemporaries. I know Peter held Neil in great esteem.

I would also like to mention that for almost four years now I have sat next to Ian Trezise, the member for Geelong in this Parliament. Ian has been a great support and a great help to me. He is an honest, decent man, and I can now see that that seems to be a family trait. I would like to pay my respects to Ian's family. It must be some comfort to know the great esteem in which Neil Trezise was held. It has been an honour for me to get to know one of Neil's family. I extend my deepest condolences to Neil's family on their great loss.

Mr SEITZ (Keilor) — I rise to join other members in speaking on the condolence motion for Neil Trezise. My acquaintance with Neil goes back to the late 1960s. Reg Pollard had held the federal seat of Lalor, but he was defeated and for one term Lalor was held for the Liberals by a member named Lee, who later ran for the seat of Ballarat. Lalor stretched right down to Lara and Little River and around that region, right across to the western suburbs. That is where I first came into contact with Nipper, as he was known to us, because he was the contact for ALP members working and campaigning in that region.

From then on my contact with Neil and my predecessor in Keilor, Jack Ginifer, who was also a great friend of Nipper's, led to my working for the area. When one reads Nipper's inaugural speech in this house one can see the care he took and the issues he raised for the community, including decentralisation. After all, there was a lot of farmland in the area in those days. There

were small towns, and the people living there had a lot of commitments.

I was privileged to work with Nipper when I came into the house. As many other members have said, his guidance, his assistance and his commitment were never shallow. He was accessible as a minister. You did not have to go through ministerial personal assistants and the rest of it — you could approach him directly on any issue and he would have it all in his head. He would know the area and be right across the issue, whether you met him in Strangers Corridor or went down to his room to talk to him or whether he came out to the electorate to have a look. He would spend a weekend looking at an area and at what we wanted to do there with local government and sporting clubs.

He was always very cool and calm in the battles he fought. The unions gave him some headaches when we were building the light towers at the Melbourne Cricket Ground. There were also problems when we were redeveloping the Olympic Park site and taking land away. People were complaining, but Neil managed to massage all those tough issues and get them smoothly and calmly through cabinet and our caucus. It was phenomenal. The last one involved the Pyramid Building Society. Everybody was getting confused and hysterical, but Neil kept his cool and advised and maintained the confidence of all of us in the party and the government at the time.

What we saw was a man of a different era who was brought up with different values. It was a different time, and people's commitments were different from those we see today, with the speed and stress we are all living under. Neil had a very calming influence on all of us and particularly on the people of Geelong. He was committed to serving people from ethnic backgrounds who came to his electorate office. I know the Croatian community always commented on this. They were very proud of him, and they were happy with their association with him and the support he gave them when dealing with their various problems — and in those days they were mainly problems with housing ministry accommodation. It was a job he did silently. It was not highlighted in the media; it was just part of the normal work he did. You could almost say 50 per cent of his work involved welfare work for the community in Geelong, including the workers from ethnic backgrounds in the various factories down there.

With those few comments, I pass on my condolences to Neil's wife, Joan, our colleague Ian, and Helen. I will finish by saying that Neil was a great man, not only for Geelong but for Victoria and Australia.

Mr TREZISE (Geelong) — As members would appreciate, today is probably my hardest day in this Parliament. However, having listened to the words of other members I can genuinely say that, along with making my maiden speech, this is probably the proudest I have felt in this house. Although I must say that, in speaking last, all of my one-liners have been stolen.

On behalf of my family, I first and foremost thank members for their kind words today, and I note the overwhelming messages of condolence and support we have received from past and present members since my father's death. They are genuinely appreciated and have greatly assisted us in coming to terms with his sudden passing.

I can assure the house that my father would have been very pleased to know that arrangements were made to enable members from both sides of the house to attend his memorial service, despite it being a sitting day. He very much prided himself on the fact that as a member he had good friends in all parties. On his own side he was very close to the likes of Frank Wilkes, Dolph Eddy, Bill Fogarty, Gordon Stirling, Jack Walton, Tom Edmunds, Jack Wilton and Carl Kirkwood. As a minister he enjoyed the full support and close, lifelong friendship of Premier John Cain. He also spoke very fondly of the likes of Lindsay Thompson and Peter Ross-Edwards.

On sitting days I had regular conversations with Nipper. He would often ask after members he had worked with. I frequently told him that the member for Murray Valley, Ken Jasper, sent his regards. He would always reply, with his wry sense of humour, 'Is that Jasper still up there raising matters on the adjournment?' — and he was.

He told me that he thought he must be getting old when he learned about the pending retirements of the member for Footscray, Bruce Mildenhall, and the Minister for Community Services, Sherryl Garbutt, two members with whom he had also worked. But there is one person who is still here for whom he had great regard, and that is a member for Silvan Province in the other place, Carolyn Hirsh. Until the day he died he never forgot the support that Carolyn gave him when he was under the factional pump for his own place in cabinet and his seat. Dad was also proud of the fact that many of the parliamentary staff were his mates, and he always appreciated it when I passed on their regards.

Although he never said it, I know that dad was just beginning to turn his attention to the November state election. He deliberately took a backseat in my political

career, knowing that I had to find my own way and make my own mistakes, but come election time he could not help himself. Nipper may have come across as a pretty laid-back, relaxed type of bloke, which he genuinely was, but come the state election his competitive instincts well and truly got the better of him. For a start he would transform into a letterboxing machine. There were nights in 1999 and again in 2002 when he would be out until 1.00 a.m. stuffing some type of propaganda into people's letterboxes. He had generally written the material himself as well.

He also had a superb and an uncanny sense of the issues that were important to ordinary people and the position we should take on them. He really did know people and what was important to them — and I must say that people knew him. There genuinely would not have been a day go by in my life without someone asking how he was going and telling me how they remembered him playing footy for Geelong or how he had helped them out, generally to get a house.

Of course my father would have been the first to admit that he alone did not deserve the credit. Much of his political career in the early days was due to the work of people like Gordon Scholes, Roy and Dot Mills, Mary Weston, Kevin Doherty, Nancy and Dick Riley, Mick Mullins, the Brady family and Bill and Geraldine King. And of course Judy Loney served him well as his electorate officer for 13 years. I also have to say that he was very proud when the member for Lara and Deputy Speaker, Peter Loney, took over his seat in 1992.

However, over and above these people, his first and foremost political and personal support came from my mother, Joan. His first decade in Parliament was without any office or electorate staff, so our home was his office — and he was never there, so the real day-to-day electorate work fell to my mother, because at the time he was also coach of the Geelong Football Club reserves team and a member of the committee. He also had a sports store, as people have mentioned, but my mother ran that, not him.

To say that our family life when I was growing up was based around Labor politics and the Geelong Football Club would be an understatement, and that is where one of my one-liners has gone! But my mother was more than an unpaid electorate officer. She was herself very politically savvy and often called a lot of the shots. I know if my father was here today he would give much of the credit for his success to my mother, Joan, and rightly so.

As a family we obviously miss him dearly. What I would not do just to have him back for one more day. I

know at election time and throughout the campaign I am going to miss him immensely. Win, lose or draw on 25 November this year, I know that my night is going to be very hollow. But as Nipper would have said, 'I will be there in spirit'. For me he will be, not only for election night but for ever more.

The SPEAKER — In concluding this debate I would like to extend the condolences of all the members of the Legislative Assembly to the Trezise family.

A very clear picture of Neil Trezise has been given today in the tributes paid to him by members representing all political parties. He is remembered as a generous, friendly and outgoing man and a very competent member of Parliament who achieved lasting legacies for the people of Victoria during his time as minister. Neil Trezise was obviously a gifted sportsman, and his support for the concept of a fair go stayed with him throughout his parliamentary career.

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

ADJOURNMENT

Mr BRACKS (Premier) — I move:

That, as a further mark of respect to the memory of the late Honourable Neil Benjamin Trezise, AM, the house do now adjourn until 8.00 p.m. this day.

Motion agreed to.

House adjourned 3.43 p.m.

The SPEAKER took the chair at 8.02 p.m.

ABSENCE OF MINISTER

The SPEAKER — Order! I wish to advise the house that the Minister for the Arts, who is also the Minister for Women's Affairs, will not be here this week and that the Minister for Community Services will answer questions directed to her.

QUESTIONS WITHOUT NOTICE

Budget: pre-election update

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. Given that Victoria now has a fixed election date, will the Premier allow Victorians time to assess the state's financial position by

undertaking to bring forward the release of the pre-election budget update to at least the day the writs are issued?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. The opposition leader referred to two reforms which have been undertaken by our government. One reform is to have a fixed term election date — —

Ms Pike interjected.

The SPEAKER — Order! The Minister for Health!

Mr BRACKS — That is a reform which means it is open and transparent and everyone knows when the election date is. No longer is there any advantage for an incumbent government in picking a date. The date is there for everyone to see — the last Thursday in November, every four years.

Mr Ryan — Thursday?

Mr BRACKS — I could change it!

Honourable members interjecting.

Mr BRACKS — The last Saturday.

Mr Batchelor — They do know when it is!

Mr BRACKS — Yes, that's good! On the matter of the second part of the question, a second reform of our government has been to introduce the pre-election budget update, which was not a feature of previous administrations in this state. That means that independently the head of Treasury gives an assessment of the finances during an election campaign. The head of Treasury has, under legislation, 10 days in which to prepare those accounts. That is in accord with the arrangements which operate federally for its pre-election budget update — —

Honourable members interjecting.

Mr BRACKS — It accords with arrangements which operate in other jurisdictions. It means that, as distinct from the previous Kennett administration, we will not only have a fixed date, we will also have an independent assessment of the finances, which is a great benefit for the people of Victoria.

Ms Pike interjected.

The SPEAKER — Order! The Minister for Health!

Employment: growth

Mr LIM (Clayton) — My question is to the Premier. I refer the Premier to the government's commitment to making Victoria a great place to work, live and raise a family, and I ask him how the government's creating jobs and reducing unemployment is a demonstration of that commitment?

Mr BRACKS (Premier) — I thank the member for Clayton for his question. I know that many people in this house would have been very proud of the job figures which were released last Thursday by the Australian Bureau of Statistics and which show that unemployment in Victoria is at a 15-year low, at 4.6 per cent, compared to the unemployment rate across the nation of 4.9 per cent and compared to the rate in New South Wales of 5.7 per cent. If you look at the jobs that were created in the last month, you find that 11 500 jobs were created in Victoria, which is exactly half of all the jobs created in Australia — 25 per cent of the national economy yet half of the job growth in the country.

This meets the target which we set for ourselves as a government some years ago of achieving a 5 per cent unemployment rate. I am very proud and pleased not only that that has been achieved but that, of course, the 4.6 per cent rate is the lowest rate for some 15 years.

So far this year 70 100 new jobs have been created in Victoria out of a total of 228 400 across the country. Since this government came to office we have seen the creation of some 362 400 new jobs.

Honourable members interjecting.

Mr BRACKS — I heard an interjection before, and I will not respond to it — but I will make a separate point, and the separate point is this — —

Mr Smith interjected.

The SPEAKER — Order! The member for Bass!

Mr BRACKS — If you compare that to the seven-year period of the previous Kennett government, you find there are 100 000 more jobs than the Kennett government had.

If you look at some of the initiatives, you can see why this has happened. More recently I announced, with the Prime Minister, a new, \$1.8 billion investment for Ford Australia, with 1500 direct and indirect jobs. If you look at the location of GE Capital in Victoria and the expansion of its new site, which this government facilitated by bringing in planning powers to ensure that

it was done in a timely way to secure that investment, against the will of the Leader of the Opposition, who opposed the development, you see that 1500 new jobs were created. If you look at regional Victoria, which has benefited from some of the job growth, you see that 12 070 more people had jobs in the July quarter of this year as a result of the regional employment increase.

Regional unemployment has fallen to 5.6 per cent, one of the lowest unemployment rates we have had in regional Victoria for many years. That can be compared to the peak in the Kennett years, when there was 13.8 per cent regional unemployment. It was very common to have double-digit unemployment in regional Victoria right through the Kennett years, and we have seen that reduced under our government. To amplify that, under our government 103 000 new jobs have been created in regional Victoria, which is more than double the 40 000 new jobs in regional Victoria under the Kennett government.

The member for Clayton asked me what we are doing about jobs. When it comes to jobs, over the last seven years we have seen some of the best job growth that Victoria has ever had, we have seen some of the best regional unemployment figures that regional Victoria has ever had, and we are seeing a much more even employment outcome across the state. No longer can regional Victoria be described as the toenails of the state. We have said we will develop the whole of Victoria, and it is happening under our government.

Water: Ballarat supply

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Water. I refer to the draft *Sustainable Water Strategy — Central Region*, released in April this year. Given that the proposal to pump water from the Goulburn Valley to Ballarat is not even mentioned in that 160-page document and that the project was not mentioned by the minister when he was in Shepparton on the morning of the very day that he announced it, can he now outline to the house the process that he has undertaken to develop this preposterous proposition to this stage?

Mr THWAITES (Minister for Water) — I thank the Leader of The Nationals for his question. It is quite clear that The Nationals have no policy at all on Ballarat having sufficient water for the future. This side of the house wants to ensure that we have security of supply for Ballarat into the future.

Ballarat is growing, and that is a great thing. There is a bigger population and there are more jobs, but if they

do not have water, they will not have the growth and they will not have the jobs.

Honourable members interjecting.

The SPEAKER — Order! The level of interjection is far too high. I ask the member for Polwarth and other members on my left to be quiet.

Mr THWAITES — After seven years we have seen continual growth in Ballarat as this government has invested in major projects. The government has invested in supporting employment and in water infrastructure. There are good projects for Ballarat that will see Lake Wendouree resupplied with recycled water. We have invested in that — not the previous government but the Bracks government. There are projects like joining up the Cosgrove Reservoir, which has provided about an extra 500 megalitres. That was opposed by the Liberal Party. We have now invested in it, and it is delivering extra water.

We are not apologetic about supporting Ballarat, because we know that if our regional towns are to prosper, they will need water. Until we hear The Nationals come up with a solution as to how they are going to provide the water, they do not deserve to be heard.

Schools: funding

Mr LONEY (Lara) — My question is to the Minister for Education and Training. I refer the minister to the government's commitment to boosting Victorian education, and I ask her to detail for the house the latest information on the government's actions to build new schools and school facilities.

Ms KOSKY (Minister for Education and Training) — I thank the member for Lara for his question and for his ongoing commitment to education in this state. As everybody in this house knows, education is the Bracks government's no. 1 priority. We have invested an additional \$6.3 billion in education and training since coming to office. That includes \$2 billion in capital works for schools and TAFEs. It is an extraordinary commitment that we have made.

Ms Asher interjected.

Ms KOSKY — It is our job, and we see that investing in education is the job of good governments. We have worked very hard to address the scandalous neglect of the previous government, which closed more than 300 schools around the state. I still visit schools that had been fingered by the previous government. Communities worked really hard to try to save their

schools, and they pointed to the schools down the road that were closed as a result of the previous government's neglect of government schools.

Mr Dixon interjected.

The SPEAKER — Order! The member for Nepean!

Ms KOSKY — It was absolute neglect of government schools. Over 300 schools were closed.

Mr Kotsiras interjected.

The SPEAKER — Order! Ministers should be able to answer questions without the continual level of interjection that at the moment is being provided by the member for Bulleen. I ask him to be quiet.

Ms KOSKY — Since 1999, 687 schools have received funding for major works, and 33 new schools and 24 complete replacement schools have been funded. Just to put this into perspective, in the previous three years of this government average capital investment has been more than triple the previous government's average over a comparable three-year period. That is an extraordinary investment we have made — or, you would have to say, it was a pretty ordinary investment by the previous government.

Just to give the house a few details of the 33 new schools and 24 replacement schools, and I will not run through all of them: \$13.5 million was provided to Kambyra Secondary College, and I know the member for Narre Warren South was very happy about that investment; \$4 million was provided to Benton Junior College in Mornington, and I have visited that school with the Premier; and Roxburgh Rise Primary School was allocated \$5 million, and I know the member for Yuroke was very happy about the opening of that new school.

This government made a commitment to Wallan Secondary College, and the member for Seymour was very active in making sure that that investment of more than \$8 million was made. As for Mount Erin Secondary College's Somerville campus, we were all proud when this government reversed the previous government's decision to sell that land. We not only kept the site but rebuilt on it, and now there are very proud students attending that school.

I was delighted along with the member for Hastings to be at the opening of the Somerville campus of Mount Erin Secondary College. I know the member for Bass is very pleased that in the last budget we announced the opening of a new school — Pakenham South Primary

School. I know he will be appreciative of the investment of this government — —

Mr Smith interjected.

The SPEAKER — Order! I warn the member for Bass that I will not tolerate that behaviour.

Ms KOSKY — Last week I joined with the member for Murray Valley in celebrating the announcement of the Wangaratta technical education centre in his area. It is one that the Liberal opposition is not prepared to support, but we will indeed support that. That was a great celebration in Wangaratta.

In the last budget this government had the biggest capital commitment that has ever before been made by any Victorian government. I was pleased to hear the members for Nepean and Doncaster actually acknowledging the harm that was done by the previous government. I appreciate that.

Mr Cooper — On a point of order, Speaker, the minister has been speaking for nearly 5 minutes, and she is now starting to embark upon something that is out of order — that is, using the question as a vehicle to attack the opposition. I ask you not only to bring her back to order, but to tell her that she has been speaking for too long and to get her to resume her seat.

Mr Thwaites — On the point of order, Speaker, the minister has been interrupted by a number of interjections. She was not debating the point; she was merely congratulating the member for Nepean for his public statements on opposing school closures.

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

Ms KOSKY — We have made a major investment in education, including capital, in the periods we have been in office. I was dismayed to hear the opposition leader actually endorse Jeff Kennett's view that the closure of 300 schools was appropriate.

Mr Cooper — On a point of order, Speaker, the minister is for the second time using the question as a vehicle to attack the opposition. That is out of order. In accordance with your previous rulings, I ask you to bring her back to order.

The SPEAKER — Order! I uphold the point of order. I ask the minister to conclude her answer now.

Ms KOSKY — This government is absolutely committed to building high-quality education and educational facilities in this state for our government

schools. We will continue to make that commitment, but I wonder who the real Leader of the Opposition is.

Planning: Melbourne 2030

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. Does the Premier stand by Melbourne 2030?

Mr BRACKS (Premier) — It is one of those telling questions. I thank the Leader of the Opposition for his question. The answer is yes.

Teachers: career change program

Ms BARKER (Oakleigh) — My question is to the Minister for Education Services. I also refer the minister to this government's commitment to boosting Victorian education and ask her to provide details of the latest Bracks government initiative which is bringing even more teachers back into Victorian schools.

Ms ALLAN (Minister for Education Services) — I thank the member for Oakleigh very much for her question. As this house has just heard, it is the Bracks government which is absolutely committed to delivering a top-quality education for all Victorian students.

Ms Pike interjected.

The SPEAKER — Order! I warn the Minister for Health.

Ms ALLAN — As I said, it is the Bracks government which is committed to delivering a top-quality education for all Victorian students. A key to achieving this is to ensure that we continue to have the best and brightest teachers teaching in Victorian classrooms. We have certainly worked hard over the last seven years to achieve this. We have funded more than 6200 teachers and staff back into Victorian government schools. This investment is producing real results, whether it is the lowest primary schools class sizes on average or the best year 12 completion rates of any Australian state. These are great results, and we are going to continue to build on this good work.

That is why I am very pleased to announce to the house that the Bracks government is going to invest an additional \$1.6 million to expand and extend the highly successful career change program so that more Victorian schools can benefit from this innovative program. This program encourages people from a diverse range of professions and occupations with a wealth of experience outside the classroom — scientists, engineers, mechanics, carpenters and chefs,

but sadly no politicians yet — to bring their knowledge and expertise into Victorian classrooms for the great benefit of Victorian students. This program is the first of its kind in Australia and this is where trainee teachers are going to be — —

Dr Napthine interjected.

The SPEAKER — Order! The member for South-West Coast!

An honourable member interjected.

Ms ALLAN — We will not take your application. This program is the first of its kind in Australia where trainee teachers are provided with on-the-job experience and support at the same time to complete a specially tailored university course that is being designed for this program. Next year 30 more Victorians are going to get the chance to train to become teachers across a range of subject areas — maths, physics, information technology and automotive engineering. I think it is interesting to note that this is one Bracks government initiative that is yet to be copied by the opposition. I guess that is because this initiative is about employing teachers, not sacking them.

Certainly this career change program is just one part of the Bracks government's overall plan to attract quality teachers into Victorian government schools. We have a range of initiatives, whether it is the 900 people who have already gone through our refresher and retraining programs to get back into Victorian classrooms, or the further 930 graduate teachers who have received scholarships of up to \$9000 to go into rural schools in hard-to-staff subject areas to support Victorian students. This demonstrates once again, as the Minister for Education and Training has also demonstrated to the house, that education continues to be this government's no. 1 priority, helping to make to make Victoria the best place to live, work and raise a family.

Industrial relations: WorkChoices

Mr McINTOSH (Kew) — My question is to the Premier. Will the Labor government withdraw Victoria's referral of the industrial relations powers to the commonwealth?

Mr BRACKS (Premier) — We have no plans to withdraw that referral. What we want to see is a national industrial relations system which is fair — and that is not too much to ask. We oppose the federal government's attempt to nobble the Australian Industrial Relations Commission, to effectively bring in second-class and second-tier wages around the country

and to affect the holiday rates and leave loading of most employees as they move onto new contracts. We have indicated through our appeal to the High Court our opposition to the WorkChoices legislation, and we will continue to do that.

I note there is a difference — and I accept that — between the parties. I accept the difference, and I think it is fair that we have different positions on industrial relations. We on this side oppose WorkChoices and the federal government's industrial relations scheme. On every occasion on which there has been an opportunity to vote on opposing the industrial relations system of the federal government, the opposition — the Liberals — have supported the federal government's industrial relations system. That is fair. We have a different system. We will oppose the federal industrial relations system; the opposition will support it.

Questions interrupted.

DISTINGUISHED VISITOR

The SPEAKER — Order! Before calling the next question I would like to welcome to the Assembly today the Right Honourable Sir Alan Haselhurst, a Deputy Speaker of the House of Commons, and his wife.

Questions resumed.

Water: conservation initiatives

Mr WYNNE (Richmond) — My question is to the Minister for Water. I refer the minister to the government's water plan Our Water Our Future and ask the minister to detail for the house the latest initiative to build on Victoria's water-saving efforts.

Mr THWAITES (Minister for Water) — I thank the member for Richmond for her — —

Honourable members interjecting.

Mr THWAITES — He is a very good-looking member, too! I think these 8 o'clock question times need to be changed. I thank the member for Richmond for his question, and I am very pleased to have announced this week another initiative of Our Water Our Future, which is to distribute some 180 000 AAA shower heads to Victorian households.

While some members opposite do not want to participate in water-saving measures, these AAA shower heads will save around 2 billion litres of water per year. Not only will they save water but they will

also reduce greenhouse gas emissions; and they will help families cut their household bills by about \$60 a year. That is a pretty good trifecta.

It is worth noting that each of these water efficient shower heads saves about 30 litres of water per shower. Over a year that adds up to about 20 000 litres of water.

Honourable members interjecting.

The SPEAKER — Order! I ask members on my left to be quiet to allow the minister to answer the question. There is far too much noise and interjection.

Mr THWAITES — These AAA shower roses will save a household around 20 000 litres of water a year, which is about the equivalent capacity of a small tank. Under this program there will be — —

An honourable member interjected.

The SPEAKER — Order! The member for Polwarth, I think, was on a warning, but I will give him one last chance. One more word and the member for Polwarth will leave the chamber.

Mr THWAITES — This is a \$6.5 million program we are jointly entering with the various water authorities. It has been trialled by City West Water, which has already exchanged some 3000 of the AAA shower heads during a trial where they invited customers to bring in and exchange their old shower heads for the new ones. South East Water has also been involved in a trial involving people in Frankston South.

We will be working with regional areas that are suffering under serious restrictions now. They will play an important part in the program. We will work with community groups to ensure that all people in the community, including low-income people, have access to the shower heads. This program will deliver around 2 billion litres of water savings per year at a cost of \$6.5 million. That is about the level of water that would be gained by the opposition's plan to dam the Maribyrnong River, at a cost of more than \$80 million.

Mr Cooper — On a point of order, Speaker, question time is a time for the minister and the government to talk about government administration, not about policies of any other party. The minister is now talking about a policy of the Liberal Party. He should be restrained to answering the question on government administration.

The SPEAKER — Order! I ask the Minister for Water to return to answering the question.

Mr THWAITES — This is yet another initiative that is part of our water-saving effort. It has already seen permanent water-saving rules, a tiered pricing structure which rewards water savers, a rebate program that has led to 130 000 rebates around the state, and our behaviour change campaign. They are all measures that have been opposed by the opposition.

Mr Perton interjected.

The SPEAKER — Order! The member for Doncaster!

Mr THWAITES — In terms of the success of this water-saving campaign, I ask members to look at the savings we have made. We have achieved savings of about 22 per cent per head in Melbourne and similar substantial water savings in the rest of the state. If we had not achieved these water savings, in Melbourne we would be looking at going onto stage 3 restrictions now. If we had not achieved these savings, we would be investing and having to invest far more in capital infrastructure. While the opposition continues to oppose these measures because it has no plans — all it does is oppose — this government will ensure that we continue to deliver the water savings needed to provide water for the future.

Water: Latrobe Valley feasibility study

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Water. I refer to a report in the *Weekend Australian* which claims that the government has received a feasibility study that broadly endorses a proposal to pump 115 billion litres of Melbourne's waste water to the Latrobe Valley, and I ask: will the minister release the details of the feasibility study prior to the election?

Mr THWAITES (Minister for Water) — I thank the Leader of The Nationals for his question. The government has been very open about this project. In fact, we announced that we were doing a feasibility study in *Our Water Our Future*. We also indicated in the draft *Sustainable Water Strategy — Central Region* that this was being considered. That feasibility study is very important, because while the project has some outstanding opportunities, it also has some major complexities and costs. All of that needs to be properly considered. The government will be doing that in the context of the central regions strategy.

We will be releasing our central regions strategy prior to the election. We will make it very clear — —

Mr Ryan interjected.

Mr THWAITES — That is what you asked. They do not like the answer. We will be releasing the strategy for the central regions prior to the election, and all members will have a chance then — —

Mr Ryan — On a point of order, Speaker, the minister is debating the question. The question was directed towards the release of the feasibility study, and I ask the minister to answer that question.

The SPEAKER — Order! I do not uphold the point of order. I do not believe the minister was debating the issue.

Mr THWAITES — On this side of the house we support recycling, unlike some others who have come out against the Gippsland water factory. There are some people in the community who have come out against the Gippsland water factory on the basis — —

Mr Ryan — On a point of order, Speaker, I renew my point of order.

The SPEAKER — Order! I ask the minister to return to answering the question.

Mr THWAITES — The recycling project that has been referred to is important. The Gippsland water factory is a major recycling project which The Nationals now oppose, despite the fact that it will have enormous benefits for Gippsland and is providing the basis for jobs — —

The SPEAKER — Order! I ask the minister to address his comments to Victorian government business.

Mr THWAITES — Finally, can I say that one thing we will not be doing is making a major bungle like The Nationals, who are referred to in the local paper as — —

The SPEAKER — Order! I have asked the minister to refer to Victorian government business.

Mr THWAITES — I conclude by saying that on this side of the house we will continue to support recycling and the benefits it can bring.

Economy: performance

Mr PERERA (Cranbourne) — My question is to the Treasurer. I refer the Treasurer to the government's commitment to making Victoria a great place to work, live and raise a family, and I ask him to detail to the house the most recent economic data that demonstrates that the government is delivering on that commitment.

Dr Napthine interjected.

The SPEAKER — Order! The member for South-West Coast should show some courtesy to other members.

Mr BRUMBY (Treasurer) — I thank the member for Cranbourne for his question. Since the house last met we have seen the release of the July Australian Bureau of Statistics (ABS) building approvals data, which shows that in July this year there was a massive \$1.45 billion worth of building approvals for our state. I should say that that represents the highest number of new homes — 4054 — approved for construction anywhere in Australia, well ahead of Queensland on 3377. That means that on seasonally adjusted figures Victoria has had \$1 billion-plus in building approvals for 59 of the last 60 months.

Over the last year Victoria's population has grown by 1.2 per cent. That is equal to the national average, behind Western Australia and Queensland but a dramatic improvement on where Victoria was a decade ago. In the *Australian Financial Review* today there is a story entitled 'Resurgent Victoria a migrant magnet'. It goes on to say that Victoria has replaced New South Wales as Australia's gateway for immigration. That is a nice story, and it shows that one in every three migrants — —

Honourable members interjecting.

Mr BRUMBY — That side of the house hates positive news. One in three migrants coming to Australia is now coming to Victoria, which is about 30 000 a year. A decade ago there were around 20 000; today there are 30 000!

As the Premier mentioned, the unemployment rate of 4.6 per cent was released last week, and that is lower than it has been for 15 years and is well below the national average. Some 362 400 jobs have been created, and there are record numbers of people who are being attracted back into the job market in Victoria.

Again looking at the newspapers today, a person is reported as saying that he would be available for consultancy work the Monday after the election on 25 November if Labor won. He went on to say, 'I would happily work for a Labor government'. It was the member for Malvern! Such is the power of the job market in Victoria that they are just waiting to get the jobs here.

We also see in the ABS national accounts that business investment has grown by 6.4 per cent over the year, the strongest performance of the non-resource states. The state final demand figures show a three-year growth of 2.9 per cent, well above South Australia, on 2.55 per

cent, and well above New South Wales, on 2.17 per cent, and on target to meet our 2.5 per cent gross state product forecast for the year 2005–06, which is identical to the commonwealth forecast.

I want to conclude on this note. The real measure of the economic performance and wealth of a state or nation is gross state product (GSP) per capita. Five years ago in 2000–01, Western Australia had the highest GSP per capita in Australia, New South Wales was second and we were in third position, seven percentage points behind New South Wales. Today we have caught up with New South Wales. We are neck and neck with that state, and based on all the data we will overtake New South Wales later this year.

Ms Asher interjected.

Mr BRUMBY — The Deputy Leader of the Opposition says, ‘Big deal’. I can tell you that they were doing much, much worse in the 1990s! This is a great accomplishment by Victoria, achieved with the right fiscal settings, the right tax settings and the right economic policy. It is a strong growth performance by the Bracks government, and it means that we have been able to draw up to this position and that later this year we will take up our position as the second best in Australia in terms of GSP per capita, well beyond the performance we saw in the 1990s under the Kennett government.

BUSINESS OF THE HOUSE

Notices of motion: removal

The SPEAKER — Order! I advise the house that under standing order 144 notices of motion 100 to 101 and 396 to 399 will be removed from the notice paper on the next sitting day. A member who requires a notice standing in his or her name to be continued must advise the Clerk in writing before 9.30 p.m. today.

PETITIONS

Following petitions presented to house:

Preschools: accessibility

To the Legislative Assembly of Victoria:

The petition of the undersigned residents of Victoria draws to the attention of the house that preschool education in Victoria needs urgent reform to ensure every Victorian child can access high-quality preschool education.

The petitioners therefore request that the Legislative Assembly of Victoria recognise that preschool is the critical

first step of education and move responsibility for preschools to the Department of Education and Training.

By Mr RYAN (Gippsland South) (6255 signatures)
Mr BAILLIEU (Hawthorn) (9279 signatures)
Mr COOPER (Mornington) (330 signatures)

Rail: Raywood station

To the Legislative Assembly of Victoria:

The petition of residents of Raywood community and surrounding districts, including Neilborough, Sebastian, Kamarooka, Yarraberb, Tandarra and Summerfield, draws to the attention of the house the current lack of public transport available to the residents of the abovementioned districts. Currently the only public transport available is a V/Line bus which stops once a week in Raywood. This imposes considerable hardship on the many residents of this area who are totally reliant on public transport.

The petitioners therefore request that the Legislative Assembly of Victoria give consideration to the installation of a platform at the Raywood railway station and that the Melbourne to Swan Hill passenger train be scheduled to stop there each time it passes through said station.

By Ms ALLAN (Bendigo East) (172 signatures)

Springvale Road, Donvale: traffic lights

To the Legislative Assembly of Victoria:

The petition of the residents of Doncaster draws to the attention of the house the dangerous traffic conditions faced daily by residents of the Donvale Retirement Village and surrounds who need to cross Springvale Road to exit their driveways or access bus services. Seventy kilometre per hour speed limits combined with motorists travelling at higher than posted speeds and an absence of any pedestrian crossings make crossing the road highly unsafe and almost impossible.

The petitioners therefore request that the Legislative Assembly of Victoria install traffic lights near the entrance to the Donvale Retirement Village.

By Mr PERTON (Doncaster) (119 signatures)

Buses: Gembrook and Pakenham

To the Legislative Assembly of Victoria:

The petition of residents of Gembrook, Pakenham Upper and surrounding areas draws to the attention of the house the need for residents to access Pakenham and surrounding areas. The petitioners therefore request that the Legislative Assembly of Victoria establish a bus route between the two towns of Gembrook and Pakenham.

By Ms LOBATO (Gembrook) (74 signatures)

Planning: Mornington activity centre

To the Legislative Assembly of Victoria:

The petition of the residents of Victoria draws to the attention of the house the opposition of the residents of Mornington to the final draft structure plan for the Mornington activity centre.

The petitioners therefore request that the Legislative Assembly of Victoria call on the Mornington Peninsula shire to withdraw these plans until it can prove to the government the community acceptance.

By Mr COOPER (Mornington) (1173 signatures)

Planning: intensive farming

To the Legislative Assembly of Victoria:

The petition of Poowong East/Mountain View Community Association and the undersigned citizens of the state of Victoria draws to the attention of the house that we are opposed to the development of intensive animal industries, in particular the broiler industry, in areas within rural/farming zones that are closely settled and/or are water catchment areas. The petitioners therefore request that the Legislative Assembly of Victoria amend the Victorian planning provisions such that they:

- i. explicitly recognise that the farming/rural zone is not uniformly suitable to the development of intensive animal industries such as the broiler industry;
- ii. explicitly recognise the unsuitability of intensive animal industries in areas within rural/farming zones that are closely settled and/or are water catchment areas; and
- iii. explicitly recognise that in such areas intensive animal industries present unacceptable risks to the environment and water quality and/or unacceptable impacts on community members' wellbeing, amenity, property and opportunity.

By Mr MAXFIELD (Narracan) (777 signatures)

Racial and religious tolerance: legislation

To the Legislative Assembly of Victoria:

The petition of the residents of Victoria draws to the attention of the house that:

1. Religious freedom essentially includes the freedom to teach, preach and propagate one's beliefs, and to express opinions about other world views. This applies to all religions, and certainly to the Christian religion where Christ commands His followers to propagate their faith — Matt 28:18–20.
2. The Racial and Religious Tolerance Act 2001 aims to outlaw vilification, but its enforcement places 'an intolerable curb on religious freedom' and threatens free speech itself.

In any case, the legislation is unnecessary in a community that has always had effective mechanisms for correcting

intemperate or offensive statements (whether on religion, race or any other topic) — namely, public forums in newspapers, open debate and discussion, talkback radio etc.

In view of the fact that the Australian constitution

forbids the making of any commonwealth law 'prohibiting the free exercise of any religion' (section 116), and

decrees that 'when a state law is inconsistent with a law of the commonwealth, the latter shall prevail ...' (section 109)

your petitioners therefore request that the Racial and Religious Tolerance Act 2001 be repealed.

By Mr MAUGHAN (Rodney) (30 signatures)

Water: Wimmera-Mallee

To the Legislative Assembly of Victoria:

The petition of concerned residents of the Wimmera-Mallee of the state of Victoria draws to the attention of the house the urgent need for water for household use and for fire fighting this coming summer.

Prayer

The petitioners therefore request that the Legislative Assembly of Victoria urges the Minister for Water to hold over the environmental flow bulk entitlement to the Wimmera and Glenelg Rivers this year, to allow the water to be used to fill house dams and strategically placed dams for fire fighting.

By Mr WALSH (Swan Hill) (168 signatures)

Buses: Horsham–Rupanyup service

To the Legislative Assembly of Victoria:

The petition of the residents of Rupanyup, Murtoa and district draws to the attention of the house the proposed drastically reduced V/Line bus services to and from Rupanyup and Murtoa. The earliest bus leaving for Melbourne from Rupanyup is at 9.17 a.m. weekdays which will make it hard for people to arrange medical/specialist appointments. People living in Murtoa have a 5.00 a.m. bus service which will pick them up and take them back via Horsham to Melbourne. The new timetable makes it impossible to travel to Horsham and back in one day on Monday, Tuesday and Friday.

The petitioners therefore request that the Legislative Assembly of Victoria look at retaining our current V/Line timetable.

By Mr WALSH (Swan Hill) (297 signatures)

EastLink: Hillcrest Avenue, Ringwood

To the Speaker and Members of the Legislative Assembly of Victoria:

We, the undersigned, present this petition to the Speaker of the Legislative Assembly of the Parliament of Victoria. We do so in the hope of having the Assembly intervene on our behalf and compel the constructors of the Victorian major

project known as EastLink to remedy a building matter which negatively impacts on the quality of life of the residents of Hillcrest Avenue, Ringwood. We ask the Assembly to compel the constructor to offer fair and reasonable compensation for the loss of value to properties on Hillcrest Avenue. Further we ask the Assembly to explore the circumstances leading to the large storage sheds being constructed on the Hillcrest Avenue boundary of the construction site, and determine the extent the deception perpetrated on the residents of Hillcrest Avenue in this regard. Finally, we request the Assembly investigate ConnectEast's refusal to relocate the main Hillcrest Avenue entrance into the ELOC site which has depreciated residents properties opposite and is badly positioned causing danger and safety issues to the local residents.

By Mr HONEYWOOD (Warrandyte) (480 signatures)

Tabled.

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

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

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

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 10

Ms D'AMBROSIO (Mill Park) presented *Alert Digest No. 10* of 2006 on:

Catchment and Land Protection (Further Amendment) Bill
City of Melbourne and Docklands Acts (Governance) Bill
Justice Legislation (Further Amendment) Bill
Public Sector Acts (Further Workplace Protection and Other Matters) Bill
Road Legislation (Projects and Road Safety) Bill
Sentencing (Suspended Sentences) Bill
State Taxation Legislation (Miscellaneous Amendments) Bill
Transport (Taxi-Cab Accreditation and Other Amendments) Bill
together with appendices.

Tabled.

Ordered to be printed.

DOCUMENTS

Tabled by Clerk:

Crown Land (Reserves) Act 1978 — Section 17DA Orders granting under s 17D a lease over Whitehorse Reserve (Public Park and Recreation Reserves)

Financial Management Act 1994 — Report from the Minister for Education and Training that she had received the 2005 annual report of the International Fibre Centre Ltd

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

Alpine Resorts Planning Scheme — No C15
 East Gippsland Planning Scheme — No C46
 Frankston Planning Scheme — No C42
 Maribymong Planning Scheme — No C55
 Melton Planning Scheme — No C55
 Nillumbik Planning Scheme — No C46
 Port Phillip Planning Scheme — No C46
 Swan Hill Planning Scheme — No C11
 Victoria Planning Provisions — Nos VC40, VC41
 Warrnambool Planning Scheme — No C37
 West Wimmera Planning Scheme — No C8
 Whitehorse Planning Scheme — No C54
 Yarra Ranges Planning Scheme — No C53

Urban Growth Boundary — Amendments modifying the following Planning Schemes:

Frankston Planning Scheme — No C35
 Wyndham Planning Scheme — No C71
 Whittlesea Planning Scheme — Nos C86, C91

Statutory Rules under the following Acts:

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 — SR No 113
Co-operative Housing Societies Act 1958 — SR No 112
Extractive Industries Development Act 1995 — SR No 111
Fisheries Act 1995 — SR No 109
Intellectually Disabled Persons' Services Act 1986 — SR No 116
Land Act 1958 — SR No 118
Livestock Disease Control Act 1994 — SR No 114
Mineral Resources Development Act 1990 — SR No 110
Plant Health and Plant Products Act 1995 — SR No 115
Valuation of Land Act 1960 — SR No 117

Subordinate Legislation Act 1994:

Minister's exception certificate in relation to Statutory Rule No 102

Ministers' exemption certificates in relation to Statutory Rule Nos 8, 103, 104 105, 106, 109 (in lieu of certificate tabled on Thursday 24 August 2006), 111, 113, 114, 115, 117.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the house dated 26 February 2003:

Crimes (Sexual Offences) Act 2006 — Section 35 on 22 August 2006 (*Gazette S214*, 22 August 2006)

Planning and Environment (Growth Areas Authority) Act 2006 — Whole Act on 1 September 2006 (*Gazette G35*, 31 August 2006)

Werribee South Land Act 1991 — Whole Act on 8 September 2006 (*Gazette G36*, 7 September 2006).

NOTICES OF MOTION**Mr HULLS having given notice of motion:**

Mr Baillieu — On a point of order, Speaker, I make the point that the opposition has received no notice that the minister was intending to make any changes to the urban growth boundary. The processes here before have been arguable at best, and this is —

The SPEAKER — Order! I am not sure on what ground the member is speaking. I do not think there is the capacity for him to make a statement about it.

Mr Baillieu — No notice!

The SPEAKER — Order! The Leader of the Opposition will be quiet.

ROYAL ASSENT**Message read advising royal assent on 29 August to:**

Coptic Orthodox Church (Victoria) Property Trust Bill

Coroners and Human Tissue Acts (Amendment) Bill

Energy Legislation (Hardship, Metering and Other Matters) Bill

Environment Protection (Amendment) Bill

Melbourne University (Victorian College of the Arts) Bill

Mineral Resources Development (Sustainable Development) Bill

Snowy Hydro Corporatisation (Parliamentary Approval) Bill
Victims' Charter Bill
World Swimming Championships (Amendment) Bill

APPROPRIATION MESSAGES**Messages read recommending appropriations for:**

Justice Legislation (Further Amendment) Bill
Public Sector Acts (Further Workplace Protection and Other Matters) Bill
Road Legislation (Projects and Road Safety) Bill
State Taxation Legislation (Miscellaneous Amendments) Bill.

BUSINESS OF THE HOUSE**Program**

Mr BATCHELOR (Minister for Transport) — 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 6.00 p.m. on Thursday, 14 September 2006.

Charities (Amendment) Bill

City of Melbourne and Docklands Acts (Governance) Bill

Conveyancers Bill

Crimes (Sexual Offences) (Further Amendment) Bill

Funerals Bill

Justice Legislation (Further Amendment) Bill

Road Legislation (Projects and Road Safety) Bill

Sentencing (Suspended Sentences) Bill.

In moving this motion which sets out the program for this parliamentary sitting week the government proposes to deal with eight pieces of legislation by 6.00 p.m. on Thursday. Members are advised that following the adjournment of the house following the condolence motion earlier today and following a suggestion from the opposition, it is intended to sit a bit later tonight, a bit later tomorrow and a bit later on Thursday in order to provide some additional time to deal with legislation. To provide that extra time we will go onto the adjournment at 11.00 p.m. tonight, 11.00 p.m. tomorrow night and at 6.00 p.m. on Thursday.

This is the penultimate sitting week for the Legislative Assembly. We are heading towards a fixed date election on 25 November, and at the end of this parliamentary sitting week there will be the last week of this Parliament, which has been designed to meet the reality of a fixed date election and allow for legislation to be dealt with by this chamber and then proceed to the upper house during that parliamentary week.

It is worth remembering that in 1999 — which, I remind members, was an election year, although they should not need any reminding — the Parliament sat for 37 days, and in the three weeks leading up to the election the Legislative Assembly dealt with eight bills in the first week, eight bills in the second week and 15 bills in the third or last week of sitting. In 1996 the Parliament sat for 35 days, and the number of bills passed in the three preceding weeks was 7, 10 and 9. In 2002 the Parliament sat for 38 days and passed 5, 7 and 8 bills in the preceding weeks. In 2006 the Parliament will have sat for 38 days and will have passed 8, 8 and 4 bills in the same period.

Members can see, as we head towards the first fixed date election, that there has been a very orderly progression of the legislative program over recent weeks. We have made arrangements, as members can see from what has been foreshadowed tonight, as to how we will deal with bills in the last week of Parliament before the fixed date election.

The number of days we will have sat this year will generally exceed the number of sitting days in election years in the past. I thought it was important to put those facts on the record as we head towards the election later this year.

Honourable members interjecting.

The SPEAKER — Order! If members wish to contribute to the debate on the government business program, they can speak later.

Mr COOPER (Mornington) — The opposition does not oppose the government business program. In fact we think that the time allocated for the eight bills is exceedingly generous. The opposition will certainly be cooperating with the government on the business program. We think that we could get through those eight bills quite easily within the time scales that have been mentioned by the Leader of the House.

It was with that in mind that, when I got the message back that the Leader of the House agreed with my suggestion that we adjourn at 11.00 p.m. tonight, at 11.00 p.m. tomorrow night and at 6.00 p.m. on Thursday, I felt that — —

Honourable members interjecting.

Mr Batchelor — I told them it was your idea!

Mr COOPER — And there you go! Yes, it is my idea, and I am certainly happy to claim credit for it. Whilst all eight bills have a degree of importance and will be easily able to be accommodated within that time, I propose to move an amendment to the government business program. I move:

That after 'Crimes (Sexual Offences) (Further Amendment) Bill' the words 'Channel Deepening (Facilitation) Bill' and 'Courts Legislation (Judicial Pensions) Bill' be inserted.

As members who have paid attention would know, the Channel Deepening (Facilitation) Bill was first read in this place on 7 December 2004, and the Courts Legislation (Judicial Pensions) Bill was first read in this place on 20 April 2005; the former is two years old; and the latter, in excess of one year old.

The issue raised by the opposition about these two pieces of legislation is not new. We have consistently been calling on the government to bring these two bills on for debate. The question that we pose to government members is: just exactly what are they hiding? What are they running away from?

Those two pieces of legislation, particularly the Channel Deepening (Facilitation) Bill, were introduced with fanfare and drum rolls by the Leader of the House in his role as the Minister for Transport. He said the channel deepening bill was going to do all sorts of wonderful things for this state. He said it was a very important piece of legislation and that the house should be prepared to debate it very quickly because the government supported the channel deepening and was anxious to bring it on. He said the government had brought the legislation in so that that could all occur.

Yet since that time two years ago the government has been running away from its own legislation. Opposition members now say the time is nigh for this government to stand up and declare itself on its own piece of legislation. Now is the time for the government — in the penultimate sitting week of this Parliament — to stand up and show the people of Victoria just exactly where it stands.

Just as importantly it would also give members on the government side, like the members for Mordialloc and Frankston, among others, the opportunity to stand up and say where they stand on deepening the channel. The member for Carrum and members who have seats dotted around the shoreline of Port Phillip Bay should be given that opportunity.

An honourable member — Frankston!

Mr COOPER — I mentioned him. Those members should be given the opportunity to stand up and say what they believe about channel deepening and what is going to happen to the spoil. Do they support the creation of a new spoil ground off the coastline of Mount Martha? These are the issues that people in my electorate and people in other electorates want to hear about from the government. They want to hear what this government has in mind.

It does government members no good to run away from this issue and hope that they can bury it until after the election. It is their legislation, it has been here for two years and it is time for this government to stand up and start debating its own piece of legislation, and this amendment gives the government the opportunity to do that. If the government rejects my amendment, it will show that it is determined to hide this issue from the people of this state.

Mr MAUGHAN (Rodney) — Like the previous speaker, The Nationals will not oppose the government's business program, and I am very pleased to second the amendment to the government business program moved by the member for Mornington.

Honourable members interjecting.

Mr MAUGHAN — Pardon?

Mr Batchelor — It was your idea!

Mr MAUGHAN — It was our idea; there you are! We want to debate this legislation. But before going on to the amendment, let me just explain that this week The Nationals have no difficulty with the government business program. In fact we will not be opposing any of the legislation before the house this week. I want to comment on that.

Dr Napthine interjected.

Mr MAUGHAN — It is interesting, because the perception out there is quite often that we are just here to oppose legislation week after week, but that does not happen. If you have a look at the figures, you will see that legislation has been supported by both the Liberal Party and The Nationals, and I suspect that the legislation that has been put forward by the Leader of the House in this week's government business program will pass fairly quickly; in fact, I expect two bills will pass before we go on to the adjournment debate tonight.

In returning to comment on the amendment moved by the member for Mornington, the Channel Deepening

(Facilitation) Bill is an important piece of legislation and has been on the notice paper for almost two years. As I have said on previous occasions, the government has said it is very important, and I would be very pleased to hear the member for Ripon speak on this amendment. I think it is time government members came out and said where they stand on this very important legislation.

The Nationals will be only too pleased to support that legislation and want to see it go through quickly. We want to see larger vessels being able to come into the important port of Melbourne so that we will be able to get our exports out of this country as efficiently and as quickly as we can. I wonder what it is that the government has to hide, why government members want to bury this legislation and why they are not prepared to come and debate it in this house. It is very clear that they are going to use their numbers tonight to defeat the amendment put up by the member for Mornington.

Mr Helper interjected.

Mr MAUGHAN — We will just have a look and see where they stand on it. I will take a little bet with the member for Ripon that the government will make sure this legislation is buried until after the election. Why? Because the government itself is divided on this legislation and does not want to expose members of this house representing constituents who will be not very happy when they see what their local members are going to vote for in this house. Many people in Labor electorates are opposed to channel deepening. The Nationals support it; we want it to go through — and go through as quickly as possible — so we can facilitate the efficient exportation of the tremendous products from the Goulburn Valley and other parts of Victoria that need to get to overseas markets.

Mr Dixon — While we've got the water.

Mr MAUGHAN — While we have the water — and don't get me started on that! We will be dealing with that one later in the evening.

The government business program as proposed by the Leader of the House is a reasonable one. We are happy to sit the extra hours to get the legislation through, but we also believe that we can deal with these other two important pieces of legislation that have been on the notice paper for far too long. Let us get them out of the way and deal with them this week. We on this side of the house are happy to facilitate the government debating particularly the channel deepening bill as well as the bill dealing with judicial pensions.

Mr LANGDON (Ivanhoe) — I support the Leader of House and his motion on the government business program. I know that 61 members on this side of the house want to speak on legislation this week in the time frame detailed by the member for Mornington, who declared that he wanted late-night sittings and the house to sit until 6 o'clock on Thursday. I thank him, and I am sure every member of the house will also thank him.

Honourable members interjecting.

Mr LANGDON — I will support the government business program, because, for example, seven members want to speak on the Funeral Bill, at least five want to speak on the conveyancing bill and three on the charities bill, and they could well speak this evening. As usual, government members have cut themselves short to allow the opposition to get as much speaking time as possible. The proposed business program provides a good opportunity for government members to speak on the bills. I support the government business program.

Mr DIXON (Nepean) — I support the amendment moved by the member for Mornington, particularly in relation to item 15, the Channel Deepening (Facilitation) Bill. My electorate has been waiting for two years for this bill to be debated. I often have constituents ringing me up and saying, 'When are the issues on channel deepening going to be put on the table? When do we know what the government is going to plan? How will the channel deepening affect our electorate? How will it affect our livelihood? What are the plans and where are those plans going to go?'

The government put forward this legislation in December 2004. Since then constituents from both sides of the argument and the local media — indeed everybody — has been saying, 'What is happening with this bill?', and every single month I have had to say, 'The government has put it off for another month. It is still on the notice paper. I am sure it is going to be debated'. Just like the environment effects statement (EES) and the supplementary EES, everything has been put on the long finger.

We have had absolutely no sign and no discussion of channel deepening, which the government has said is its no. 1 major infrastructure project. That was said in one of many glossy reports that came out. I remember the Treasurer saying, 'This is the biggest thing since sliced bread for this state. This is a big project that we need to talk about'. If it is so important, why have we been waiting two years for an essential piece of legislation that is totally relevant to this no. 1 project of this government? Here we are two years later and it still has

not been debated. According to the Leader of the House, we are certainly not going to debate it this week, and he has said we are going to have four pieces of legislation in our final week of sitting.

If we are discussing 8 this week and 4 in the following week, that is 12, and as there are 16 pieces of legislation on the notice paper, that means 4 are not going to be debated. I challenge the minister to tell us whether the Channel Deepening (Facilitation) Bill is going to be discussed in the next week of sitting.

Mr Batchelor — You'll just have to wait.

Mr DIXON — He tells me I will just have to wait. I am not going to wait because I have been waiting for two years and my constituents have been waiting for two years. I say bring this on. We need to talk about it. If it is important to the government, it is certainly important to my electorate. We need to have it on the table, and we need to be debating it so we know what the issue is all about and we can go to our constituents and they can make up their minds about this huge and important piece of legislation and this very important project before the election, not after the election. The supplementary environment effects statement is due after the election. The decision is due after the election. How about the bill before the election?

Mr INGRAM (Gippsland East) — It is a pleasure to speak on the government business program. I noted, as did the member for Mornington, that there were 16 bills on the notice paper, so I listened carefully to the Leader of the House when he outlined what legislation would be debated this week and how many bills were going to be debated in the last week of the sitting. Likewise I support the proposal to debate some of those pieces of legislation because, as most members would know, once the Parliament is prorogued, any bills listed on the notice paper just disappear into the ether. They were worthy to put on the notice paper in the first place, so clearly they should be debated.

But I will take another step. It is clear from looking through the notice paper this week that all the legislation is important, but if everyone in the house agrees that we have room to put in two extra bills, and the government chooses not to debate those bills, I would like to think if those bills are not going to be debated, if the government does not agree with the amendment put forward, then Parliament should adjourn at 4 o'clock on Thursday, which would make much more sense for most members in this place who have long distances to travel back to their electorates. As has been indicated, there is enough time to debate these, and a couple of extra pieces of legislation, so

surely we do not necessarily have to sit quite as late. I know that in a lot of the pieces of legislation there will not be a lot of speakers, and they will be padding out the debate in the house, which seems like an unnecessary waste of Parliament's time.

With those words, I support the amendment, and if the government is not going to support bringing forward debate on those other pieces of legislation, maybe we should go home a little bit earlier on Thursday.

House divided on amendment:

Ayes, 23

Asher, Ms	Napthine, Dr
Baillieu, Mr	Perton, Mr
Clark, Mr	Plowman, Mr
Cooper, Mr	Powell, Mrs
Dixon, Mr	Ryan, Mr
Honeywood, Mr	Savage, Mr
Ingram, Mr	Shardey, Mrs
Jasper, Mr	Smith, Mr
Kotsiras, Mr	Sykes, Dr
McIntosh, Mr	Thompson, Mr
Maughan, Mr	Walsh, Mr
Mulder, Mr	

Noes, 50

Allan, Ms	Jenkins, Mr
Andrews, Mr	Kosky, Ms
Barker, Ms	Langdon, Mr
Batchelor, Mr	Lim, Mr
Beard, Ms	Lindell, Ms
Brumby, Mr	Lobato, Ms
Buchanan, Ms	Lockwood, Mr
Cameron, Mr	Lupton, Mr
Campbell, Ms	McTaggart, Ms
Carli, Mr	Marshall, Ms
Crutchfield, Mr	Maxfield, Mr
D'Ambrosio, Ms	Merlino, Mr
Donnellan, Mr	Mildenhall, Mr
Duncan, Ms	Morand, Ms
Eckstein, Ms	Munt, Ms
Garbutt, Ms	Nardella, Mr
Gillett, Ms	Neville, Ms
Green, Ms	Overington, Ms
Haermeyer, Mr	Pandazopoulos, Mr
Hardman, Mr	Perera, Mr
Harkness, Dr	Pike, Ms
Helper, Mr	Seitz, Mr
Howard, Mr	Stensholt, Mr
Hudson, Mr	Treize, Mr
Hulls, Mr	Wynne, Mr

Amendment defeated.

Motion agreed to.

MEMBERS STATEMENTS

Liberal Party: Clayton candidate

Ms MUNT (Mordialloc) — Last month the member for Preston revealed the similarity between a letter from Michael Carty, the Liberal candidate for Clayton, which was published in the *Monash Journal*, and a political blog written by Kevin R. Beck. Mr Carty now claims he did not plagiarise Mr Beck's work and that they wrote the letter together. On Monday I was astonished to read yet another letter from Michael Carty in the *Monash Journal*, this time attacking the member for Clayton over a letter that he claimed the member wrote on the subject of water usage which was published on 14 August.

The member for Clayton has written no letters to the journal recently. Perhaps Mr Carty was thinking of a letter from Tony Kelly, the managing director of Yarra Valley Water, which appeared in the journal on that date. Mr Carty admitted in his earlier letter that he did not have much idea of what an MP actually does. He has admitted to a partnership with Kevin Beck, whose ideas are different, to say the least. Now he is so muddled in his thinking that he has confused the member for Clayton with Yarra Valley Water's managing director. The member for Preston was right — Mr Carty is not suited to public office. If he refuses to resign, either the Leader of the Opposition or the Liberal Party must do something about it.

Melbourne showgrounds: redevelopment

Ms ASHER (Brighton) — I wish to call to the attention of the house the so-called redevelopment of the Melbourne showgrounds, which is \$8 million over budget and, according to the Auditor-General, one year late. The redevelopment was meant to make things better, not worse. One exhibitor, Rob Parker, was charged \$2021 for 17.5 square metres at the 2005 show but for the 2006 show has been charged \$3762 for a smaller area of 12 square metres. We also know that the pavilion area is smaller: it was originally meant to be 110 000 square metres, but it was dropped down to 63 000 square metres and is now just under 48 000 square metres.

We also now find that there are insufficient toilets in the redevelopment. Surely one of the government's \$10.5 million worth of consultants could have advised it to build enough toilets in the so-called redeveloped showgrounds. The government has a track record of botching major projects. In the case of the showgrounds, the redevelopment is late and over budget, is smaller than the original plan — —

Mr Pandazopoulos interjected.

Ms ASHER — It is significantly smaller. Go and read the documentation!

A significant amount of money has been wasted on consultants, there are not enough toilets and now it is more expensive for exhibitors. As I have said to this house before, every single major project is either late or over budget or both, and this development is hopeless.

Neighbourhood houses: Moe

Mr MAXFIELD (Narracan) — I remember that the Hallam bypass was delivered a year and a half early and \$10 million under budget. But the Liberal Party motto is to never let the facts get in the way of a good story!

I rise this evening to talk about a wonderful and exciting development in Moe. The Moe neighbourhood house, which has struggled in difficult circumstances in quite old and run-down buildings, is now in the process of coming alive. Two of the Commonwealth Games village houses have been transported to Moe and placed on site next to Elizabeth Street Primary School as part of our neighbourhood renewal program. This is an exciting project, and all those involved in the Moe community have been absolutely thrilled as their new home has been placed on stumps and is coming together.

It was a pleasure to have the Minister for Housing in another place, Candy Broad, there last Friday to announce additional money not only for Moe but for neighbourhood houses across Gippsland and across the state in order to significantly increase the hours funded by the state government. That shows strong support not only for the Moe neighbourhood house and the Moe community but for communities right across my electorate and across Victoria. I am very proud to be part of a government that is enhancing our neighbourhood houses and our wonderful community.

Water: irrigators

Mr MAUGHAN (Rodney) — The people of northern Victoria are outraged at the Bracks Labor government's poorly thought-through plan to take scarce water resources from cash-strapped irrigators in the Goulburn and Campaspe valleys to satisfy the demands of users in the urban areas of Ballarat and Bendigo.

At a time when farmers and horticulturalists are fighting for their very survival after eight of the driest seasons on record, with water allocations of only 17 per

cent in the Goulburn system and 0 per cent in the Campaspe system and farmers under extreme stress, this heartless government without any forward planning, without any long-term strategy, without any consultation whatsoever with irrigators and without providing any meaningful support to the hardworking farming community in the towns and cities that depend on them for their jobs, has announced that the government will provide \$320 million to pump water over the divide to provide water for Ballarat and Bendigo.

This proposal has about as much thought put into it as the half-baked, half-fast train proposal, the cost of which has blown out from \$80 million to over \$1000 million. We say that the government should first attend to addressing leaking pipelines and irrigation channels in Bendigo, recycling wastewater from Ballarat and Bendigo, utilising the 350 billion litres of treated water going out to sea at the moment before it takes any water from cash-strapped Goulburn Valley farmers.

The ACTING SPEAKER (Ms Lindell) — Order! The member's time has expired.

Water: Wallan supply

Mr HARDMAN (Seymour) — I would like to congratulate the Bracks government for its great strategies and planning for our water future within the Mitchell Shire Council. Yarra Valley Water has recently connected Wallan to its water supply, meaning that the towns of Kilmore, Wandong and Broadford are able to enjoy the Sunday Creek Reservoir for themselves and Wallan has its own water supply. It will make sure that the people of the Seymour electorate and the southern Mitchell shire have their own water supply.

Healesville Soccer Club: facilities

Mr HARDMAN — I would also like to congratulate the Healesville Soccer Club, which after years of persistence, lobbying and much fundraising has found a home. The Healesville Soccer Club has grown significantly over the years, with a dedicated committee and many people being prepared to take on coaching and team management roles. People like Richard McCoid, Barry Cripps and Nick Caloutas have worked with the Shire of Yarra Ranges, Cr Jeanette McRae, the Minister for Sport and Recreation in the other place, Justin Madden, and myself to keep this issue alive. The club has raised \$40 000 on its own and intends to raise a further \$10 000 for its part of the project.

The shire is putting in \$220 000, and the Minister for Sport and Recreation has committed \$50 000, which will see this project get off the ground and will mean that the Healesville Soccer Club will have a home of its own for the many children and other people who are using it now and for the many, many more people who will belong to it in the future.

Manningham District Scout Association: insurance fees

Mr KOTSIRAS (Bulleen) — Yesterday I attended the annual general meeting of the Manningham District Scout Association at the Bulleen scouts centre. I wish to thank and congratulate the many volunteers who gave up their valuable time during the year to assist our young Victorians. One of the aims of the scout movement is to address the urgent need to encourage young adults to take up roles in scouting. Next year they will be celebrating 100 years of the scout movement. As shadow minister for youth I believe Victorians can gain much from participating in the scout movement. I was very impressed with the young leader development program, which is about to commence in 2007. It is a program that I fully support.

Unfortunately during the evening we were also advised that each scout club must pay thousands of dollars in insurance. The amount used to be in the hundreds, but as a direct result of this government's incompetence and lack of action it has now grown into the thousands. It is already a difficult task to try to encourage young people to join the scouts, and the last thing clubs want is to increase fees. Manningham City Council has been very supportive of the Manningham clubs and provides much financial assistance, and I thank it for its support.

However, I would like to ask all councillors to consider subsidising the annual insurance fees that all clubs have to pay. Since this Labor government does not care, perhaps the council will take up this challenge. As there has been much criticism about the recent rate increases, perhaps Manningham council might consider putting a small amount into paying the insurance. After all, keeping our young people off the streets and teaching them about responsibility and good citizenship are a good investment for Manningham and a good start for our young Victorians.

Heinemann Electrics: industrial action

Mr ANDREWS (Mulgrave) — In 2006 you would have thought that every Australian could sign up to the notion of a fair day's work for a fair day's pay. It is a central component of fairness in our community, especially in workplaces across Victoria. It is all about

equity and just reward for effort. But not everyone supports this important principle.

At present 56 workers at Heinemann Electrics in my electorate of Mulgrave have been docked a week's pay despite the fact that they have worked the full week. These workers have lost a week's pay despite working the full week because they refused to work overtime — that is, they took protected action in relation to their enterprising bargaining. This sort of manifest unfairness — this sort of un-Australian behaviour — is what our industrial relations system has come to under the Howard government's extreme industrial relations changes, cruelly titled 'WorkChoices'.

The Howard government, aided and abetted by the Liberals and The Nationals in Victoria, who have on 10 separate occasions voted against protecting the rights of Victorian workers, has sponsored a climate of confrontation and the undermining of fairness in Victorian workplaces. What is happening to the 56 workers and their families in my electorate of Mulgrave is wrong and should be condemned.

Budget: pre-election update

Mr CLARK (Box Hill) — I raise the issue of the timing of the release of the pre-election budget update (PEBU) prior to this year's state election. Under the Financial Management Act the Secretary of the Department of Treasury and Finance must release the PEBU within 10 days of the issue of the writs. This means that the PEBU need not be released until Friday, 10 November, just 15 days out from polling day.

With fixed election dates there is now no reason whatsoever why the PEBU cannot be prepared and released at the time of issue of the writs instead of 10 days later. The vast bulk of the PEBU can and is prepared well in advance, requiring only minimal last-minute updating. Early release of the PEBU would mean the state of the state's finances would be publicly known from the start of the campaign and allow better informed public debate based on up-to-date budgetary information, most of which will have been available to the government weeks earlier. I therefore call on the government to support the early release of the PEBU and to instruct all ministers and departments to fully cooperate with the Secretary of the Department of Treasury and Finance so that the PEBU can be published at the time of issue of the writs.

The government can, of course, refuse to do any of this. It can treat the delay in releasing this important budgetary information as just one more way of misusing incumbency for political advantage, along

with using taxpayer funds for political advertising, doubling the number of ministerial advisers and using publicly paid spin doctors, consultants and public service media offices to promote itself. However, such refusal will confirm that the government has finally abandoned any last residual claim to the openness and accountability which it proclaimed so loudly when it came to office.

Member for Forest Hill: community activities

Ms MARSHALL (Forest Hill) — On 25 August I was honoured to give the opening address at the Teacher of the Deaf Annual Conference at the Hemisphere Conference Centre. The conference was organised jointly by the committee of principals and heads of services for deaf and hearing impaired students and the Australian Association of Teachers of the Deaf. The Bracks government recognises the challenges faced by parents and teachers of students with a disability and contributed \$216 million in the 2006–07 budget to manage the increased demand.

On 28 August I was a guest speaker at VISA, the vision impaired self-assured group, at the Ringwood RSL club. This vibrant group of people asked me to speak on motivation obstacles I have had to overcome to reach my goals in sport and politics, and it was a most enjoyable day.

On 30 August I was invited to participate in the Melbourne Day Debate, with all funds raised being donated to the Lord Mayor's Charitable Fund. The topic this year was 'Melbourne prefers brains to brawn'. Along with me for the affirmative were Paul Sheahan, the headmaster of Melbourne Grammar School, and the Speaker, the member for Essendon. Representing the opposing side, and therefore the brawn, were Russell Mark, OAM, a gold medal Olympian, Brian Waldron, the president of Melbourne Storm Football Club, and Glenn Manton, a former Carlton Football Club footballer. The brains performed flawlessly and, needless to say, won easily.

On 5 September I attended a luncheon at Arthur Preston Residential Services in the electorate of Forest Hill to recognise some of the amazing volunteers and the work they have done. For over 25 years Wesley Mission Melbourne and the Arthur Preston Residential Services auxiliary have provided dedicated support to people with Huntington's disease. Congratulations to the residents, staff and volunteers on this very important milestone.

On 10 September I attended the Parents of Hearing Impaired Children, Victorian Federation, afternoon tea.

Many people shared their very personal stories of striving to achieve quality education — —

The ACTING SPEAKER (Ms Lindell) — Order! The member's time has expired.

Royal Society for the Prevention of Cruelty to Animals: Tattersall's award

Mr INGRAM (Gippsland East) — In September 2002 Jack Whadcoat, who is a tireless worker within our community as an environmentalist and animal welfare worker, received an award of \$15 000 for enterprise and achievement donated by Tattersall's. Jack Whadcoat donated that award to the charity of his choice, which was the construction of an animal shelter at Bairnsdale. He was a long-term member of the Royal Society for the Prevention of Cruelty to Animals (RSPCA) and was a tireless worker for that organisation. The community raised over \$80 000 to go with that \$15 000 donation from Tattersall's.

To his great shock the RSPCA and Hugh Wirth stole the money, took it back to Melbourne and spent it in his Burwood offices. This is another example of the mistreatment of country areas by the RSPCA and its absolute contempt for the tireless volunteers who work for its organisation. This is just propping up Hugh Wirth's own media empire and doing very little to promote the welfare of animals in this state.

It is time that Hugh Wirth gave this money back to the East Gippsland community that it was donated to. It is time that Tattersall's stood up and demanded that the RSPCA pay this grant back to the community for its intended purposes, which was for an animal welfare shelter in East Gippsland. Over \$80 000 was raised, and this money has been taken back and spent in Melbourne.

Kingston Heath Primary School: *Alice's Twisted Tales in Wonderland*

Mr LIM (Clayton) — Last Thursday the member for Mordialloc attended *Alice's Twisted Tales in Wonderland*. It was a whole school concert presented by Kingston Heath Primary School, a great school in her electorate. It was written and choreographed by Elizabeth Garnsworthy. It was a great evening's entertainment by every year level at the school. Congratulations to the students, staff, helpers and parents of Kingston Heath Primary School, particularly: Elizabeth Garnsworthy for the script and choreography, Ivan Blythe for designing and painting the backdrop, the parents and teachers who helped to make the

wonderful costumes, Sue McKenzie plus the year 2 team in charge of catering.

Well done also to the entire cast which needs to be congratulated. I will go through the cast list: the narrator was Paris Craig, Alice was Monique Brohier, Tom was Benson Nambiar, Chris was Ben Edmunds, Paul was Vincent Li, Little Red was Melanie Potts, Gabby was Paige Jolly, Laura was Megan Allan-Bradshaw, Maddy was Ozlem Pek, PC was Ben Greer, Jack was Matthew Horner, Fi Line was Elise Newman, Luck was Bryce Bakotic, Georgia was Elise Newman, Jason was Kessel Zoethout; Mrs Farmer was Jessica McKenzie —

The ACTING SPEAKER (Ms Lindell) — Order! The member's time has expired

Public transport: seniors Sunday pass

Mr DIXON (Nepean) — I am going to read a copy of an email that one of my constituents sent to the Premier. The email graphically shows the contempt and inequality with which the government treats the Mornington Peninsula. It reads:

Dear Mr Bracks,

'Free' travel for seniors — 27 August 2006.

I am writing because I used the facilities that are provided by various people in this state yesterday to travel from Glen Iris via Mentone to Frankston and thence to Tootgarook. If you are familiar with this system of transport, you will know that I travelled by bus to Mentone and then train to Frankston. I had paid no money up to then because it was free day to seniors. I arrived in Frankston and climbed on the bus to Portsea and showed the driver my seniors card. He told me that unfortunately I would have to pay the fare to Tootgarook. On inquiring why, he told me that you had decided to eliminate this section — and only this section in the whole state — from the free travel day for seniors. The amount of money involved is small — \$3. However, the principle is obviously quite clear. Just as all the non-seniors have to pay the earth for a trip to Portsea — and Dromana — whereas those who live in Stoney Point can use their Metlink tickets, now your government has decided to penalise the seniors of the southern Mornington Peninsula on the so-called free travel day. I hope my point is clear.

Yours in great disappointment,

Tony Helm

Once again I call on this government to treat the seniors on the Mornington Peninsula in the same way as other Victoria seniors and provide them with free Sunday travel.

Len Jeffrey Memorial Preschool, Belgrave South

Ms LOBATO (Gembrook) — Yesterday I had the pleasure of attending the Len Jeffrey Memorial Preschool in Belgrave South. I spoke with teachers, committee members, parents and their children.

Those from the kindergarten, among others, have been concerned with the misinformation being spread by the Liberal Party that seeks to scare parents and diminish the valuable learning experiences being had by our children. I spent time informing parents and teachers of the commitment by the Bracks government to Victorian kindergartens which is reflected through increased funding as well as outstanding participation rates. Low-income families have been assisted by a 220 per cent subsidy increase. Importantly the long-term future for kinders and their teachers has been massively improved by salary increases for all kinder teachers, which bring them in line with their primary school colleagues.

This government has also responded to the needs of working families, ensuring that children attending child care can conveniently access kinder with our \$30 million investment in 50 new children's centres incorporating kinders. Most importantly, this government understands the view of most kinder teachers who tell us that the kinder is a stand-alone year of important milestones in development and that prep is the year for school preparation which rightly takes place in a school setting. Congratulations to the families at Len Jeffrey for their dedication to the learning experiences being gained by their children.

Wild dogs: control

Dr SYKES (Benalla) — I wish to draw the attention of members of this house to the deplorable reputation that the Minister for Environment has in country Victoria.

A couple of weeks ago the headline on the front page of the *Border Mail* said 'Artful Dodger', beside a photograph of the Minister for Environment. Why? Because he told livestock owners in north-east Victoria that wild dogs on Crown land were their problem. Local livestock owners are incensed that the government minister who is responsible for managing Crown land on which the wild dogs multiply by feeding on native animals and lambs, sheep and calves from adjoining properties is failing to accept responsibility for the dog problems.

The Chesthunt Wild Dog Destruction League wrote to me last week to express its concern. It said:

But to blame the farmers and hunters for the plague of wild dogs is totally unacceptable and patently untrue. Our dog league has been in existence for over 70 years for the very purpose of reducing the risk of wild dog attacks on our livestock and to suggest that we would be careless in our attitude to wild dog control is an insult.

The letter also states that the farmers are frustrated by the lack of consultation and the government's lack of an acceptance of their experience in the field. I call on the minister to publicly accept responsibility for the management of wild dogs on Crown land and to publicly apologise to livestock owners for the expense and emotional pain which wild dogs cause land-holders who own land that adjoins Crown land.

Aged care: Waldreas Village

Mr LOCKWOOD (Bayswater) — Recently I visited Waldreas Village, an aged care facility in my electorate. Waldreas is a purpose built village established in 1998 and occupying 8.5 acres. It is an outstanding facility. The setting, grounds and facilities are all first class. I have visited a number of such facilities recently, and this one stands out for its cleanliness, friendliness and great layout.

The manager is Robert Gargano and the proprietors are Walter and Nada Buehler. I toured the village with Robert and Walter. It is in Wantirna Road, Ringwood, right next to Dandenong Creek in a great bushland setting. The gardens are immaculate and obviously well cared for. The residents are able to take advantage of the nearby nature reserve by walking along the bike track by the creek.

Waldreas has 169 beds in total, incorporating 5 houses and 30 independent units. The current configuration includes 79 commonwealth-funded aged care beds, both high and low care, 12 Transport Accident Commission-funded beds and 78 unfunded beds that are either contracted for short-term rehabilitation or offered privately. Management believes in contemporary practices and understands the need to deliver important services that meet residents' needs.

Waldreas is seeking to expand by adding 78 places, including 20 places dedicated to special needs groups. They include 8 veteran-specific places; 8 culturally and linguistically diverse specific places for those of Indian ethnicity; and 4 Aboriginal and Torres Strait Islander-specific places. This is a great initiative by Waldreas.

During NAIDOC Week this year Waldreas was part of a collaborative agreement with six other health and social welfare organisations that pledged to work together to achieve improved health and social outcomes for Aboriginal people. It was a great initiative for Waldreas to be part of. Of the many facilities in my electorate — —

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

Springvale Road, Donvale: traffic lights

Mr PERTON (Doncaster) — I rise to support the petition I tabled earlier in the day, which was organised by my successor, the Liberal candidate for Doncaster, Mary Wooldridge, and the purpose of which is to improve road safety on Springvale Road.

Ms Green — Lidia!

Mr PERTON — 'Lazy' Lidia — I thank the member for Yan Yean for that. More than 100 local residents have signed Ms Wooldridge's petition, which calls for the installation of traffic lights outside the Donvale Retirement Village. Ms Wooldridge, like me, has walked with the residents, with some trepidation, along this heavily congested and narrow street with its deep, open drains, poor visibility, dangerous entrance points, varying speed restrictions, minimal turning lanes and narrow road shoulders. Of particular concern is the difficulty faced by residents of the retirement village, who take their lives in their hands to try and cross two lanes of heavily congested traffic simply to get to a bus stop.

While the residents may be quite agile, it is plainly dangerous that they are expected to negotiate this road. They deserve to be able to walk to a bus stop in safety and comfort rather than having to dart between lanes of cars travelling at least 70 kilometres an hour. Both Ms Wooldridge and I have been working with the residents association for some time, seeking to get this road upgraded and its safety improved.

I know residents were stunned by the admission by the Labor member for Templestowe Province in the other place at a recent public meeting that she had not harassed VicRoads to the extent she should have to get funds to upgrade Springvale Road. Perhaps, as the *Age* said yesterday, the member should now find her voice over Springvale Road, which has been considered a greater priority by the Manningham City Council — —

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

Rail: Ballarat–Melbourne service

Mr HOWARD (Ballarat East) — Last Monday I had the pleasure of catching the first express service between Ballarat and Melbourne. I was joined on this service by the Minister for Transport and, like the other 105 commuters, enjoyed a very smooth trip from Ballarat, pulling into Southern Cross station after only 61 minutes. In providing further commentary on this trip and the new fast rail service, I would like to quote some lines from the Ballarat *Courier* of the following day:

Commuters gave the first express train trip from Ballarat to Melbourne the thumbs up as it eclipsed its expected travel time by 3 minutes yesterday morning.

The *Courier* went on to talk about some of the people who used the service, including Noah Gadelrab, a student at Melbourne University, who welcomed the extra trip in the morning. She said:

I usually get up at 5.30 a.m. to catch the 7.00 a.m. train, but with this train I can get up at 6.30 a.m., so it is a huge difference to me.

The *Courier* went on to quote other people, including John Withers, who came to Ballarat nine months ago because he felt that the affordability of Ballarat housing, coupled with its community lifestyle and its improved accessibility to Melbourne, gave it the edge over Melbourne's outer suburbs. The *Courier* also noted Mr Withers statements, which were echoed by many other commuters on this service. It has been well received by Ballarat travellers and travellers down the line.

Police: Cranbourne station

Mr PERERA (Cranbourne) — The new \$6.7 million Cranbourne police station is now open for business. This is the 100th police station proudly built by the Bracks government and is another example of the Bracks government's commitment to keeping our streets and suburbs safe. Recently I had the pleasure of welcoming to the electorate the Premier and the Minister for Police and Emergency Services, who officially opened the police station.

The new state-of-the-art, 24-hour Cranbourne police station replaced a station which was in fact two buildings — one built in the 1980s and the other, which was originally a police residence, built in the 1960s. This new station will consolidate all the operational police units in the one building, including a uniformed branch, a criminal investigation unit and a proactive programs unit. The new station includes conference and interview rooms, a property store, holding rooms, an

administration work area and staff facilities that include a gymnasium and male and female change rooms and showers.

This is another project that has been delivered on time and on budget by the Bracks government. My constituents are very pleased about the new police station in Cranbourne. According to the latest Victoria Police figures, the crime rate in the city of Casey has fallen by 4.5 per cent in the past 12 months.

Autism: survival guide

Ms McTAGGART (Evelyn) — I rise to pay tribute to Gerda De Clerq from Coldstream on her efforts in producing an outstanding new book called *What About Me? — The Autism Survival Guide for Kids*. Gerda and Athanasia Koutsis have co-authored a picture book to support siblings who face the challenging behaviour of a brother or sister who suffers from an autistic spectrum disorder. The book has been illustrated beautifully by Richard Galbraith of Mount Evelyn. Richard has used a cartoon style of illustration which provides important information in a colourful and fun way.

I have spoken in this house previously about autism and my personal experiences of it. Research shows that siblings need to know how autism affects their brother or sister, and this book recognises and addresses the embarrassment or anger they feel at having a sibling with autism. It also talks about needing to compete for attention, seeking parental approval by becoming overly attentive to the sibling with autism, overachieving because parents have enough to cope with, and feeling guilty that they may have contributed to the disability. Spike the Dog takes the reader on a journey covering the challenges of autism and offers survival tips for the siblings. It highlights that everyone with or without autism is different but that we are all special.

Given Gerda's experience as a teacher of 30 years, including 12 years in the field of autism, Athanasia's background as a psychologist specialising in counselling for parents and siblings of children with autism, and Richards's bright and engaging illustrations, they are to be congratulated on five years of hard work in delivering this outstanding book. I would encourage all members of this house to read *What About Me? — The Autism Survival Guide for Kids*, and possibly to buy a copy for their office, in order to get an understanding of life as a sibling with a brother or sister with autism.

The ACTING SPEAKER (Ms Lindell) — Order! The member for Yan Yean has 60 seconds.

Diamond Creek East Primary School: concert

Ms GREEN (Yan Yean) — Recently I had the privilege of attending the fantastic annual concert of the Diamond Creek East Primary School. Every year the school puts on a magnificent show. The dancing, singing and costumes were superb, and the audience of generation X and baby-boomer parents were well entertained by music from their era. It was just like a better version of the Countdown revival concert! All our heroes were there — Jimmy Barnes, John Farnham, AC/DC, Peter Garrett, Skyhooks and Peter Allen.

All did a fantastic job, but my favourite was the Slim Dusty tribute of *Pub with No Beer* and *Love to Have a Beer with Duncan* — classic Diamond Creek! Well done to all students, staff and parents. Not only were performances spot on, it was a great illustration of the fact that the so-called obesity epidemic is not a problem for kids in Diamond Creek. Well done to Julie McCredden, Rob Rostolis and the team.

Apollo Parkways Primary School: Showdown

Ms GREEN — Recently I also had the privilege of attending the biennial concert of Apollo Parkways Primary School. *Showdown* was an original play and musical production involving each and every student from the more than 750 students from prep to grade 7. The brainchild of the Pegasus group of last year was inspired by the many reality-based TV shows which are popular today. Well done, Apollo Parkways!

CONVEYANCERS BILL*Second reading***Debate resumed from 10 August; motion of Mr HULLS (Attorney-General).**

Mr McINTOSH (Kew) — The Conveyancers Bill has been long anticipated in this place. It is a bill that is fundamentally necessary to protect consumers in this state and also fundamentally necessary to remove what is an historic monopoly that has been in the hands of the legal profession in relation to the conveyance of land.

I should say it is a complicated process to convey land; it can be quite technical and very detailed. The fundamental law that makes up the transfer of land, although relatively easy under the Torrens system of title, unlike general law title, is complex. Practitioners of that in the legal profession have a degree of specialty that has been built up from experience over a long period as well as from academic training at university.

Property law is still held by most law students to be one of the most difficult subjects they undertake at university. It is certainly not an easy subject by any stretch of the imagination.

The Torrens system, which governs the vast majority of land in Victoria, was adopted from a South Australian model. It is applied universally around the country and has been exported to other countries. It is a much more simplified system of at least registering an interest in land on the title, and it enables conveyances to be conducted reasonably simply compared to a conveyance of general law title.

A great division occurred between South Australia and Victoria. From the outset in South Australia, which was the genesis of the system of title that we have in Victoria — that is, the Torrens system — specialist conveyancers who may not have been legal practitioners but who had specialist training and, more than anything else, practical experience were allowed to practise alongside lawyers. As I understand it, the vast majority of domestic conveyances in South Australia are conducted by conveyancing companies rather than legal practitioners.

Victoria went down another route which effectively gave lawyers a monopoly regarding the conveyance of land because of the monopoly that lawyers held in the provision of legal services or in doing legal work. Legal work can be anything from appearing in court to the preparation of documentation necessary to transfer land. When you compare Victoria to South Australia, which has a large number of conveyancing companies as opposed to lawyers transferring domestic property in particular, it is an historic anachronism that we have not adopted the system here in Victoria.

However, the genesis of the bill probably goes back some two years with the collapse of the Grove Conveyancing Services company in Geelong in late 2004. When I spoke about this in October and again in November last year, some 400 families were still suffering as a result of the collapse of the Grove conveyancing company in Geelong. While many of those families have received some form of compensation and have had their transfers of land effected, there is still a sense of loss among many of those people as a result of the collapse of the Grove company.

Grove was a conveyancing company that did not have a legal practitioner conducting an office as a solicitor or an Australian practising lawyer to conduct that conveyance. I understand a former lawyer may have been associated with the firm but essentially no regime

was in place to properly protect consumers, either ensuring the integrity of the people conducting such a company, the maintenance of appropriate trust funds, the maintenance of a regulatory regime of rules and so forth right through to the preparation of that work.

The qualification always was — and this was maintained by governments of all persuasions to some extent — that the difficult task of the conveyance, which was the legal work, was still the preserve of the solicitor. The preparation of the transfer of land or the contract — the section 32 statement is another precursor to the bill coming before the house — had to be prepared by a legal practitioner. A fiction arose whereby a conveyancing company entered into an arrangement with a legal practitioner who supervised the work and eventually signed off on the preparation of those formal documents but they had been prepared by people who were not legal practitioners.

Many of those people, in my experience, had a great deal of experience through having worked as conveyancing clerks in legal firms or sometimes as clerks with the large banks because in the provision of mortgage services they had been intimately involved in the preparation of those contractual arrangements.

Business interrupted pursuant to standing orders.

Sitting continued on motion of Mr PANDAZOPOULOS (Minister for Gaming).

Mr McINTOSH (Kew) — As I was saying, many of the conveyancers had a great deal of experience of the technical details of conveyancing and understood it as well as many legal practitioners, having been intimately involved in the business on a day-to-day basis. My first experience in the law was being employed as a conveyancing clerk by a legal firm when I was still at school, following around someone who was a formal conveyancing clerk and attending settlements. They were the times when you shuffled documents across the table — the transfer of land documents, the certificates of title, the mortgage documents and, most importantly, the cheques — which were then passed around between the various parties including the vendors, the purchasers, financial institutions such as the banks which were providing the mortgages, and other interested parties.

At the end of the day it was a process that was similar in nature to most transactions. As you went on to further and bigger commercial transactions where the number of parties may have increased dramatically, the process was more or less exactly the same — that is, the transfer of land was done from one party to another.

The second precursor to this bill was the case of Ms Maric, who was a practising conveyancer. I understand that that matter is still before the court so I will not comment on the details of it, save to say that the issue concerns the preparation of a section 32 statement. A section 32 statement is the document provided to a purchaser that gives the purchaser all the details about the land, including any encumbrances and matters relating to rates and electricity bills — all the sorts of things that a purchaser needs to know about the outgoings in relation to that land. There is a standard form document in many cases, and you just fill in the gaps after applying for the appropriate certificates. It is a relatively simple document but very important document, because if it is not right it enables a purchaser to avoid the contract in appropriate circumstances.

Ms Maric was a conveyancer. The issue before the court is whether the preparation of a section 32 statement is legal work within the meaning of the Legal Profession Act and its antecedents. An injunction was granted, but as that is presently before the court I dare not comment about the possible outcome, save to say that that issue was brought to the court by the Law Institute of Victoria in the interests of protecting the monopoly of solicitors.

I have raised these matters in Parliament. As early as October of last year I called on the government to implement a regime to regulate conveyancers in this state which would provide a number of things. The first would be a mechanism of licensing so appropriately qualified practitioners would be given a licence depending on their academic training and practical experience. The second would be a mechanism of professional indemnity insurance for any form of fault or otherwise. Thirdly, there would be a mechanism for complaint handling in these matters, and professional rules and standards would be adopted.

This bill essentially does two of those things. It provides a mechanism for the licensing of conveyancers who are not legal practitioners. It requires a formal course of study, and I understand such a course has operated at the Royal Melbourne Institute of Technology for a number of years. The Australian Institute of Conveyancers has significant input into that course. Under the bill there is a requirement to gain practical experience under the supervision of another conveyancer for at least 12 months. It is very similar to what you would expect an articled clerk in this state to be doing.

Representations have been made by the Australian Institute of Conveyancers to suggest that one year may

not be enough, given that the course of study is not as long as a law degree, for obvious reasons. One would expect lengthier practical experience would be needed before you attained the qualification. Perhaps this is a matter for noting at this stage. It certainly does not give the opposition any reason to hold up this bill. I think it is important that the bill goes through. This is simply a commentary, and hopefully the government will take on board those comments by the Australian Institute of Conveyancers.

The second thing the bill does is provide a mechanism which protects the money of the clients of a conveyancing company. There is a mechanism for moneys acquired in the course of a conveyance, either provided or taken from the sale of a property by a conveyancing company, to be held in trust. Many lawyers would understand the operation of trust accounts and the complicated process of auditing that can occur, including, in the event of a defalcation, the appointment of an administrator of those accounts by the Supreme Court. There is a mechanism for random audits, because at the end of the day conveyancers, like lawyers, have a fiduciary duty to their clients. One understands the intrusive nature of that process of random auditing which is there to protect the consumer. At the end of the day the consumers hold their conveyancers to that fiduciary duty and one expects a fairly draconian, if you like, regime to protect those trust moneys.

As I said, I would have expected and would have liked a complaint-handling process. There is effectively a default complaint-handling process through the Business Licensing Authority, so presumably complaints can be made there. I would have thought it would have been more appropriate to have a more obvious complaint-handling process set out in the bill itself. Alternatively there is an ability to make rules and regulations to govern conveyancers, as one would expect, when they are carrying out such a fiduciary duty. One would expect those rules to be very tight. Obviously conveyancers owe their principal obligation to their client. That is the distinction between a fiduciary duty and an ordinary duty of care: the fiduciary owes that duty to their client even if it means acting to their own detriment.

In relation to this matter, I would have thought it would be important to set out in the bill itself a regime that could prescribe a precise person or body that could deal with those complaints, even if it were the Business Licensing Authority, as well as a mechanism by which complaints could be processed and the rules, which are not yet set but which will be determined by way of

regulation, could be enforced by a client who made a complaint.

As we know, the legal profession went through a number of issues in relation to the complaint-handling processes. It was not until the passing of the Legal Practitioners Act that this matter was effectively clarified by putting all complaint matters into the hands of the legal services commissioner. The investigation can be delegated to the relevant professional authorities at the discretion of the legal services commissioner. I would have liked a separate ombudsman or a complaint-handling process specified in this bill. We will await the rules and regulations as they may contain that complaint-handling process.

There is a requirement to carry professional indemnity insurance. The rate has not yet been set — it will be set by ministerial order — so we will have to wait to see that. Obviously it will come about by way of consultation with the relevant parties, particularly the Australian Institute of Conveyancers.

I am very supportive of this bill and this process. They clarify the operations of conveyancers and the de facto arrangements they have been operating under without any form of regulation in this state. That has led to things like 400 families losing out as a result of Grove Conveyancing Services in Geelong. This provides a mechanism for professional indemnity insurance; as I said, the rate will be set by ministerial order.

This has been a long time coming. As a result of the Grove collapse the government asked the Allen Consulting Group to do a report in relation to the conveyancing industry here in Victoria. The Allen Consulting Group fundamentally recommended that because of national competition policy this was no longer a permissible monopoly, and that given that conveyancers operate in every state of Australia apart from Queensland and are probably the dominant part of the transfer of domestic property in South Australia there was no apparent reason not to adopt a similar regime in Victoria.

Notwithstanding the fact that the report was provided in about mid-2004, and notwithstanding the fact that a strong campaign was run by the Australian Institute of Conveyancers — Victorian vice-president, Pauline Barrow, and chief executive officer (CEO), Jill Ludwell, spoke to me on numerous occasions about this particular matter — it was not until early this year that the Attorney-General announced that he would implement a regime for the regulation of conveyancers and, most importantly in this bill, give them the ability

to undertake the legal work that is necessary to transact a conveyance.

Of course there are limits on that. As one would expect it only relates to conveyancing, they will not be able to undertake other legal work — and the Attorney-General in his second-reading speech mentions a couple of examples — such as the preparation of documentation for incorporation of a company, or the sale of a business. They can only undertake the conveyance of land, and they are then able to do the necessary legal work in association with that particular matter.

One matter that concerns me, though, is the very long period before the default date for this act's coming into operation. It will be 1 July 2008, nearly two years from now. Notwithstanding that this legislation has had a long gestation period — because of the collapse of Grove Conveyancing Services; the case in the Supreme Court; the report of the Allen Consulting Group; the money provided by the federal government under the national competition policy, the last instalment of which was made a few years ago; the government being aware of over 400 families that were suffering as a result of the Grove collapse; and consumer protection dictating that this bill come into effect — it will potentially not come into operation for another two years.

We are told by the Attorney-General that the reason is that the rules and regulations that govern conveyancers will have to be promulgated, that insurance arrangements will have to be set and that the arrangements for any matter where there is a default by a conveyancer and a claim made on the Victorian Property Fund are going to have to be set out in some detail.

It is very important to at least get this legislation through and then put the flesh on its bare bones. I am very disappointed, taking into account that the government was moving clearly from the beginning of the year in relation to this bill, that it will be two years potentially before it all comes to fruition. I am disappointed that even though it has had a long gestation period, this bill may not come into operation for another two years. Hopefully that period can be expedited by the rapid preparation of these rules and by the rapid promulgation of the proceedings regarding the insurance amounts and other matters that need to be dealt with in the administration of this bill.

One would have thought, given that the Attorney-General has said that the government has imported terms from interstate governing conveyancers

elsewhere in the preparation of the bill — currently the Australian Institute of Conveyancers has a set of rules, they certainly have a requirement to have up to \$1 million in professional indemnity insurance, and I would have thought that was an appropriate level, and other matters are well in place with the Australian Institute of Conveyancers — if the government did not accept those, then perhaps those rules could be copied from elsewhere such as New South Wales or South Australia.

I do not really see that as being a significant problem in the preparation of these matters. I just think that it is perhaps the government being a bit less than enthusiastic and being dragged kicking and screaming to protect consumers in this state as a result of the Grove case and ultimately the problem it was facing of being technically in breach of national competition policy.

For all of those reasons there was an urgency about the passage of this bill. As I said, it is regrettable that it has taken so long to come before the house, and it is also very regrettable that we may have to wait another two years before it actually comes into operation. Having said that, at the end of the day it is important that we get it right, but consumers in this state will still have to wait possibly another two years before they will be able to avail themselves of the opportunity to decide whether they go and see a legal practitioner about their conveyancing or see a qualified, registered and insured conveyancer.

Mr RYAN (Leader of The Nationals) — This legislation marks another stage in the evolution of the way in which legal practice is conducted in the state of Victoria. In 1985 we saw a major change in that we witnessed the passage of legislation regarding WorkCover. The year 1987 saw legislation relating to the formation of the Transport Accident Commission and the various elements of that legislation. This bill marks another stage in dealing with who will be entitled to conduct legal work, so termed, associated with conveyancing.

I suppose it must be said that the difference is that this legislation represents a formalisation of somewhat of a fiction which has otherwise existed from a practical perspective for literally decades. But nevertheless it is an important day in the sense that the bill establishes from a legal perspective the appropriate structures that will permit conveyancers who are licensed under the terms of this legislation to conduct conveyancing in their own right without being under the ridiculous shadow of having to operate under the terms of the Legal Profession Act. That in practical terms has been a

fiction for many years. In that sense I welcome the legislation because it gives some appropriate form to a proposition that has operated in a de facto sense for a long time.

The reality is that by its nature conveyancing can be a very complex process. I freely confess that as a solicitor I could not stand doing it. I did not do much of it. There were some basic rules that applied. The member for Kew talked about going to settlements where other parties were present. One of the basic things I was taught by the solicitor with whom I did my articles was that you should grab any remaining documents on the table at the end of the settlement process and take them away with you, because you never knew your luck in a big city.

Other things happened to me in my very passing career in conveyancing, which I am the first to say did not have much to recommend it. I remember one day when I was doing my articles with a firm in Collins Street that it was all too hard when I went up to the titles office to have a look at the particulars of some aspect of the title that I had been asked to examine, so I walked out with the original title and brought it back to my office. I was busily explaining this conundrum to my principal, who was absolutely mouth agape and who less than gently explained to me that the notion of taking an original certificate of title out of the titles office and bringing it back to the office at which I was then working was not necessarily a good idea. I was dispatched post haste to return quietly the original certificate of title from whence it came. In later years I went on to be involved in litigation, so conveyancing was not something that I was involved in from a personal perspective.

Be that as it may, in the context of country legal firms conveyancing has always been a very important element of what those firms have done, together with the issue of dealing with personal injury work associated with what we now know as WorkCover and personal injury work associated with what we now know is essentially accommodated by the terms of the Transport Accident Act. They were probably the three principal mainstays of a lot of the work that underpinned the operation of legal firms in country Victoria. Therefore the fact of this third element of that trio of foundations which underpin those firms now being accommodated by the terms of this legislation marks another significant stage in the way in which legal practice per se is conducted in Victoria.

At present — or until this legislation passes — legal practitioners do have a monopoly on the legal work associated with property transactions, and that occurs

under the Legal Profession Act 2004. The factors which have given rise to this bill have been outlined by the member for Kew. In essence it is a mixture of events, amongst those being defalcations by organisations which de facto have been involved in conveyancing in a way that this bill now contemplates, but also it has been the influence of national competition policy, which has had its part to play in bringing this legislation before the house.

The bill will allow conveyancers to undertake the legal work associated with property transactions under the new system of regulation and licensing which is to be established by the bill. They will be able to do that as an alternative to solicitors. Obviously it will remain within the capacity of legal firms to continue to undertake this work, but there will now be a formal structure whereby conveyancers who are licensed under the legislation will be able to do the work without having to go through the rather ridiculous process that we have seen over the past couple of decades.

The licensing system will have similar obligations and accountability as that which now applies to legal practitioners. That of course is appropriate, because this legislation is here in part in the name of consumer protection, and it seems to me to be only a fair thing that those who are out there competing in the marketplace to be able to do the work are in the broad sense subjected to the same sorts of principles across whatever their sphere of particular qualification or activity may happen to be.

The bill will allow conveyancers to undertake the legal work associated with property transactions, but it also lists a number of types of legal work that conveyancers will not be able to undertake. Amongst those are the work associated with establishing a corporation and the work associated with applications for grants of probate, which, thank goodness, I was spared having to do during the course of my time in the law, and which to this day remain a mystery to me.

The bill also addresses the issue of not being able to do work relating to the sales of businesses, although this element of the legislation is to be reviewed on or before 1 July 2009. The bill provides a system of licensing which is set out in a very broad sense under clause 12, which deals with what are said to be competency qualifications and work experience but it really is in a very, very bare form at the moment. We will need to await the outcome of the regulations which are enacted under the terms of this legislation before being able to see what precisely is proposed by the government for the purposes of relevant qualifications being achieved.

Also importantly the bill requires conveyancers to obtain professional indemnity insurance. There is provision for a ministerial order to be given effect to for the purposes of prescribing the minimum level of cover required. This again from a consumer protection perspective is very important. Further it is important because it will set conveyancers on a similar footing to legal practitioners who are engaged in legal practice generally but also inasmuch as that relates to conveyancing. It means in essence that people can have confidence that when they go to either a conveyancer or a solicitor they will have the protection of professional indemnity schemes in the event that something goes awry.

The bill imposes strict obligations on conveyancers regarding the maintenance and auditing of trust accounts. Again that is something that The Nationals welcome, because in a sense these people are engaged in a quasi-legal activity. It is imperative that the public have confidence in the manner in which trust moneys are managed by those engaged in legal practice, be it directly as legal practitioners or under the terms of this legislation.

The bill also allows for compensation to be claimed from the Victorian Property Fund in the event of a defalcation by a licensed conveyancer. Licence fees and interest from conveyancers trust accounts will be paid into that fund to support that purpose. The structure of the bill is such as to try as much as possible to make it consistent with other jurisdictions so that we can get closer to the notion of mutual recognition and keep as far away from the ridiculous propositions which are made almost on a day-by-day basis, sadly, under which we have legislative differences between the respective jurisdictions around Australia.

I just want to mention a particular issue from the perspective of country practitioners and the people who are clients of those practitioners in a country setting. It is to do with the notion that in a lot of our communities we simply do not have a lot of people qualified to be able to do this work. I remember that when I was working with my firm in Sale we had probably five firms altogether in a city of 14 500 people. Therefore often it was difficult for people to be able to go along to a particular firm on the basis that that firm was acting for only one party associated with the transaction.

I remember some very vigorous discussions over the years with the Law Institute of Victoria about this issue of conflict of interest and the notion, which seemed to be somewhat anathema to the law institute, that a solicitor could in fact act for both parties to a conveyancing transaction.

This issue arose regularly in a country environment, not only for the reason I have mentioned but also because often the parties to a transaction, who were locals, used the one firm for the general purposes of their legal advice. Those parties were very comfortable with the notion that the one firm should act for both of the people involved in the transaction. In latter years another element came into this, in that many legal firms, my own included, developed their own finance arm.

We had our own financial entity which was separate from the legal firm but which nevertheless was part of the group activity of the organisation, so you had a third potential area of conflict, if you like. Then we had people who were doing accounting for us as a separate business unit within the firm. So there was a plethora of potential conflicts that, when seen through the eyes of those who were looking for a problem to develop, reflected their worst nightmare; but on the other hand, from the point of view of people who live and work in a country environment, there was nothing extraordinarily strange at all, and it did not cause any concern.

It is why, therefore, I think the provisions set out in clause 49 of the bill under the heading 'Conflicts of interest' are important. Inasmuch as there was any temptation on the part of the government to try and preclude a conveyancer from acting for both parties to a transaction, I am pleased to see that it has been resisted. Clause 19(4), and I think very sensibly so, sets out the areas in which there could be conflicts of interest in respect of transactions. One of those specifically refers to a party that is acting or will act for more than one party to the transaction, and the subclause generally goes on with verbiage which accommodates the sorts of variations on a theme that I have outlined.

The good thing, though, is that if a conveyancer complies with the provisions of this legislation, written notice will be given to all concerned about any conflict of interest, and therefore everybody will be on notice as to any such conflict arising. That in turn will ensure there is a formal structure rather than a hit-and-miss arrangement for the manner in which an issue of conflict of interest is dealt with.

There is another interesting provision under clause 50 which deals with the notion that a licensee — that is, a conveyancer — is not to act as a conveyancer and as an estate agent in relation to a particular transaction. Indeed subclause (1) recites that a licensee must not carry out any conveyancing work in relation to a particular transaction if the licensee is acting as an estate agent for a party to the transaction. Again, in context, it is going to be very interesting to see how this

provision plays out in a country environment. I for one will be interested to see how the regulations are structured to achieve all of this, practically speaking.

The third issue I wanted to raise involves clause 51, which deals with the supervision of a conveyancing business. I recognise that the clause has been drawn in reasonably tight terms to ensure that a person who is licensed under this legislation is actually on the premises, as it were, and supervising, in the true sense of the word, the conduct of the business. But I make the comparison with the supervisory provisions of the estate agents legislation, which the government needs to have a close look at, because I do not think they work. The notion of a principal who is supervising supposedly holding a full licence is not working at all.

Again in a country Victorian context there are many instances where branch offices of organisations with a real estate agent's franchise have opened up and the supervisory provisions which apply are supposedly reflective of those contemplated by the terms of this bill, but that simply has not happened. It is a challenge for the estate agents area in particular to accommodate that issue. I hope the provisions of clause 51 in particular work to achieve the proper outcome, primarily from the perspective of consumers but also in terms of making sure everybody who goes to the trouble of getting himself or herself licensed under this legislation is in competition only with people who are doing the proverbial right thing in complying with the provisions of the bill.

This legislation was an inevitability. It gives form and proper structure to something that has been occurring on a de facto basis over a number of years. I suspect there will be more than one 'conveyancer' who will breathe a deep sigh of relief once this bill is given effect.

Mr CARLI (Brunswick) — It is with great pleasure that I rise to speak on the Conveyancers Bill. It is interesting to follow two lawyers, one of whom has considerable experience in conveyancing and one of whom seems to have avoided conveyancing at all costs. My experience of conveyancing is that of someone who has purchased a family home. For me, like a lot of people, the family home is my biggest investment. I expect it to last a lifetime. I want to be confident, as do all people who buy property, that this transaction can proceed smoothly. This bill ensures that and opens up greater opportunities for conveyancers.

There are several reasons why this legislation has been introduced. One of them was the collapse of Grove Conveyancing Services a couple of years ago. There

was a problem about controls and about how money was handled. A number of clients ended up in dire circumstances because of that. Another reason was the National Competition Council's determination that it is contrary to national competition policy to allow the continuation of the previous situation, which gave lawyers an unjustified monopoly on legal work. Under this situation legal practitioners could perform all tasks regarding conveyancing, but a non-lawyer conveyancer could not perform certain legal tasks. One reason for the legislation is to ensure legal practitioners and conveyancers can compete on an equal footing.

This bill has several objectives. It aims to ensure that consumers are confident that conveyancers are knowledgeable and skilled. Thus there are regulatory requirements on conveyancers to act in a manner that protects the integrity of the Land Registry. Under the bill consumers will be protected from error and fraud. Mutual recognition of conveyancers between Victoria and other jurisdictions is possible in the future. It is intended to apply Australia-wide, although I understand Queensland still allows only solicitors to be responsible for conveyancing. Competition is obviously encouraged between conveyancers and solicitors, and also amongst conveyancers, to ensure value for money for people purchasing property. The bill is basically about ensuring high-quality conveyancing services at a fair cost to consumers.

It is getting late in the evening and there are a few more speakers, so I will keep my contribution very short. However, I will say this bill is about competition, about putting conveyancers on an equal footing to solicitors and, more importantly, about protecting consumers and ensuring they are confident about the conveyancing process. I wish this bill a swift passage.

Mr THOMPSON (Sandringham) — The Conveyancers Bill 2006 has a number of purposes which include regulating the carrying out of conveyancing work by persons other than legal practitioners, repealing part 7.1 of the Legal Profession Act 2004 and making a number of consequential amendments. The bill sets up a licensing regime for conveyancers who are not legal practitioners that will allow them to undertake legal work associated with property transactions. It will also require conveyancers to have completed a course or examination conducted by an approved registered education and training organisation in the prescribed competencies, to have had at least 12 months full-time or equivalent part-time experience in the industry, to maintain professional indemnity insurance, to disclose to clients all costs and commissions received, to actively supervise their conveyancing business and to hold moneys in a trust

account that must be audited annually, with all interest paid into the Victorian Property Fund.

The conveyancing work undertaken by both solicitors and conveyancers is a significant area of legal work that is often fraught with a range of difficulties. Property law has a number of issues relating to restrictive covenants, easements or tenancy arrangements that need to be concluded when a property is being acquired. There are sometimes issues relating to the boundaries of properties, and certainly matters regarding the adjustment of moneys at settlement can require a significant degree of skill, care, attention and professional expertise.

Conveyancing transactions generally move smoothly when everything is going well. It is when an unforeseen difficulty arises that significant complications can occur. The delay if a settlement does not take place on a particular agreed date can have consequences for the family goods that are travelling around the block or from one country town to another in the back of a van. In addition, the cost implications of a failed settlement can far outweigh the professional costs that a lawyer or conveyancer could seek to retrieve from the transaction.

Other complications can occur if a person is unable to proceed with or there is significant delay in the purchase of a property. The accrual of costs from a frustrated settlement can be significant, and the burden on a purchaser in the event of a delayed settlement can be something for which they have not budgeted. That can have impacts down the line as well, with one settlement being dependent upon or underpinning a range of other settlements that might be taking place. For the record I note that my wife currently practises in this area, and when I practised as a lawyer conveyancing formed a component of my work for a period of time. Looking back I am aware of a number of occasions where, but for the appropriate application of professional care and insight, major difficulties might have arisen.

There is a concern, I understand, among numbers of the profession as to whether 12 months full-time or equivalent part-time experience in the industry is sufficient for conveyancers who may be dealing with multimillion dollar transactions or the cost implications of failed settlements or properties not being fit for the purpose. Sometimes people have bought a house that has been located on the adjoining block. Sometimes people have bought land that has been filled in and where the foundation work required to construct a house is therefore significantly greater. Sometimes there have been difficulties with fence alignments that might require great expense to rectify. Unless such

matters are appropriately assessed and the purchasers appropriately guided, there can be significant cost implications.

Another significant conveyancing cost is stamp duty. A letter to the editor appeared in this week's *Age* under a headline describing stamp duty as 'A creeping tax that has crept too far'. The buyer of a \$375 000 family home — Melbourne's median — now pays \$18 160, or 4.84 per cent tax, instead of what in the past was 1.42 per cent, and there are other transactions where the tax goes up through the scale. Governments have been reliant upon stamp duty to an undue degree, and the benefits derived from it are not proportionate to the transactions in which people are engaged — that is, the acquisition of properties.

The opposition has raised a number of concerns with the bill. For example, the bill creates an anomaly in relation to section 53A of the Estate Agents Act 1980, which currently allows estate agents to fill out contracts.

There is no provision in the bill to amend that provision to include a contract prepared by a licensed conveyancer. As I noted earlier, the Victorian Conveyancers Association does not believe that 12 months experience in the industry before obtaining a licence is long enough. A reform has been recommended under competition policy to allow access to the area to conveyancers, but the question that remains to be determined in the course of time is to what extent conveyancers have the appropriate level of skill to ensure that transactions are appropriately concluded for the benefit of vendors and purchasers.

Mr MERLINO (Monbulk) — I am pleased to speak briefly on the Conveyancers Bill. Owning a home is the most important goal of and the largest financial decision made by the average Australian family. It remains the great Australian dream. Owning a home is not only financially significant; owning a home provides security and stability for families and a sense of pride and achievement. In every step of the way of the journey — from looking for a property, purchasing the property, to moving in — consumers should be protected from errors and fraud.

Imagine the nightmare of being a prospective home buyer and having been involved with a conveyancer who failed to forward your money held in trust to pay your stamp duty, who failed to lodge your documents at the land titles office, who used your money for gambling, or who used your money, which should have been in trust, to fund the operations of the business. This nightmare actually occurred with Grove

Conveyancing Services before its \$7.5 million collapse. That case highlighted significant deficiencies in consumer protections against rogue conveyancers. At the same time the industry itself has been held back by antiquated, anti-competitive rules. Essentially the legal profession has a monopoly on undertaking legal work associated with property transactions. The National Competition Council determined that this monopoly is contrary to national competition policy.

The bill represents a significant reform to the conveyancing industry. It addresses both consumer protection and improved competition and industry development. While I do not have the time to go over the details, I would like to finish by referring to comments by Pauline Barrow, the president of the Australian Institute of Conveyancers. In my discussions with her today she told me that this legislation was balanced, that the industry has been looking forward to it for quite some time and that this is what you would expect as a consumer — that you are protected and that your conveyancer holds relevant and appropriate qualifications. This is very responsible legislation, and I commend it to the house.

Mr PERERA (Cranbourne) — I support the bill, which is a very good piece of legislation. It is expected to increase the competitiveness of the conveyancing industry by abolishing the distinction between legal and non-legal work. At present legal practitioners maintain a monopoly on the legal work associated with property transactions. Non-lawyers are authorised to carry out all aspects of real estate conveyancing in most Australian states and territories. Although Victorian conveyancers are not authorised by legislation to do legal work, the restriction is often ignored. Conveyancing is the process of transferring ownership of, or an interest in, real estate or property.

Buying a home is the most important investment a person or a family makes in their life. First home buyers are young families who are starting their family life and who are doing it hard. For immigrants to this country who have started life from scratch, buying a first home could involve all their savings plus a mortgage for the rest of their lives. The Cranbourne electorate attracts a lot of first home buyers and low to middle-income families due to the availability of land at moderate prices. All home buyers need the highest protection and low-cost conveyancing services.

It is incumbent upon a good government to ensure the highest protection and take measures to lower the cost of conveyancing. That is exactly what the Bracks government is proposing by providing for non-lawyer

conveyancers to be subject to a new system of regulation. I commend the bill to the house.

Ms ALLAN (Minister for Education Services) — In summing up the Conveyancers Bill, I thank all members who have spoken, particularly the member for Kew, the Leader of The Nationals and the members for Brunswick, Sandringham, Monbulk and Cranbourne. I commend the bill to the house.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

CHARITIES (AMENDMENT) BILL

Second reading

Debate resumed from 10 August; motion of Mr HULLS (Attorney-General).

Mr McINTOSH (Kew) — Generally the common law does not permit money to be left or given for a purpose: it must be owned by a person. An exception to this law in equity is that money is permitted to be left for a charitable purpose. Accordingly we have built up through that mechanism a number of well-known charitable trusts that provide money to many, many worthwhile charitable purposes in this state and indeed the rest of the country. I note from the second-reading speech that the minister estimates that as much as \$300 million could currently be invested for such charitable purposes.

An anomaly has arisen in a number of interpretations whereby those charitable trusts are able to give money to organisations such as the Royal Children's Hospital, the Royal Botanic Gardens and the National Gallery of Victoria. The problem is that to some extent they are government agencies and the government is in essence not a charity. The decisions of the courts therefore have brought the validity of those moneys given to government agencies such as the Royal Children's Hospital, the Royal Botanic Gardens and the national gallery, for example, into question.

There is no denying that all of those institutions carry out charitable works — good work which we all depend on. People would consider the Royal Children's Hospital, the universities and the Royal Botanic Gardens to be necessary charitable purposes. Essentially what this bill does is rectify that anomaly by

permitting charitable trusts to leave money to eligible entities, which are those entities defined by the Income Tax Assessment Act as being entities which have charitable purposes and entitle a person to a full tax deduction when donations are made to them. The bill permits that to overcome those decisions of the courts. It also validates retrospectively any transactions that might otherwise have been brought into question by the courts' decisions. Most importantly it also requires the trustees to meet and formally resolve that they want to enter into this scheme, having taken the appropriate tax and other advice, to enable donations to be given for worthwhile purposes and enable the good work of the Royal Children's Hospital, the Royal Botanic Gardens, the universities and the National Gallery of Victoria. It is very much supported by the opposition, and I am sure it is supported by every member of this house. It is a necessary amendment which clarifies an anomaly in the law.

Mr RYAN (Leader of The Nationals) — The Nationals support this legislation. The bill has been explained in pretty detailed compass by the member for Kew, and I do not intend to go over that same ground. The additional issue I raise is that the government should not see the passage of this legislation as a mechanism to better enable these charitable organisations to be contributing in a way which the government should in the first instance be doing.

It would be a sad state of affairs if the government saw an opportunity in the passage of this legislation to be able to stand aside from providing appropriate funding support for various forms of the services that come within the ambit of its responsibility on the basis of being able to lean on the charities which are now empowered, if you like, under the terms of this bill, to make the contributions in the way that is contemplated.

It is similar to the situation we have seen develop with the Community Support Fund. There can be no doubt that this government blatantly abuses the terms of that fund, having regard to its original intent. One need only go through the various funding aspects and the way in which the grants are made to see that the list is replete with instances where the government has absolutely rorted the Community Support Fund for the purpose of funding programs which should properly be line items within the respective areas of budget responsibility. Subject to that qualification, The Nationals support this legislation.

Ms D'AMBROSIO (Mill Park) — I am pleased to rise to add my words of support for the Charities (Amendment) Bill. As has already been explained, the bill removes confusion and uncertainty facing

charitable trusts with respect to government-linked bodies to which they may choose to make donations or grants. The need for these amendments to the act has become increasingly apparent as a result of a number of court decisions which have caused uncertainty as to the legal meaning of the term 'charity' or the term 'charitable at law'.

Effectively these court decisions have widened the interpretation of the kinds of bodies that are deemed to undertake activities of government; therefore that has put charitable trusts in a real quandary in terms of the giving over of grants to those bodies and remaining within the trust deed. Hence the uncertainty facing the trustees of charitable trusts as to which bodies have government functions and which they can make grants to without breaching the conditions of trustees.

To restore certainty, the bill will allow for trusts to confidently give over funds to bodies which undertake charitable activities. Some of those have already been mentioned; they include public hospitals, children's hospitals — one of great note — and other bodies such as the National Gallery of Victoria and so on. No-one can quibble with that. The bill will validate the grants that are to be made before the commencement of this bill which will commence upon the granting of royal assent and will also validate grants that have been made before that point. With those few words, I commend the bill to the house.

Ms MARSHALL (Forest Hill) — It gives me a great deal of pleasure to make a contribution in support of the Charities (Amendment) Bill 2006. The bill extends the distribution powers of charitable trusts to enable them to make grants to certain government-linked bodies meeting certain specific tax criteria which have not been classified previously as charities due to their said links with government.

Bodies such as the National Gallery of Victoria, the Royal Botanic Gardens, the State Library of Victoria, Museum Victoria and numerous public hospitals have done such valuable work and logically should not be prevented from receiving charitable donations due to their association with and allocation of funds from the government. There has always been substantial support for these organisations from the public, with increasing indication of that admiration and support evident in the growing numbers of individuals and groups making financial contributions to assist them in the vital work they do.

This bill supports the community's desire to donate funds with over \$15 million annually attributed to public hospitals directly from charitable funds in

Victoria alone. According to the Australian Tax Office all tax deductible donations went from 18 per cent in 2003–04 to \$1.2 million compared with only a 7.5 per cent rise in the previous year. The federal government has 340 listed prescribed private funds (PPFs), the trust structure that allows private individuals, families and companies to centralise their giving; this is an increase of 44 per cent from the previous year. This value to the Australian economy, and more particularly to that of Victoria, is almost impossible to measure accurately, but with over 200 PPFs in Victoria alone, the estimated figure is around \$300 million held under investment for future distribution.

The law has previously stated that a gift to a body for the purpose of carrying out a government function or the work of the government cannot be a gift for a charitable purpose even where that body performs functions that are clearly charitable in nature. Simply, this interpretation regards such bodies to be carrying out its functions for a governmental rather than a charitable purpose. This bill also will improve the administration of charitable trusts and the capacity of trustees to carry out the purpose of trusts. I commend the bill to the house.

Mr CAMERON (Minister for Agriculture) — On behalf of the government may I thank the member for Kew, the Leader of The Nationals and the members for Mill Park and Forest Hill for their contributions. This is a good bill, a commonsense bill and I thank the Liberal Party and The Nationals for their support. I wish the bill a speedy passage.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

Remaining business postponed on motion of Mr CAMERON (Minister for Agriculture).

ADJOURNMENT

The ACTING SPEAKER (Ms Barker) — Order! The question is:

That the house do now adjourn.

Central City Studios: productions

Ms ASHER (Brighton) — The issue I raise is for the Minister for Major Projects in the other place. The action I seek is that he release a list of films or

productions that have actually been produced at the taxpayer-sponsored Docklands film and television studio. The government brags from time to time about some of the films produced at these studios, but we have not heard bragging for quite a while. Indeed some time ago I applied under freedom of information for a list of the productions at these film studios. I was denied access on the basis that any disclosure would divulge business, commercial and financial undertakings, et cetera. That was the case even though taxpayers had sponsored the studios. After an internal appeal I was advised by the government that:

... bookings or inquiries for usage [are] independently managed by Central City Studios Holdings Pty Ltd.

The government went on to say:

In these circumstances the department is not privy to CCSH documents relating to such bookings or inquiries for usage until these are made public by CCSH management.

I have to say I think this is a complete abrogation of financial responsibility by the government. For a start the government has pumped money into this. The project was \$7.4 million over budget, if you include the security fence that was funded, and eight months late.

What is even more significant is a report by the Auditor-General entitled *Auditor-General's Report — Results of Special Audits and Other Investigations*, which has been tabled in this place and which shows that some of the revenue targets have not been met. We all remember the Premier and the Treasurer saying that there would be \$100 million of additional spending in Victoria coming from productions at these studios. On page 141 the report states that the Auditor-General found that in 2004–05 the additional production spend in Victoria was only \$54 million. The government had the hide to claim that the additional spend was \$140 million, but that included places other than Victoria. On page 134 the Auditor-General has outlined the additional amounts of money provided by taxpayers since 2002.

In summary, I believe the government has exposed taxpayers to risk, for two reasons. Firstly, if Central City Studios defaults, the government has to pay out the loan, run a film studio or find someone else to do so; and secondly, after the 20-year lease expires, Central City Studios Holdings has to pay out the principal loan and either purchase the site from the government or extend the lease for 10 years. If the principal is not repaid, CCSH must hand over the film studio to the government. What we have seen — the opposition has said this all along — is a massively expanded investment by taxpayers. The government is refusing to

say what films are being produced there. I call on the minister to release the lists.

Cranbourne-Frankston Road: upgrade

Mr PERERA (Cranbourne) — The action I request from the Minister for Transport is that he investigate what improvements can be made to the Cranbourne-Frankston Road between Centre Road and Western Port Highway in Melbourne's south-east.

I have been holding regular mobile office meetings in my electorate of Cranbourne and have had many residents alerting me to the works along Cranbourne-Frankston Road. The road, as its name implies, connects the townships of Cranbourne and Frankston and is a vital arterial in the local area.

I am pleased to note that so far the Bracks Labor government has invested over \$11 million in the duplication of stage 1 of the Cranbourne-Frankston Road from McClelland Drive through to Warrandyte Road, and that has duly been completed. We have also invested another \$15.9 million for a further duplication from Warrandyte Road to Centre Road.

The stage 2 duplication works will also include the installation of traffic signals at the Josephine Street intersection, the Quarry Road–Northgateway intersection and the Centre Road–Potts Road intersection. Signalisation is scheduled to occur when pavement works at the respective intersections are complete. The second-stage duplication of Cranbourne-Frankston Road is well under way, with the project on schedule for completion in early 2007.

The government has also invested over \$21 million in the duplication of Sladen Street, which is the continuation of Cranbourne-Frankston Road passing Hall Road. This \$21 million project to duplicate Sladen Street will most certainly alleviate some of the pressure currently placed on this road and improve the safety, access and efficiency of the Cranbourne road network. As local residents well know, my electorate is experiencing rapid residential and commercial growth, putting tremendous pressure on the local road network.

With one stage completed and another two different stages being duplicated as I speak, I ask the minister to ask VicRoads what can be done about further improvements along Cranbourne-Frankston Road, especially from Centre Road to Western Port Highway.

Water: Goulburn Valley

Mrs POWELL (Shepparton) — I raise a matter for the Minister for Agriculture, and I am pleased to see he

is the minister at the table. I want to highlight the critical situation facing farmers, orchardists and those industries that support agriculture in the Goulburn Valley. I ask the minister to take urgent action to assist the farming community to survive this drought. If the government does not step in right now, we could potentially lose a third of our dairy farmers and financially cripple our orchardists and other farmers who are still trying to recover from the many years of drought and other devastating climatic conditions.

Irrigation is the lifeblood of the Goulburn Valley. Due to low rainfall the irrigation season opened with an initial 7 per cent water allocation, which has now been increased to 17 per cent. I have received dozens of phone calls from farmers about the impact of such a low allocation.

The Minister for Water came to Shepparton recently to announce a water-saving initiative. The minister did not invite the local MPs. He then travelled to Ballarat and announced a \$220 million pipeline to pipe water from Shepparton to Ballarat. This means the government is taking water from the food bowl of Australia to water the parks and gardens of Ballarat, with no consultation with the Goulburn system irrigators. Farmers and the community in the Shepparton region are outraged. They are already stressed about the lack of water and wondering how they are going to survive.

I organised a water forum at my office and invited the member for Swan Hill, who is The Nationals spokesperson for agriculture and for water. We invited farmers, orchardists, representatives from the chamber of commerce, a bank, Fruit Growers Victoria, the Victorian Farmers Federation, Tatura Milk Industries and water brokers. The forum came up with a number of ways that the state government can assist farmers, such as compensating Goulburn-Murray Water this year to alleviate the need for it to charge customers for water they do not receive, subsidising local government rates and funding the cost of pumping the water from Waranga Basin.

I received over 20 letters from farmers, and two of those letters included 120 signatures. I received a copy of a letter from Mr Ian Bertram, the chairman of Tatura Milk Industries Ltd, which was sent to Premier Bracks. It reads:

I write to you to reinforce our concerns for the dairy industry of the potentially devastating situation which continues to develop in northern Victoria. I do not believe the full gravity of the situation is being presented to our political decision-makers.

Tatura Milk Industries Ltd is a major food processor in the Goulburn Valley and has been so for over 100 years. In the

2005–06 season our cooperative turned over sales of \$258 million.

...

We seek your assistance in managing the impacts of an extended drought to this vibrant 'food bowl region' of Victoria. It is the economic powerhouse of agriculture in Victoria, a pivotal element in the Victorian government's \$12 billion growth target for agriculture — but it now requires support to stabilise and build its future capability.

I ask the government to step in quickly to support our farmers.

The ACTING SPEAKER (Ms Barker) — Order! The member's time has expired.

Yallourn North: community facilities

Mr JENKINS (Morwell) — I ask the Minister for Education Services to provide funding under the Community Support Fund to the Yallourn North Primary School to support improvements to the Yallourn North community swimming pool. The Yallourn North community swimming pool is a venture by the Latrobe City Council but is also a vital part of the education program of Yallourn North Primary School.

Yallourn North Primary School is a great primary school, serving the community of Yallourn North and district. It also has a great swimming program which has benefited from having the adjacent swimming pool almost as part of the school grounds. We want to make sure the Yallourn North community can benefit from the government's program of shared community facilities funding, through the education department and, in this case, local government, and we want to ensure that young people get essential water safety instruction and that those who take swimming as a sport also benefit from those improvements. It has been a wonderful program so far, but we really have to make some improvements to the Yallourn North swimming pool so that the community can use it for longer periods of the year. That includes getting some heating and putting in place the essential safety requirements to allow more primary school students to use it.

Yallourn North is a wonderful community. Yallourn North Football Netball Club has looked for government support for improvements to the netball courts. Yallourn North had some facilities transferred from the Yallourn township, which occurred when the brown coal underneath Yallourn township was taken by the former State Electricity Commission for the vital electricity system we have in this state. Yallourn North is the last vestige of Yallourn, and it is great community. The people at Yallourn North Football

Netball Club provide not only senior football and netball but a great range of junior services. They develop young people and make sure they have facilities to play with in their own community. They provide a great example.

Community action was undertaken just six months ago for the retention of services at the Yallourn North medical clinic after the federal government's withdrawal of funding to the Yallourn North community through its medical fund. It meant that the Yallourn North community had to convince general practitioners and the Latrobe Community Health Service to ensure that GP services would remain for that community. After the federal government's removal of funding, it was only through action by the Yallourn North community, with support from the local state member, that community organisations were able to ensure that GP services remained. The Yallourn North community and the brown coal museum are other examples of great community action and people working together.

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

Portland and District Hospital: aged care beds

Dr NAPHTHINE (South-West Coast) — The issue I wish to raise is for the Minister for Health. The action I seek is for the minister to open beds currently closed at Portland and District Hospital and make them available for short to medium-term accommodation for residents displaced by the impending closure of the Portland aged care facility. On 30 August residents and their families were advised that the Portland aged care facility would close on 30 October this year. This facility has 30 beds and therefore urgent action is needed to provide alternative nursing home accommodation for its residents.

Already a number of residents have found alternate places. However, there is real concern that some 10 to 15 residents could be left stranded. These residents want to stay in Portland near their family and loved ones. Therefore I urge the minister to open beds at Portland hospital to allow them to be used by these residents until alternate suitable accommodation can be found in Portland or Heywood. This may require the cooperation of and funding assistance from the federal government, working with the state government, to deal with this crisis. At the same time the minister should work with federal and state ministers for aged care and local government and local aged care providers to retain these 30 aged care beds in Portland. The Portland district has a growing community, and it also has an

ageing community. There is an ongoing need for these beds to be retained in the Portland area.

Peter Starick, the chief executive officer of Heywood Rural Health, has put forward a positive proposal which deserves consideration. He suggests that 15 beds be allocated to the Seymour Cundy wing at Portland hospital; 8 beds be allocated to Heywood Rural Health for the Fitzroy Lodge wing, which is for high-care and dementia patients; and 7 beds be transferred into community aged care packages to assist older people age in their own homes in the community. This longer term proposal should be pursued to ensure comprehensive aged care services for Portland and district so that older people who have lived in the Portland community and who have loved ones and family in the Portland community are not forced to leave the area to get a nursing home bed or aged care services.

Currently some residents of the Portland aged care facility face a very uncertain future. There is a need to provide certainty and a need to urgently provide beds and supporting care. Therefore I again urge the Minister for Health to reopen the number of beds that are currently closed in Portland hospital to provide certainty and accommodation for these displaced older residents. These older residents often have a spouse or other family members in the Portland community. They do not want to be moved some distance from their loved ones, because they cannot afford to travel 100 kilometres to see them. The immediate future of these aged people is important, and opening beds at the Portland hospital and providing nursing home care in that facility until alternative arrangements can be made is therefore appropriate.

Aquatic centres: Waurn Ponds and Grovedale

Mr CRUTCHFIELD (South Barwon) — My issue is for the attention of the Minister for Sport and Recreation in the other place. I urge the minister, as part of the legacy program of next year's FINA world swimming championships, to support the provision of a temporary 50-metre championship pool to assist a \$28 million City of Greater Geelong project in the Waurn Ponds–Grovedale area.

The Austral pools that are to be used at the championships use the latest technology in pool construction. They are modular in form and allow considerable time and cost savings in construction. They are very suitable for councils who are looking to construct a pool. Temporary pools will be constructed at Rod Laver Arena for the March 2007 world swimming championships, and the state government

has announced a legacy program to provide these pools to councils that express an interest in them. The City of Greater Geelong has been on my case for a considerable time. The mayor, Peter McMullin, a councillor, Bruce Harwood, and a former mayor, Shane Dowling, have continually raised with me the issue of providing a 50-metre pool.

The Leisurelink facility in Belmore is fast approaching its use-by date and council will be relocating it to a site near the Waurn Ponds shopping centre. I have successfully lobbied for \$2 million from the Better Pools program towards the \$28 million project, and I thank the minister for his support. But as the council stated publicly in a resolution it passed in July, it needs a pool from the legacy program to allow it to construct a 50-metre pool rather than a 25-metre pool. A council press release stated that, if the council was forced to draw on its own resources, it could not build a 50-metre pool with its current budget. Representatives of the City of Greater Geelong will meet with the minister on Thursday. I believe they will put a compelling case for a pool under the legacy program of the FINA world championships.

The current Leisurelink facility hosts some 375 000 people, including me, who pass through its doors each year, but it is tired and much in need of enhancement. It needs to expand to service the growing areas of Waurn Ponds and Grovedale. The council predicts that some 700 000 people will use the new, much-needed facility. Leisurelink is tired and dying. Council has allocated considerable funds to the project, and I urge the minister to provide a pool so that council can build a 50-metre pool, not a 25-metre pool.

Phillip Island tourist road: upgrade

Mr SMITH (Bass) — I raise an issue for the Minister for Transport. My concern is for the people of Bass who have to drive along the Phillip Island tourist road from Anderson to Cowes. There is a need for the minister to address the poor and dangerous standard of the road. I seek urgent funds for the widening of that particular piece of road.

As the minister would be aware, the Bass Highway is being upgraded to a dual highway and funding has been made available in this year's budget to do another section of the road. I thank the minister for that. But from Anderson to Cowes the road generally has only a single lane in each direction and will not be able to handle the heavy traffic that is expected on the island for the grand prix this weekend. We also have a number of other major events on the island each year, including

the super bikes, the Christmas and New Year period, the rock concert that is held down there, and Easter.

Almost every weekend now we experience peak-hour traffic going down to the island and a large number of events bring huge amounts of traffic to the island. Many major intersections are dangerous. The bridge from San Remo to the island is inadequate for the amount of traffic that it must carry now on a very regular basis. We had a major traffic jam last December, when thousands were coming to the rock concert and other people — just normal holiday-makers — were coming down for the Christmas–New Year period. They were held up for 5 to 6 hours on the highway. It was a little bit like the Monash Freeway at peak hour in the morning or at night. This piece of road is only 1½ hours from Melbourne but at this stage the government cannot do anything.

The government is ignoring this road, and it is becoming very dangerous. The government has to take some action. Many of the intersections along this section of road, including the Woolamai Beach Road, the Back Beach Road at San Remo, the road that runs off to the track off the main road — the connection where it joins Thompson Avenue at the bottom end of Cowes — and a number of other intersections are most dangerous. It is time the government looked at this piece of road and did something about it. We also have a section of road where the koala reserve is where the speed limit is now being cut to 60 kilometres an hour. It is a very narrow piece of road, because VicRoads will not come in and cut through the trees to widen it. They have downgraded the rest of the road because of the problems they are having in that spot.

The minister has to have a look at this piece of road. There will be deaths on this road. The traffic cannot move freely and comfortably. People have to sit for hours at intersections. I am asking that the minister make available sufficient finance to see that this road is upgraded.

The ACTING SPEAKER (Ms Barker) — Order! The member's time has expired.

Bellarine electorate: StreetLife funding

Ms NEVILLE (Bellarine) — I raise a matter for the attention of the Minister for Small Business. The action I seek is for the minister to support the applications made by the Portarlington Business Development Association and the Borough of Queenscliffe for StreetLife funding.

The Portarlington Business Development Association is a relatively new organisation of local businesses in Portarlington. Over 40 businesses have come together to develop strategies and projects aimed at promoting the town and local businesses. They have developed a great project that aims to do this but require some financial support to implement the project. The project has a three-phase approach. The first phase is preparing, publishing and distributing an official visitor guide which would include relevant tourist information and accommodation and dining options. The second phase is updating and enhancing the Portarlington business directory. The third phase is updating and enhancing the existing web site.

The association's application for funding under StreetLife is well supported by the City of Greater Geelong, Geelong Otway Tourism, Bendigo Bank, Bellarine Bayside and the members of the association. Of course, I have strongly supported this application. I have worked closely with the association and encouraged it to put this application forward. Tourism is an important component of fostering existing and new businesses in the town. This collaborative approach will benefit the business community and assist in creating new job opportunities.

Similarly, the application from the Borough of Queenscliffe is focused on better marketing and strengthening businesses in Queenscliff and Point Lonsdale, with a particular focus on the off-peak periods. Like Portarlington, Queenscliff relies heavily on tourism — during the summer period thousands of Victorians flock to the area. The focus of the project submitted by the Borough of Queenscliffe is on increasing trade during non-peak periods. The project will involve extensive consultation with local traders and the development of a marketing plan covering retail, accommodation and hospitality.

Both these projects will provide enormous benefits to local small businesses and extended benefits to the broader community. They are well supported by businesses, councils and the broader community in these areas. I therefore again ask the minister to support these projects through the StreetLife funding program.

Police: Sandringham station

Mr THOMPSON (Sandringham) — I seek to raise a matter for the attention of the Minister for Police and Emergency Services. The action I seek is for a deputation to meet with the minister to gain a clear insight into the program for the development of a new police station in Sandringham. On the eve of the 1999 state election the Labor Party promised that if elected it

would build a new police station in Sandringham. It was elected but it has failed to fulfil the unequivocal political commitment it made on the eve of that election. If one visits the site where that promise was to be fulfilled, one can see that it is a vacant site — it has been vacant for the greater part of the past 20 years or so.

The crime rate in Sandringham has increased significantly over the last 12 months. There has been a 50 per cent increase in robberies, an extraordinary 55 per cent increase in burglaries (other), a 26 per cent increase in property damage, a 24 per cent increase in thefts from motor vehicles, an 18 per cent increase in shop theft, a 14 per cent increase in assault, an 80 per cent increase in harassment, and a 120 per cent increase in behaviour-in-public offences. These figures are absolutely extraordinary in their magnitude.

Furthermore, the Labor Party is proposing to reduce the number of divisional vans operating in the Bayside–Kingston area in the face of this outrageous increase in local crime. There are a number of concerned stakeholders in the local community — local residents and representatives from local government — who would be very happy to join a deputation to meet with the minister to discuss the development of an appropriate policing policy within the city of Bayside and more particularly in Sandringham. In the face of this extraordinary increase in local crime I ask the minister if he would meet with a deputation of local stakeholders at the earliest opportunity.

Cycling: Diamond Creek–Hurstbridge path

Ms GREEN (Yan Yean) — I wish to raise a matter for the attention of the Minister for Transport. The action I seek is that the proposed bicycle path along the railway line reserve between Diamond Creek and Hurstbridge be named in honour of the late great Peter Brock.

Last Friday, 8 September, when Hurstbridge's most famous son was tragically killed doing what he loved, was indeed a black day for the Diamond Valley. Peter Brock was a great Australian and Victorian who inspired many with his skill and his passion for everything that he did. But Brocky never forgot that he was a boy from Hurstbridge, a proud son and student of Hurstbridge Primary School and Eltham High School. The interest he held for the local area and for young people who lived in the district never waned. Peter established the Peter Brock Foundation in 1997 and through this vehicle helped many young disadvantaged people to realise their full potential.

Peter Brock was renowned for doing what he did best — driving fast — but over the last year I had the privilege of working with him to deliver a bicycle path along the railway reservation between Diamond Creek and Hurstbridge. Peter wanted to ensure that the growing number of cycle tourists could sample everything that the Diamond Valley has to offer. He also shared my view that with such a path the families and students at the Diamond Valley College would have safe school and commuter access. We were both happy at the recent announcement by the minister that the Department of Infrastructure would commit \$50 000 for a feasibility study for the bicycle path. I was pleased to join Peter Brock and hundreds of others in a cycle ride from Diamond Creek East Primary School to Hurstbridge Primary School earlier this year to demonstrate the commitment of the local community to the cycle path.

My condolences go to Peter's children, James, Alexandra and Robert; to his partner, Julie; to his long-term partner, Bev; to his brother, Lewis, and his uncle, Sandy; and to the many people in the district who mourn his passing. He was an absolute legend who lived his dream. He definitely was someone who lived a passionate life, and he will be sorely missed. One of the best things the community could do would be to have this path completed and named in honour of Peter Brock. Vale, Peter Brock.

Responses

Mr CAMERON (Minister for Agriculture) — The honourable member for Shepparton raised a matter relating to irrigation farmers in her district and the difficult year that they could expect to face this year as a result of low run-off, which in turn will mean low water allocations. The Department of Primary Industries has conducted forums with the dairy industry in the last month about the differences between this year and 2002 — the differences in price and the differences in grain price, although where the grain price ends up will very much depend on what ultimately occurs in the Wimmera-Mallee — together with some analysis of what may or may not happen in relation to the water situation. What became obvious coming out of 2002 was that making early decisions was important. That is why that round occurred, which was very much supported by the dairy industry.

As the honourable member has pointed out, this will potentially be a very difficult year, and as a result the number of people in receipt of exceptional circumstances (EC) assistance is expected to rise. As the honourable member may be aware, the national drought reforms announced by the Prime Minister last

year, including the different interest subsidies and the increase of up to 80 per cent in subsequent years following drought declarations in particular areas, were welcome. We made an announcement at that time that we would supplement that with a half council rate subsidy. That announcement was also welcomed by the Victorian Farmers Federation and by The Nationals. One of the things that occurred in more recent times was the extension of the EC area, and that decision by the federal agriculture minister, Peter McGauran, was a very good and very welcome one.

In the last two or three weeks I have had a range of meetings with members of the dairy industry both here and in the Goulburn Valley to look at the situation. The meetings have included the dairy companies, the local water authority, the United Dairyfarmers of Victoria and others. Critically there was a call for more one-on-one assistance, and that relates to what I said earlier about people being in a position to make early decisions and about some people needing assistance with rural financial counselling.

Notwithstanding the fact that the federal and state governments have just announced those new arrangements, the Premier, when he announced the establishment of the drought task force last week, said there would be additional financial assistance for rural financial counsellors as well as one-on-one assistance. That was intended to meet those initial needs, and it has already been announced as part of the drought task force, but as the honourable member for Shepparton pointed out, this is potentially a very difficult year. We know that it is going to be hard and that the extent of the difficulties may depend on what occurs in the spring. I think a lot of us have probably concluded that spring seasons are not what they used to be as a result of a change in weather patterns, but I can advise the member for Shepparton that I am aware of the issues she has raised.

The honourable members for Brighton, Cranbourne, Morwell, South-West Coast, South Barwon, Bass, Bellarine, Sandringham and Yan Yean raised matters for other ministers, and I will refer those matters to them.

The ACTING SPEAKER (Ms Barker) — Order!
The house is now adjourned.

House adjourned 11.33 p.m.