

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-FIFTH PARLIAMENT

FIRST SESSION

Wednesday, 19 July 2006

(Extract from book 9)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

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Standing Orders Committee — The Speaker, Ms Campbell, Mr Cooper, Mr Helper, Mr Kotsiras, Mr Loney and Mrs Powell.

Joint committees

Drugs and Crime Prevention Committee — (*Assembly*): Mr Cooper, Ms Marshall, Mr Maxfield, Dr Sykes and Mr Wells. (*Council*): The Honourable S. M. Nguyen and Mr Scheffer.

Economic Development Committee — (*Assembly*): Mr Delahunty, Mr Jenkins, Ms Morand and Mr Robinson. (*Council*): The Honourables B. N. Atkinson and R. H. Bowden, and Mr Pullen.

Education and Training Committee — (*Assembly*): Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton. (*Council*): The Honourables H. E. Buckingham and P. R. Hall.

Environment and Natural Resources Committee — (*Assembly*): Ms Duncan, Ms Lindell and Mr Seitz. (*Council*): The Honourables Andrea Coote, D. K. Drum, J. G. Hilton and W. A. Lovell.

Family and Community Development Committee — (*Assembly*): Ms McTaggart, Ms Neville, Mrs Powell Mrs Shardey and Mr Wilson. (*Council*): The Honourable D. McL. Davis and Mr Smith.

House Committee — (*Assembly*): The Speaker (*ex officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan and Mr Smith. (*Council*): The President (*ex officio*), the Honourables B. N. Atkinson and Andrew Brideson, Ms Hadden and the Honourables J. M. McQuilten and S. M. Nguyen.

Law Reform Committee — (*Assembly*): Ms Beard, Ms Beattie, Mr Hudson, Mr Lupton and Mr Maughan. (*Council*): The Honourable Richard Dalla-Riva, Ms Hadden and the Honourables J. G. Hilton and David Koch.

Library Committee — (*Assembly*): The Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson. (*Council*): The President, Ms Argondizzo and the Honourables Richard Dalla-Riva, Kaye Darveniza and C. A. Strong.

Outer Suburban/Interface Services and Development Committee — (*Assembly*): Ms Buchanan, Mr Dixon, Mr Honeywood, Mr Nardella and Mr Smith. (*Council*): Ms Argondizzo, Hon. C. D. Hirsh and Mr Somyurek.

Public Accounts and Estimates Committee — (*Assembly*): Ms Campbell, Mr Clark, Ms Green and Mr Merlino. (*Council*): The Honourables W. R. Baxter, Bill Forwood and G. K. Rich-Phillips, Ms Romanes and Mr Somyurek.

Road Safety Committee — (*Assembly*): Dr Harkness, Mr Langdon, Mr Mulder and Mr Trezise. (*Council*): The Honourables B. W. Bishop, J. H. Eren and E. G. Stoney.

Rural and Regional Services and Development Committee — (*Assembly*): Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh. (*Council*): The Honourables J. M. McQuilten and R. G. Mitchell.

Scrutiny of Acts and Regulations Committee — (*Assembly*): Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson. (*Council*): Ms Argondizzo and the Honourable Andrew Brideson.

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

Parliamentary Services — Secretary: Dr S. O'Kane

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FIFTY-FIFTH PARLIAMENT — FIRST SESSION

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Deputy Speaker: Mr P. J. LONEY

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Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

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Mr E. N. BAILLIEU

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

The Hon. LOUISE ASHER

Leader of The Nationals:

Mr P. J. RYAN

Deputy Leader of The Nationals:

Mr P. L. WALSH

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Carli, Mr Carlo	Brunswick	ALP	Maxfield, Mr Ian John	Narracan	ALP
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Kotsiras, Mr Nicholas	Bulleen	LP	Wilson, Mr Dale Lester	Narre Warren South	ALP
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wynne, Mr Richard William	Richmond	ALP

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Wednesday, 19 July 2006

The SPEAKER (Hon. Judy Maddigan) took the chair at 9.32 a.m. and read the prayer.

BUSINESS OF THE HOUSE**Notices of motion: removal**

The SPEAKER — Order! I wish to advise the house that under standing order 144 notices of motion 169 to 272, 293 to 295 and 353 to 354 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 6.00 p.m. today.

**ENVIRONMENT PROTECTION
(AMENDMENT) BILL***Introduction and first reading*

Mr THWAITES (Minister for Environment) — I move:

That I have leave to bring in a bill to amend the Environment Protection Act 1970 to make further provision for the protection of the environment and for other purposes.

Dr NAPTHINE (South-West Coast) — I ask the minister to provide a brief explanation of the purpose of the bill.

Mr THWAITES (Minister for Environment) — The bill has a number of purposes. They include promoting and encouraging resource efficiency, strengthening polluter-payers' responsibilities and introducing smarter regulation to cut down on unnecessary regulation.

Motion agreed to.

Read first time.

PETITIONS

Following petitions presented to house:

Rail: Bendigo line

To the Legislative Assembly of Victoria:

The petition of residents of the Macedon electorate and the state of Victoria draw to the attention of the house the exceptionally poor train services on the Bendigo line.

Poor services include continued lateness of trains, cancellation and overcrowding.

The petitioners therefore request that the Legislative Assembly of Victoria urge the government to improve train services on the Bendigo line.

By Mr MULDER (Polwarth) (302 signatures)

Crime: standard minimum sentencing

To the Legislative Assembly of Victoria:

The petition of the residents of Victoria requests that the Victorian government takes action to ensure the community of Victoria is adequately protected from habitual violent criminals who commit violent sexual crimes, violent crimes against children, or violent crimes against vulnerable elderly people and calls on the Victorian government to impose minimum jail sentences for these habitual violent criminals.

By Mrs POWELL (Shepparton) (107 signatures)

Tabled.

Ordered that petition presented by honourable member for Shepparton be considered next day on motion of Mrs POWELL (Shepparton).

Motion agreed to.

DOCUMENTS

Tabled by Clerk:

Audit Act 1994 — Report of the Auditor-General — Review of Major Public Cemeteries — Ordered to be printed

Auditor-General — Performance Audit Report — Vocational Education and Training: Meeting the Skill Needs of the Manufacturing Industry — Ordered to be printed

Interpretation of Legislation Act 1984 — Notice under section 32(3)(a)(iii) in relation to Statutory Rule No 154/2005

Ombudsman Act 1973 and *Police Regulation Act 1958* — Report of the Ombudsman and Director, Police Integrity — Conditions for Persons in Custody — Ordered to be printed

Statutory Rules under the following acts:

Electoral Act 2002 — SR No 89

Subordinate Legislation Act 1994 — SR No 88

Subordinate Legislation Act 1994:

Minister's exception certificate in relation to Statutory Rule No 88

Minister's exemption certificate in relation to Statutory Rule No 89.

MEMBERS STATEMENTS

Maribyrnong Aquatic Centre

Mr MILDENHALL (Footscray) — One of the great Bracks government initiatives for the western suburbs has been its strong support for a new regional aquatic centre adjacent to Highpoint Shopping Centre. Less than a month ago the Maribyrnong Aquatic Centre opened, but already it has over 1900 members, more than 60 per cent greater than the membership at the former Footscray pool that it replaced.

It has been an outstanding success, beginning with more than 10 000 visitors on the first day and crowds ever since. With its spectacular design, state-of-the-art co-generation energy conservation system, new standards of disability access and provision of community health counselling rooms, it has taken aquatic facilities to a new level in this state.

It was constructed in the face of opposition from a vocal Save the Footscray Pool group, supported by the current Leader of the Opposition and Mr Atkinson, a member in another place. Their claims that the Highpoint Shopping Centre is not accessible to the community have been shown to be ludicrous, and the opposition's comfort to the save the pool group has been shown to be poorly thought out, cynical opportunism.

Congratulations to the Maribyrnong council, to the Premier and the Minister for Sport and Recreation for their consistent and strong support for this project. As Olympia, a young Mum of two children jumping in the new pool, said to me on the opening day, 'It makes me proud to live in the western suburbs to have facilities like this'.

Arthurs Seat chairlift: sale

Mr DIXON (Nepean) — As the house may be aware, Richard Hudson, the proprietor of the Arthurs Seat chairlift, has decided to sell the chairlift and business. With his years running the business, his age, the recent incidents and the way two departments of this government have treated him, I do not blame Mr Hudson.

First of all, Parks Victoria recently rang Mr Hudson asking him for the rent. They soon backed off when he told them that his latest lease has been sitting on the minister's table since September last year. The chairlift has been operating without a lease for most of its recent history due to Parks Victoria's incompetence. WorkSafe's approach to the recent incident on the

chairlift has been deplorable. Inspectors confiscated the pulleys damaged in the May derailment and kept them for two months in a shed without any action. After two months they told Mr Hudson that the pulleys would be sent off to a company for further inspection and they did not know when Mr Hudson could get them back. How many months does it take to inspect one set of pulleys? I believe WorkSafe has been determined to force the closure of the chairlift one way or another, and it has just about succeeded.

The chairlift is a critical part of Mornington Peninsula's tourism, with many other businesses strongly reliant on it and it being an attraction in itself. I hope the new owners are treated better by this government than Mr Hudson has been.

Mount Waverley Primary School: reading challenge

Ms MORAND (Mount Waverley) — I was pleased to visit Mount Waverley Primary School last week with the Minister for Education and Training. We visited the school with Premier's Reading Challenge ambassador Kirsty Murray. The minister and I were there to congratulate Mount Waverley Primary School on its 100 per cent participation in the reading challenge. Last year 296 students at Mount Waverley Primary School took part in the challenge, and this year all 605 students at the school have registered.

The Premier's Reading Challenge has been a great success, with 1 million books read last year by the 127 000 participating students from years 3 to 9. Members know that good reading skills developed in childhood are not just important for study and work but also provide a lifelong source of pleasure.

Essex Heights Primary School: principal

Ms MORAND — I also want to take the opportunity to acknowledge and congratulate Bernie Parks, who is the new principal of Essex Heights Primary School. Bernie joined the school from Clayton North Primary School, where she had been principal. The school community gave a warm welcome to Bernie at a function last week. It is a significant change for the school community as Bernie's appointment follows the retirement of June McDonald, who had been principal of Essex Heights for 27 years.

I was also very pleased that Essex Heights Primary School received funding of \$200 000 under the Bracks government's school improvement program. That \$200 000 will be used to refurbish the staff and administration facilities, which will support the great

work of a great team of teachers and staff at Essex Heights Primary School. The school is one of 20 schools across the state that will benefit from the current \$2.2 million round of the government school improvement program. Well done.

Annemieke Mein

Mr RYAN (Leader of The Nationals) — I rise to recognise the extraordinary talent of Annemieke Mein. This amazing lady who resides in Sale has for decades been producing works of art which are extraordinary in content. A retrospective exhibition of her work commenced at the Gippsland Art Gallery in Sale on 27 May and continues until 23 July 2006.

Over 70 painted and embroidered textiles are on display, including relief wall works, sculptures, samplers and drawings. It is the largest collection of Annemieke's work ever exhibited by the gallery. I had the great pleasure of seeing this in company with my wife, Trish, on the opening night back in May. There are, as I say, about 70 pieces assembled. Some 8000 to 10 000 people have come to the gallery to see this work since it has been on display.

Annemieke Mein has lived in Sale since 1971. Her husband, Philip, is a general practitioner, now retired. The two of them have made an amazing contribution to the life and times of the people of Sale in particular but also the broader Gippsland community. The way in which people are flocking to see the work of this remarkable lady is testimony to her quite extraordinary talent.

Golden Wattle Day Club

Mr STENSHOLT (Burwood) — Last week I attended the launch of the Golden Wattle Day Club at the East Malvern RSL at the invitation of the sub-branch president, Tony Scott, and his committee.

The Golden Wattle Day Club is the 27th day club in Victoria. Day clubs are volunteer-based clubs that organise activities locally for senior citizens, initially with the support of the commonwealth Department of Veterans Affairs (DVA). As MPs will well know, social isolation and often consequent depression and sickness are real problems for the elderly in our community. Clubs like the Golden Wattle Day Club provide a welcoming milieu and a range of activities, such as gentle exercise and luncheon outings, for senior Victorians. Around 100 people attended the launch, including representatives from other day clubs in Victoria and Rosie Marshall from the DVA.

The Golden Wattle club is run by volunteers with the support of the East Malvern RSL. I would like to acknowledge these volunteers, who have all done a training course so that the new club could have a flying start. They are Maureen Conway, Sue Wynne, Remy Poltrock, Ken Poltrock, Alan Burt, Doreen Guy, Peg Cavanagh, Ern Ireland, Mary Simpson, Margaret Jackson, Shirley Bromilow, Pat McCormack and Margaret Macklin. Volunteers make Victoria a great place to live, and they are most certainly doing that at the Golden Wattle Day Club at the East Malvern RSL.

I would like to pay tribute to the many thousands of volunteers throughout my electorate, some 400 of whom will be acknowledged this Friday at the Glen Iris Uniting Church, with the Minister for Victorian Communities presenting them with Victorian volunteer awards in acknowledgment of the great work they do in the community.

Minister for Information and Communication Technology: performance

Mr KOTSIRAS (Bulleen) — I placed question on notice no. 36 on the notice paper for the Minister for Information and Communication Technology on 27 February 2003. That was almost three and a half years, or 40 months or 1238 days, ago. I have not received a response from this lazy minister. I would have thought three and a half years was ample time for any minister to come up with an answer to a question.

This is a government that promised to be open and accountable, and instead it refuses to answer any questions and employs hundreds of spin doctors to hide its blunders and its inability to govern for all. Perhaps the Minister for Information and Communication Technology should spend more time looking after the interests of Victorians and not simply enjoying the perks of office.

Telstra: Manningham payphones

Mr KOTSIRAS — Telstra has recently announced that it will remove 15 payphones from the Manningham area. While it is easy for the minister to wipe her hands and blame the feds, perhaps she can get involved and ensure that the interests and wellbeing of Victorians are well understood by Telstra. After all, she is the Victorian Minister for Information and Communication Technology and the Victorian government is a major client of Telstra. The government has the ability to influence Telstra.

While Telstra looks after the interests of its shareholders, it must also be made to understand that it

has a responsibility to look after those in the Manningham area that rely on those payphones to speak to others. There are many payphones in Manningham that are used by residents, including students and the elderly. It would be a shame if these pay phones were removed without proper consultation. It would be a shame if people's lives were put in danger in order to save a few dollars.

Red Cross Society: Chelsea unit

Ms LINDELL (Carrum) — I would like to commend to the house the work of my local Chelsea unit of the Red Cross Society, which held its annual general meeting last week. I would certainly like to congratulate the new office-bearers for the coming year: president Merrilyn John, vice-presidents Kay Melder and June Hickey, secretary Joy Snow, assistant secretary Margaret Kay and Treasurer Gwen Walker. Margo Sykes and Joan Buckley were awarded badges for 10 years service to the Chelsea unit. I congratulate them on their long service.

I would also like to acknowledge the voluntary contribution of the members of the Chelsea Red Cross unit. Their dedicated service in tending to the needs of others in times of personal or community crises is widely recognised and appreciated by the people of my local community. I think in many ways the Red Cross has an amazing reputation around the world, and for local people to be able to contribute to this international voluntary organisation is indeed a wonderful thing.

Rail: station parking fees

Mr MULDER (Polwarth) — The Minister for Agriculture, in his role as Acting Minister for Transport, has been busy misleading the community in the absence of the Minister for Transport. The Minister for Agriculture has been claiming that the Liberal Party has been spreading lies in relation to the Labor government's intention to charge passengers to park their cars at railway stations. These charges were agreed to by the Minister for Transport and are documented in the Connex franchise agreement.

Before making these outlandish statements the Minister for Agriculture should have read page 94 of the franchise agreement. I will be happy to provide the minister with a copy if he is too lazy to acquire one for himself. Clause (g) of the agreement states that the franchisee, Connex, may charge a maximum of \$2 per day, escalated by the consumer price index multiplier each calendar year, for use of a car park at the stations. Clause (h) states that the franchisee, Connex, may submit a proposal to the director to charge

passengers — I repeat, passengers — intending to use the passenger services, meaning car park, a reasonable charge.

It could not be any clearer. The Labor government has every intention of charging passengers to park their cars at railway stations, the cost being of the order of \$500 per year, increasing annually. This is of course on top of the annual increases in fares for late and cancelled trains. Victorians deserve better than the trickery and thuggery of the Bracks Labor government — crush loads at peak periods and charges for passengers parking their cars at railway stations.

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

Tate Street Primary School: Triple Bin Challenge

Mr TREZISE (Geelong) — On Wednesday, 12 July, I had the pleasure to attend the Tate Street Primary School to participate in the launch of the Triple Bin Challenge. The challenge has been developed by Clean Up Australia and is being introduced into Geelong schools by Clean Up Australia in partnership with Alcoa and the Barwon Regional Waste Management Group.

The aim of the Triple Bin Challenge is to help schools increase recycling, decrease waste, prevent litter and educate students and the wider school community about recycling. The project will involve schools in the Geelong region working with Clean Up Australia and the Barwon Regional Waste Management Group to identify waste management practices, evaluate recycling opportunities and adopt the triple bin recycling system.

The launch was attended by Tate Street Primary School students and teachers, Mr Ian Kiernan, chair of Clean Up Australia, and Enzo Bruscella and Kingsley Love of the Barwon Regional Waste Management Group. The launch of the challenge included a relay race involving four teams of students placing various items of rubbish in the appropriate recycling bin. I take this opportunity to congratulate all those involved in the Triple Bin Challenge and look forward to seeing other schools within my electorate take up this important challenge.

Members: newsletter photographs

Mr INGRAM (Gippsland East) — Last week honourable members may have seen an article in the 'Age diary' highlighting an award that most members

of Parliament would not like to achieve, which is for the most photos in a newsletter. That award went to an honourable member for Geelong Province in the other place, Elaine Carbines, who had eight self-portraits in her newsletter.

To quote one of the intellectual giants of the Australian media, Kath, who says, 'Look at me, look at me, look at me!', it seems that this is spreading through the upper house at an amazing rate. It has come to my attention that another member of the other place has at least eight photos of himself in his latest newsletter. That is the Honourable Damian Drum, a member for North Western Province.

I think there should be an award for the king and queen of 'Look at me, look at me!'. The king award would definitely go to the Honourable Peter Hall, a member for Gippsland Province in the other place. He had eight self-portraits in his newsletter, as well as three photos of his fearless leader and three photos of a candidate for the upcoming state election. I would argue that it is not necessarily a good use of taxpayers dollars to have so many self-portraits within one's newsletter. I hope this disease does not spread to the lower house.

Radio: centenary celebrations

Ms NEVILLE (Bellarine) — Last week on 12 July I was pleased to be part of the Marconi 100-year celebration of the first radio transmission from mainland Australia to Devonport, Tasmania. On 12 July 1906 the first open-water wireless transmission in the Southern Hemisphere took place between Point Lonsdale and Devonport in Tasmania.

The Geelong Amateur Radio Club used a mix of historic and modern means of radio communication to broadcast a message from the Governor of Victoria to the Governor of Tasmania. I was pleased to represent the Premier at the event and to secure a regional development grant to assist with the cost of running the event. A reproduction of the historic radio shack used in the initial broadcast was on display at the event. Hundreds of local residents and students from local schools took part in the Marconi centenary celebrations. It was an important celebration which enabled us to commemorate those pioneers who made a major contribution to bringing the people of Australia closer together.

My congratulations to all those involved in making the event possible: the Borough of Queenscliffe, particularly Cr Val Lawrence; the Geelong Amateur Radio Club, particularly Calvin Lee and Barry Abley; the Maritime Museum, particularly Les Irving Dusting

and June Negri; Bellarine Peninsula Railways, particularly Emma Everett; the local schools; and the Queenscliff Historical Museum. Congratulations, it was a great celebration.

Housing: disruptive tenants

Mr THOMPSON (Sandringham) — In relation to public housing I wish to draw the attention of the house to complaints against a current tenant who:

... plays thumping music until all hours of the night although usually we can only tolerate it until 2.00 a.m. before asking them to turn it off, or calling the police. I am asking that you move them on to more suitable accommodation where these antics are acceptable.

I am also asking that you cease using the property as crisis accommodation and encourage the owner, who I assume is the ministry of housing to sell the unit so it is maintained and not left in the current state of neglect ...

This is yet another ... tenant who continually displays appalling behaviour and lack of respect for neighbours and the concept of 'quiet enjoyment'. I understand that you are also fearful of the people that you place as I have been informed that you do not reveal your last name to them. I hope that you can appreciate that we put ourselves at risk every time we complain about the tenants ...

We do not have the luxury of remaining anonymous ...

We worked hard to buy a home in an area that we expected would improve and provide a safe upbringing and future for our children. After living in the same home for 22 years we have no idea of how long we have to endure the torment of being kept awake on week nights, of calling the police, of being abused ...

and witnessing inappropriate behaviour.

Every one of your tenants comes with different issues and because of our proximity to the unit we are suffering and have done regularly ... We ... do not have the skills or capability to deal with these behaviours. They do not learn from others, they place the burden on others and it is terribly frustrating and depressing.

Last night your tenant went on a wild rampage after having been asked to turn off the music. The man yelled abuse, threw an object at the side of —

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

Police: Ballarat and Kyneton stations

Mr HOWARD (Ballarat East) — As part of my role as member for Ballarat East I seek regular briefings with police officers at varying levels within my electorate and I have also been pleased to visit Ballarat and Kyneton police stations in the presence of the Minister for Police and Emergency Services in recent months. I have been pleased also to learn that crime

levels across my electorate have generally reduced over recent years and especially in the area of crimes against property. This means thefts from homes, car thefts and thefts from cars have been significantly reduced as a result of very active police work, and I believe residents across the Ballarat and Kyneton regions can feel reassured by this.

Increased police focus around the Ballarat business district over nights, especially at weekend periods, and working with nightclub owners in the area has also brought about reduced crime against people and against property in the central business area. I have also been encouraged in recent weeks to learn that with the opening of the metropolitan remand centre in Truganina that the numbers of prisoners being held at the Ballarat police station has now reduced significantly with several periods of up to seven days when there have in fact been no prisoners held. This frees up police from the Ballarat police station to be able to get out and about and either address crime, issues that are raised or be proactive, and that is very encouraging. The introduction of the nine-member crime desk has also assisted with this. I believe residents in my electorate should — —

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

Roads: Lowan electorate

Mr DELAHUNTY (Lowan) — This city-centric government stands condemned for failing to maintain the country roads it is responsible for. Many people in the Lowan electorate have contacted me to raise their concerns and extreme disappointment at the condition of our state roads, whether it be the Henty, the Glenelg or the Wimmera highways or other state roads within our electorate that are of concern. Travelling over the largest electorate in the state I have witnessed roads where the infrastructure has failed and roads that are crumbling or in such an uneven state that they are nearly unsafe to travel on, particularly for trucks.

I congratulate my federal colleagues for continuing their Roads to Recovery program which is putting millions of dollars into council roads, but it is unacceptable that our state roads are falling apart and there is little in the state budget for these country roads and bridges. Roads are a fundamental component of our state infrastructure and our country communities and industries depend on them. VicRoads is responsible for approximately 15 per cent of our roads in this state. The Lowan economy depends on effective management of these roads. Efficient freight routes and links are

essential to reduce costs in transport to local and overseas markets.

Another thing worrying country people is the Greens transport policy which states that there will be no new roads and the money will be spent on Melbourne's public transport. Sounds like what is happening in Victoria now. I remind this house that Victoria is bigger than Melbourne and our state roads are essential for the future progress and development of the Lowan electorate.

Bridget O'Brien

Ms MUNT (Mordialloc) — I recently had the pleasure of having Bridget O'Brien, a year 12 student at Kilbreda College, for work experience. She is passionate about the plight of asylum seekers in Australia, and this is what she had to say:

I am disgusted with the proposed changes to the Migration Act (Cth). The Convention on the Rights of the Child provides that the detention of a child should be as a last resort and for the shortest time possible. But under the proposed changes the detention of a child will be a measure of first resort. Has Australia forgotten the innocence of a child? Every child deserves the right to enjoy life and feel safe. But for children coming to Australia to escape distressed countries, they have the possibility of being locked away indefinitely. The act contradicts Australia's commitment to human rights and takes a step back in Australia's treatment of asylum seekers.

What sort of a nation have we become if we cannot lend a hand to those who have come from war-torn countries? By 'lending a hand', I am not referring to indefinite detention or immediate transportation to a Third World country, as proposed under the amendment act. Yes, we are a country afraid of terrorism, but we need to make a stand. I have a dream, a dream that one day Australians can be proud of the way their country treats asylum seekers and refugees, but for now I remain ashamed of the decision of John Howard together with the federal government to amend the Migration Act (Cth).

Ringwood-Warrandyte Road, Park Orchards: funding

Mr HONEYWOOD (Warrandyte) — I again raise the key issue of road maintenance in the Warrandyte electorate. In particular I note the lack of funding allocations by the Bracks government, specifically for the highly dangerous Ringwood-Warrandyte Road, which has seen 23 recorded collisions since January last year.

For seven years calls from various statewide and local community groups and my continuous campaigning for road improvements in my electorate have fallen on deaf ears. Finally some results have been achieved. However, let the record show that that is not because of

anything from the Bracks government. Instead the federal government has now allocated \$622 000 for the 1.4-kilometre stretch of Ringwood-Warrandyte Road between Falconer Road and Croydon Road, a segment of road notorious for accidents, via its AusLink black spot program. That is right: the federal government has come to the aid of thousands of commuters who use this road every day, not the Bracks government, which is ultimately charged with the responsibility for this type of major road. The Bracks government abolished its black spot program some years ago.

A key concern locally is that the state government, having taken the federal government's money for my local road, will not even look at commencing the repairs until April next year or possibly later in June. This flies in the face of my constituents' genuine fear that it is only a matter of time before somebody is killed on this road. Just last Wednesday Senior Sergeant Keith Walker, who has been with the Warrandyte police for many years, stated in a local newspaper:

I fear a fatality would beat the upgrade process ... I just hope someone isn't killed before that —

he was referring to April–June 2007. He then said:

The residents and the police have done all they can.

Lions clubs: Riddells Creek and Woodend

Ms DUNCAN (Macedon) — I rise in support of the many service clubs that exist in the electorate of Macedon. In recent weeks I have had the pleasure of attending a number of changeover dinners for the Lions and Rotary clubs in particular. In Riddells Creek the Lions changeover dinner was again a terrific event, as was the Woodend Lions Club's changeover dinner.

Many of these service clubs are run by a very small number of people. Sometimes the number of members of a particular service club is as low as 10 or 12 members, and in some instances they have been members of these clubs for many, many years — some in excess of 30 years. It is an enormous tribute to these people, their commitment to their communities, their longevity, their perseverance and their willingness to do good deeds.

I would like to raise a number of issues. The Woodend Lions Club, for example, is quite an old club with a small number of members. Every year it runs the Woodend art show, which is a bit of a landmark event in Woodend. The opening of the Lion's art show in Woodend is a *Who's Who* of the local area — it is a pleasure to go there each year.

I am a fellow Lion of the parliamentary Lions club, and the Lions clubs of Riddells Creek and Woodend demonstrate that there is much more we could be doing as a Lions club when you compare our efforts with some of those in the community. They are fantastic community organisations, and I commend their efforts.

Bridge Builders

Ms McTAGGART (Evelyn) — I rise today to further commend the continuing work of the outstanding team at Bridge Builders. Bridge Builders is an organisation that was formed by two extraordinary focused visionaries, Phil Stenhouse and Richard Lanham, to change the lives of young people in our communities.

I have spoken in the house about the Unleashed event, which brings young people together through skateboarding, music and other activities. The difference with this organisation is that young people map out, promote and deliver the events, and by doing so they empower themselves by learning life skills such as leadership and team building. Most of all they learn how important each and every one of them is to their families, to their communities and, most of all, to themselves. They are supported by team mentors, but the rest is up to them, and the results are absolutely outstanding. I have worked with this dynamic team of young people over the last three years, and am still amazed by how they are developing and the events they are delivering.

I recently attended the Bridge Builders/Mount Evelyn Traders business breakfast, where 250 businesses supported the Bridge Builders and its vision. This organisation is not a support mechanism for youth issues such as drugs, depression or family problems. It is a place where young people are accepted, nurtured and challenged to see their potential and to work with others to achieve theirs.

The girls at Bridge Builders are organising a UR retreat — a three-day breakaway retreat — for young women throughout the shire to attend to be motivated, inspired and understand about themselves and to discover their talents and inner beauty.

The Bridge Builders vision is an ever-evolving dream. The team is increasing community, business and government awareness of the benefits of asset building in young people. I do not believe its vision of a local facility to develop and deliver healthy, resilient young people in our communities is too far away.

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

Southwood Netball Club

Mr LOCKWOOD (Bayswater) — I am a proud supporter of Southwood Netball Club. It is having a great season with the two 11-and-under teams in second and sixth places; the two 13-and-under teams in fourth and sixth places; the two 15-and-under teams in fourth and sixth places; the 17–19-and-under team in second place; open no. 1 in second place; and open no. 2 in first place. The 9-and-under teams play in a competition without finals, and on grand final day, 19 August, they play a round robin event. All players receive a participation medal or trophy. They get the fun of participation for its own sake without a full-on competition at that age.

Netball is a great sport, and I encourage all girls and women to join in. But it is not just for females. Males can now also play netball in mixed competitions. Netball, of course, started as women's basketball.

A good club needs a good committee. In this case it consists of president Lynda Spicer, vice-president June Black, secretary Nadine Brewer, treasurer Meaghan Goodey and registrar Lyn Rushford with help from Dawn Seedy, Angela Watters, Tracey Crisp, Leah Molloy, Leanne Hartill and Kim Harding. It also produces a great newsletter. I went to training last week, and it was great to see the youngest ones gaining confidence with the ball, with one young girl taking her first tentative steps into a training routine and quickly looking like she had been doing it for years.

Competition day is at the H. E. Parker Reserve in Heathmont every Saturday and the teams all look great turned out in their uniforms. Parents and volunteers do what such people do at many sporting clubs. They give their time and effort to young people so that they may improve themselves. Netball is like most sports: it is character building and it helps the children develop values. It is not always about winning; it is about the sport, supporting one another, personal values, self-discipline and cooperation.

Jessie Ayres

Ms BUCHANAN (Hastings) — On 7 July hundreds of residents from the Tooradin district came together to celebrate the life of Jessie Elizabeth Mary Ayres, OAM, a true woman of substance. At the celebration of Jessie's life we heard how Jessie, who passed away at the grand age of 87, did so much to progress the education, health and wellbeing of many residents

around Tooradin. She was an outstanding volunteer for many decades. She played a leading role in the setting up and supporting of local kinders, primary schools and secondary colleges, the local historical society, local sports groups and the Country Fire Authority around this rural region.

I would like to read a quote from her celebration of life service:

Where is Gran today? Oh, she will either be collecting for the Red Cross, ironing at the op shop, taking so-and-so to the doctor for a blood test, visiting so-and-so at the hospital, cutting old mister what's-his-name's toenails, babysitting the great-grandchildren, hosting a meeting of some description at her house, attending a meeting of some description, taking items to the cottage or the kinder, delivering Meals on Wheels, taking the grandkids here and there, making sandwiches for some occasion, cooking cakes for someone's stall, cooking the family a roast dinner for Sunday evening, collecting for the Salvation Army, working at the high school canteen, filling in for mother's duty at the kinder, knitting something for someone or cooking a sponge for a birthday.

Jessie was a real role model to me and to many other local women. She taught us so much about courage, integrity and persistence. This beautiful woman, who kept the art of letter writing alive in such a magical way, was one of the most gentle and humble of people it will ever be my honour to know. My regards go to her loving family, daughter Myra and many grandchildren and great-grandchildren. Vale Jessie Ayres.

The DEPUTY SPEAKER — Order! The member's time has expired. The member for Cranbourne has 35 seconds.

Casey: children's centre

Mr PERERA (Cranbourne) — It was a privilege to have the Premier visit Cranbourne and announce \$1.2 million for a new Casey children's centre. It will deliver community-based child care, kindergarten, maternal child health services and services for children with a disability all in one building.

The Bracks Labor government understands the pressures on young families and the need to deliver children's services in the one place to save parents' time and help them manage the demands of work and family life. I also take my hat off to Jan Gilchrist and her staff.

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

MATTER OF PUBLIC IMPORTANCE**Government: national reform agenda**

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

That this house congratulates the Bracks government for promoting the national reform agenda, which has given new priority to early childhood development, skills and community health as a means of boosting work force participation and expresses its regret that the recent meeting of the Council of Australian Governments failed to make more concrete commitments to the achievement of these goals through the commonwealth government making specific commitments to share the benefits of reform with the states.

Mr STENSHOLT (Burwood) — I rise to support this matter of public importance because last week the Council of Australian Governments (COAG) agreed to a major breakthrough on national reform. This national reform package is being led by Victoria, which is showing vision and long-term planning in respect of economic development. This is good news for Victorian families, with Victoria being a good place to live and raise a family, and it is good news for Australian business.

Victoria was the state government that put the national reform agenda on the table last year to set out a pathway to ensure our future prosperity in the face of some big challenges. What are some of those challenges here in Victoria? They are our ageing population and the fact that we have global competition. This was put forward in various papers by the Victorian government with the support of the Treasury, and in February this year COAG endorsed a national reform agenda setting out a framework across human capital, competition and regulation to increase productivity and participation.

I am pleased to report to the house that last week COAG reaffirmed its commitment to this national reform and took significant steps towards putting flesh on the reform bones. I note that in the communiqué from the Council of Australian Governments meeting on 14 July that:

COAG reaffirmed its February 2006 commitment to progress the national reform agenda, encompassing human capital, competition and regular reforms to help underpin Australia's future prosperity.

It is the Bracks government that has the vision, and it is the Bracks government that is looking to the future. It is not the federal Treasurer, Peter Costello, and it is not

the opposition. They have no vision, and they have no policies. We are looking to the long term and an integrated agenda.

The communiqué went on to say:

This is a long-term and integrated agenda across governments and portfolios to increase the nation's productivity and work force participation. COAG recognised the benefits to the economy and community of concerted actions to progress the three streams of the NRA and the potential costs of failing to do so.

Victoria has recognised that it is better to work together than to complain about each other all the time. Victoria has recognised that state, commonwealth and local governments need to work together for the benefit of Australians and the benefit of working families in Victoria.

An honourable member — What does the opposition say?

Mr STENSHOLT — It does not stand for anything except the Liberal Party. The communiqué continues:

COAG noted the good progress made since February 2006 in advancing —

the national reform agenda. It goes on to say:

In moving forward, COAG has tasked officials with completing specific reform proposals for its consideration at its next meeting.

In other words, there is progress, there is goodwill and there is action in this regard. What will these reform proposals do? According to the communiqué:

These reform proposals will include, as necessary and appropriate, agreed policy directions, outcomes and commitments, multilateral and jurisdictional specific actions, progress measures and milestones. Each specific reform proposal would specify those actions to be done jointly and those actions that will be done by individual jurisdictions.

In other words, there is real action, real movement and real cooperation in this regard.

I should also mention though that COAG agreed to create a COAG Reform Council. This is something that was put forward by the states but led by Victoria. It would be an independent body appointed by the commonwealth and the states to assess costs and gains and to determine the real outcomes to be achieved in literacy, numeracy, child care and diabetes and across the rest of the national reform agenda.

I express some regret, though, that COAG failed to make a more concrete commitment to the achievement of these goals through the commonwealth government

giving specific commitments to share the benefits of reforms with the states. It was historic, and of course any of these agreements are products of negotiation. We are hoping that at the next meeting, with the work I have mentioned that is going to happen between now and then, concrete commitments and programs will be achieved to make a real improvement in the lives of ordinary Victorian working families.

We expect that the commonwealth will demonstrate its bona fides on the reform process by meeting its commitment to providing additional funding for these reforms. We are happy for these reforms to be looked at and scrutinised and for the costs and benefits to be examined by the COAG Reform Council and that a fair and equitable process is gone through and the gains are fairly and equitably distributed. We expect that the commonwealth will actually abide by the recommendations of the reform council in the independent assessment it will make of these costs and benefits. We look forward to concrete progress being made on the plans, which we hope will be finalised at the next COAG meeting in early 2007.

Why has Victoria been pushing this reform? What is the background to this? I want to go into that a little bit. Just before that, as I have mentioned, this has been a fruitful negotiation. I am very pleased, as indeed is the Bracks government, because COAG has shown itself to be an element of a real hallmark of cooperative federalism. What is this in contrast with? It is in contrast with the combative centralism of Peter Costello, the federal member for Higgins and federal Treasurer. Of course, he has been sidelined in this particular process — he is on the reserve bench in this regard — because he lacks vision. He sees his role as redistributing income through the budget from Victorian families to the rich.

What does he see productivity as? If he knows how to actually spell the word, he sees it as being achieved by lowering the wages and conditions of ordinary Victorian families. Indeed, he sees it as being achieved by removing the work conditions of young Australians. We ought to be afraid of what is going to happen to our children and grandchildren in Victoria, because there is no forward vision from Peter Costello — there is a lack of vision. There is no vision on real productivity, on growing skills or on competitive reform from Peter Costello.

But there is real vision and cooperation through the COAG process. I am pleased to report to the house the progress being made, with the Bracks government leading the way on this particular reform. As I asked before, why do we need this reform? We need this

reform, because over the coming decade we will face major economic and social challenges. Over the past few years we have recognised this. The Treasurer has produced reports on the need for productivity which indicate that we need at least 2 per cent a year.

Of course productivity has been failing at the federal level since the productivity reforms brought about by the first and second waves of economic reform in Australia, which were very much led by the Hawke and Keating governments. We had reforms such as floating the dollar, bank deregulation and the national competition policy agenda. What did Peter Costello do? He brought that to a halt. He took away the national competition payments. He said, 'I'm not going to pay you any more'. Historically over the past 10 years productivity has been down.

In Victoria we recognise that we have to keep moving forward. To meet our challenges we must keep on reforming because of the challenges we face, both in terms of the skills needed in Australia to keep our exports and industry strong but also because we have an ageing population and a low fertility rate, which in the coming years may well reduce the overall labour force. We need to look at these issues in the longer term. That is why last August we proposed a third wave of national reform, the new national reform agenda initiative, for COAG. We saw that as having three pillars: best practice regulation, competition, and developing our human capital — that is, skills development.

Some modelling was done by Treasury. I know the shadow Treasurer, the member for Box Hill, thinks it is back-of-the-envelope stuff. I am not sure where he is coming from in terms of modelling. In the summary of the modelling approach in a working paper, the Department of Treasury and Finance states:

The economic implications ... were estimated by DTF using the MMRF-Green computable general equilibrium model. The estimates of the fiscal impact of reform were derived from a framework developed by DTF that applies the estimated economic impact to a baseline forecast of government finances obtained from the DTF-Access Economics state intergenerational model.

It states also that the estimates in the papers it prepared in January and June:

... represent deviations from a 'business as usual' baseline, in which reform does not proceed.

To remind the member for Box Hill that the modelling has a comprehensive nature, I point out that the summary continues by saying:

The estimates of fiscal impacts take into account movements in non-discretionary spending, comprising employee expenses (the need for governments to pay market wages to retain employees), depreciation, and interest expenses. These are driven by changes in employment, wages, public sector capital stock and output. It is implicitly assumed that the share of public services in the economy is fixed.

This modelling has taken place in these two papers. They are, as I mentioned, *The Economic and Fiscal Dividends of A New National Reform Agenda*, a working paper from January 2006 that was subsequently followed up in June 2006 by the *National Reform Agenda — The Case for Sharing the Gains* discussion paper from the Victorian Department of Treasury and Finance.

So what does this economic modelling find? It finds:

... the potential increase in GDP should be in the range of 3 to 5 per cent over the next 10 years and 9 to 14 per cent over the next 25 years. After 10 years, this would lead to a fiscal dividend to the commonwealth government of \$6 billion to \$10 billion, with only \$1.5 billion to \$3 billion to the states. After 25 years, the fiscal dividend for the commonwealth could be as much as \$35 billion, compared with less than \$5 billion for the states.

Why is there such great difference between the commonwealth and the states? It is simply explained by VFI — vertical fiscal imbalance. Putting it simply so that even the Leader of the Opposition could understand it, the taxation forecasts for 2006–07 are that 72 per cent of taxation will go to the commonwealth — that is, \$217 billion. GST will raise 13 per cent, which is \$40 billion, and the states' own taxation revenue raising will be 15 per cent — in other words, \$46 billion. The GST flows through to the states, and that gives the states 28 per cent of taxation revenue. That is where you get this imbalance between 28 per cent and 72 per cent. It is a pretty simple concept. As I said, even the Leader of the Opposition will be able to understand this. That is what is meant by vertical fiscal imbalance. This is where the modelling shows that the benefits of reform will go to the commonwealth.

The other thing about this, interestingly enough, is that public sector wages and public sector employment are very much part of the states responsibilities. The states have a larger share of public sector wages compared to the commonwealth's — from memory I think it is about \$59 billion compared to around \$13 billion to \$18 billion. It is a very large proportion.

I should also say that the states have been pulling their weight in regard to managing the economy and managing the way in which impetus is provided to the economy, either by way of wage restraint or in terms of

investment. What have we made here in terms of investment? Victoria's net infrastructure investment per capita, for example, is \$434, compared to a dismal \$152 for the commonwealth. Between 2006–07 and 2009–10 Victoria's growth in net infrastructure investment is going to be 19.4 per cent, but the commonwealth's will actually decline.

We want to make sure that these benefits are spread. We want to make sure that the burden is spread. We want to make sure that any reforms are such that the burden is not falling on the states and that there is a distribution from the commonwealth for competition reform and for infrastructure in terms of making sure that those benefits are applied equally across the board.

I turn to the record of the Bracks government in economic management. Revenue growth has been 5.9 per cent per annum, which compares very favourably with the commonwealth's 6.3 per cent. Our forecast is around 10.4 per cent growth between 2006–07 and 2009–10, compared with the commonwealth's massive 14.9 per cent.

Mr Helper — They can't manage money.

Mr STENSHOLT — The commonwealth government is finding it very difficult to manage money, I must admit. It goes off and fights all these wars et cetera, which we have great question marks over, and its expenditure, in terms of taxation cuts rather than investing in the future, is really something we are concerned about.

In Victoria we have a great record, and I am sure my colleagues will speak about that in terms of the economic performance here in Victoria. We want to make sure that performance continues. We want to make sure that the gains are spread and that the national reform agenda, whether it be in human capital or health or indeed in other areas, is progressed and progressed with the greatest possible speed and cooperation.

Victoria stands ready to cooperate on the national reform agenda — indeed it is leading the way. We want to make sure this provides benefits in the longer term. This is not about the short term. It is not going to happen overnight; it is going to happen over a number of years, and we are looking ahead at least 5, 10, 15 or 25 years. We want to make sure the benefits from the national reform agenda come to all Victorian towns.

Mr CLARK (Box Hill) — What the government is asking the house to accept this morning can be summed up by saying, 'Gee, aren't we great, but give us more money!', to which the response ought to be, 'You are full of talk while service standards are going

backwards, and you cannot expect to get more funds unless you make a better case than you have so far'.

The Bracks government is a latecomer to the reform bandwagon. It is certainly better to have it on the bandwagon rather than lying in front of it alongside Kim Beazley, but the fact is that it is not doing much to help the reform bandwagon roll forward faster. Having hopped on the bandwagon only lately, it is now trying to claim as its own ideas reform measures that were already under way.

Last year we had a pretentious document from the government entitled *Governments Working Together. A Third Wave of National Reform — A New National Reform Initiative for COAG. The Proposals of the Victorian Premier.*

Let us deal first of all with this trumped-up claim about the current reform wave being a third wave of reform. This of course is a masterpiece of Bracks government spin doctoring. The intention is to put it up as if it were Hawke I, Keating II and Bracks III on the reform agenda. Certainly let us give credit to the Hawke government for its reforms of the 1980s, and let us give credit to the Keating government for the national competition reforms that it got under way in the 1990s.

It is worth remarking that those reforms, unlike the current reform moves until very recent times, were not opposed by the then federal opposition, and indeed they were fully supported by Liberal governments at a state level — and in particular I note the Kennett government's backing of Keating's national competition policy reforms. It is worth reminding the house that the vast bulk of those reforms were opposed tooth and nail by the Victorian Labor Party when it was in opposition.

This so-called third wave claim is designed to cut out the worthwhile reforms that have been instituted by the Howard government, again with the vehement opposition of the federal and state Labor parties. I refer in particular to the GST reforms that have provided a stable source of growth revenue for the states and the workplace relations reforms that consist of not just the WorkChoices package but the whole change in workplace culture that has taken place in Australia over the last 10 years, making us a much more productive and flexible nation. That can be illustrated in particular by the change of attitude on the waterfront and the highly flexible and productive arrangements in the mining industry.

There was not a great deal that was new in the pretentious document we had from the Bracks

government last year. Much of what it said had previously been said — and said better — by bodies such as the Business Council of Australia, the Productivity Commission and the commonwealth Treasury. It did put forward the proposition that a healthy population makes for a more productive work force, which is true, but the reason it put that forward was to lead on to the argument that the commonwealth government should give Victoria and the other states more money.

When you look at the various measures that were talked about in that third wave document, you see that the vast bulk of them were squarely about state responsibilities. However, instead of getting on with the job and doing something about the various issues that were listed, the Bracks government tried to pass the blame and responsibility onto the commonwealth and the Council of Australian Governments in order to give itself an excuse for having done nothing and to try to distract attention from the fact that, for those areas that did and do fall within its jurisdiction, Victoria had actually been going backwards in its service delivery standards.

You only need to look at the table in figure 4 on page 13 of the so-called third wave document to see how the Bracks government has condemned itself out of its own mouth. The column headed 'Measures of progress' is about various items of reform. The vast bulk of these are things which state governments, particularly the Bracks government, could and should have been doing for years — for instance, reducing the administrative costs of business regulation. We saw what a fizz that was with the Treasurer's statement last week, which was to the effect that, 'Yes, we will cut red tape, maybe, sometime'. Another measure is:

... compliance with world's best practice gatekeeping arrangements.

The Treasurer conveniently forgot that one. The ACTAL body in the Netherlands model, which he claimed to be basing his reforms on, was nowhere mentioned in his paper and certainly not replicated in Victoria. A further measure is to:

... improve assessment of the costs of regulation.

That was identified in August last year, but last week the Treasurer was still promising that he was going to come out with a model to better assess the cost of regulation at some time. In terms of infrastructure, figure 4 states that we need:

... forward-looking plans for infrastructure of national significance.

Of course we do! We have AusLink, which is a pretty good start on that front, but as far as the state level is concerned the Bracks government has rejected its own Infrastructure Planning Council recommendations for a forward-looking plan for the whole of the state, something that the Liberal opposition is committed to do upon coming to government.

The strategic framework in figure 4 calls for a transparent assessment and priority ranking of infrastructure investment decisions. That is conspicuous by its absence at a state level. There has been every opportunity in the world for that to have been done, but instead the Bracks government has gone out of its way to hide any assessment of priorities that it may have conducted and to suppress the true costs of public-private partnerships.

Figure 4 says there should be compliance with best practice in infrastructure regulation. Victoria has a good model of infrastructure regulation: it was put in place by the Kennett government. When we have the Deputy Premier and others bragging about our regime of infrastructure regulation, referring to the Australian Council for Infrastructure Development/Access Economics study, they should also say that the vast bulk of that refers to the structure of infrastructure and essential service regulation that was put in place under the Kennett government.

We then move on to the areas of health and education and training. We have a listing of worthy and significant measures such as the proportion of the working-age population not in the labour force due to ill health, the incidence of chronic disease amongst children and the working-age population, the prevalence of common risk factors that contribute to chronic diseases, the proportion of students above benchmark levels for year 3, 5 and 7 levels of reading, numeracy and writing, et cetera.

These are all matters of bread-and-butter service delivery by state governments. You do not need a Council of Australian Governments process to get reforms on that score under way, but we see under the Bracks government that all these items have gone backwards, not forwards. You cannot get in the budget papers a decent set of measures of all these items which the Bracks government calls on COAG to endorse. If members of the Bracks government believe in it, why do they not lead by example and get out there and publish these figures and hold themselves accountable for what is being done?

Mr Stensholt interjected.

The DEPUTY SPEAKER — Order! The member for Burwood was heard with the courtesy of the house.

Mr CLARK — Yet under the Bracks government we see that waiting lists for urgent and semi-urgent surgery are worse now than when it came to office. We find that the public housing stock in 2004–05 was increased by the Bracks government by only 59 units compared with 1600 houses in the last year of the Kennett government. We find that the benchmarks for assessment of literacy, numeracy and other scores have been degraded under the Bracks government in Victoria, which comes up very badly on many of them. In those core areas of state responsibility, which the Bracks government should have been getting on with, we have been going backwards.

Then, from figure 4, let us have a look at work incentives, where there is a call for an increase in participation implied by the interaction of the tax and welfare systems. That is exactly what the Welfare to Work package of the commonwealth government is doing. We have a call for an increase in Australia's relative attractiveness to the world's high-skilled and high-productivity workers. At the same time we have the federal opposition trying to put up barriers against overseas students coming to Australia to undertake apprenticeships. What an advertisement and attraction to the world that would be if it were ever implemented as policy!

Last but certainly not least from figure 4, we have a proposal that there should be a reduction in unnecessary regulatory impediments to work force participation, and yet we have state Labor governments and the federal Labor opposition fighting the WorkChoices reforms tooth and nail. There is a giant chasm between the rhetoric of the Bracks government and the reality of what it is actually doing in those areas of its own responsibility. Not only have the actual services been going backwards and not only is the infrastructure blowing out over time and over budget, but there has been no attempt whatsoever to put in place a decent structure for measuring, accounting and planning for what is going on and what is to be done.

As I mentioned, there is no infrastructure plan, contrary to the proposal of the Infrastructure Planning Council and contrary to what a Liberal government would do on coming to office. What is needed is not just an infrastructure plan, but an infrastructure plan that is integrated with a plan for the growth and expansion of services, because in the service delivery area infrastructure and the actual provision of services go hand in hand. They need to be jointly planned and

jointly mapped out for the future, and yet we see none of that from the Bracks government.

What we need is to get proper accountability for the quality and quantity of government services that are being provided. That was something that was set well in track by the Kennett government, but it has gone backwards under the current government. We are finding that performance measures are being dropped whenever they prove embarrassing or inconvenient to the government. The Treasurer, the Minister for Finance and the parliamentary secretary have allowed other ministers and departments to pick and choose the measures by which their own performance is to be judged. What we need is a reporting regime that gives a clear, factual and readily accessible picture to the public, not only of what is being spent in different areas but what resources are being required to fund them, what quantities and qualities of service are being provided and what results those service levels are achieving.

Let us move on to the second half of the proposition before the house — about funding. Certainly on this side of the house we support reform to eliminate unfair funding treatment for Victoria and to provide a fair, stable and efficient funding base for the states as a whole. What we are opposed to are the attempts by the Treasurer and others in the Bracks government to try to play this as a political ploy and to pretend Victoria's funding position is some part of a giant conspiracy by the commonwealth. This is not only untrue, it is also counterproductive, because it invites the immediate retort by the commonwealth Treasurer that, if the Bracks government wants to rectify things at a political level, all it needs do is get its fellow Labor treasurers to agree to a redivision of GST funds, and the commonwealth will agree to it.

What needs to be done is for the Victorian government to work behind the scenes to persuade the Commonwealth Grants Commission, which is the fund distribution umpire, by means of logical argument — and since the Bracks government has taken up that approach in more recent times, it has had some success. Indeed, if you look at the latest Commonwealth Grants Commission figures, you find that by the end of the coming five-year period it looks as though subsidies to Queensland and Western Australia will have been eliminated and that worthy objective will have been achieved. I do not know what the Bracks government will do then, because it is going to run out of things to complain about, but that aim will have been achieved.

It is worth making the point that, under the Treasurer's proposal for continued funding of subsidies to the

Northern Territory, South Australia and Tasmania, even if the change were introduced overnight Victoria would still, on the Bracks government's own figures at page 76 of budget paper 2, be getting only 89 cents in the dollar compared with what is said to be 86 cents in the dollar at present. That 3 cents difference is worth debating and worth seeking reform over, but it should not be overstated, and in particular it should not be used as an excuse for non-delivery by the Bracks government.

On this side of the house we also support a fair sharing of the costs and benefits of reform efforts over and above each jurisdiction doing its own job, but we do not support, and you cannot expect the commonwealth to support, an open-ended demand for cash for doing what the states should have been doing anyway to provide better services and to better measure and account for the services being provided.

We had this appallingly partisan and poorly argued paper from Treasury — *National Reform Agenda — The Case for Sharing the Gains* — this July. It shows there is an urgent need for the incoming secretary of the Treasury, Grant Hehir, to assert the standing and integrity of the Victorian Treasury rather than allow such poorly written and partisan documents to be issued. It is full of double standards, complaints about alleged commonwealth government bracket creep while ignoring the deliberate use of bracket creep by the Bracks government to double stamp duty and double land tax, shonky, back-of-the-envelope modelling, non sequiturs in terms of the case for change and flaky numbers.

If you take its argument to its logical conclusion, why is the commonwealth government not docking the funding to the states because the states have neglected public hospitals? No-one would want that, but that is the logical extension of the argument in that paper. If the government is serious about reform, it should be looking at replacing the special purpose payments system, not with a pooled system but with clear and definite funding based on objective factors.

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

Mr HELPER (Ripon) — It gives me a great deal of pleasure to support the matter of public importance that is before the house today. I think at the outset we need to discuss why we need an ongoing agenda of reform in Australia and why the Bracks government puts reform so high on its agenda and has indeed been instrumental, if not pivotal, in putting it back on the national agenda after it dropped off the radar screen, or at least became

totally and absolutely misguided, with the election of the current federal Howard government.

It was after all during the 1980s and early 1990s of the Hawke-Keating federal government that the agenda of national reform was put on the radar screen. After decades and decades of slumbering at a federal level, it was great to see the reform initiatives that were instigated by that Labor government. It is Labor, after all, that has the track record in terms of reform in this country. We need reform because we continue to face many challenges in our community. There are many challenges facing our economy and the standard of living we wish to achieve and have achieved for our communities. Those challenges come from an increasingly globalised economy and from demographic changes such as the ageing of our community. Those challenges come from environmental factors and from the changing expectations that exist in our community.

As I said, it seems to be Labor governments that always address the need for national reform. We take the hard decisions, because at the end of the day reform is not easy. If we were in government to have an easy ride, we certainly would not be tackling reform agenda issues. But we know that to further the interests of the communities that we represent in the respective tiers of government we need to make those hard decisions and we need to talk through them and arrive at a consensus with the community to implement them.

As I said, the agenda of the Bracks government is to deliver a third wave of economic reform for Australia, and it is driven by a vision that encompasses regulatory reform, infrastructure reform, health and work incentives, and education and training. Our third wave of reform is about just that. It is about a considered reduction in red tape and about identifying and advancing infrastructure investment opportunities of national significance. It is about thinking broadly to embrace better health, greater participation, more education and the creation of new opportunities. That is why we are driving the national reform agenda.

I thought to myself, 'Is there an alternative point of view that comes from Victoria? Is there a point of view that does not recognise this and that constantly wants to carp and whinge about the reform agenda?'. I found such a view expressed in the *Australian Financial Review* of Monday, 17 July. I will quote from that article, which talks in general about the recent Council of Australian Governments (COAG) meeting:

The first of these objectives was spearheaded by a poorly argued paper by Victoria's Treasury saying that, on the basis of 'preliminary' (read 'back of envelope') modelling —

et cetera. Let us analyse what this supposed back-of-envelope modelling has actually revealed. It has revealed that the potential impact of the national reform agenda on gross domestic product would be up to 5 per cent over the next 10 years and 14 per cent over the next 25 years. That is hardly back-of-envelope scratching. The model has revealed that after 10 years this would translate into a fiscal dividend to the commonwealth of up to \$10 billion, with less than \$3 billion shared between the states. It shows that after 25 years this would translate into a fiscal dividend to the commonwealth of up to \$35 billion, with less than \$5 billion shared between the states.

Who could have made an accusation that that modelling, done by the Victorian Treasury, was back-of-envelope scratching? I ask that question, I guess rhetorically, because I know it to be from the opposition Treasury spokesperson, in his pathetic attempts to talk down the genuine efforts that are being made at promoting a national reform agenda and the genuine reform initiatives that at the last COAG meeting seem not only to have broken through to the Labor states but also to have been given some endorsement by the commonwealth.

However, before we go too far in singing the praises of the commonwealth in this regard, let us just go back in history — not a long way, just back to 2002 — when the federal government unilaterally terminated competition payments to the states on a whim, based on an election promise to dedicate that money to the national water initiative. Victoria's track record in using those competition payments was absolutely outstanding. It was the only state around the country that actually passed a component of those competition payments on to local councils. Local government is often overlooked in terms of the reform agenda in which it actually participates and through which it actually incurs costs. It should get a dividend for that as well, and Victoria recognises that.

The Labor government recognised that a part of the competition payments should be passed on, but of course in a frenzy of election promises the federal government not only cut those payments but totally did away with them, and many councils lost of the order of hundreds of thousands of dollars from their budget bottom line. My electorate covers some seven municipalities wholly or in part. I know each and every one of those councils has been very adversely affected by the termination by the federal government of those competition payments.

The next time you drive on a local road and you hit a pothole, say, 'Thanks very much. That's a result of the

federal government's lack of leadership. It's the result of the federal government's ratbaggy and its lack of dedication to a national reform agenda'. Thank heavens that the other states are very much falling into line behind the leadership that Victoria is providing. I am happy to acknowledge that our Prime Minister is falling into line behind the competition agenda that is being instigated by and led from Victoria. It is a pity that his Treasurer is not so wise in taking up the need for a national reform agenda.

All we seem to get from the federal Treasurer, Peter Costello, who is Victorian based, is a swipe every now and again at the states. Whenever it suits his ill-fated leadership ambitions he takes a swipe at the states in various areas. Can you imagine the botch-up that a Costello federal government would make of, for example, areas of state responsibility such as water, education and health? If the bloke had a heart he might actually develop a bit of colour and his smirk might diminish a little bit.

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

Mr DELAHUNTY (Lowan) — What an amazing matter of public importance! Everyone in Australia recognises that it is coalition governments that have turned around the economic and employment positions not only of the nation but also of the state of Victoria. Environmentally through the National Heritage Trust we have seen millions of dollars being put into programs that support environmental projects not only in Victoria but also right across Australia. On the economy —

Mr Helper interjected.

Mr DELAHUNTY — No, it was not, it was the National Heritage Trust.

The DEPUTY SPEAKER — Order! The member for Lowan, through the Chair. I again remind the house that government speakers have been heard with courtesy. That should also apply to opposition speakers.

Mr DELAHUNTY — It is a bit like a football game, Deputy Speaker. In particular, it is a bit like when you are playing down at Geelong: the crowd gets you going a little bit!

From the economic point of view, across Australia we have seen debt reduced in most government jurisdictions. We have seen more money being put in the pockets of consumers. We have money for infrastructure, we have money for government

programs and we have money for education and training. I will cover all those later in my contribution.

On employment we have seen reforms, particularly by the federal government, which have delivered the lowest unemployment rate in Australia for years. I cannot help but respond to some of the comments made by my colleague the member for Ripon. He talked about reform, and there is a need to reform this state government. This government is going down the same track of previous city-centric Labor governments, which could not manage money. Talk about the economy! In seven years it has gone \$8.5 billion over its budget. The good thing about it, though, is that in those seven years its revenue has gone \$10.5 billion over budget, mainly because of GST revenue, stamp duty revenue, government taxes, and particularly police revenue, which has bailed this government out of its hole.

The member for Ripon talked about reform. Not only can the government not manage money; it cannot manage projects. We have seen many, many projects right across Victoria go over time and, in particular, over budget. We have talked about the farce rail — not the f-a-s-t rail, but the farce rail — and we have seen that problem with many other projects right across country Victoria. I know that, like me, the member for Ripon would be concerned about the Wimmera–Mallee pipeline — a great project supported by both governments, to their credit.

An honourable member — It took a while to come on board.

Mr DELAHUNTY — It took a long time for the state government to come on board, but eventually it came on board. The reality is that we are all concerned about whether this will be delivered within the budgets the governments have set. As we know in country Victoria, a third of the money is coming from the federal government, a third from the state and a third from consumers in western Victoria. Federal and state money is capped, and it is important that we get this project. As the member for Ripon said, water is a state responsibility, and we need to ensure that this project comes in at least on budget, but preferably under budget.

The member for Ripon talked about our being in a global economy. We are. He represents a country electorate, as I do, and he is obviously concerned about the manufacturing sector, like I am. There are many manufacturers in my electorate, as there are in the member for Ripon's electorate, but all the manufacturers who have spoken to me are concerned

about higher costs, particularly those imposed on them by the government. Now with the announcement this week they will have higher power costs. We will see higher costs put on consumers, particularly manufacturers. Even the Premier said yesterday that prices would go up. Again higher costs are being pushed onto manufacturers.

We are also seeing higher amounts going to government taxes. Government taxes on petrol, particularly diesel, are causing a major concern. There are even increasing government taxes on water, which is also a consumer cost. Government taxes are another concern to most in my electorate.

The member for Ripon also talked about more red tape. This government is — —

Mr Helper interjected.

Mr DELAHUNTY — You are concerned about red tape. The red tape is strangling many country consumers, particularly country manufacturers. The member for Ripon talked about the fact there had been a loss of competition policy.

Honourable members interjecting.

Mr DELAHUNTY — I think he wrote my speech! He also spoke about a lack of competition payments. He is right, the former coalition government in this state was one of the few state governments that passed on some of the benefits of competition payments to local government. That was there for a set period of time. Eventually over time, because of the reforms that were driven by the federal government and embraced by the former coalition government, we saw benefits go to local government in a lot of ways.

But there are more concerns. As we know, with enterprise bargaining agreements, cost shifting and so on, many councils in Victoria are under extreme pressure. This year we are seeing local government rates going up well above the consumer price index. We have three spheres of government. We have the federal government, through which we are seeing income taxes and the like going down; we have the state government, which is promoting reducing costs, but we have not seen much of that going on; and in local government we are seeing increasing rates. This cannot continue. We need to make sure, as The Nationals put in its policy on local government, that some of the GST revenue the state government is squandering goes across to local government so it can reduce some of the costs it has to pass on. I thank the member for Ripon for some of those issues he raised.

I will get back to and go through some of the key points in the matter of public importance (MPI), which talks about early childhood development. We would love to see this state government, which is responsible for early childhood development, take up The Nationals policy, which we have had for four years and which has now been adopted by the Liberal Party, says that the responsibility for preschools should be moved to the education department. As we all know, \$1 invested in preschool education and early childhood development will save approximately \$8 in later life. We call on the state government to adopt that policy.

The MPI talks about skills, and the communiqué from the Council of Australian Governments (COAG) talks about the number of doctors. I have a copy of the communiqué which the member for Burwood spoke about. It is great to see that the federal government — in cooperation with the states, but it is particularly the federal government — is providing another 400 traineeships for doctors in Australia. Many of those trainees will be placed in Victoria, and we congratulate both the federal and state governments for their initiative in that regard.

We know that money will also be spent on infrastructure. But one concern we have is that we want to make sure some of the doctor internships are in country Victoria. Bendigo could take about 17 interns but is funded for only about 13, and it might be even less. The Minister for Health is at the table. We want to make sure that the internships will also be in country Victoria, because we all know there is a greater likelihood that, if a doctor or nurse or anyone else has trained in rural or regional Victoria, they will stay there. We need to make sure the state lifts its game in relation to country internships.

We have seen a great development with nurses. As can be seen in the communiqué the member for Burwood spoke about, more nurses will be trained. We need to increase the work force in that area. It is great to see that universities in my area, whether it be the Ballarat University campus in Horsham or the RMIT University campus in Hamilton, are training nurses in country Victoria, and there are some great success stories about that.

One concern about skills, as talked about in the MPI — and I heard Julie Bishop, the federal minister for education, on radio this morning — is in the area of science education. We would all have to agree that with the baby boomers going through the system we need to increase the effort in the area of science education.

The MPI talks about community health. We would like to see more work done on mental health. Mental health is the biggest problem right across the health sector in Australia. I had an intern who wrote a report, which is tabled in the parliamentary library, on the challenges in attracting health workers to country Victoria. It particularly focused on mental health. It is a fantastic report which is well worth reading, and I congratulate Andrew Douglas on it.

With mental health we want to make sure, as the federal government has said, that we link some of the funding that is coming through to the state — and enormous dollars are coming into mental health particularly from the federal government — to rural and regional Victoria so that we can address some of our concerns about early intervention and appropriate accommodation for country communities.

As far as work force participation goes, our unemployment rate is low, but we need more flexible arrangements. The report by the Economic Development Committee, which I am on, on labour hire highlighted the enormous benefits there.

The final thing the MPI talks about is a share in the benefits. This state is sharing in the benefits of the GST that are coming in, and in many of the areas — as the member for Ripon said, water and education are part of the state government's responsibilities — the federal government is pushing more money into these programs. We need more support for water recycling projects in rural and regional Victoria.

Mr HERBERT (Eltham) — I rise to speak on the matter of public importance on the recent deliberations of the Council of Australian Governments. As the house knows, last week COAG agreed to a major breakthrough on national reform, which is really good news for Victorian businesses and families. Victoria first put the national reform agenda on the table last year. It set out a pathway for Australia to follow in facing some of the big challenges we have ahead of us if we are to be competitive in the international arena.

In February COAG endorsed that national reform agenda and set out a reform framework across human capital, competition and regulation to increase productivity and participation. Last week COAG reaffirmed that commitment to national reform and took significant steps forward to put the flesh on the reform bones. Importantly, it agreed to the creation of a reform council, which is to be an independent body appointed by the commonwealth and the states to assess costs and gains and to determine the real outcomes that are achieved in literacy, numeracy, child care and

diabetes as well as across the rest of the national reform agenda. I congratulate the commonwealth and all the states on that reform. It is good to see.

I would also like to congratulate the members for Ripon and Burwood on their excellent contributions to this debate in highlighting the economic and in particular the health issues that will see real benefits in Victoria. While these initiatives are welcomed by Victorians, there is still a major concern that the commonwealth is lagging behind with some issues and with funding for real reform, particularly in the human capital area.

It is this issue of how we provide for the skilled work force that our country needs that I wish to concentrate on today. Despite the efforts of the state governments, Australia has a skill shortage in a number of very important occupations. This skill shortage goes back to the decisions made by the commonwealth government to scrap the labour market programs established by national Labor governments in the past and to slash the growth funding and commitment to training efforts made by Paul Keating in the early 1990s. Whilst the Bracks government has invested far more in technical and further education institutions, vocational education in schools and our training system than it was obliged to do under the commonwealth-state growth funding agreements, the commonwealth has simply refused to match this effort.

When I hear the rhetoric of commonwealth ministers who talk of today's skill shortages I recall the blind eye that their earlier counterparts turned to the solutions that were put forward to those growing issues in the 1990s. I can vividly remember the many Australian National Training Authority Ministerial Council (ANTA MINCO) meetings I attended with the Victorian Minister for Education and Training in the first term of the Bracks government. It was Victoria that time and again outlined the indisputable case for the need for greater commonwealth funding to address our training needs, only to be rebuffed by the commonwealth.

Meeting after meeting of commonwealth and state ministers, including commonwealth ministers Kemp and Nelson, simply refused to match Victoria's funding effort. Year after year the commonwealth continued to turn a blind eye to the growing shortage of skilled professionals in many emerging and essential trades. All around the ANTA MINCO table people could see the issue, but the commonwealth simply refused to match the effort even though it was a national issue of its own making.

If we fast forward to the present day, we find the Council of Australian Governments discussing the issue

of human capital, and we know we have in this country a problem with skill shortages. Those skill shortages are a direct result of the commonwealth's dismantling its vocational education programs and its labour market programs, its refusal to address skill shortages and its cutback in the funding of actual training in real terms. What we have today is serious skill shortages in certain trades, which are an issue as far as the economic growth of this state and this country goes.

What is the answer we see from the commonwealth? What is the answer to a problem of its own making? We see the massive expansion in the importation of temporary migrant workers on section 457 visas. The Victorian government has no difficulty in allowing people from other countries to migrate to Australia. In fact we have consistently supported skilled migration as a means of boosting Victoria's economy, and it has done just that. It has been great for Victoria, and it will continue to be great for Victoria. We also recognise that there is a need for the capacity to bring in temporarily a limited number of skilled or guest migrants to meet short-term or isolated skill shortages that arise from time to time, particularly in specialist areas. To my mind bringing in guest workers in large numbers should never be an alternative to the proper commonwealth funding of our nation's training needs, but that is what we are starting to see in this country today.

These section 457 visa entrants — temporary guest migrants — are not offered permanent visas. They cannot stay in Australia and become valuable members of our community, and they do not and cannot pass on the skills they have to future generations of young Australians. They are a quick fix for the skill shortage problem. Unfortunately the commonwealth government's quick fix comes at the same time as its massive assault on the wages and conditions of Australian workers through the government's WorkChoices legislation, and the two cannot be separated. WorkChoices abolishes traditional safeguards, severely limits the rights of workers and reduces the obligations of employers in the industrial bargaining arena.

That is why I said in my introduction that the WorkChoices legislation has been accompanied by an unprecedented surge of temporary labour designed to undercut normal wages and conditions. It is estimated that in 2005–06 some 40 000 section 457 applicants came to Australia. That is a 42 per cent increase on the 2004–05 figure and a 66 per cent increase over 2003–04, which is massive.

We read in the *Age* at the weekend an article by Michael Bachelard, who pointed to the exploitation of

temporary skilled migrants by labour hire firms. His article stated:

An investigation by the *Age* has found that some labour hire firms and recruitment agencies charge skilled foreign workers up to \$15 000 to bring them here under subclass 457 visas. If workers complain, they are threatened with deportation.

...

Labor and the unions complain that the current skilled migration regime drives down wages and displaces Australians from jobs. The minimum wage under the 457 visa is \$41 850, or the award wage, whichever is higher.

However, in many cases the market rate has outstripped the award wage and is in fact some \$15 an hour higher than what we are paying these guest workers.

What is of particular concern is that section 457 visas can be used as a means of undercutting the wages and conditions of existing workers. This is the hidden underbelly of the WorkChoices legislation. If an Australian worker does not accept an Australian workplace agreement (AWA) with lower wages and conditions, they will face the risk of cheap foreign labour being utilised to fill the position. We have seen this happen in the meat industry and in the metals industry — especially with welders in Western Australia. We are seeing it happen on a large scale, especially, as I said, in WA.

Only last weekend we saw the issue of the 11 Czech Republic guest workers at a Craigieburn brick works raise its head. The existing workers stopped work for 20 minutes to discuss the importation of the Czech workers for the brick works, and they were fined for their stoppage. It would appear that the guest workers have replaced 12 local people, including two apprentices. Instead of employing local people — and there seems to have been skilled workers available — the company simply imported Czech workers, who had no ability to communicate with the existing workers about wages and conditions. They appear to be living in a caravan park, and there is great concern about what is happening with their money — although it certainly seems to be going into a Czech bank account.

I will not go into specific examples of other abuses of this scheme by some of the more ruthless employers, but it is clear that — whether it be Chinese workers in rail workshops in Junee, Korean welders in fabrication companies in Western Australia or Chinese meat workers at Murray Bridge, or many of the other numerous examples of exploitation which are starting to surface — if we are to protect both Australian workers and guest workers from exploitation, we need to toughen up the rules that this scheme operates under. We need to genuinely guarantee that approvals for

guest workers only come when domestic labour is genuinely not available, not simply because the wages offered are not acceptable to local workers. It is an issue for the Council of Australian Governments at its December meeting. I urge the commonwealth and state ministers to take this seriously and bring about a reform of this scheme.

Mr DIXON (Nepean) — It is interesting that we have another self-congratulatory matter of public importance (MPI) from the government. These MPIs always have a rider bagging the federal government, and we are running true to form today. It was interesting to see that at the end of the Council of Australian Governments meeting last week we saw the Labor premiers all over the Prime Minister, silly grins on their faces. Everyone was loving each other, and everything was fantastic. They then left Canberra, and as soon as they crossed the border into their respective states they reverted to form, taking any opportunity they got — like the MPI in this place — to bag the federal government and talk about how badly understood they are and how they did not get a fair deal. It was absolutely at odds with what happened with all the photo opportunities we saw in Canberra late last week.

What this government is saying in its MPI is that it has failed to do its job, yet it wants compensation from the federal government for not doing it. The timing today is just exquisite, because the MPI refers to skills. Today the Auditor-General released a report entitled *Vocational Education and Training — Meeting the Skills Needs of the Manufacturing Industry*. Let us have a look at what the Auditor-General said about the job this government is doing in developing skills and responding to the lack of skills and the needs of industry in Victoria.

First of all the Auditor-General said that the advice given to the Victorian Learning and Employment Skills Commission (VLESC) to inform its purchase of publicly funded industry training is insufficiently robust. In other words, the very essence of the advice that the government needs to respond to industry needs is not good. So right from the start the basis on which our training industry is built is very shaky.

The Auditor-General also said in response to the question of how well the Office of Training and Tertiary Education (OTTE) purchases industry training on behalf of the VLESC that:

... it seems that the current approach to purchasing publicly funded VET is at odds with the need for TAFE institutions to respond quickly to industry's immediate and fluctuating need for skills.

A few members have talked today about responding to the lack of skills. The member for Eltham said it was all the federal government's fault. When I saw the reference to responding to industry's needs, I thought to myself that it is not the federal government's fault that these needs are not being met, it is the fault of the Victorian training institutes and the directions given to them by the government and the responsible department. According to the Auditor-General, it is not the federal government's responsibility. The Auditor-General also went on to say that:

OTTE is not able to determine adequately whether training has been successful in meeting the skills needs for the participants in courses or for industry enterprises.

Even when the government actually supplies services and training, it does not know whether it has been successful and is meeting those needs. There are no measures. The department is not set up to properly measure the outcomes, so we have no idea. To anyone who comes in here and says it is the federal government's fault I say that, according to the Attorney-General, the state government has responsibility for delivering this training but does not know what it is delivering and does not know the outcome of that delivery. He said that from the information available the public cannot know if the Victorian government has policies and practices to ensure that skill gaps in the work force are being filled and:

... do not impede the growth or the competitiveness of the manufacturing industry and the Victorian economy.

The Victorian public cannot know how well the training that the government purchases is being delivered. The Victorian government cannot know if the Victorian government knows the impact of its purchases on the skill shortages and skill gaps in Victoria.

The Auditor-General then addressed the question of whether TAFE institutes are sufficiently knowledgeable of the business environment in which manufacturing enterprises operate. He said that that is variable. It does not depend on the institutes or on policies, it comes down to the effectiveness of individual relationships and networks between certain TAFE teachers and instructors or, in some cases, some TAFE institutes and their local businesses. That is a variable, personal thing rather than something involving proper policies and practices.

He also talked about the huge drop-out rate of apprentices in the automotive and engineering industries, the key industries in which there are real

skill shortages. There is a 44 per cent drop-out rate of apprentices in the automotive industry and a 38 per cent drop out of apprentices in the engineering industry. That is a huge cost for employers, for the industry in general in Victoria and for the training industry as well.

The Auditor-General was also asked the question how well TAFE institutes identify current and emerging skill needs and translate these into training programs. The Auditor-General responded:

Overall, the responsiveness of TAFE institutions is perceived as variable and inconsistent.

Again there is a lack of policies and procedures within the department responsible for delivering that training. It relies on just personal contact and networks between business enterprises, local industry and training institutes.

The final question the Auditor-General addresses in his report is whether TAFE institutes have skilled and adaptable staff and the infrastructure to meet the skill needs of enterprises. Although there is an increasing level of investment in that, the Auditor-General said it remains below conservative benchmarks which estimate that TAFE institutes should be contributing 2 to 3 per cent of their budgets to skill development initiatives. That is not happening in Victorian TAFEs. He said:

Current work force data in VET is poor, with insufficient information available to be able to plan for the future.

...

The absence of comprehensive and reliable work force data at either a system or institution level make it difficult to identify and address future work force requirements in specific skills areas. For this reason, OTTE should consider developing a state data collection.

This is a damning report from the Auditor-General. While this government says, 'It is the federal government's fault; it's not doing what it should be doing. We are doing a great job here in Victoria', and this is what its MPI is all about, the Auditor-General, just on this skills area alone, has a completely different view.

I would like to move on to some other federal initiatives in early childhood education that have been flagged on the national agenda but have had little or no response from the state. First of all, at the recent Ministerial Council on Education, Employment, Training and Youth meeting there was a discussion on the need for a consistent beginning age for children in schools in Victoria. The states could not even come to agreement on that. That is a very important issue. There should be

some national consistency on some of these key areas of education in Australia. We cannot totally operate on a state-by-state basis. The Labor states cannot agree on a beginning age, which the federal minister, Julie Bishop, wanted to talk about. That forms the basis of a starting point, and you have to establish that before you look at school-leaving ages or the Australian certificate of education.

All those things on the national agenda, which the federal minister is rightly trying to encourage debate on, rely on that beginning age, but the states do not even want to talk about them. The states are being precious about giving up two months in relation to the starting age just for political purposes and just so they can be at odds with the federal minister. The federal government, especially under Julie Bishop, has done a fantastic job in opening up national discussion on areas of education, and we should be addressing those across all the states and territories. The bloody-mindedness and political motivation of the states are stopping any real national debate on education, and that is very disappointing.

In the last few seconds I wish to talk about preschools. The federal minister talked on one of the national agenda items about having free preschool education right across Australia. The Victorian government is totally at odds with every other political party and state regarding free kindergarten and the management of kindergartens within the Department of Education and Training. We have released our policy, which says this is an important issue. We recognise the importance of early childhood education. We are going to make it almost free for just about every single child. This state government is not following what is happening on the national agenda and what every other state and territory is doing across Australia.

Mr LUPTON (Prahran) — For Australia to continue to increase its prosperity in future years we must continue to drive national productivity and competition improvement. The international challenges that Australia faces, particularly from emerging and growing economies such as China and India, mean that, if we do not continue to drive a reform agenda here in Australia, we will effectively be going backwards economically. That is the reason the Bracks government has been leading the charge for a third wave of economic reform in Australia — the national reform agenda. I am very pleased that as a result of the leadership shown by the Victorian Premier, the Council of Australian Governments last week made historic agreements in relation to the third wave of national economic reform.

We need continual reform because Australia faces major economic and social challenges in the years ahead. With the right policies not only can we meet those challenges but we can seize the opportunity to become one of the world's top economies. This third wave of national economic reform of which we speak follows reforms such as floating the dollar and bank deregulation in the 1980s and national competition policy reforms in the 1990s. If we are successful in pursuing this third wave of national economic reform, we will set Australia's economy up for the future and meet those challenges. We will continue to provide for the prosperity and wellbeing of the Australian people. In particular we face challenges from the rapid growth of economies such as China and India. As the increased benefits from the first two waves of economic reform diminish we have to do even more to increase our productivity in order to meet the challenges ahead.

The national reform agenda has been led by the Victorian Premier, and last year the Council of Australian Governments agreed to a process to look at the important elements of that economic reform agenda. Last week's COAG meeting agreed to put the details into place for the implementation of that agenda over the coming years.

It is important to recognise that our current levels of prosperity owe a considerable amount to the sustained and comprehensive program of deregulation and market reforms that were implemented in Australia starting under the Hawke and then the Keating governments in the 1980s and 1990s. The Keating government put lower tariff barriers and the national competition policy in place. Victoria has been leading the way in the implementation of national competition policy. That has a lot to do with the way Victoria has maintained its economic advantages over the last seven years under the Bracks government.

The new reform agenda and the vision that has been displayed by the Victorian government involve further regulatory reform, further infrastructure investment, improvements in health, work incentives, and increased, ongoing improvements in education and training. That is what the third wave of reform is about. It is also about a considered reduction in red tape and identifying and advancing infrastructure investment opportunities of national significance. It is about thinking broadly to embrace better health, greater participation, more education and the creation of new opportunities, particularly job opportunities.

This third wave of national economic reform as far as Victoria is concerned is of course built on the strong economic management that has been in place under the

Bracks government — things like maintaining our AAA credit rating, delivering an operating surplus in excess of \$100 million every year and keeping Victoria's strong economic growth, which has been in excess of the national average over the last four years. They are examples of the way this government, under the leadership of the Premier and the steady economic stewardship of the Treasurer, has been running the Victorian economy in an exemplary fashion.

Over the last seven years we have also built Victoria's infrastructure investments to record levels. We have rebuilt Victoria's infrastructure and grown all of the state with a record \$11 billion infrastructure program across Victoria since the Bracks government was elected. In recent times we have announced a further \$12.6 billion investment program over the next four years focusing in particular on schools, hospitals, roads and public transport. The economic growth of which I am speaking has been built on economic reforms instituted by the Bracks government and particularly targeted at regulation and improved public sector management. The way regulation and red tape have been cut and improved under the Bracks government is partly due to improved productivity in the provision of public services, as well as championing the national reform initiative that has been recently agreed to by COAG.

The Bracks government has been committed to ongoing regulatory reform which has minimised unnecessary burdens on businesses, not-for-profit organisations and the community at large. We have established the Victorian Competition and Efficiency Commission to address red tape and overregulation. We have also introduced business assessments to evaluate the impact of primary legislation on competition, and this has been a very good bonus for business in Victoria.

We have abolished 80 redundant acts of Parliament and removed 900 pages of legislation from the statutes. We have also merged a number of regulatory bodies including the Office of the Chief Electrical Inspector and the Office of Gas Safety, the Sustainable Energy Authority Victoria and EcoRecycle Victoria, and we will soon be moving to combine the Legal Ombudsman and the Legal Practice Board. They are examples of the ways in which public sector organisations in Victoria have been brought under more efficient and better regulated processes. We have also reformed legislative arrangements for 12 health regulatory bodies to ensure that they sit under one act and not 11 acts of Parliament. That is very important for the administration of those bodies and for the community at large.

The importance of the agreement at COAG last week cannot be overstated, and the leadership of the Victorian government, in particular the Victorian Premier, needs to be acknowledged. I note that in the *Australian Financial Review* of the weekend of 15 and 16 July there was an article that carried the headline:

Leaders agree on wave of change.

The article states that:

State and federal leaders have signed off an ambitious new reform agenda — covering health, education as well as competition and regulatory measures aimed at driving national economic growth — for which funding will be assessed by a new independent body and not the commonwealth.

That is an important part of the equation, because Victoria has been pressing not only for the national reform initiative of which I speak but also for the funding that will be a by-product of increased competitiveness and increased productivity in Australia as a result of these reforms to be distributed between the states on a fair and equitable basis. It should be distributed on the basis of the states' implementation of those national reform initiatives.

The article in the *Australian Financial Review* goes on to say:

The architect of the states' push for the new regime, Victorian Premier Steve Bracks, declared the creation of the new body was evidence the federal system was working.

The Premier is quoted as saying:

This is the third large wave of reform which has occurred in Australia and significantly it is about people, it's about the skills and ability of our people to go forward.

The article goes on to talk about the reform initiative encompassing:

... competition and regulatory reforms, the new regime places particular emphasis on developing 'human capital', which initially means national programs addressing early childhood, diabetes, literacy and numeracy and child care.

These are the economic and social reforms that will increase Victoria's productivity and prosperity in the years ahead.

Ms ASHER (Brighton) — I, too, wish to make a couple of observations on the matter of public importance (MPI) submitted by the member for Burwood. I do not wish to participate in congratulating the Bracks government, which of course is covered by the first part of the matter of public importance, but I do wish to make some reference to the concluding part of the MPI where its mover claims that the recent Council

of Australian Governments (COAG) meeting 'failed to make more concrete commitments to the achievement of these goals' — that is, the goals set out in the earlier part of the motion — 'through the commonwealth government making specific commitments to share the benefits of reform with the states'.

In essence the motion is saying on the one hand that we would like to congratulate ourselves, and I would imagine by implication the Premier — and I will say that he has certainly taken a lead role in the national reform agenda; not the only lead role, but a lead role — but on the other hand we want to say that the commonwealth government has not participated enough financially in the process. I am not quite so sure that that is right.

The first broad and background observation I wish to make is that when I first entered state Parliament 14 years ago we debated commonwealth-state financial relations on a regular basis. Indeed, I remember when I was a teenager that the then Treasurer of the state, Lindsay Thompson, used to say in his standard speech at Liberal Party state councils that there will always be discussions about commonwealth-state relations, in particular about monetary allocations set by the Commonwealth Grants Commission, and I expect these debates will continue well after I leave this Parliament.

That is because in essence we have an unusual structure in Australia where the states were independent entities formed prior to Federation. I think things have improved over the years, and of course over the years we have seen significantly more focus on the federal government. If you conduct the standard public test, most people will know who the Prime Minister of the country is, but they are not so deeply into state politics. State budget day, for example, passes without the fanfare of federal budget day and so on. These are self-evident facts. We have an unusual structural set-up.

I also think that the public is sick and tired of what it would regard as boring commonwealth-state relations. The public is sick and tired of the state government saying that it is the commonwealth government's fault. Equally the public is sick and tired of the commonwealth government saying that it is the state government's fault. What we saw at the latest COAG meeting was a semblance of goodwill between the Prime Minister and the state premiers, and I think this semblance of goodwill is actually based on an understanding that the public is rather sick and tired of it all. The voters are not swayed by one tier of government saying that it is another tier's fault.

However, I also want to highlight the contrast between the images of goodwill between the Prime Minister and state premiers that were on the television the other night and what this MPI actually says. This proposition is in stark contrast, albeit that contributions to the debate by Labor members of Parliament have been subdued and understated, to what the Premier wishes to convey about his role in COAG. The Premier clearly wishes to convey that he is taking a leading role. He clearly wishes to convey that he wants to have cooperative goodwill with the commonwealth, yet this MPI simply says to the commonwealth on one element of the COAG meeting: 'You would not go along with the incentive payments to the extent that we wanted you to go along with incentive payments'. This is having a little whack at the commonwealth.

I make that point just in passing. It is interesting to note that no-one of particular seniority on the Labor side has participated in this debate — and while it is very clear that Premier Bracks wants to convey a statesman-like cooperative approach, in its latter part this matter of public importance is not conveying that.

As I said, the key issue in all this is that the Premier wants to be seen as driving the issue. I refer to an article written by Ewin Hannan that was published in the *Weekend Australian* of 8–9 July. It is the report of an interview with Terry Moran who, I might say, claims credit for the agenda. This is a problem, of course, when you have bureaucrats who like having their photographs published in newspapers and like to have a profile. They are, of course, meant to give the political operative profile, but I will leave that aside. That is a matter between the Premier and Mr Moran. Mr Moran is quoted in the article as having said:

The truth of it is this is the first time in a long time when heads of government have found the basis for working together on important issues.

As I said, I think there is a bit of a shift but in its latter part the matter of public importance does not reflect that particular element. I note also some comments by the vice-chancellor of the University of Melbourne, Glyn Davis, who is reported as saying:

Terry perceived earlier than most that a time when the COAG agenda appeared to be languishing it could be revived with strong policy propositions from the states.

The Premier would prefer us to think that that was his role, rather than that of the head of the Department of Premier and Cabinet.

I want to make a couple of comments about the incentive payments to the states. They, of course, are the focus of the matter of public importance. In the

Keating-Kennett era, when competition payments to the states were started, we all saw that they had some degree of success. However, it is here that my party probably departs most from the Labor Party. Victoria's initial proposition is that the states should be given bonus payments for improvements. The example given in all of the paperwork prior to the meeting was literacy. As I understand it, the state was arguing that if, for example, there was a 1 per cent increase in the standards of literacy above the set rate, the states therefore should receive an incentive payment from the commonwealth.

There are a few problems with that. The first problem is that it is actually a state government role to deliver education. I would have thought that if you were delivering education one of the prime targets you would set yourself would be to have a literacy and numeracy program so that kids would actually leave school literate and numerate. The second problem with this contention by the states as it applies to this state is that on a regular basis, year after year, the key performance indicators right across government are being lowered in budgets. So basically what the state was trying to do was set itself a really low target and if it achieved that target it wanted the commonwealth to pay up. The third problem with the way Victoria operates is in the example of bonus payments to public servants, where the practice of the government has been to almost universally give bonus payments. It was wanting the commonwealth to embrace that mindset with the incentive payments. So it is no wonder that the commonwealth balked and that it has called for further work.

With reference to the communiqué issued on 14 July, I note that there is a raft of examples where the commonwealth has performed particularly well — in terms of funding for health, agreements about human capital and a range of other issues. I want to touch briefly on the issue of regulation reform. Attachment E shows that in February COAG agreed:

... to identify and address as a priority those areas where inconsistent and unnecessarily burdensome regulatory regimes are impeding economic activity.

In other words, the states still had some work to do; it is not simply a matter of the commonwealth handing over money. I would argue that while this state has established the Victorian Competition and Efficiency Commission and abolished some taxes — many of those taxes are, of course, a direct consequence of the commonwealth-state agreement which instituted the GST — this state still has a lot of work to do in that particular area, which is, of course, an area of my own interest. In the area of business registration,

attachment E states that the small business ministerial council is to develop a model that improves business registration. Again, we look forward to that happening, but there are a number of areas in which the state government still needs to do some work.

In terms of work force participation, it appears to me at this stage that the energy statement released by the state government this week is almost at odds with the government's stated desires on work force participation. For example, the government is yet to advise Victorians how manufacturing jobs will be protected with Victoria losing its competitive advantage. In the end, goodwill is what commonwealth-state relations are all about and this matter of public importance does not reflect that.

Mr ANDREWS (Mulgrave) — I am very pleased to join the debate this morning on this matter of public importance. I want to focus on the human capital elements of the Council of Australian Governments package, particularly the national action plan on mental health. Can I say at the outset that Victoria and Australia face many very serious challenges. I agree with the member for Brighton that in confronting those challenges the community demands of us that we work together as governments and, indeed, not just as government but also as representatives in both the commonwealth and state parliaments of political parties.

The national reform agenda is a clear plan to work together to confront and beat those very substantial challenges. It lays out a very clear plan for a new wave of reform and a plan to secure all the benefits that flow from that. Working together cooperatively is essential to this agenda. Last Friday's COAG meeting was a very positive step forward, with Australia's nine governments coming together to endorse a common plan and a vision for a more productive Australia.

A highlight of Friday's work and many months of hard work leading up to Friday's COAG meeting was the adoption of the \$4 billion national action plan on mental health. As I have said many times in this house, mental health is a critically important issue for the Victorian and indeed the broader Australian community. I am very pleased to play a small role in mental health policy. It is an area that I am interested in and one that is critically important to so many Victorians. That very important work pays real dividends in terms of the quality of life and the life opportunities that so many thousands of Victorians enjoy.

To that end, our government has a proud record of investment and achievement in Victoria's public mental health services. Indeed, since coming to government in 1999, we have boosted ongoing or recurrent funding for public mental health services by a whopping 73 per cent. That represents \$329.5 million in additional ongoing funding. So that is 73 per cent more funding and 73 per cent more care and attention. A real priority is being given to this very important part of our health system. As you, Acting Speaker, and I think most honourable members know, one in five Victorians will at some point in their lifetime suffer a mental illness. That makes mental illness everybody's business and it also positions issues of mental illness and mental health at the centre of our government's very hard work towards building a more efficient, more effective and, most importantly, more sustainable health system that can meet not just the needs of today but also the very considerable challenges in the years to come.

I suppose a key question is: what does the some \$330 million in additional recurrent funding mean? Firstly, it means that we are treating more mental health clients than we ever have. The government has opened more beds and given area mental health services the extra funding, tools, ongoing support and resources that they need to treat more clients and to provide better care. It is important to look at a point of comparison. In 1999–2000, the number of registered mental health clients in Victoria was 50 807. In 2005–06, I am advised, we have 58 727 clients, which is a fairly substantial jump in the number of people who are registered to receive mental health services.

That underscores the point that the government and the health system are facing very substantial demand pressures. That means we have to do more. The good news is that we can do more to meet the challenges in mental health. Those demand pressures obviously put a strain on the system. I suppose that in some respects that is a very positive sign because it means that people can access services and that people have the confidence to come forward and seek services. That has not always been the case. So there is a positive and also a fairly intense pressure as well in trying to meet those challenges.

The growth in demand and those pressures underscore just how important extra funding, extra effort and extra resources are. That is why we have provided record funding to meet those needs and to deliver better outcomes for those in our community who suffer mental illness. Indeed, all of us are enhanced by these efforts, given that each of us may well suffer a mental illness at some point during our lives.

Mental illness knows no postcode boundaries, income boundaries or political boundaries. As I said, these are problems and challenges that confront one in five Victorians. We as a government and as governments across Australia need to do more to better provide for those in our community who deal with these issues.

To that end, we provided \$180 million last year and a further \$170 million boost this year. When you factor in growth and some other initiatives brought through VicHealth and a whole range of other bodies, our contribution to the national action plan was \$472 million over five years. That is a very significant investment on our part. Victoria is regarded as having the best mental health system of all the states and territories. I think that is true, but it can always be better — and indeed it must be better.

That is why we have been pleased to play a leading role in the development of the overall action plan through the Council of Australian Governments, capturing and drawing together all the goodwill that existed last Friday and at the COAG meeting in February, and all the intense work that has gone on behind the scenes to deliver a really comprehensive blueprint or plan that is all about driving better outcomes for those in our community who suffer a mental illness.

I turn to what we have done since 1999. We talk about hundreds of millions, billions and all these sorts of figures, but what does that really mean to ordinary Victorians? Very briefly, it is 65 new inpatient beds and a whole range of others under planning or construction; it is 60 new prevention and recovery care (PARC) beds, and I will come back to PARC services in a moment; it is 550 additional mental health staff; it is 352 postgraduate nursing scholarships; and it is 66 specialist graduate positions. This is a massive investment in our mental health service system to drive better outcomes for the mentally ill in our Victorian community.

As important as money is — and it is important in mental health — a better future is not just about more money. It is about new models of care, it is about innovation and it is about real leadership in building a truly community-based mental health service system. Just as we have a proud record with ongoing funding, we have an equally proud record in this important task as well — that is, in building a new service system to meet the new challenges of the future.

I want to go through a couple of examples which dovetail well in the key priorities of the action plan and, again, speak to our leadership in terms of delivering these programs well ahead of the development of that

action plan. We have invested substantially in dual diagnosis services, bringing clinical mental health services together with primary mental health services and the drug and alcohol sector to offer more complete care to that growing cohort of mental health clients.

In terms of flexible and responsive models of care, there is the PARC model, which I mentioned before, with its home-style step-up, step-down services. A critical partnership between Psychiatric Disability Rehabilitation and Support Services (PDRSS) and area mental health services provides a flexible home-style, short-term environment to help clients build on the gains they have made in hospital or indeed enables them to get their care in a PARC model in lieu of being admitted to an inpatient ward.

This PARC model was singled out in a recent Senate report as being a very good model of care. It is very well supported by clients, by families and by the mental health sector. Importantly, it is a new model of care, and it breaks down fairly well-entrenched barriers between community-based mental health services and clinical mental health services.

I mentioned our PDRSS sector, and we are very blessed in Victoria to have the most well-developed community mental health sector of any state or territory. That part of our service system, in partnership with other parts, provides around 1.6 million client contacts per year. As I said, we are blessed, and it is a great gift to us. We as a government have supported that sector with a new base price last year in building that very important part of our mental health sector.

There is also our leadership in conduct disorders, our support for children when a parent has a mental illness, our important work in postnatal depression, our work in homelessness and mental health and our record effort in ensuring the viability of our pension-only supported residential service sector.

We are also providing real leadership in terms of work force challenges, with funding, for instance, to two demonstration projects trialling an undergraduate major in mental health within the Bachelor of Nursing at La Trobe and Ballarat universities. All of this effort complements — and indeed, has well informed — the development of the national action plan and positions Victoria well to meet the needs of today and the considerable challenges of the years ahead.

The aims of the action plan are very clear. We support those. At a very senior officer level, we have been an important part of developing that action plan. That is all about building better outcomes for those in our

community who suffer mental illness. There is a lot more work to be done, though, not only in our government's priorities and investment but in making the action plan work and putting that \$4 billion to best use. That is one of the traps, I suppose, in such a massive injection into the system; the very large challenge is in being careful to make best use of that money and to make sure that there is no wastage.

As a government we are committed to working with the Australian government. The Minister for Health and I have met with the Honourable Christopher Pyne, the federal Parliamentary Secretary to the Minister for Health and Ageing, who has line management responsibility for this particular package. There is a lot of goodwill there; we are prepared to work with people to deliver better outcomes. I think we can all be proud that the Premier has led the charge in adopting a far better approach to dealing with common challenges.

As the member for Brighton observed, the community demands that we work together to meet common challenges — that was what COAG was about last Friday — and in no area is that more important than in community-based mental health.

Mr BAILLIEU (Leader of the Opposition) — It was good to hear the member for Mulgrave being positive about this process, but I remind him that he is addressing a matter of public importance that seeks to be negative about the process. I think to that extent it is a bizarre matter of public importance which seeks to have a bob each way. I suspect that it is a matter that was substituted for an alternative position, which the government decided not to proceed with, on another matter.

I think everybody in this house agrees on the need for reform at a national level. In the world economy we have a competitive challenge before us, and no more so than here in Victoria. I have spoken about that in this place before, as have others. From a Victorian point of view, we need to advance a competitive reform agenda which advantages Victoria in the long term. Those challenges are significant for Victorians. We should be leveraging the advantages we do have and making sure that we can compete on the world stage, not just on the Australian stage.

It is interesting to contemplate this motion from the point of view of whether the COAG process was good or bad. Certainly the Premier yesterday was trumpeting the process; he was no doubt enjoying having his photograph taken with the Prime Minister, as he did in February.

Mr Hulls — Haven't seen you and Costello together for a while!

Mr BAILLIEU — The photographs are no good! Yesterday we listened to the Premier talking about how the system is working very effectively, and now we have this motion suggesting that things are quite the opposite. No doubt it is a bit of a dilemma for the government as to which way to play it, and that is why I say it is interesting to hear the member for Mulgrave being positive about the processes. That is healthy, because from the public's point of view I do not think anybody cares two hoots about who is doing it: what people want are outcomes. This government is prone to being a bunch of cherry pickers and spinners, and we have heard that on many occasions. I listened to the member for Ripon talking earlier about this being the government that makes the hard decisions. I was tempted to ask: 'Name a hard decision?'. This government has had the unprecedented power —

Mr Mulder — The intersection at Geelong!

Mr BAILLIEU — It is a very hard and confronting conclusion to the ring road down there. This government has had unprecedented power. It has the majority, the money and the mates all over the place, but it has not delivered and that is fairly common knowledge.

I listened to the member for Burwood talking about sharing the spoils of competition reform and sharing the spoils of the Council of Australian Governments agenda. This government has already enjoyed the spoils. It might have resisted — and still resists — the GST, but the GST has delivered floods of money to this government. The sorry thing is that it has wasted it and has been unaccountable for the waste because most people do not associate the raising of the GST with a state tax although that is effectively what it is.

Just this morning we saw tabled the Ombudsman's report on the custody of persons in Victoria damning the government's mismanagement. Yesterday we saw a report damning the government's mismanagement of rural ambulance services. On the last sitting day we saw a report damning the government in relation to the mismanagement of freedom of information. We had a report from the municipal administrator damning the government's handling of local government. There is ample evidence of the mismanagement of this government. Talk about sharing the spoils; this government has been all about wasting the spoils.

It is interesting to contemplate the state of federation in this country. I support the notion of competitive

federalism and to me that means cooperation and — and I stress the ‘and’ — competition between the states. That competitive federalism is meant to drive competitive economies and produce pressure to reduce taxation on one side of the accounts and to produce pressure to lift services and efficiency on the other. Now it seems that with all the states and territories being of the same political hue the notion of competitive federalism has changed and rather than cooperation and competition we have collaboration. The competition is now against the federal government and rather than seeking to maximise their position the states are seeking a flight to the average. As I said competition is now waged against the federal government and I guess this motion is a part of that. No longer is competitive federalism about fiscal restraint or economic efficiency, it is about a flight to the average. I suggest to the government that it needs to unshackle itself from its Labor mates and get on with it, and I think that is what the Victorian community wants above all.

On many occasions we have seen that this government is more about spin than reform. It is more about claiming ownership of the good days and divorcing itself from the bad and again, this motion is all about that. When it comes to COAG and competitive reforms in the economy, it is a bit rich for this government to claim ownership of the agenda. You only have to go back over the years and look at the propositions put by the federal government and the business council who have been consistently pursuing this agenda for many years. Even its infrastructure action plan from last year and its many budget submissions have pursued this agenda. We are seeing the rhetoric lifted from those reports and submissions by this government. But so far as the government is concerned if it is on board, then good luck to it. It is now incumbent on the government to deliver and indeed to share the spoils with the Victorian community, not to waste them.

Eleven measures are referred to in the COAG reforms. I will not run through them all because other members have done that. The Premier focused on four in his response to a question yesterday. They include literacy and numeracy in particular, and it is ironic that Victoria has the lowest literacy rates of the mainland states in Australia. You have to wonder what this government has been doing for seven years. It also includes early childhood development. The government has ridiculed an opposition policy position to make kindergarten effectively free for most Victorian four-year-olds. The government’s response is to throw some cash around. That is not competitive or economic efficiency; it is a shambles.

You have to ask yourself what this government has done in terms of reform. This government has at every opportunity resisted competition. It has resisted privatisation, it has fallen over on water recycling, it has resisted the measurement and introduction of education standards, and just in the last two days we have seen the government introduce a renewable energy scheme which everybody in industry knows is flawed, involves massive subsidies and subsidies to mates. The Premier and the Treasurer said only 18 months ago that there was no way such a scheme should be introduced on a single-state basis. They said this had to be done on a national basis, but the government has chosen to go it alone. This is not a leadership position; it is not about efficiencies, it is about subsidies and about potential loss of investment to this state.

In terms of regulation the government has had seven years to advance a case for the reduction of regulation and red tape and I will mention just a couple including rural zones and native vegetation controls. This morning the Deputy Premier introduced a bill and when asked what it was about he used the phrase — and I will quote him as near as possible — that he was introducing regulations to reduce regulations. That was a stunner, and I think even the Deputy Premier regretted what he said when he sat down.

The government created the Victorian Competition and Efficiency Commission and the Treasurer regularly trumpets it, but everybody who has participated in it knows it has been a non-event in terms of outcomes. What are the outcomes? There has been a report on regulation in regional Victoria and housing regulation but no outcomes. There is one under way at the moment on traffic congestion. It is mostly talk and not action. To compare the drafts of those reports with the final reports is to reveal the true nature of the government’s approach to regulation whether it be on native vegetation, planning, environment effects statements, food safety, mining, forestry or on housing regulation, planning and design controls, occupational health and safety, practice registration, home warranty insurance, owner-buildings, plumbers insurance, professional indemnity or accessibility. There are no outcomes.

What is claimed by the Treasurer? In his response to questions yesterday he claimed there is a 0.2 per cent improvement in gross state product as a result of these COAG reforms, and \$500 million a year. Those figures are plucked out of the air. What are not mentioned by the government are industrial relations reforms and the extraordinary failure of the government to introduce national codes for wind farms. The motion is in itself bizarre.

Ms DUNCAN (Macedon) — I am pleased to speak on this matter of public importance this morning and to talk about the national reform agenda which has resulted in the most recent Council of Australian Governments (COAG) meeting. It was a very positive meeting. For the most part it acknowledged the need for cooperation between the states and the federal government. I suspect that part of it was to try to highlight the way the federal Treasurer would conduct these meetings because he described state governments as a branch office of the federal government. I am sure some goodwill was generated out of that meeting in an attempt to highlight the failings of the federal Treasurer.

Victoria and our Premier have been leaders in this reform agenda. Last year the Premier set out a pathway to ensure Australia's future prosperity in the face of what we all know are some huge challenges facing us. We have heard about some of those pressures including an ageing population and increased global competition to name a couple of the major ones.

Early last year Victoria recognised that Australia was losing the momentum it had gained from some of the reforms we had seen in the 1980s and early 1990s — reforms, I might add, that were introduced by Labor governments — and that in order for us to maintain the momentum we needed to move forward with a new round of reforms that required the commonwealth and the states to boost productivity and participation. I am pleased that the Council of Australian Governments meeting last week reaffirmed its commitment to this national reform agenda and took significant steps towards putting the detail on some of the reforms.

Importantly COAG agreed to the creation of the COAG Reform Council. This will be an independent body appointed by the commonwealth and the states to assess costs and gains and to determine whether real outcomes have been achieved in literacy and numeracy, in childcare and in diabetes and across the rest of the national reform agenda.

When we talk about the states and the commonwealth it is a bit like talking about a David and Goliath contest. Even after allowing for the transfer of GST revenue from the commonwealth, the states receive only 28 per cent of Australia's total tax revenue, and that is an important point that needs to be highlighted. I repeat: only 28 per cent of the total tax revenue raised in Australia is received by the states! In almost every major part of our lives — education, health, travelling on our roads, using public transport, seeking support for our children and our aged population — the states provide the lion's share of the service deliveries. It is

important to keep in mind that the states actually only get 28 per cent of the total tax revenue.

One has to look only at the respective surpluses that the federal and state governments have to see the results. I am not exactly sure what the federal surplus is — I am advised it is in the vicinity of \$15 billion — but the state surplus, again going from my memory of the last budget, is around the \$400 million or \$500 million mark. When you look at the difference in the surpluses, it is not surprising that the states need to work with and strongly lobby the commonwealth to ensure that more of that revenue is given to the states, which have the lion's share of responsibility in service delivery.

As has been mentioned previously — this is the message the Premier has heard, and it is his genuine belief that they do not really care where the funding comes from — people do not want to see the state and federal governments fighting and arguing about who is responsible for what. They just want to see services improved and all of us at all levels of government getting on with the job. That is certainly what the Premier of this state is on about with his participation at COAG.

The way in which funding for major services in this country is delivered is confusing and a bit of a mystery to many people. Even for those of us who work in government it is often difficult to work out what areas are state, federal and local government responsibilities, and health is a good example of that. The funding of health services is largely misunderstood by many people. The reality is, as I said, that people do not care who pays as long as the services meet their needs and continue to do so.

Most people do not understand that the provision of general practitioners, including their training and the funding of allied health services, is a federal government responsibility. For example, if you access a doctor locally the federal government pays for that. The provision of that GP and the ability to provide Medicare support are federal government responsibilities. However, if you attend an accident emergency department within a public hospital, that is funded by the state government. We are increasingly seeing people going to accident and emergency departments in state hospitals to access after-hours GP services because there is a lack of these services in many parts of the state. The lack of doctors, including the lack of doctors who bulk bill, is a serious issue in this state, particularly in rural areas. In many instances it only takes one doctor to leave an area for people in a town to be left without any doctor, with no ability to be bulk

billed and often with considerable journeys to get to the nearest doctor elsewhere.

Road funding is another classic example of this. We have roads funded by the federal government exclusively, roads funded by state governments exclusively and roads funded by local government exclusively, and we have some that are funded by both state and federal governments and are called freeways. My electorate has an example of a road which is referred to as a road of national importance and which is funded equally by the state and federal governments. I have not yet seen, including in my many years of involvement along the Calder corridor, an instance where the states have put the money on the table and the commonwealth has immediately come on board.

As we speak we are seeing that argument being carried out over the much-needed upgrade to the Calder Freeway just out of Keilor, and we are seeing an ongoing debate about who has the funding on the table and who is waiting for which party to contribute. In this instance we have \$20 million in state funding sitting on the table while we desperately try to lobby the federal government to commit to its part.

In terms of the general trends, as I mentioned, there is the disparity between the taxes that are raised and the funding that the states get. If you look at infrastructure, which is one of our critical needs in this country, you find that all governments at all levels have not replaced infrastructure at the rate at which it needs to be replaced, and we are now paying the price for that. However, this government has provided enormous increases in infrastructure investment.

In 2006–07 Victoria's net infrastructure investment per capita will be \$434, and this compares to \$152 by the commonwealth government. Between 2006–07 and 2009–10 the growth in net infrastructure investment will be 19.4 per cent for Victoria, but the commonwealth's will decline by 20.2 per cent. The area of government that collects the money and distributes it and has the lion's share of the money, is doing less with it, and I think a \$15 billion surplus is not what we need to see in this country. We need to see that money being invested for the future of all Victorians and all Australians.

The COAG meeting has gone a long way to ensure cooperation between the states and the federal government, and we look forward to achieving the goals that were set out in that meeting through the implementation in early — —

Business interrupted pursuant to standing orders.

The ACTING SPEAKER (Mr Seitz) — Order! The member's time has expired. The time for discussing the matter of public importance has expired.

STATEMENTS ON REPORTS

Rural and Regional Services and Development Committee: regional telecommunications infrastructure for business

Mr HARDMAN (Seymour) — I rise to speak on the inquiry by the Rural and Regional Services and Development Committee on regional telecommunications infrastructure for business.

This is the third significant report by the Rural and Regional Services and Development Committee. It has previously completed inquiries into country football and the cause of fatality and injury on Victorian farms. As with those references, the committee travelled extensively around rural Victoria to collect evidence on which it could make recommendations and findings. We thank the very many communities which have hosted us, the many witnesses who have travelled to see us — even though we were out there, at times they still had to travel some distance to come to see us — and who took a lot of time and effort to make their case to us for improving broadband in regional and rural Victoria and to tell us about the benefits that broadband especially has for rural and regional areas.

On top of that, we also had many witnesses and experts from government, from corporations and from telecommunications providers who came to speak to us at our public hearings in Melbourne, and many people wrote submissions to us on the inquiry, which was also greatly appreciated. I thank all the people who undertook to assist us in the collection of evidence.

Committee members attended the Australian Telecommunications Users Group conference in Canberra and also travelled to Canada, England, Scotland and Sweden where we had the privilege of meeting experts in the field and learning about policy, new technology and how those countries are meeting their challenges. We thank those people for giving so generously of their time and expertise so we could make recommendations to the Victorian government in this report.

It is fair to say that we could have used a report like this as a Telstra or federal government bashing exercise. I believe generally we have refrained and have sought to provide solutions and suggestions through our

recommendations to all levels of government — federal, state and local government.

Broadband infrastructure and regulation, as members know, is a federal government concern. We have provided well-thought-out recommendations for the state government to take to the Council of Australian Governments and various bodies, such as the Australian Competition and Consumer Commission and others that have roles in the regulation of the telecommunications industry, to ensure that rural and regional Victoria — and indeed rural and regional Australia — does not get left behind and, most importantly, is able to take up the fantastic opportunities that broadband especially can offer to our areas. That came through in some of the fantastic case studies given to us by businesses across the state on what they were doing and how they were utilising their skills and the Internet to sell their products right across Australia and indeed across the world.

Some of our recommendations go to all different levels of government. One recommendation for local government, for example, was that the state government work closely with local government to ensure the development of appropriate telecommunications infrastructure in new property developments. We thought that was really important as doing that sort of work early will prevent costs later on.

We made several recommendations to the state government as well. The state government has powers in planning, so we have recommended that the government adopt a 'deemed to comply' model for planning related to telecommunication facilities in areas of low sensitivity to visual amenity concerns, such as non-residential areas. Also, the state government has a role in purchasing. A criticism can be picked up in the minority report which ignores this recommendation that the state government decision-making processes take into consideration the value of aggregation of local community needs when establishing contracts with telecommunications providers in regional areas. It is really important that we are seeing a great deal of broadband services going out right across the state. I note a press release that I have just received today where Taggerty, which is a small town in my electorate, will now be able to get business grade broadband because of the Bracks government's fantastic commitment to rural and regional Victoria.

Public Accounts and Estimates Committee: budget outcomes 2004–05

Mr WELLS (Scoresby) — I rise to comment on the Public Accounts and Estimates Committee report on

the 2004–05 budget outcomes which was tabled in April of this year. The issue that I want to raise is the Home Detention Pilot Program at 11.4.2 on page 290, which states that the department's annual report describes the program as:

... an innovative sentencing option to help keep non-violent offenders out of prison. As a pre-release option for prisoners it enables offenders to be released on parole and still have their whereabouts monitored.

It also goes on to claim that there is a budget allocation of \$1.6 million, and I think only \$1.4 million has been spent. We do not have an issue with that because if you do not have suitable prisoners to go into the program, then so be it. As at 9 December 2005, 117 home detention orders had been granted, with 12 per cent made at the front end. There are currently 18 active home detention orders, with five prisoners awaiting release onto the program. The breach and revocation rate for home detention orders is 4 per cent, with 92 orders having been completed.

What is disappointing about this report is that it does not give any reasons for the 4 per cent breach. We were assured by the government that there would be a very strict audited process of being able to determine which prisoners were appropriate for the home detention program, and yet we now find in this report that there are 4 per cent who actually breach. We say that even 4 per cent is totally unacceptable. When you are going into the offenders applications you have to look at the criminal history, the past and present sentence, psychological aspects, the accommodation arrangements, prison conduct and program participation. They go through a very thorough check, but there are still some people who breach.

We have made it very clear, as a Liberal Party, that we will be abolishing home detention because we just do not understand the principles that the government is putting forward. If it had come out honestly and said, 'We do not have enough room in our prisons; we are going to empty some of our prisons by having home detention', then we would understand its argument. But at the front end, if a judge states very clearly to a criminal, 'You have committed a crime and for that crime you will receive a 12-month prison sentence', the community expects that person to serve 12 months. That is the understanding of the community. But under the Bracks Labor government's home detention program, it can be considered that a person who has received a 12-month sentence, as set out by the judge or the magistrate, can receive a home detention, which means they are free to go home, they are free to study, they are free to work and free to enjoy the family, if that is the case.

At the other end of the scale — the back end — you may have a situation where a criminal has been sentenced to 18 months minimum. After around nine months the person may apply for the home detention program, in which case the Adult Parole Board may assess that particular person and say, 'Yes, we believe you are fit for home detention'. That is not what the sentencing judge said — with home detention. When the person fronted the court for the crime they had committed, whether it be the County Court or the Magistrates Court, the offence was determined and the judge or magistrate determined that it should have been, in the case I outlined, an 18-month minimum sentence.

But the Adult Parole Board undermines the original natural sentencing judge. The opposition does not understand how the Attorney-General and the Bracks government would allow a discount on a sentence that has already been handed out. You cannot say to the Victorian community that home detention is the same as being in prison, because it is not. You do have monitoring devices but you are still free to work. There might be a situation where you might just have a curfew and need to be home by a certain time. My understanding also is that even if you do breach some of these rules and guidelines that have been put in place, you might be slapped on the wrist and you might be given a couple of chances. We would say that any breach of the conditions that have been clearly set out should result in the person going back into prison.

As we have said, the Liberal Party will be abolishing home detention if it is elected to government in November this year.

Economic Development Committee: labour hire

Mr ROBINSON (Mitcham) — I want to make some comments pertaining to two reports undertaken by the Economic Development Committee into labour hire employment in Victoria. The government has accepted most of the recommendations that were contained in those two reports, the most important recommendation of which pertained to the establishment of a light-touch registration system.

The committee made that recommendation as being in proportion to the findings of its inquiry. Essentially the main finding was that most labour hire firms are doing the right thing but there was a potential for abuse. The committee noted in both inquiries the inherent complexity of the tripartite agreement or relationship that exists in the labour hire field. We also noted the dynamism of the labour markets and pointed out that

scrutiny is required to take account of continuing changes.

The weekend *Age* had a report that details a scandalous abuse emerging within one particular component of the labour hire field. That involves temporary workers who come into Australia under class 457 visas. The article was written by Michael Bachelard, someone known to members of this place and someone respected for his investigative skills. The article goes very much to the heart of the complexity of labour hire agreements or arrangements. The article is headed 'Labour hire firms use visa loophole to lure staff'. I quote a couple of excerpts from the article:

One Perth labour hire firm, KSN Engineering, has brought 60 Korean welders to Australia after demanding payment of \$8000 each, on the promise that the employer could arrange permanent residency.

The workers paid their own way to Australia and all their own settlement costs (which the employer is supposed to pay).

They found themselves working up to 60 hours a week for a flat rate of \$22 an hour after their employer creamed \$4.10 off their wages. Other skilled welders in Western Australia earn at least \$30 an hour, plus overtime.

In another case, a Queensland-based former police officer turned recruiter, Terry Sweeney, has proposed charging Thai workers \$10 000 to get jobs in Australia.

The third example quoted is in Melbourne. The article states:

In Melbourne, a new kiln for Austral Bricks is being built by French company Ceric, which has used workers from the Czech Republic employed by another company, Formax. The workers' pay is sent straight to accounts in the Czech Republic.

Under immigration guidelines, offshore companies acting as sponsors must pass on technology or skills to the Australian work force.

But:

A Ceric spokesman, Peter Rodriguez, said that it was not practical to train somebody on the job in the three to five months it would take to finish.

I am sure all members of the committee would agree with me — and these were the committee's findings — that labour hire is legitimate and that the skilled migration program that operates in Australia is also quite legitimate. But it does not follow that every labour hire firm using class 457 visas is operating legitimately. Monitoring by the federal government is absolutely vital to ensure these arrangements are not abused.

The obligations on parties in class 457 visa situations need to be thoroughly considered to ensure that they are fair and reasonable in each and every case. For

example, Australian law requires employers in these cases to pay the visa fee. So why are workers being asked to put thousands of dollars up front? Australian law also says employers must comply with all other Australian legislation. But how can this be enforced when the labour hire company is based overseas? How can the company based in Europe be forced under Australian law to make the right payments to workers and not cream off ongoing fees and also to comply with superannuation legislation?

Sadly, I have little confidence in the federal government's capacity or interest to adequately scrutinise this new and emerging concern. The committee did meet with the federal department representatives in Canberra as part of its work. I have to say it was the most unproductive meeting I have ever been involved in. Not only was a minder from the minister's office perched behind the senior officers of the department, but on repeated occasions when we asked for their view they simply mouthed that whatever was the government minister's view was very much their view.

Rural and Regional Services and Development Committee: regional telecommunications infrastructure for business

Mr WALSH (Swan Hill) — The report I want to talk on today is that of the Rural and Regional Services and Development Committee's inquiry into telecommunications infrastructure for business. I do not think there is any argument from anyone in this house about the importance of the availability of telecommunications, and particularly broadband, to country Victoria. I think all members would understand its importance to everyone. Particularly since my office was shifted I have had very poor broadband connection in this place.

I acknowledge the presence in this place of the two members of staff who assisted the committee in the preparation of this report. I acknowledge the challenge they had in bringing together what were very difficult terms of reference. The inquiry continued for something like three years. If anyone understands the changes that are happening in telecommunications, the three years from when the committee started the inquiry until where we are now seems like a lifetime.

One of the issues I would like to touch on is the fact that these telecommunications are actually a federal government responsibility. At page 14 of the report, paragraph 1.33 says very explicitly:

Unlike many areas of policy making in Australia, the responsibility for telecommunications regulation is clearly assigned to the commonwealth. In section 51 of the Australian constitution, responsibility for regulation of telecommunications, and associated services, is directly assigned to the national Parliament.

To me it defies logic as to why we would spend the limited resources of this Parliament and the time of parliamentary staff inquiring into something that is clearly a federal government responsibility.

Telecommunications is one of the most over-reviewed industry sectors in Australia. We had the Beasley report in 2000, the Estens report in 2002, and the 2003 report of the Broadband Advisory Group on Australia's broadband connectivity. Given all that, why should the time of a Victorian parliamentary committee, particularly that of the Rural and Regional Services and Development Committee, be spent also looking into this issue?

The RRSDC has a plethora of issues that affect country Victoria and which it could investigate, such as the delivery of services in health for country Victoria, or education or emergency services, or all the issues around local government and the cost-shifting that is going on to local government from the state government. Why could we not have had terms of reference around those issues rather than something that is a federal government responsibility?

Victorians are contributing something like \$100 million a day in taxes to the Bracks government. The committee would have been much better off spending its time doing something to make sure that that money was well spent.

When you look at the limited role that the state does have in telecommunications, one of the excellent programs started was the provision of broadband services to schools. I notice the Minister for Education and Training is at the table. One of the concerns I have — it is one of the things that I spoke about in my minority report on this matter — is that I believe the government has been cherry-picking with this particular program. It is upgrading broadband services to the schools that are the easy ones and the cheaper ones to do, but I would have thought this program was about getting broadband to the schools where it was more difficult to provide broadband.

I have one such school in my electorate — that is, the East Loddon P-12 which still does not have good broadband. Sue Bennett, the president of that school council, wrote to me a while ago, expressing concern about this, saying about the school's broadband service:

This is extremely slow, incredibly unreliable and barely sufficient for school administration, let alone the demands of students and teachers attempting to deliver 21st century teaching and learning.

Further she goes on to say:

This results in students being severely disadvantaged, especially VCE students who rely on online resources.

Surely schools such as ours were the target of the government's aim to ensure that students in all areas had equal access to contemporary resources for teaching and learning.

If the state government is to have a role in this, why can it not deliver something for the schools that are the most disadvantaged?

The last issue I would like to touch on is the issue of overseas travel. That is very contentious in here and is something I normally support. I think members of Parliament should travel and broaden their minds. But I have a major concern about this Parliament paying for a committee to go overseas for three weeks to look at what is a federal issue. I hope the member for East Gippsland writes a letter of thanks to this Parliament for his three-week overseas holiday to look at what is a federal issue.

The ACTING SPEAKER (Mr Seitz) — Order! Before I call the next speaker I remind honourable members and the Deputy Leader of The Nationals that referring to and acknowledging the public gallery is disorderly. I would ask members to remember that.

Mr Walsh — I apologise.

Road Safety Committee: country road toll

Mr TREZISE (Geelong) — I take this opportunity on speaking on committee reports to address the major issue of road safety in Victoria. As you well and truly appreciate, Acting Speaker, an important report the Road Safety Committee tabled in Parliament in 2005 was on its inquiry into the country road toll. This is an important issue which I have addressed in Parliament on a number of occasions. I make no apology for that, because quite simply too many people are either killed or seriously maimed on Victorian regional and country roads.

In saying that it has to be noted that through state government initiatives, in conjunction with the work of agencies such as VicRoads, the Transport Accident Commission (TAC) and Victoria Police, over the last four or five years Victoria has recorded record low road tolls. However, country Victorians are still overrepresented in those who die on our roads; hence,

the importance of addressing initiatives specific to regional and country roads in Victoria.

One issue of concern the committee addressed in its country road toll inquiry is the role alcohol plays in crashes on the country road network. The TAC provided figures to the committee which indicated that approximately 25 per cent of all driver and rider fatalities in country Victoria had a blood alcohol level of .05 or greater, and that of those more than two-thirds had a blood alcohol reading of greater than .15 — three times the legal limit. The TAC pointed out that these figures are higher than for metropolitan Melbourne. Most of these alcohol-related crashes occurred on weekdays between 6.00 p.m. and 6.00 a.m., and there was a high frequency on Fridays, Saturdays and Sundays, which would be of no surprise to any member in this house. What was also of concern to committee members was a fact pointed out by VicRoads in its submission. That was that of driver fatalities involving .05 or higher blood alcohol levels, 53 per cent were aged between 18 and 29 years of age. The vast majority of these young people were unfortunately males.

In addressing this issue the committee noted that there are essentially five categories of strategies that can and have been implemented, with varying degrees of success. As a quick summary, they are enforcement focusing on breath tests, enforcement of liquor control laws, publicity campaigns, local programs addressing the responsible serving of alcohol, and road safety education. Of these of particular interest to me was the effectiveness of local education programs such as the Good Sports program and the Looking After Our Mates program. Both programs are of particular importance, given that there is a link between alcohol consumption and sport and sporting clubs. Both of the aforementioned programs have been very successful and successfully implemented through sporting clubs. The committee has recommended that further resources be put into such programs.

The Good Sports program seeks to break the connection between sport and alcohol by encouraging and assisting sporting clubs to adopt responsible serving of alcohol policies and practices. I must say that I know first hand that many, many sporting clubs across Victoria have taken up the Good Sports program, and that is to their credit. The Looking After Our Mates program is essentially an information session program about responsible drinking, developed and implemented by regional road safety councils in Victoria. Those councils do a very good job in regional Victoria in implementing road safety policies and practices. Road safety is a very important issue that is being continually addressed by the state government. I

again take this opportunity to refer to members, especially country-based members, the Road Safety Committee's country road toll report.

**Rural and Regional Services and Development
Committee: regional telecommunications
infrastructure for business**

Mr SAVAGE (Mildura) — I wish to comment on the final report on the inquiry on regional telecommunications infrastructure for business by the Rural and Regional Services and Development Committee. As other members have indicated, in regional Victoria, and Victoria as a whole, it is vital that we have appropriate communications. Although it has taken three years to come to this place, the report is a very comprehensive assessment of what needs to be done in Victoria. I would disagree with the member for Swan Hill and the member for South-West Coast who in their minority reports said that this is something the Victorian parliamentary committee system should not have addressed. We have seen a decline in many areas of communications in Victoria, and this report goes some way towards identifying what the issues are.

I have not read the whole report, but I have looked at it and picked out what I think are some of the important issues. The executive summary on the first page talks about the inquiry having started on 3 June 2003. The costs of telecommunications in Australia are some of the highest in the world. On page 78 the report lists those costs. Australia turns out to be in the top part of the field. It is higher than other Organisation for Economic Cooperation and Development countries and only countries like Mexico, Poland, Hungary and Turkey are higher than Australia. According to the report we have the highest fixed charges of any country in the world. They are concerns for every communication user, especially those of us who see that the privatisation of Telstra will develop a higher charging regime, especially in regional areas. Where there is minimal population, service reliability is diminished and charges are higher because less people are using the network.

Page 129 has an interesting reference. The committee acknowledges that the primary responsibility for the establishment of a world-class telecommunications infrastructure system throughout Australia rests with the Commonwealth of Australia. By its handing over the privatisation of this telco to either a fragmented system or to one single company, we are going to see a failure to fulfil those obligations by the federal government.

On page 131 the committee outlines concerns that there would be natural pressures for companies to withdraw from parts of the marketplace where there was little profitability. I think everybody in this place would acknowledge that that is a real danger.

On page 134 is recommendation 1, which states:

That the state government urge the commonwealth government to retain Telstra in majority public ownership.

Every member of Parliament who has conducted their own surveys would know, as other surveys have overwhelmingly indicated, that the people of Australia do not want Telstra sold; they want it to be kept in public ownership. I want members in this place who have been devotees — the member for Swan Hill is one — of selling off public assets to say which one has worked, so that we can say, 'The track record is such that we can trust a privatised telecommunications provider to produce a better outcome than we see now under the current system'.

In fact some of the deregulation of the telco market in Australia has already seen a waste of money through the duplication of the network highway. Privatisation does not work, and I think the majority of Australians say that it should remain in public hands.

The member for Swan Hill has been critical of my colleague the member for Gippsland East and described him in his minority report as 'government friendly'. The equal criticism of the member for Swan Hill would be that he has been 'federal government friendly', because he has ignored the needs of the people of Victoria with telecommunications. The member showed no interest in the committee's public hearings. He rarely attended the meetings, so I do not believe he is in a position to criticise this report and say what should be done.

This is an excellent report, and it should be the guide that the federal government uses to further promote good telecommunications in Australia.

**COPTIC ORTHODOX CHURCH
(VICTORIA) PROPERTY TRUST BILL**

Second reading

Mr HULLS (Attorney-General) — I move:

That this bill be now read a second time.

This bill establishes a corporate trustee for the Coptic Orthodox Church, Diocese of Melbourne and Affiliated Regions. The diocese was formed in 1999 and is part of

the Coptic Orthodox Church of Alexandria and the See of St Mark.

The Coptic Orthodox Church had been formally established in Australia in the 1970s, when the Pope of the Church, His Holiness Pope Shenouda III, appointed several priests to establish parish congregations in Melbourne and Sydney. The Coptic Orthodox Church is a hierarchical church with authority residing in His Holiness, who is elected for life by the Holy Synod of metropolitans and bishops of the Church. The Holy Synod is the supreme legislative, judicial and doctrinal body of the Church.

The bishop of the diocese, His Grace Bishop Suriel, has asked for the enactment of this bill to facilitate the administration of his diocese and, in particular, to provide for a corporate trustee with perpetual succession to hold the Church's property. The new trustee will take the place of several bodies of trustees that, since the formation of the diocese, have held the Church's property on trust for the Church or its parishes or other institutions.

The establishment of a corporate trustee by this bill will assist the bishop in the administration of his diocese and will make it possible for all property of the Church and the parishes in Victoria to be held by a single body, thereby overcoming the difficulties in having several trustee bodies and ensuring a succession of trustees.

The bill deals only with the establishing of a corporate trustee and the holding by it of the property of the Church and the administration of that property. The bill provides for the transfer of existing property to the Church, and for the cancellation of the registration of a number of incorporated associations that in the past were the owners of property on behalf of the Church.

I commend the bill to the house.

Debate adjourned on motion of Mr KOTSIRAS (Bulleen).

Debate adjourned until Wednesday, 2 August.

CHILDREN, YOUTH AND FAMILIES (CONSEQUENTIAL AND OTHER AMENDMENTS) BILL

Second reading

Debate resumed from 8 June; motion of Ms GARBUTT (Minister for Children).

Government amendments circulated by Ms KOSKY (Minister for Education and Training)

Mr DIXON (Nepean) — The opposition will be supporting the Children, Youth and Families (Consequential and Other Amendments) Bill. The reason we will be supporting this bill is that we feel that it is the very important role of government and this Parliament to give all the protection we possibly can to the young people in our community. That is an onerous responsibility, because I think we would all agree that young people are the future of our community.

In a practical sense the more we can do for our young people and the more we can invest in them in their early years, the greater the opportunity to create a better society and community. Any investment in young people is never wasted, and in the long term it will mean that we have a better functioning society and a more cohesive community. Even in an economic sense any investment in young people is literally an investment in our community, because it saves a lot of the grief, heartache and cost that arises when the problems are magnified as our young people grow into adults. From that basic philosophical background we support this bill.

The purpose of the bill is to amend the Children, Youth and Families Act 2005, other acts as a consequence of the enactment of that act and the Children and Young Persons Act 1989 and to repeal the Adoption (Amendment) Act 1991. The Children, Youth and Families Act was passed in this place late last year. On many occasions it was referred to by the government as the 'one chance in a generation bill'. I remember there was an argument that a number of organisations and individuals, including the opposition, felt they had not been given enough time to consult on this 'one chance in a generation bill' and this 'one chance in a generation' opportunity to change children, youth and family services in this state.

The act we passed late last year will not come into force until October 2007, but, despite the long lead time, certain aspects of the original legislation, including the consultation process, were rushed. We asked why there was the hurry given that it was an important bill and we needed to get it right, but we were told we were being silly and that there was no need to hold it up any further; it was locked away, it was fantastic, all the work had been done, all the consultation had happened and all the t's had been crossed and the i's had been dotted. Yet here we are some seven months later with 86 pages of amendments. What was originally done was not done well enough.

People have had the time to look at the original legislation and have realised a number of changes need to be made. Certainly the amendments in the bill, which we are supporting, are improvements on the original legislation. The mindset that the original legislation needed to be rushed through because it was perfect and there was no need for change has meant that we are here today, seven months later, with 86 pages of amendments.

To add insult to injury I now find that some further amendments have been tabled. Certainly I was not advised of them. There are not many, but it is typical of the mess that this legislation is in. On the one hand the government says how necessary it is to get the legislation right because our young people are so important, yet on the other hand we have a set — a book full — of amendments, and even right at the last hour some more amendments have been tabled as well. That is messy. It is an indictment of the government that the process has been sham and we have to go through this.

Putting that aside, I will work through some of the main provisions of the bill we are debating today. First of all, there are a number of retrospectivity issues, and I wish to comment on them. Before I do I will highlight four points that the member for Caulfield raised in her very long and detailed speech when the principal act went through this place last year. Those four main issues have, by and large, been addressed in this bill. Due to the government's wish to rush the legislation through they were not picked up and acted upon. They were raised in good faith; they were not just based on the opinion of the member for Caulfield, they were based on what people in the industry and in the community were saying to her, and some of her suggestions have been adopted in the bill we are discussing today.

The four main areas highlighted by the member for Caulfield are the capacity of the Children's Court Clinic to ensure full and frank disclosure; the safeguards for information exchange and where the actual responsibility lies, which was not very clear in the original legislation; Aboriginal cultural issues relating to children; and, finally, the reduction in time for a child to be placed in permanent care, which was reduced from two years to six months. Those issues which were raised by the member for Caulfield need to be on the public record once again. They are core issues, and hopefully to some extent they will be addressed in our discussion today.

There is an issue in relation to retrospectivity. What this bill aims to do is ensure that the current cases out there in the community are not going to be jeopardised

during the long transition period until October next year. It will ensure that no child will be placed in permanent care before the child has been out of the home for six months. There is a new six-month limit, because permanent care is a massive step. We think six months is too short, but there have been instances of permanent care occurring when the child has been out of the home for less than six months, and this bill will ensure that that does not happen. We certainly support that, especially in light of our position that the six-month time frame is too short anyway.

Children who have experienced multiple attempts at reconciliation with their parents are not going to be disadvantaged by this transition. I am glad that has been covered to avoid heartache and trouble, because time spent reconciling children with parents cannot be wasted. It is so important for a child to be with their family whenever possible and when in the best interests of the child, and it usually is. They should only be removed from their families in extreme cases. I know those cases exist, but the family environment is a very nurturing environment and the best environment for young people.

The intent of the original legislation was for the pre-hearing conference to be a mediation before the case was actually heard. Unfortunately that does not seem to be working, because the arguments made at the pre-hearing conference are virtually the same as those made in the actual case. It was worthwhile trialling, but it does not seem to have worked. Unfortunately it has been made clear that that model will continue until a better model is developed. The sooner a new and improved model is developed the better, because families are going through awful times. For the best interests of the child we need that process to be as smooth and as amicable as possible.

There are also some technical provisions, especially in regard to Aboriginal cultural issues. This bill is intended to ensure that privacy is adhered to and that cultural sensitivities are recognised and met. Obviously there are real issues and cultural sensitivities so far as the Aboriginal community is concerned, and we certainly welcome the changes brought about by this bill.

Some of the other technical amendments being made are indicative of the sorts of issues that should have been covered in the original legislation. I find it incredible that they have not been covered in that legislation. They include amendments to the definitions in relation to the flow of information and who should be doing what at a very senior level. The bill clearly defines that the secretary of the department can collect

and use information pertaining to a child. The information could have been collected under the original bill, but the way in which it was to be used was very unclear. That has been clarified.

The bill also clarifies what the Attorney-General is responsible for and what the minister is responsible for. That was not clear in the original bill. The policy assurance process has been clarified as well. There was no indication in the previous act of the people to whom that did not apply. It was clear about whom it did apply to, but there are people such as gardeners and cooks who interact with young people in various institutions and who really should not be affected. These sorts of things should have been addressed in the original legislation. The schedule has an A to Z of the various acts of Parliament that have to be amended, and it runs from pages 71 to 86. The implications and complexities of this bill are incredible. The member for Rodney, who has just arrived in the chamber, would be surprised to know that further amendments have now been tabled.

This is a very important bill that affects one of the most important things a government can do. The process has been shoddy. There should not have been any rush, as the bill is not going to be acted upon until October next year. It is a real pity that some of the basic issues that I have briefly outlined were not addressed in the original bill and that, right up to the death knock, there are amendments being tabled. I wonder how many other amendments are going to be tabled and how many other amending bills are going to be introduced in this place between now and October next year. I certainly hope we have seen the last of them. With those few words I wish to reiterate that the opposition certainly supports this bill and anything else that can be done to protect that most precious group within our community, the young people of Victoria.

Sitting suspended 1.00 p.m. until 2.02 p.m.

Business interrupted pursuant to standing orders.

ABSENCE OF MINISTER

The SPEAKER — Order! I inform the house that the Minister for the Arts and Minister for Women's Affairs is not here today. Questions for her should be addressed to the Minister for Community Services.

QUESTIONS WITHOUT NOTICE

Victorian Taxi Directorate: police database

Mr MULDER (Polwarth) — My question without notice is to the Minister for Police and Emergency Services. I refer the minister to the Victorian Taxi Directorate having open access to the Victorian Police law enforcement assistance program (LEAP) database and the fact that that access has been shut down, and I ask: were there any breaches of the LEAP database by the office of the Victorian Taxi Directorate, and if so, could the minister provide the details to the house?

Mr HOLDING (Minister for Police and Emergency Services) — I thank the member for Polwarth for his question. There are a range of agencies that quite legitimately and appropriately have access to the LEAP database so that they are able to perform various statutory functions. As well as, obviously, Victoria Police, it includes the director, police integrity, the Victorian Taxi Directorate, which the member for Polwarth referred to, sections of the liquor licensing department and a range of different government agencies. Following the events of last year, when there were concerns in relation to the LEAP database, I sought assurances from all those agencies that if there were inappropriate access to the LEAP database, I was to be informed. I have not been informed of any inappropriate access in relation to the Victorian Taxi Directorate.

Youth: Spirit of Anzac prize

Mr MILDENHALL (Footscray) — Can the Premier explain to the house government initiatives to encourage young Victorians to remember and honour our war veterans?

Mr BRACKS (Premier) — I thank the member for Footscray for his question, and I also thank him for his work in assisting me in his capacity as parliamentary secretary. One of the responsibilities he also has is to assist me with my responsibilities in coordinating all veterans affairs activities in our state.

I think all members of this house would agree that it is vital that the state government continues to remember and acknowledge the contribution war veterans have made to our way of life in this state and in this country. We must keep the Anzac spirit alive, and that was really behind the efforts we took to create the Spirit of Anzac prize, which is now coming into its third year of operation. Students are selected from every education region and every education system in this state to go on a tour, the third so far, which is run as part of the Spirit

of Anzac effort so that they can become ambassadors in their own communities and in their own schools for what is first-hand experience of some of the theatres of war around the world. We must keep thinking about what it means to be Australian and what it means to be Victorian, and of course Anzac was a defining period in the history of this country.

Today marks an important event in Australia's history. It was marked with a ceremony at Melbourne's Shrine of Remembrance, which was attended by my parliamentary secretary. Ninety years ago today more than 5500 Australians were killed and injured, with 2000 regrettably losing their lives in only one night during the shocking action at Fromelle on France's Western Front. It was one of the most horrific events in Australia's history, and it is extraordinary to think that 5500 casualties occurred in one night in one battle as part of that engagement. Some historians have described it as the most tragic 24 hours in Australia's history.

I can announce to the house today that this government will ensure that that battle will be recognised as part of next year's Spirit of Anzac prize study tour for young Victorians, the winners of which are being selected, as I mentioned, from every education region in Victoria. Ten students will be selected from hundreds of applicants to take the tour of a lifetime next year, building on the tours which have already occurred. They will travel to Gallipoli and important World War I and World War II battlefields in France and Belgium, including Fromelle, the 90-year anniversary of which, as I said earlier, is today.

Young people deserve a greater opportunity to learn first-hand about some of the most formative events in our nation's history. Tonight I will be announcing, with the alumni from the first two Spirit of Anzac tours, the students, their parents and all those associated with the tour, an outline of the program for the coming year. What we have now are numerous ambassadors in numerous education regions advocating that we remember what occurred in some of the theatres of war and that we remember the Anzac spirit and reinterpret that in the way that young people can to make sure it is transmitted to as many Victorians as possible.

Country Fire Authority: enterprise bargaining agreement

Mr RYAN (Leader of The Nationals) — My question is to the Premier. I refer to the current negotiations over the United Firefighters Union enterprise bargaining agreement with the Country Fire Authority, and I ask: will the Premier guarantee that he

will support the 58 000 CFA volunteers by ensuring that the effective power of veto held by the United Firefighters Union under the existing agreement is not included in any future enterprise bargaining agreement?

An honourable member interjected.

Mr BRACKS (Premier) — You have endorsement there at the back from one of your colleagues, which is good.

I thank the Leader of The Nationals for his question, and I can absolutely guarantee that this government will continue to support the 58 000 Country Fire Authority (CFA) volunteers in every way possible, as we have by providing more resources, more capacity and more support. That has been an enduring effort of our government.

The enterprise agreement for the Metropolitan Fire Brigade (MFB) has already been concluded. The enterprise agreement for the CFA paid staff is under negotiation. We expect those negotiations to be concluded very soon, and we expect that very similar conditions to those which already exist under the MFB agreement will be adopted, which would be the expectation under that enterprise agreement. That agreement will continue to support paid CFA staff and the 58 000 volunteers as well.

Corrections: police cells

Mr DONNELLAN (Narre Warren North) — My question is to the Minister for Corrections. I refer the minister to the government's commitment to investing in our corrections system and ask him to detail to the house the most recent government initiative in this area.

Mr HOLDING (Minister for Corrections) — I thank the member for Narre Warren North for his question. It is an opportunity for us today to reaffirm the considerable investment this government has made not only in supporting Victoria Police right across the state but also in investing in our corrections system to make sure that wherever offenders are, whether they are in police cells or in the corrections system proper in prisons, they are treated humanely and fairly, while at the same time ensuring that police resources are focused on what is the primary responsibility of police, and that is front-line policing, not guarding and supervising people who from time to time find themselves in police custody. It is in that spirit that we welcome the report that has been tabled today by the Ombudsman detailing the condition of people in police custody and in our corrections system.

We are very pleased to be able to report to the house that although when we came to office we had an average of 208 prisoners in police cells on a daily basis — that was the daily average in police cells when we came to office in 1999 — as of this year, which has been a very difficult year with the decommissioning of old prisons and the opening of the Melbourne Remand Centre, the average has been reduced to 154. The number today, as of this morning's muster, was 70. So we have brought down to 70 the number in police cells as of this morning, compared with the figure of 208 which we inherited from the opposition when we came to office.

We are very pleased, because as all honourable members would know, this means that police who would previously have been supervising these 208 prisoners in police custody are instead out on the streets making our community a safer place. We are very pleased about the fact that police are able to focus on their primary responsibility, which is making Victoria a safer place.

At the same time we are also pleased to announce today that in 54 police stations across Victoria 161 police cell beds will be decommissioned. These are B and C-class cells across Victoria. They are cells which for years have been of not an appropriate standard. They are cells which are dilapidated and run down, and they do not provide the sort of accommodation that we think is appropriate for people who find themselves in police custody. They are cells in which it is difficult for the police to monitor prisoners who are in police custody.

At the same time we are pleased to announce today an investment of \$3.8 million which will go towards upgrading 13 watch-houses across Victoria. These are some of our A-class police cell facilities. These cells will be upgraded in accordance with the recommendations made by the Ombudsman in his report tabled today, to provide for adequate ventilation, recreation and exercise yards, natural light and also appropriate lighting at night, which will enable police to supervise these offenders whilst at the same time ensuring that they get adequate and appropriate rest.

We think these investments will make police cells operate more effectively and fairly. They will release police for their core responsibility, which is making our community a safer place, not supervising and monitoring offenders who find themselves for short periods in police custody. All of these investments come on top of the \$334 million that this government has invested over seven years in our corrections long-term management strategy, which has ensured that our prison infrastructure has been renewed and Victoria

still continues to have the lowest incarceration rate of any state in Australia.

We are pleased to respond to the Ombudsman's report tabled today, and we think the measures that we have taken will make the corrections system and our police cells work far more effectively.

Gaming: Betfair

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. Given the Premier's comments that 'Labor will not be licensing Betfair in Victoria', the recent decision to allow Betfair to publish Victorian fields and the subsequent admission by the chief executive of Racing Victoria that betting products such as those offered by Betfair may open the floodgates to corruption, what action if any does the Premier propose to take to prevent Betfair operating in Victoria?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. As he indicated quite correctly, Betfair has not been licensed in Victoria. The legislation that went through this house allowed that discretion on whether Betfair operated from another licensing jurisdiction, which in fact is Tasmania. Whether they operated on course would be the decision of Racing Victoria. That decision has been made, I understand, by Racing Victoria, and that is in accord with the legislation that went through this house.

Mental health: national action plan

Ms BEARD (Kilsyth) — My question is to the Minister for Health. I ask the minister to detail for the house how the mental health initiatives arising out of last week's Council of Australian Governments meeting will benefit Victorians.

Ms PIKE (Minister for Health) — I thank the member for Kilsyth for her question. I want to take this opportunity to acknowledge her commitment to working particularly with people at the Maroondah Hospital with the redevelopment of mental health services there and her commitment to people with a mental health illness in her community.

I am pleased to advise the house that mental health was a key feature of the Council of Australian Governments (COAG) discussions in Canberra last Friday. I am sure that all Australians welcome this and welcome the renewed focus on mental health right across this country. It is a major challenge for our community both in Victoria and also nationally. Victoria is making a significant financial contribution over the next five years in the national action plan on mental health.

The national action plan affirmed that there are four particular areas that we need to work on together: firstly, promotion, prevention and early intervention; secondly, providing opportunities for increased recovery and particularly, on top of that, increased participation in the community and in employment, and the provision of more stable accommodation; thirdly, the provision of more coordinated care between the varying components of the mental health system; and fourthly, of course, building work force capacity, which is absolutely essential in this area.

Last Friday at COAG Victoria promised to spend at least \$472 million of additional funding on mental health over the next five years. This is more than our population share, when considered against the commonwealth's \$1.9 billion commitment. It is something that we take very seriously. It is an area of great challenge. We know we have not got all the answers. We know we have to continue to work very hard to improve the lives of people with a mental illness. Now we have a great opportunity with a national focus and the potential to work in partnership with the commonwealth on this issue.

I remind the house that in 2005 the government provided a funding boost towards mental health of \$180 million over four years. This was the largest single investment in mental health services. Many affirmed that investment. Then, in the most recent budget, we added to that by an additional \$170 million. These initiatives which will be funded by Victoria's money will particularly benefit Victorians by our investment in promoting a better understanding of mental health, by enabling prevention and early intervention programs to develop, by making sure that we can integrate and improve the care system, by providing more participation in employment and general community activities and, of course, by funding specialist graduate nurse positions and more postgraduate nursing scholarships.

We want to work closely with the commonwealth on these issues. That is why I have on two occasions now taken the initiative to meet with Christopher Pyne, the Parliamentary Secretary to the Minister for Health and Ageing in the commonwealth government and the person who has carriage of this issue, to discuss how we can work together so that the commonwealth's money can really connect with the Victorian mental health system and we can get a genuine boost to the system and fill the gaps. When coupled with the state's commitment, I think we have a very promising outlook.

It is not a one-off effort. It is a long-term striving for improvement in services, for growth in the service

system and for genuine reform of the service system. We have been able to really add to and inform the debate on mental health from Victoria partly because of our long commitment to this area but also more recently by releasing a document entitled *Improving Mental Health Outcomes in Victoria — The Next Wave of Reform*, which the government was able to table at the COAG meeting. So we are very proud of our achievements.

As I said, we know that we have a long way to go in a vital but challenging area but we remain extremely committed to this task and will continue to grow and develop the mental health system.

Grampians Wimmera Mallee Water: charges

Mr SAVAGE (Mildura) — My question is directed to the Minister for Water. The current water storages in the Grampians Wimmera Mallee Water region are so low due to the drought that there is a strong possibility that some farmers will not receive any water for their home dams this year and the current hectare rating charges are a crippling impost on farmers. I ask: will the government consider assisting Grampians Wimmera Mallee Water with the water-carting charges under these circumstances?

Mr THWAITES (Minister for Water) — I thank the member for Mildura for his question. It is a very serious issue. As the member has indicated, the water levels in the region are at around 6.5 per cent. There were quite reasonable rains over the weekend, but while they were, of course, welcome, at this stage they are not making any significant impact on the storages themselves. As the member indicated also, Grampians Wimmera Mallee Water is considering the need for carting. When that has occurred in the past the government has worked with Grampians Wimmera Mallee Water on supporting and assisting in that project. I think that it was back in 2003 that that occurred. The government will continue to work with Grampians Wimmera Mallee Water.

We are also, of course, investing substantial funds in the region to ensure better security for water in the longer term. The government is investing some \$170 million in the Wimmera–Mallee pipeline. The water authority is installing that jointly with the state and the federal governments. Of course in the long-term that is the security that farmers and towns in the region need. To get a good understanding of the benefit of that, one only has to look in the north to see the effect of the pipeline that has gone in there. It has meant that many towns and regions which would now be on carting are able to have a proper water supply. That is because of

the investment that the government has put in over a number of years. We look — —

Dr Napthine interjected.

Mr THWAITES — In fact it was a project that was commenced under the previous — —

Dr Napthine interjected.

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

Mr THWAITES — It was commenced under the government at the time led by the Labor Party. It was implemented by the Labor Party, continued by the Kennett government and then completed by our government. We started it and we finished it, just as we have now started the Wimmera–Mallee pipeline project. We were the first government to put our money on the table in relation to that project.

All of that aside, the other important point has been increasing the number of location points for water, which we have done. That has been a good project so that farmers do not have to travel so far; we have put funds into that. I also understand that Grampians Wimmera Mallee Water is looking at the way it does its rating charges, and in the future it will examine that to make sure it is as fair as it can be for farmers. There is a comprehensive range of measures that we are taking to tackle what is acknowledged to be a very serious problem for farmers in the region.

Family violence: government initiatives

Mr HERBERT (Eltham) — My question is to the Attorney-General. Can the Attorney-General detail for the house what the government has done to ensure victims of family violence in Victoria receive support from and protection by the justice system?

Mr HULLS (Attorney-General) — I thank the honourable member for his question. I think it is probably fair to say that traditionally the legal system has indeed failed victims of family violence. The Bracks government, however, is certainly turning that around. We have changed legislation to increase family violence protection for children, to improve the intervention order system and to abolish the outdated homicide defence of provocation, so often used by men who kill their partners in a fit of jealousy or anger.

Having received the Victorian Law Reform Commission's report on family violence laws in March, I will be releasing new draft family violence legislation for consultation later in the year. We have also created

two new family violence court divisions in Heidelberg and Ballarat, and we are setting up three family violence court services to make sure victims who turn to the courts actually get the support and representation that they need. In fact in the next two weeks I will be launching two of these new family violence court services at Sunshine and Frankston. These family violence courts are staffed by people who have specialist knowledge about family violence, making sure that victims today are not subjected to the kinds of archaic attitudes that stopped many victims in the past from speaking out in relation to family violence and seeking help and support.

Of course, these improvements to the legal system are occurring in the context of a much broader government policy to tackle family violence. Just last year the government made a \$35.1 million commitment to deliver additional housing options for women and children escaping family violence, increased counselling and support services, new men's behaviour change programs and the expansion of the 24-hour, 7-day-a-week emergency phone service.

Despite these reforms, there are still some in the community who have outdated views about family violence and who, indeed, believe that the police spend too much time dealing with the problem of family violence.

Honourable members interjecting.

Mr HULLS — I would hope that all members of this house, including the member for Scoresby, would know and understand that family violence is a crime. It is a terrible crime that affects one in five Victorian women. What is more, it is a crime that most women still — tragically — do not report. So you do need to have a holistic approach to family violence.

I had the opportunity to receive a copy of a media release that was put out just last week in relation to how best to tackle family violence. It appears that the only policy the opposition has in relation to family violence is to actually say it will open up a — —

Mr Cooper — On a point of order, Speaker, the minister does not have the opportunity now to turn his attack onto the government. He should be directing his answer towards government business. I ask you to bring him back to order.

The SPEAKER — Order! I know what the member for Mornington meant! I ask the Attorney-General to return to answering the question.

Mr HULLS — A 24-hour hotline, it has been suggested, is the best way to treat family violence! The fact is you need a holistic approach. There already is a hotline service here in Victoria — it is a 24-hour hotline service — but there have to be all those other reforms that we have implemented as well.

The Bracks government certainly remains determined to support Victoria Police in preventing and prosecuting violence in the home. We will continue to lead the way in improving responses to family violence — bringing police, courts, community agencies together — to make sure that those in our community who are affected by family violence are indeed protected and adequately supported.

Wind energy: Waubra

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer to the snap decision by Spanish company, Acciona Energía, to proceed with a \$400 million wind farm, and to meetings with this company — —

Mr Helper — Great project!

The SPEAKER — Order! The member for Ripon!

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition to ask his question, without assistance from members on my right.

Mr BAILLIEU — And I refer to meetings with this company held in Spain involving the Premier and the Minister for Energy Industries in the other place. Can the Premier assure the people of Victoria that neither the Premier nor the Minister for Energy Industries provided any inside information or undertakings on policy changes which have advantaged this foreign company?

Mr Helper interjected.

The SPEAKER — Order! The member for Ripon will cease interjecting in that manner or I will deal with him.

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question, and I am thrilled and pleased that this Spanish company has now invested in Victoria. This is good news.

Not only that, I am very pleased that it has taken up this new wind farm at Waubra, which was stalled because the economic base case was not there because the national energy renewable targets had already expired

with the 2 per cent allocated totally around this country. Our Victorian renewable energy target scheme will enable these projects to get up, including Waubra. I am pleased that we are able to ensure that the company has an investment in Victoria — it is a great investment for our state — and this company is very aware, as is every other company, of the Victorian government position because it has been publicly announced many times in the past.

Mr Cooper — On a point of order, Speaker, the question that the Premier was asked to answer was to give an assurance about undertakings. He did not give that assurance. I ask you to get him to give that assurance.

The SPEAKER — Order! There is no point of order.

Economy: performance

Ms LOBATO (Gembrook) — I refer the Treasurer to the government's commitment to making Victoria's suburbs a great place to work, live and raise a family. I ask the Treasurer to detail for the house any new figures that show the success government initiatives are having in growing our suburbs.

Mr BRUMBY (Treasurer) — I thank the member for Gembrook for her question. I have more good news today — more success in terms of the housing industry in Victoria. Now is a great time for first home buyers to be investing in their first property in our state. I say that for five reasons, and the first is that the latest Real Estate Institute of Australia data shows that housing affordability in Victoria is the highest on the eastern seaboard.

The second reason is that today the Australian Bureau of Statistics data on building activity was released. It shows that work on new homes grew by 1.1 per cent in Victoria in the three months to March and means that for the March quarter this year the value of work done on new residential building in Victoria was the highest in Australia; so it is higher than New South Wales and higher than Queensland.

An honourable member interjected.

Mr BRUMBY — As I am reminded, you cannot get any higher than highest. The third reason why it is more good news is that Victorian building approvals have now exceeded \$1 billion for 57 out of the last 58 months.

The fourth reason is that in the first five months of this year the value of building approvals in Victoria totalled

\$6.1 billion — so that is residential and non-residential — and again that is the highest level of building approvals of any state in Australia. It is higher than New South Wales, which has nearly 2 million people more than Victoria.

Finally, we are doing exceptionally well in attracting first home buyers. Thirty per cent of all of the new housing loans, ex-refinancing in Victoria in the last year, have been for first home buyers. Again, that is the highest proportion of any state in Australia. As a government we are committed to assisting first home buyers. Since the first home bonus was introduced by the Bracks government in May 2004 it has been a huge success.

Mr Baillieu interjected.

Mr BRUMBY — We have such a well-informed opposition. We actually pay for that. Are you aware of that? Of the \$7000?

The SPEAKER — Order! The Treasurer, through the Chair.

Mr BRUMBY — In the last financial year 2005–06 we had 37 577 first home bonus payments; that is a 10 per cent increase on the 2004–05 figure of 33 720. Just to put this in perspective, if you look at postcode areas, postcode 3023 which is —

An honourable member interjected.

Mr BRUMBY — My notes say that it is for Burnside, Cairnlea, Deer Park and Caroline Springs. There were 804 applications in the last year versus 563 in the year before — a massive 43 per cent increase.

Postcode 3030 — Werribee South, Sanctuary Lakes, Derrimut, Point Cook and Werribee — had 840 applications in the last year and 657 in the year before. That is the largest number of grants in Victoria.

Postcode 3810, which falls into the electorates of the member for Gembrook and in part the member for Bass and covers Pakenham and Lakeside at Pakenham, had 441 applications in the last year, up from 306 last year — a 44 per cent increase. I think that is the biggest increase.

The State Revenue Office advised me this morning that in the last few days the total amount of assistance paid out to first home buyers since the election of the Bracks government — so this is the first home bonus and the first home owners grant — now exceeds \$2 billion!

We have paid that out since we have been in government. The point is, as I said, it is more good news for Victorian families. We support the outer suburbs and our regional areas, we support first home buyers and the housing market generally, and we support families. We support this state as a great place to live, work, invest and raise a family.

The SPEAKER — Order! The time for questions without notice has now expired.

CHILDREN, YOUTH AND FAMILIES (CONSEQUENTIAL AND OTHER AMENDMENTS) BILL

Second reading

The SPEAKER — Order! I wish to advise the house that some copies of the Children, Youth and Families (Consequential and Other Amendments) Bill do not have the required number of pages. If members have a copy that goes to page 87, they are fine. If their copy goes to page 69, members will need to get a replacement copy from the Clerk.

Debate resumed.

Mr MAUGHAN (Rodney) — I am pleased to make a contribution to the debate on the Children, Youth and Families (Consequential and Other Amendments) Bill. As members of the house would be aware, it is an oft-repeated truism that there is nothing more important than our children. I would suggest that that is not a just a truism, it is a very profound statement. I want to start by commending the minister on her second-reading speech, because I think she said something that is very important. She said:

... investing in children's early years, giving parents the help they need to raise their families and ensuring our most vulnerable young people receive the support they need — when they need it — are among the most important things any government can do.

This bill recognises that every child deserves a stimulating and nurturing environment in which they can grow and develop to their full potential. I am sure all members of the house would agree with that sentiment. I certainly do, and I express the support of The Nationals for it. The question is how we deliver it. I think we really need to work towards achieving the very laudable objective that was set by the minister.

Can I say by way of background that the first five or six years of a child's life are absolutely crucial in determining what sort of individual our society will have in 10, 15 or 20 years time and that for every dollar

not invested in those critical early years the cost to the community is of the order of \$7 or \$8 later in life. It is also fair to say that historically governments have never devoted sufficient resources to this critically important area, and I think we need to ask ourselves why.

There are a range of reasons, but I would suggest it is primarily because the benefits are not immediately evident. The real benefits or consequences — and I would suggest they are usually consequences, because we do not put enough resources into this area — are not seen for 15 or 20 years. The community unfortunately wants immediate gratification and something that can be seen, felt or touched now — for example, a new school, a new hospital, roads, bridges, more police, more ambulance officers or more teachers, all of which are legitimate requirements. But that is too often provided at the expense of the long-term objective of giving our children the start in life which they deserve and which the minister in her second-reading speech certainly acknowledges.

I think early childhood development misses out. We never have, under governments of whatever political persuasion, sufficient speech pathologists, child psychologists, occupational therapists and the like. We do not properly fund preschools. I would argue that they make up by far the most important educational sector, more so than primary schools, secondary schools and tertiary education, vitally important though they are. At preschool we can make a difference: if we get it right in the first five to eight years of a child's life we can overcome disadvantage and we can ensure their development into well-balanced, emotionally stable and well-adjusted adults.

Why are The Nationals such passionate advocates of the preschool sector being part of the Department of Education and Training? It is relatively simple: we believe not only that preschool teachers deserve pay parity with primary school teachers but that we should go further and attract and retain the best and the brightest to the preschool sector. We believe that proper facilities should not depend on the fundraising efforts of parents or the generosity of local government, which is sometimes the case, but should be provided by the state as a vital investment in our future. Again I refer to the minister's opening statement in her second-reading speech, which says essentially that.

Attendance at preschools should not depend on the capacity to pay. The state should pay. Attendance at preschool should come at no cost to families, and our objective should be a 100 per cent attendance. All of this is about a sound investment in our future, and it is pleasing to note that governments of both political

persuasions at the state and federal levels are increasingly moving in this direction. I think the recent Council of Australian Governments (COAG) meeting reinforced the view that governments are taking a lot more notice of the need to put a greater proportion of our available resources into this vitally important preschool sector.

After running through the philosophy behind it, I now turn to the bill before the house. When I was elected in 1989 one of the very first bills I had any responsibility for was the Children and Young Persons Bill of 1989, which was a groundbreaking piece of legislation. I well remember the debate. Kay Setches was the minister; Tricia Harper had a lot to do with the legislation; and Barry Steggall, the former member for Swan Hill, played a very important role in that. I really enjoyed the discussions and the debate. It was, as I say, groundbreaking legislation that set forth the principles which have guided us in dealing with children and young persons from 1989 through to the present day and which I think have served us well until now.

We now have the Children, Youth and Families Act 2005, which was debated late last year and which has still not been promulgated. It is the principal act that we are discussing in this legislation. As I say, it was debated late last year and royal assent was given on 7 December, from memory. I argued then, and I repeat it now, that the passage of the legislation was too rushed. I acknowledge that the parliamentary secretary did a great job in the early stages in consulting with a range of community organisations, and I pay tribute to him for the work he did, but the debate on the final stages of that bill, which was when the detail became available, was far too rushed. That resulted in the legislation being rushed through the Parliament, together with a very important education bill, in the one week.

The point is that the sector was unable to get its mind around that very extensive and complicated piece of legislation in order to work through all the ifs, buts and maybes before it went through. It was pushed through by the government despite the warnings from the opposition and The Nationals that we were rushing it and were going to get it wrong. But no, it did go through, and of course we are back here today fixing up some of those mistakes that should not have been made and would not have been made if the government had given a little more time to those in the sector to adequately peruse the legislation.

The various service providers did not have time to adequately consider it and look at all the detail. The government did not give sufficient time for people to

respond to the details that were in the bill. As a result, as I said earlier, mistakes and omissions were made, and they are now being rectified in this bill. To be fair, the minister did indicate at the time that there would be consequential amendments further down the track, and most of the amendments we are dealing with today are consequential or relatively minor, many of which were foreshadowed in general terms by the minister.

Some certainly were not, and they are the mistakes and omissions I referred to, but still more amendments have come in only today. The first I saw of them was when I came into the house just before lunch. This is fairly typical. Why are we getting amendments so late? This is a government that has put an enormous amount of effort into this legislation, yet it is still rushing in last-minute amendments an hour before the bill is to be debated. It is not good enough. It shows the incompetence of the government in trying to get through some of this legislation.

What does the bill do? It essentially does three or four main things. It amends the Children, Youth and Families Act 2005, which as I have already indicated is yet to be proclaimed and has to be proclaimed prior to October 2007. It amends the Children and Young Persons Act 1989 and it repeals the Adoption (Amendment) Act 1991, which interestingly enough has never been proclaimed.

I understand that there has been extensive consultation with the Children's Court on the Children, Youth and Families Act and that as a result of those discussions and consultation there are a whole host of amendments before the house today. Most of them, as I say, are minor — a word here, a word there, a change of a few minor words — and they seek to make crystal clear the intent of the legislation and to remove any ambiguities. To that degree we certainly support that effort to clarify what the legislation means and to clarify what this house meant, so we support all those minor amendments. A number of amendments, however, concern transitional arrangements before the principal act comes into effect on a date that is yet to be determined, but it must be prior to October 2007. Again I would comment that those transitional arrangements are both sensible and realistic, and we in The Nationals certainly support them.

There are a total of 28 amendments to the Children, Youth and Families Act. There are about — I did not count them accurately — 100 consequential amendments to 39 separate acts of Parliament. They are all documented in the schedule to the bill at pages 71 to 86. Thirty-nine separate acts will have consequential

amendments. As members can see, there is a whole host of amendments, many of which are consequential.

The principal amendments essentially, I think, can be boiled down to five main things. The first one is to deal with Aboriginal child placements. The bill amends sections 12 and 13 of the principal act to set out additional decision-making principles concerning the placement of an Aboriginal child or other significant decisions concerning that child and removes the requirement that a gazetted Aboriginal agency must advise on the appropriateness of a voluntary placement. All of this is fine. We certainly support a move in that direction.

I just comment in passing that I think governments and government agencies have been very reluctant to do anything about the placement of Aboriginal children — and I say non-Aboriginal children as well — as a result of some of the community discussion around the stolen generations and a lot of misinformation that has come out of that discussion. I think the consequence of that is that in many instances authorities are reluctant to act when they should for the protection of the children. I think we have seen some of that recently in the debate about children in the Northern Territory in particular, but it is happening in other states and territories. It is a consequence of some of the very emotional discussion — and much of the misinformation, I would suggest — we have had about the treatment of Aboriginal children.

The second principal amendment deals with information sharing between agencies. It is of course vitally important that child protection family intake services are able to consult with the information holders — the doctors, the nurses, the psychologists, the psychiatrists and the various people that deal with children in those early years. It is very important that they are able to share that information so that the best interests of the child are able to be attended to. I think the capacity to do that was, as the minister admitted in her second-reading speech, inadvertently omitted — they were the words she used — when the bill was pushed through this house.

One of the consequences of rushing it through was that this was inadvertently omitted. It is now being rectified in this legislation, and again we have no problem with that. Of course that information should be shared between the responsible agencies so we can get the best outcome for the children concerned. This bill now corrects that omission, and it will enable consultation with all the community services, such as family services and out-of-home care, as was originally intended but not included in the legislation.

Again I stress that the welfare sector was not given sufficient time to properly scrutinise this legislation before it was rushed through the house, otherwise that would have been picked up. It was a fairly obvious one. We in the opposition parties did not pick it up, and we are as guilty as the government for that, but in the rush to get it through without sufficient time for scrutiny, these things happen.

The third main thrust of the legislation is to enable the disclosure of the identity of a referrer or reporter to other intake agencies whilst at the same time prohibiting the further disclosure or transmission of the identity of that person or persons to anybody else. Again that is a sensible provision, and we have no problem with that.

The fourth main element of the bill is the disclosure to the secretary of information about children subject to Children's Court protection orders. Again that is sensible and reasonable, with the right sort of protection there.

The fifth main part of the legislation repeals the Adoption (Amendment) Act 1991. It is interesting to note that this act, which was passed in 1991, has never been proclaimed. The act was there originally to clarify issues surrounding the adoption by Australian citizens of children born in other countries. Subsequent events to do with the ratification of a United Nations convention and other matters made this piece of legislation redundant. It has been sitting there, and obviously it is a very sensible move to have it repealed. I think we tend to create legislation far more rapidly than we remove it, so it is good on occasions such as this to remove a piece of legislation that no longer serves any useful purpose. This legislation never did, as it turned out. It was necessary at the time but was overtaken by events. Let us get rid of it. That is what the legislation before the house today does.

The amendments that have been recently introduced to the house essentially empower the minister and the secretary to approve interim accommodation orders to authorise medical treatment where, because of diminished responsibility, sometimes caused by mental health, drug or alcohol problems — it could be for a whole range of reasons — the parent or parents are not able to give informed consent. The amendments enable that consent to be given so that the child's best interests are well looked after. The legislation also clarifies the authority of the Attorney-General with respect to children, youth and families, and again we have no problem with that.

This is important legislation. It contains a myriad of mainly minor amendments, so let us hope that the government has done its homework, that it has consulted widely and that it has got it right. I indicate that The Nationals are not aware of any opposition from any of the service providers and on that basis will not be opposing the legislation. We wish it a speedy passage, because, as I indicated at the start of my remarks, it is important legislation. It sets the framework for the way we treat children, youth and families in our society today.

As I pointed out right at the start, it is absolutely vital that governments put a bigger proportion of their resources into the early childhood sector in order to attend to many of the problems they otherwise pay for further down the track, such as juvenile delinquency. If we put resources into the first five or six years of a child's life, we will not be dealing with those problems later down the track. With those few remarks I again indicate that The Nationals will not be opposing this legislation, and I wish it a speedy passage.

Mr LANGUILLER (Derrimut) — It is with pleasure that I rise today in support of the consequential and other amendments to the Children, Youth and Families Act. It is always with pleasure that I follow a contribution by the honourable member for Rodney. We may not always agree, but I find his contributions always very constructive. In light of this legislation it is important to place on the record that the opposition and The Nationals are supporting it. When it comes to the interests of children and families it is important that, where possible, the entire Parliament works together and pushes in the same direction. There are important amendments of a transitional nature, which I will get to in a minute, and consequently I welcome them.

In passing I indicate that there was some two and a half years of consultation. One would hope that two and a half years was sufficient consultation time with stakeholders throughout the state in order to get the legislation right. I respond to the opposition and the member for Rodney by saying that at the time of introducing the principal bill the minister anticipated that there would be consequential amendments, and we are now bringing them about.

It is important to put the consequential amendments in context and not to forget that this is a major reform being brought about by the Bracks government and by the minister. It has been welcomed by the entire sector, and I commend the minister and the advisers in the department for the good work they have done.

Fundamentally children's best interests will be at the heart of every decision-making process and every service delivery, and that will be welcomed by everyone. The legislation promotes what was worked through during the course of the consultation — that is, the need to have an integrated system of child, youth and family services that focuses directly on children's safety, health, learning, wellbeing and development. I am confident that that is precisely what the legislation will achieve, and hopefully in the next few years we will see much improvement in the quality of life of children and families and in service delivery.

This is also about earlier intervention to avoid the need for child protection services to be involved with children and families. It is about children's stability, and it is about establishing stronger quality assurance for family services, foster carer services and out-of-home-care services. It will encourage more culturally responsive service delivery, with a particular focus on keeping Aboriginal children connected to their families, communities and culture.

Allow me to refer to the transitional arrangements. As has been pointed out by my colleagues, fundamentally they are about delivering fairness. With the introduction of the Children, Youth and Families Act, they will strike a balance between administrative ease and firmness. The bill provides that on commencement the new act will apply to all cases, including those already part-heard by the Children's Court. In other words, it will apply to those cases that have already begun in the courts — except that it will provide new minimum time frames for permanent care orders and new maximum time frames for developing stability plans for children who cannot live safely at home. Pre-hearing conferences will continue in their current form until October 2007. This will allow for the development of new models of mediation and appropriate dispute resolution within the Children's Court. These models will be developed with the Children's Court and other experts and stakeholders.

It is important to place on the record that some concerns were raised, particularly by Victoria Legal Aid. However, those concerns were worked through, and it is important to record that this legislation is supported by private practitioners, the Victorian Aboriginal Legal Service, Youth Law, the Law Institute of Victoria, the Criminal Bar Association and the Children's Court. Another matter of importance that ought to be highlighted relates to the Aboriginal child placement principles and voluntary child-care agreements. Aboriginal children and parents can use Aboriginal services if they wish. However, if parents wish not to use those services, they can use mainstream services.

They do not necessarily have to use Aboriginal background cultural services. It is important that we provide that opportunity and that the choice is very much with the family and those involved in the care of a child.

The other matter to which I will briefly refer relates to the changes to dispute resolution and what they mean. The Children, Youth and Families Act enables new approaches to mediation and dispute resolution in the Children's Court. The new dispute resolution conferences will provide an opportunity within the court for convenors and other professionals to work with families earlier than they do now to try to agree to plans to keep children safe and divert families from contested court hearings. I think this will apply to everyone, but it is important that there is the opportunity for mediation and negotiation at that point in time.

The proposed amendment to the current provisions clarifies the ministerial responsibilities in relation to the dispute resolution conferences. Currently this part of the act creates confusion by sometimes referring to the Attorney-General and sometimes to the relevant minister. The bill clarifies that it is intended that the Attorney-General be responsible for the appointment of dispute resolution convenors.

The transitional arrangements provide time for new models for dispute resolution conferences to be developed. These models will be developed with Children's Court officers and other experts and stakeholders. In the meantime the transitional arrangements set out in the bill will enable pre-hearing conferences that operate under the Children and Young Persons Act to continue in their current form until October 2007.

I am mindful that other members will contribute, so with those few remarks I indicate that the reform that is being brought about by this government is important. I am very confident that the consultative process that took place was comprehensive and absolutely satisfactory, because to our knowledge there is no opposition from stakeholders. These amendments, along with the principal act, are supported by the opposition parties. This is a good reform which, I reiterate, will first and foremost place children's interests at the heart of the process. I commend the amendments to the house and wish them a speedy passage.

Mrs POWELL (Shepparton) — I am pleased to speak on the Children, Youth and Families (Consequential Amendments) Bill on behalf of The

Nationals, and as the member for Rodney said in his great presentation, The Nationals will not be opposing this bill. The Nationals certainly support anything that protects families and children and helps to make sure we promote early intervention.

The Children, Youth and Families Act 2005 has not yet taken effect, but I understand it will be coming into effect before October 2007, so it is unique to bring in amendments to an act that has not yet commenced to operate. That original act was rushed through both houses, and there has been a lot of criticism about that from some of the agencies that I deal with. That act was introduced by a major bill of 543 pages. As the minister said in the second-reading speech for that bill, it is a once-in-a-generation reform so we need to get it right. I spoke during the debate on that original bill and I made the comment that if we are going to reform this major area for our community, we need to make sure that we get it right. Even as late as today, as the member for Rodney said, we have amendments coming in, so again, we need to make sure we get it right because once it becomes locked in and cemented, it becomes law.

During the debate for the Children, Youth and Families Bill 2005, The Nationals moved a reasoned amendment — it was moved by the member for Rodney — that the bill be withdrawn and redrafted to address the concerns of the community service organisations. The fact that we are here today to amend that act and to rectify some of the omissions and mistakes in the act, and actually clarifying some of the intent of the act, shows that it was rushed through, great deliberation was not given to it, and some of those community organisations would like to have had a look at it in detail and to have made some comment. While we all agree with the intent of the act, the fact that it is back here again to be amended before it has even begun to operate shows that there was certainly a lack of detailed scrutiny.

The amendments being introduced by the bill today have got a good outcome. This bill talks about clarifying some of the issues, and one of the issues in the second-reading speech says:

The Children, Youth And Families Act recognises that every child deserves a stimulating and nurturing environment where they can grow and develop to their full potential.

That is a great outcome. While it is in the second-reading speech, all of the organisations dealing with young people should take it to heart and realise it is a very big intention. If this bill does that, then in some way we will fix up some of the problems we have in society today. It also says that anything in this bill makes the children's best interest paramount in all

service delivery and decision making, and that will be done by promoting early intervention — and the member for Rodney talked about the importance of early intervention in a child's life. It talks about a greater emphasis on children's stability, development and cultural identity.

I will speak briefly on that aspect for a moment because I think it is one of the important issues that this bill actually picks up. It talks about the importance and the reinforcement of cultural identity for Aboriginal people. Clause 4 sets out a number of changes to principles in relation to Aboriginal children. It talks about the requirement to consult with an Aboriginal agency, which does not apply to the making of a decision in relation to a voluntary out-of-home child-care agreement.

In my electorate there is a non-Aboriginal family I am dealing with at the moment. It is the foster carer of a young Aboriginal girl. I will not mention the person's name because that will identify the child, and it is not advisable to do that. The foster carer in this instance is very frustrated by the inflexibility of the Department of Human Services. I hope that will change because the Department of Human Services has obviously got the best interests of the child in mind, but in the end it will be found that so does the foster carer. The foster carer has been looking after this child in his own family, and the family comprises very respected members of the Shepparton community. They have had her living with them on a daily basis for the last 18 months, and I understand that they are also pursuing permanent care of the girl. The original family of the girl is supportive of that, and the extended family supports it.

The girl is now in a stable situation and has been assessed by a psychiatrist. She is more stable than she has been for a very long time. There have been problems in the family, but it is really important for people to understand that the department has to work with those who are responsible for the day-to-day care of foster children. While I know the department has to make sure the child is protected, it should be holding its discussions more with the family who see the child on a day-to-day basis rather than the department, which has a once-a-month involvement with the child. The school is also delighted with the child's improvements. The child's two grandmothers have told the department it should allow this family to care for their grandchild. The department, as I said earlier, is not showing any flexibility or any understanding, so I hope that in some way the bill reflects what the department is going to be asked to do.

I will give a very brief example, because this bill talks about the need to retain the cultural identity and maintain the family connection, and this is what this family is trying to do with the Aboriginal girl. Last Mother's Day they would have liked the child to visit the natural mother along with the other three daughters who were also there. They asked the department and the department refused. What we have to do is make sure that the department speaks to people who also have the interests of these children at heart. The bill talks about the importance of the children maintaining their cultural identity, which is actually what this family is trying to do. The family members are trying to keep the identity and cultural connection of the person they are looking after. Even though it is a non-Aboriginal family, it still wants to make sure that this Aboriginal girl keeps that connection with her original family.

I understand that child protection services is a difficult area, particularly where Aboriginal children are concerned. Sometimes there is media criticism if a child is removed from a family when there is no need, and if child protection services go to a home and remove a child, it can also be difficult because the parent may go to the media and say this child has been removed without any evidence and so forth. Child protection is a very difficult area, and I have the highest regard for people who go into child protection services. For instance, a number of years ago I met with a number of child protection officers. They told me there was a strong turnover of people in the industry because the type of industry they are in is very difficult.

The bill contains a number of good amendments to protect children. I hope that the department becomes more flexible in dealing with other people and organisations wanting to play a part in making sure that children are protected and that if it does remove a child from their family it at least works with the family to make sure the child is not put at risk.

The bill allows for consultation with experts such as doctors, nurses and teachers. With mandatory reporting it was very difficult for a teacher who felt a child was at risk at home because they had come to school with an injury or some sort of physical or mental problem to know whether to report it or not, because they felt that if they did they might lose the child's confidence. A number of teachers have said to me that they did not know whether they should report a child's injuries after being asked by the child not to tell anybody. The child needed someone to talk to and felt they could tell that person of responsibility. With mandatory reporting it is now incumbent upon the teacher to make sure that the child's protection is paramount even though they may have to give up the child's confidence. Those sorts of

things are important because at the end of the day we should all be ensuring that our children are not hidden behind a cloak of silence in the home and being physically or mentally abused. We as a society have to make sure that that does not happen.

It is important for the government to put forward some good initiatives. As I have said a number of times before, while the government may have the best of intentions, I have seen under all types of governments that it becomes difficult when a child is made a ward of the state because governments really do not make good parents. I hope this legislation provides the protection intended for families and children, and I wish it a speedy passage.

Ms NEVILLE (Bellarine) — I am pleased today to speak briefly in support of the Children, Youth and Families (Consequential and Other Amendments) Bill, which provides some transitional and technical amendments. I do not think it is right to say — as has been said by the opposition parties today — that this bill is the result of having rushed through legislation. This piece of legislation has involved more extensive consultation than most other pieces of legislation that have previously gone through this house. The consultation has involved agencies, regional and metropolitan forums and package exposure drafts. We can be very confident that the original piece of legislation, the Children, Youth and Families Act, had widespread support and was developed with extensive consultation with families, communities and community organisations.

The Children, Youth and Families Act sets up a new framework and a new era of community response to support and work with children, young people and families. Perhaps one of the most important responsibilities we have as a government and as a Parliament is to look at how we can support, work with and protect vulnerable children in our community. There is not one particular service or solution that will make our communities, particularly our families, more sustainable. We come at the issue in a number of ways as a government, including supporting early childhood services, which is very important, early intervention services, family-support services and, of course, at the end of the line, child protection services — the last resort when required. What we know is that generally children are overwhelmingly better off within their families, and only as a last resort should children be removed. We have a very strong responsibility to minimise the number of children who have to be removed in the future.

The member for Rodney spoke about the importance of preschools, and I think that is absolutely right. Preschools are one of those early intervention, prevention services that we provide as a government, and I am very pleased that this government has continued to invest in them. Currently we have a debate running in our community around whether preschools should remain as early childhood services or as education services. I want to put on record my view that it is important for these services to remain as early childhood services. Preschools and kindergartens provide not just educational learning but a whole range of learning, which is so important for the three-and-a-half-year-olds and four-and-a-half-year-olds, who are very young children and require a range of supports. It would be a shame to see them make up another level of prep within schools. Preschools are important as early childhood services, and I hope that as a community and as a Parliament we will continue to maintain those services in their current form and build them into the future.

With that remark I want to say that these amendments provide an opportunity to strengthen what is groundbreaking legislation which was supported by this Parliament last year, and I commend the bill to the house.

Ms MUNT (Mordialloc) — I would also like to make a contribution to the Children, Youth and Families (Consequential and Other Amendments) Bill. Firstly, I would like to congratulate the Minister for Community Services, who is also the Minister for Children. She has put together a raft of legislation to protect children during her time as minister. Even the appointment of a Minister for Children was a groundbreaking recognition of the importance of children in our community and the need for the protection of children.

I have had the pleasure of standing in this Parliament over the past few years to speak on a range of legislation intended to protect and enhance the lives of children in our community, and this is another piece of legislation that does that. We also have a very strong focus on supporting families, as some members have said, and we have put in place a range of supports to do that — from legislation, to children's hubs, to child and maternal health services, to the protection against violence in the home, to preschools and kindergartens, to child care and right through to primary schools. As a mother I can only affirm that I absolutely endorse this focus on supporting children in our community.

As other members have said, this is a piece of legislation that enjoys the broad support of all parties in

this Parliament. That is because it is another very good piece of legislation. I commend this bill to the house.

Mr TREZISE (Geelong) — I am also very pleased as a member of the Bracks government to be speaking in support of this important bill, the Children, Youth and Families (Consequential and Other Amendments) Bill. As a member who has much to do with the various children's and family service organisations within his electorate, which would apply to most members in this house, I appreciate the importance of the bill and the act itself.

Members of this house would also appreciate that children, especially those in disadvantaged circumstances, are very vulnerable members of our community. I know in dealing with the various government agencies in this field, and especially in supporting organisations in Geelong like the Bethany and McKillop family services, that many of the issues or individual cases dealt with in the area must be handled effectively, with great professionalism and compassion, and in most cases proactively with early intervention. The important bill before us today will allow these organisations to operate more effectively in this manner.

The original act, as with all Bracks government legislation, was introduced and implemented only after widespread and extensive consultation with stakeholders within the sector. The parliamentary secretary mentioned that it took something like two to two and a half years of consultation. This is good legislation and is an indication of the importance the Bracks government places on the protection and nurturing of our children, also evidenced by, as the member for Mordialloc just mentioned, the establishment of a Minister for Children. I take this opportunity to congratulate the minister, and I wish the bill a speedy passage.

Mr KOTSIRAS (Bulleen) — It is a pleasure to stand to speak briefly on this bill. While we support the bill and think it is a good step, I have to say about the last bill that was brought in on 25 October 2005 that it took the government more than five months to realise that it had made some enormous mistakes and needed to bring in this legislation to fix them up. We all support the need to look after our children and young people. No-one in this chamber would argue against the ideas and plans that we must put in place to ensure the safety of our children and young people.

That is why I cannot understand why this government has not agreed to establish a child and young person commissioner. It is important and needed. The Youth

Affairs Council of Victoria Inc. is also calling for it, and I cannot understand why this government cannot agree to establish an independent commissioner who would look after the interests of our young Victorians. The person would be independent and appointed by this Parliament and would have to report to the Parliament to ensure that the wellbeing of our children and young people is looked after.

While I say to the government that I support this legislation — I support any legislation that tries to improve our understanding of and assistance to our young people and the needs of those from culturally and linguistically diverse communities — I cannot understand why it has not agreed to an independent commissioner which the community is calling out for and which we desperately need. I ask the government to take this on board, to think about it and discuss it with the key stakeholders and perhaps agree that a commissioner who looks after the interests of our children and young people is established here in Victoria.

Mr MERLINO (Monbulk) — It gives me great pleasure to rise in support of the Children, Youth and Families (Consequential and Other Amendments) Bill and to speak very briefly on the issues.

The Children, Youth and Families Act was passed last year. The features of that act are of critical importance and would be supported by everyone in this place. Those features include that the best interests of the child are paramount, that there is an integrated system of child, youth and family services, and that the system provides for earlier intervention. These commitments have been backed up with resources under the Bracks government — \$151 million has been provided to support the implementation of the act and that includes funding for early intervention and prevention services for at-risk families; for the safety and wellbeing of children in out-of-home care; and more child protection workers. That funding is on top of the \$68 million over four years which was announced in December 2005. That brings the total amount of funding to \$219 million.

When we talk about better integration of services and earlier intervention, we see it not only in how services work together, which is the concept of the bill and the act that was passed last year; we also see it physically on the ground with the concept of children's hubs and family centres that provide a range of services at the one facility under one roof rather than in isolated instances or individual buildings.

My electorate covers both the shire of Yarra Ranges and the city of Knox. The shire of Yarra Ranges in

particular has some very challenging issues, particularly in the outreaches of the shire in the upper Yarra — significant issues of family violence and isolation. Both the state government and the Shire of Yarra Ranges are reducing these issues through the development of children's hubs and family centres. The state government has supported the establishment of a family centre in Yarra Junction. I look forward to the opening of that service.

In my own electorate I am working with the Monbulk community for the establishment of a community hub and redeveloping the community centre in Monbulk, which is basically a big hall, into a children's hub.

Actually it will be more than just a children's hub; it will focus not only on children but on people right up to seniors and will include maternal and child health, kindergartens, playgroups and support services, so not only are we seeing the concept of integrated services under this bill and under the act, we are also seeing them physically on the ground. I commend the bill to the house.

Mr DELAHUNTY (Lowan) — I rise on behalf of the Lowan electorate to speak on the Children, Youth and Families (Consequential and Other Amendments) Bill. I know that my colleague the member for Rodney has spoken on this bill, and I congratulate him for his work. I will come back to him a little later.

In regard to the process of consultation I want to commend Wimmera Uniting Care, an organisation in my electorate that plays a very important role in working with children, for its input into this bill. Its members did not believe there were any problems with the legislation, and I again thank them for their input, but more importantly I thank them for the work they do with children.

I know that the vast majority of the amendments to the bill are small and consequential. Some clarify the intent of the original legislation, and a few are necessary to correct obvious omissions. It is my understanding that the amendments clarify and improve the operation of the act, and for those reasons I, like the member for Rodney, will not be opposing the bill. I have often said that youth are our investment in the future, and we should do everything we possibly can to give them opportunities in life. This can be through education, support, housing and the like, and importantly a family environment.

The member for Rodney, who is in the house at the moment, has played a very important role in our party in respect of this bill. He is retiring later this year, and I

want to say that we will really miss him for the compassion he has shown, in particular for our youth, and also for the work he has done for The Nationals in relation to youth. On his birth certificate he might be showing a little bit of age, but he has a youthful mind and a youthful approach to a lot of the things we do in this Parliament. I really do thank him for the work he has done, particularly on this type of legislation.

The member for Rodney came to the electorate I represent to attend a forum with preschool families, and he was the one that drove the policy of The Nationals in looking at the best interests of children, because as we all know those interests are paramount in our lives. That is why he developed a preschool policy aimed at moving preschools into the education portfolio. It is pleasing to see that the Liberal Party has followed that line, and we now look to the Bracks government in the lead-up to the election to also follow that initiative. As we know, this will be of immense help to families that are supporting preschools and help staff who are working one-up on a lot of occasions in electorates like mine.

The issue I want to raise briefly is one that I think another member spoke about, and that is mandatory reporting, particularly in our education system. It is unfortunate that we have to do this, but it is an important process. I hear from some schools in my electorate that the Department of Human Services will not respond to any of these mandatory reporting matters unless there is physical damage or something that can be seen. If there are mental scars or anything like that, they are being overlooked, and that is a worry. I do not know whether this is because of under-resourcing or because the department does not have the ability to address those concerns. Some educational facilities — I have 55 in my electorate — are raising concerns about mandatory reports not being examined unless there is obvious physical damage to a student.

I raise that issue because I think we all agree that the best interests of children should be paramount. This legislation makes minor but important changes to some aspects of this very important area of working with children. With those few words I wish this bill a speedy passage.

Mr JENKINS (Morwell) — It gives me a great deal of pleasure to rise in support of this bill, which seems to have support right across the chamber, and also to take this opportunity to echo the sentiments expressed by the previous speaker about the work done by the member for Rodney during his years in this chamber. I am sure he will be sadly missed by The Nationals, but I think he will certainly have some mates after the next election.

We talk a lot about Victoria being a great place to live, work and raise a family, and that is not just a glib statement. It is also very important to make sure that we put appropriate legislation in place and appropriately resource that legislation. Words are one thing, but this government is interested in actions. Those actions, including the implementation of this bill, allow the transition from the previous legislation to the new legislation. This legislation has been thoroughly worked through and discussed, and consultations have been held with people in the community, government and other organisations that have been working with children and investing generations of their time and expertise in making sure that people who from time to time find it hard to live, work and raise their family get the assistance they need. That assistance has been made possible by the hard work of the minister, who is to be congratulated, and also the ministerial staff, who put a great deal of time and effort into getting the legislation right the first time — which they did. They also considered what transitional arrangements needed to be put in place to ensure that we get it right when the legislation is implemented next year.

It will be important that when we are out in our electorates we express the sort of support that was expressed in this chamber. We should not use it as an opportunity, as some members of the opposition have done in the past, to attack the policy, because this issue is much too important to be trying to score political points. As I said, we need to give assistance to those hardworking agencies and individuals to ensure that people who are hard done by from time to time also get this great opportunity to live, work and raise a family. I commend the bill to the house.

Mr LIM (Clayton) — As any responsible parent can tell you, children need a loving and caring upbringing if they are to grow up as healthy, responsible and socially aware adults. This homespun wisdom is backed up by scientific studies that show that the absence of such a loving, caring environment affects the development of the brain, and the child's development is seriously impaired. This results in an adult with poor cognitive and social skills, and such adults have much higher incidences of mental health and behavioural problems.

The Children, Youth and Families Act put into law this scientific wisdom and this important bill adds to the good judgment displayed by the Bracks government in framing the 2005 legislation. It does this by making some minor amendments to the 2005 act and by adding some further transitional and saving provisions to the act. It also modifies a number of other acts and repeals the Adoption (Amendment) Act 1991.

Central to the Bracks government's thinking on all matters affecting children and young people is that the child's best interests must be central in all government decision making and service delivery in matters affecting children. That has resulted in Victoria being one of the first states to have a Minister for Children. Where intervention is required, it must be early before problems become too great to be surmounted and in order to minimise cumulative harm. That is very much the thinking of the government. The Children, Youth and Families Act 2005 was a groundbreaking piece of reforming legislation in this regard. It provided the legislative basis for a more closely integrated system of child, youth and family services that would much better meet the scientifically identified needs of growing children. The current bill makes necessary transitional arrangements for the implementation of the 2005 act and it also makes a number of necessary consequential amendments.

Over the past few months the Children, Youth and Families Act has been subjected to extraordinary levels of scrutiny and that scrutiny is continuing. This scrutiny has led to the identification of some technical amendments to the act, which are consistent with the policy objectives of the act. I commend the bill to the house.

Motion agreed to.

Read second time.

Consideration in detail

Clause 1 agreed to.

Clause 2

Mr HAERMEYER (Minister for Manufacturing and Export) — I move:

1. Clause 2, line 15, omit "sections 36, 37, 38, 39 and 40" and insert "sections 37, 38, 39, 40 and 41".

Amendment agreed to; amended clause agreed to; clauses 3 to 41 agreed to.

New clause

Mr HAERMEYER (Minister for Manufacturing and Export) — I move:

2. Insert the following new clause to follow clause 27 —

'AA. Powers of Secretary in relation to medical services and operations

- (1) In section 597(1)(c) of the **Children, Youth and Families Act 2005**, after "service"

insert " , declared hospital or declared parent and baby unit".

- (2) In section 597(4)(a) of the **Children, Youth and Families Act 2005**, after "service" **insert** " , declared hospital or declared parent and baby unit".

Dr NAPHTHINE (South-West Coast) — I am not trying to embarrass the minister or anything like that, because I know that the minister is moving the insertion on behalf of another minister, but could he advise the house on what this new clause does? Opposition members are in a similarly difficult position, because we do not have the shadow minister here. Rather than just let it go through without an explanation, I wonder if the minister could provide us with a brief explanation of what this new clause is about?

Mr HAERMEYER (Minister for Manufacturing and Export) — I am advised that the house amendment amends section 597 of the Children, Youth and Families Act 2005 to enable the minister and the Secretary of the Department of Human Services to consent to medical assessment and treatment of children and young people placed on interim accommodation orders in hospitals or mother and baby units. It is a power that is available to the minister and to the secretary under the current Children and Young Persons Act. The creation of new categories of interim accommodation orders under the Children, Youth and Families Act has unintentionally created a gap in when the minister and secretary can authorise medical assessment and treatment.

It is a power that is necessary because children and young people placed in hospital on interim accommodation orders are likely to need assessment and treatment. Parents are not always able to consent to treatment, as their whereabouts may be unknown, they may be incapacitated by drugs or by alcohol or they may be unable to give informed consent as a result of a psychiatric condition or intellectual disability. There are rare cases where parents withhold consent to treatment on religious grounds despite their religious leaders stating that there is no objection to treatment. In those circumstances, it is necessary for the minister or the secretary to have the power to consent so that assessment and treatment can proceed.

New clause agreed to; schedule agreed to.

Bill agreed to with amendments.

Remaining stages

Passed remaining stages.

ENERGY LEGISLATION (HARDSHIP, METERING AND OTHER MATTERS) BILL*Second reading*

Mr BRUMBY (Treasurer) — I move:

That this bill be now read a second time.

This is an omnibus bill to amend the Electricity Industry Act 2000, the Gas Industry Act 2001, the Pipelines Act 2005 and the Energy Safe Victoria Act 2005.

Clauses 3 and 5 of the bill amend the Electricity Industry Act and the Gas Industry Act respectively. The amendments require energy retailers to develop, and submit for the approval of the Essential Services Commission, financial hardship policies which are designed to provide greater support for energy consumers who are experiencing genuine incapacity to pay their bills.

The amendments form part of the government's response to an expert committee of inquiry established in 2005 to assess and advise on energy consumer hardship. A key recommendation of the inquiry, and accordingly a key element of the government's proposed amendments, is an obligation on energy retailers to develop and implement best practice consumer hardship policies.

The government recognises that financial hardship is difficult to identify, other than at the level of the individual consumer. However, energy retailers have the principal relationship with the consumer and should continue to have the major responsibility to respond to energy consumers in financial hardship.

It is anticipated that retailers policies will outline processes and procedures to facilitate early response by retailers and consumers to situations where consumers do not have the capacity to meet their energy bill payments. It is expected that retailers' policies will also deal with how consumers are assessed for entry to and exit from any agreed hardship program.

Consumers are expected to pay their energy bills in full and to contact their retailer concerning any bill payment difficulty. It is the government's view, however, that there is also a strong case to provide greater transparency and consistency in the hardship policies of energy retailers.

The bill prescribes the key principles and also the minimum requirements of a retailer's best practice hardship policy. The minimum requirements are to be

regarded as options for assistance. They are to be made available by retailers to consumers according to their circumstances, and where financial hardship could be materially mitigated. It is anticipated that agreement will be reached with the relevant consumers as to the measures of assistance provided.

The bill provides the Essential Services Commission with oversight of financial hardship policies, by way of empowering the commission to approve the policies that must be submitted by retailers to the commission. The commission will also be empowered to develop guidelines to assist in the development of financial hardship policies.

The government believes that best practice policies are necessarily evolving measures, that retailers should have the flexibility to develop unique and innovative approaches, and that hardship policies may be reviewed and replaced over time as improvements are pursued.

Further, the bill provides for a prohibition on the disconnection of energy supply by retailers on the grounds of consumers' incapacity to pay their energy bills. The proposed amendments provide, however, that the prohibition applies only where the consumer has entered a hardship agreement with the retailer, and is complying with that agreement.

Clause 4 of the bill amends the Electricity Industry Act to require the deployment of electricity interval meters, with advanced metering and communications functionality. It is the government's view that the deployment will encourage and enable greater demand management and energy use efficiency. It will also reduce network and energy costs, and improve network service, thereby leading to greater industry efficiencies and reductions to consumers' electricity bills.

Clause 4 of the bill provides for the making of orders in council in respect of the provision, installation, operation and maintenance of advanced metering infrastructure, and in respect of the provision of supporting metering and communications services.

In particular, orders in council will be able to specify a process for determining the electricity industry licensees who are to be responsible for deploying the required infrastructure. It is anticipated that this process will be consistent with the approach taken in the national electricity rules.

The orders in council will also be able to specify minimum required functionalities, minimum service levels, performance standards, and time frames for deployment.

As well, the orders in council could require trials to be conducted to identify cost-effective technologies for the delivery of the prescribed advanced interval metering infrastructure functionalities, performance and service levels.

There are no provisions in the bill that constrain contestability of the provision of advanced metering and associated services to the electricity industry. Accordingly, it is anticipated that the provision of such services will be on a cost efficient and cost effective basis, and that the net benefits to industry and consumers will be maximised.

Clauses 6 and 7 provide for minor amendments to the Energy Safe Victoria Act and the Pipelines Act. The amendments will enable the recovery of costs by Energy Safe Victoria in relation to functions under the Pipelines Act, which are to be transferred to Energy Safe Victoria in 2007.

I commend the bill to the house.

Debate adjourned on motion of Dr NAPTHINE (South-West Coast).

Debate adjourned until Wednesday, 2 August.

NATIONAL PARKS AND CROWN LAND (RESERVES) ACTS (AMENDMENT) BILL

Second reading

Debate resumed from 1 June; motion of Mr THWAITES (Minister for Environment).

Dr NAPTHINE (South-West Coast) — I rise to speak on the National Parks and Crown Land (Reserves) Acts (Amendment) Bill. This bill covers a range of proposed changes to the management of various pieces of Crown land across Victoria. Many of these changes will be relatively minor. They cover a broad cross-section of Crown land through the length and breadth of Victoria, and I will try and go through them as best I can.

By way of introduction, let me say that Victoria has 4 million hectares, or 14 per cent of the state, that are wilderness, state and regional park and reserve areas. This is thanks to successive governments of various political persuasions that have set this land aside for the use of the community and for the conservation of our magnificent flora and fauna. Thanks go to many communities and individuals who have been actively involved in campaigning for the protection of many of these areas. I am proud to say that in my own electorate

of South-West Coast there is the Tower Hill State Game Reserve, which is described as the first national park in Victoria and which was established in 1892. So there is well over 100 years of track record in Victoria with regard to the management of these land areas.

As I said in introducing my contribution to the debate, this legislation will make numerous changes across the state. They consist of minor additions to parks, some deletions, minor boundary changes and adjustments and changes in designations and titles for various pieces of publicly owned land. The legislation is supported by the Liberal opposition. We support this legislation and strongly support a number of initiatives in the legislation.

Let me run through some of those initiatives. Clause 5 relates to fishing in marine parks and adjusts the current offences. While there has been argument in the community — as you have noted, Acting Speaker — about whether fishing should or should not be allowed in marine parks, the decision of the government was that fishing should be outlawed in marine parks.

This bill makes some changes to ensure that that is enforced. The current legislation refers to it being illegal to take or attempt to take fish that are for sale or not for sale. The new legislation will provide for a ban on the use of recreational fishing equipment or on having in your possession priority species — that is, abalone or crayfish. So you will not be allowed to have or use recreational fishing equipment in a marine park even if you are trying to advise the park rangers that you are actually just giving the worms a swim and are not trying to catch any fish! But it does not apply if you are travelling through the park on a personal trip and have recreational fishing equipment or priority species in your boat.

Clause 6 makes it the responsibility of the person in charge of a boat if these issues are taken up, and this is particularly the case for charter boat operators who take people out fishing. If they are fishing in a marine park, it is the operator of the boat who can be held accountable.

Most of the rest of the legislation relates to changes to various sections of parks and Crown land in terms of land management, and I will run through some of them. Clause 13 adds a small amount of purchased land to the Mornington Peninsula National Park and a small amount — 28 hectares — of purchased land and unused roads to the French Island National Park. It adds some land to the Great Otway National Park and some land to the Grampians National Park.

Several changes are involved for the Great Otway National Park. Characteristic of a number of the changes we will see today there is excision from the park of some freehold land which was mistakenly included in the maps of the park, and obviously the owner of that freehold land wants his land clearly designated as freehold land and not as part of the park. I think we would all support the rights of the landowner in that case. It adds 25 hectares of land in the Sabine Falls area, and people who have been to that area of the Otways know it is a wonderful area and adding 25 hectares is much appreciated. That land was purchased with funds from the estate of Jack O'Meara, an estate from which funds are to be used for those sorts of purposes.

As an aside I knew Jack O'Meara. Jack and his wife lived at Zeally Bay Road in Torquay. If I can have the indulgence of the house for 30 seconds, one of the reasons why I knew Jack O'Meara was because my older brother, Roger, was a draft dodger back in the late 1960s and early 1970s. He burnt his draft card and went underground. I met Jean McLean when I was working with Roger and she was working with Save our Sons.

Ms Lindell — He is the black sheep of the family!

Dr NAPHTHINE — No, he is not the black sheep; I think I am! Roger was underground, which was the term that was used when one had been before the courts. He was sentenced to prison but disappeared before he went to prison. He was living with Jack O'Meara and his wife in Torquay and spent most of his time working as a builder with Jack. So while we did not know it at the time, because it was a secret to us where Roger was, it is now many years hence and Jack has passed away and it can now be disclosed. Subsequently I got to know Jack. He loved his animals and his flora and fauna and was very proud of the great Australian bush. It is interesting that when I was told by the advisers that the Jack O'Meara estate paid for this piece of land it brought back a whole range of connections, which I will not go into any further!

Land owned by the Surf Coast Shire on the Point Addis Road near Anglesea will be transferred into the national park. This land is contiguous with the park so it is a natural part of the park. We are advised that this is a special piece of land because it contains some red ironbark in a fairly pristine condition, and it is unusual to have red ironbark so close to the coast. So that is a very valuable addition to the park. Three allotments have also been added to the Great Otway National Park from Wannan Water which are approximately three house-size lots in the western part of the park. Those

additions are appreciated. I understand my colleague, the member for Polwarth may comment on arrangements entered into by the Surf Coast Shire with regard to some land swaps and handing over that land near Point Addis to be replaced by the development of a football oval at Aireys Inlet. There are some challenges in achieving the other side of that equation and the member for Polwarth will pursue that.

There are a number of land purchases in the Grampians National Parks which contain important remnant woodland both south and west of Dadswells Bridge and at Halls Gap. Some unused road reserve is also added. There is another excision of privately owned land in Victoria Valley which was inadvertently drawn onto the maps of the park. There is another one of these coming up, so anyone who owns land near a national park should be very careful and look at the maps when they come out, because the avaricious bureaucrats might inadvertently draw their land into a national park, and I say that in the nicest way because I appreciate the detailed advice given by the bureaucrats on these issues.

Clauses 14, 15 and 16 cover land to do with the Beechworth Historic Park, Steiglitz Historic Park, Broken-Boosey State Park and Castlemaine Diggings National Heritage Park. Largely they involve small additions, inclusions and exclusions of various roads and better designation of certain roads. Again there is an exclusion of some private land at Beechworth which was inadvertently added to the park. I think they are all straightforward and the Liberal Party accepts them.

There is one issue with regard to the Castlemaine Diggings National Heritage Park which needs to be raised and about which both the Liberal Party and I have some concerns. There is an actual exclusion — this is not an inadvertent exclusion; it is a deliberate decision that the government has made — of some land from the park. The land that is excluded is the infamous dingo farm which I think was run by the late Bruce Jacobs and which was the subject of much media comment some years ago. It is in the middle of the Castlemaine Diggings National Heritage Park. It is leased out for the operation of the dingo farm and is now operated by another person. To my best knowledge it operates much more appropriately now than previously.

Fundamentally this is now being excluded from the national park, which means someone is going to get a reward for squatting on land in a national park, because the previous operator squatted on the land, operated his dingo farm and took over the area. Now years later the government is rewarding that inappropriate

behaviour — the squatting — by excluding the dingo farm from the national park and allowing it to continue to be operated by the current operator. I think there are some real questions to be asked about that. I suggest that a more appropriate course of action would have been to arrange to purchase that land, if it needed to be purchased, or at least to compensate the people, resume it and keep it as part of the national park.

Part 3 covers changes to the Crown Land (Reserves) Act to create three regional parks, which sounds very exciting and good. I am sure we all appreciate them, and it is great to have three new regional parks. But the reality is that what we are doing is changing their names. These areas of land will have exactly the same use as they have now. They will be under the same management, because they are already managed by Parks Victoria, and people will have exactly the same access they currently have to those areas.

These are valuable and important pieces of land that are great recreational areas for the people who use them, and they are well managed. But what we are fundamentally doing here is changing their names, and we ought to recognise that these are simply changes of name. I do not think the government or local members ought to get carried away with the notion that this is some significant achievement by them.

The three pieces of land are at Bendigo, which was recommended by the Land Conservation Council (LCC), or whatever name it had in 2001; at Kurth Kiln, near Gembrook, recommended in 1994; and at Macedon, recommended in 1987. The land at Kurth Kiln is 3000 hectares in area and adjoins the Bunyip State Park. As was recommended in 1994, it will now be made a regional park, but that will not change the operation of that land at all. At the time the LCC recommended that the low-intensity harvesting of selected logs for firewood in the eastern part of the park should be continued, and that is the advice we have been given. I would appreciate the minister confirming at some time that that will continue, because we find over time that there is declining access to firewood collection areas across Victoria.

Many people in regional and rural areas rely on firewood as a relatively cheap but effective source of heating, yet time and again we are seeing changes in land management rules that deny people access to firewood collection areas. This government needs to be very careful to maintain adequate firewood collection areas so that people in country Victoria, particularly those on low incomes, can still collect firewood for heating of their houses. I would appreciate the minister's confirming what we have been advised,

which is that firewood harvesting in the eastern part of Kurth Kiln Regional Park will be allowed to continue.

The Macedon Regional Park has a couple of areas which are excluded from being declared as part of the regional park. A very small area around the Macedon Cross is being excluded, in accordance with the wishes of the community. I have discussed this with the very active and community-involved Liberal candidate in that area, Robyne Head. She is doing a fantastic job listening to the community. She endorses that the Macedon Cross area, which is a part of the community — —

Ms Allan — I am sure it is very important to the passage of this legislation that she endorses it.

Dr NAPHTHINE — It is very important. Also there is an exclusion for the Hancock plantation, and there are some changes with regard to Western Water donating some land which is spread throughout the area.

Ms Allan interjected.

Dr NAPHTHINE — I will come to another matter in which Robyne has been very active in a minute. She is an extremely active candidate who is doing a fantastic job. If the minister stopped occasionally in Macedon with her big white car and chauffeur as she drove through on her way to Bendigo, she would hear throughout the length and breadth of Macedon people talking about the active work of Robyne Head. She is doing a fantastic job.

Western Water is donating some land. There are eight reservoirs and tanks on Crown land, and there are water reserves that are part of an arrangement dealing with the handing over of certain areas and the continuing management of those water reserves by Western Water. In that process there is an issue that has been raised with me, and Robyne Head has been actively involved in this issue. I just want an assurance from the minister that this issue will be allowed to be pursued.

Peter Shaw of the Macedon Junior Football Club has written to me concerning the need for the upgrading of the watering of the J. D. Clifford Memorial Reserve at Greene Street, Macedon, which is a ground that is well used by lots of children who are involved in Auskick, in junior football teams and in cricket. He is proposing on behalf of the Macedon Junior Football Club that the use of potable water to water the ground be discontinued — it would be fantastic if we could stop using potable water for watering a sports oval — and that it be replaced with water from the currently unused Macedon State Nursery Reservoir. This reservoir is not

used at the moment. It is about 500 metres to 600 metres from the J. D. Clifford Memorial Reserve, and it has water in it. It is proposed to pipe water from the former reservoir and install an efficient irrigation system at the ground.

The club has received a grant of \$50 000 from the federal Liberal-Nationals coalition — Robyne Head was actively involved in getting that — and it also received \$20 000 from the Macedon Ranges Shire Council. Now it is seeking funding from the state government to match that — that is, another \$50 000 — to make this water-saving and water-efficient project operate. The reason I raise it within the context of this debate is that I do not want this sort of innovative water-saving community-driven project jeopardised by the changes to the management of reservoirs and tanks and disused reservoirs in the Macedon Regional Park. I trust that the minister will respond to that, because I know that Peter Shaw is very concerned about it, and I know Robyne Head, as a local candidate, has been very active in trying to pursue these sorts of community-driven projects. I hope that through this discussion today we can further that project.

Clauses 57 and 58 of the bill propose that 5000 hectares of public land be renamed as nature conservation reserves. These include the Bungador Stony Rises, Coradjil, Jancourt and Marengo reserves — Marengo is near Apollo Bay. In particular I refer to the area in Jancourt, where the LCC recommended that there ought to be a continuation of horseriding — horse carriages are used in that area — and a number of other activities. I trust that will be allowed to continue; the advisers indicated that it will be.

But again there are concerns. While the old Land Conservation Council recommended that the collection of firewood be allowed to continue but that it be phased out after 30 June 2010, again I ask that that be continually reviewed as we get closer to 2010. I reiterate the point I made earlier that changes are constantly being made to various management plans for various pieces of Crown land which on their own may not be seen as significant but which taken collectively across a region or an area of the state are leading to a significant decline in the opportunity for people to collect firewood from Crown land and state reserves, and Jancourt is another example.

I think it is important that we make sure there is a strategy across the state that provides for adequate firewood reserves for those people who wish to collect firewood to use as a heating source. Again I say that, particularly for people in regional and rural areas and people in many country towns, this is their main source

of heating their homes and is often used for cooking and heating the hot water service. It is seen as a cheap, cost-efficient form of heating. Many of these families are on relatively low incomes, so collecting firewood is a way to provide a good heating source at a reasonable price. I am concerned that decisions are continually being made to reduce access to the collection of firewood.

I wish to move on to an area where I think this legislation has missed an opportunity, and that relates to the Devilbend proposal. The Liberal Party has made it very clear that it has a plan to create a Devilbend conservation park. On 17 January this year the Liberal Party announced that it would create a 1057-hectare conservation park at the Devilbend Reservoir on the Mornington Peninsula to protect the land and water and flora and fauna there. This announcement had enormous support from the local community. If you look at the *Age* of Wednesday, 18 January 2006, you see that a number of people made it very clear that they supported the Liberal Party policy. Indeed Jan Oliver, convenor of the Mornington Peninsula Roundtable, described Devilbend Reservoir as:

... 'the jewel in the peninsula' and the last remaining public land area.

'It will need rehabilitation and restoration in some areas, but I think it's great that the Liberal Party has put their position on the line and wants to retain the site'.

Subsequently I understand that the government made an announcement with respect to Devilbend, but there is a significant difference between the two positions. The government wants to sell off 40 hectares of this valuable piece of land and very important flora and fauna reserve and put housing on it. The government wants to sell it off, whereas the Liberal Party wants to protect the whole of Devilbend. Indeed I am advised that Devilbend Reservoir is home to 128 bird species and is certainly seen as a very important asset in terms of conservation values and the future of the Moorooduc–Mornington Peninsula area. We have a significant difference of approach to the management of that area, which highlights — —

Ms Lindell interjected.

Dr NAPHTHINE — The member for Carrum interjects, saying, 'You ought to sell it off. It's a farm'. That is disgraceful. That is typical of Labor Party members. They want to sell off all this public land, whereas Liberal Party members have made it very clear that we want to protect the whole 1057 hectares of the Devilbend conservation park, as opposed to the Labor Party. The member for Carrum is not even defending

her own government's position. She wants to sell it all off, whereas Minister Thwaites at least only wants to sell off 40 hectares of it.

Ms Lindell — On a point of order, Acting Speaker, my position has been misrepresented by the member for South-West Coast, and I would like him to not misrepresent my view.

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

Dr NAPHTHINE — The honourable member did quite clearly say by interjection that she wanted to sell it all off. Now she wants to retract her words. So be it.

Ms Lindell — On a point of order, Acting Speaker — —

The ACTING SPEAKER (Mr Savage) — Order! If the honourable member is going to repeat her last observation, I will not accept it. Is this a new point of order?

Ms Lindell — It is a new point of order. I have been personally misrepresented by the member for South-West Coast, and I take great exception to that.

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

Dr NAPHTHINE — In the few minutes I have left I want to raise some points with regard to the overall legislation. While the Liberal Party supports this legislation and supports the inclusion of additional land into various national parks, the purchase of certain land in the exclusion areas that were inadvertently put into national parks and the rationalisation of roads, which is a very good step forward, we make the point that it is absolutely vital that the government accepts its responsibility to properly manage Crown land, national parks, state parks and state reserves.

It is interesting to note, when you look at the most recent figures, that Victoria spends \$26.55 per person on managing Crown land, whereas in New South Wales it is almost double that — \$58.40 — and in Queensland it is \$57.89. Often in Victoria we hear this government having a go at its colleagues in New South Wales and Queensland, proclaiming that Victoria is better in terms of conservation than those two states — and it particularly has a go at Queensland. Yet the figures clearly show that this government is only spending half the amount per head that they spend on protecting our good conservation values. Is it any wonder that we have major problems on state-owned and state-managed land with weeds, feral animals and

the overpopulation of certain native animals and that we have real inadequacies in managing that land in terms of bushfires and the damage they can do to an area.

Time and again we see the government underachieve its targets on fuel reduction burning, which jeopardises the very good work that this legislation brings forward. This is about protecting conservation values and protecting our land, but by its mismanagement the government is putting that in jeopardy. It does not spend enough on fire tracks, it does not put enough time and effort into fire control and fuel reduction burning, and it certainly does not spend enough on managing weeds and feral animals — whether they be foxes, wild dogs or feral cats.

The situation is that the government of Victoria, under the Bracks Labor government, is renowned throughout the length and breadth of the state as the neighbour from hell. If you own private land next door to land owned or managed by the state, you spend all your time and effort trying to deal with the problems that come across the fence from your neighbour. People in country Victoria are sick and tired of it. As Country Fire Authority volunteers they are sick and tired of being called out to deal with fires that are not properly managed by the Department of Sustainability and Environment and Parks Victoria. They are sick and tired of dealing with weed infestations that come from Crown land. They are sick and tired of dealing with the feral animals — be they rabbits or foxes or wild dogs — which have been born and bred on Crown land with no proper programs to control them and which continually cause damage to their properties, their livestock and their livelihoods.

Let me conclude by saying that the Liberal Party supports this legislation and supports the concept of having a great system of Crown land management including national parks, state parks, reserves and conservation areas. But what we also say is that it is incumbent on the state government to properly manage the land it is responsible for. This government is failing to properly manage that land, and that is causing enormous concern in regional and rural communities. It is also causing enormous dislocation and high costs for those people who are unfortunate enough to be neighbours of the Crown.

Mr JASPER (Murray Valley) — I rise to make a contribution on the legislation on behalf of The Nationals and indicate from the outset that we will not be opposing it. I want to also thank the minister for making available representatives from the department to provide detailed information relating to the

legislation to the Honourable Peter Hall, a member for Gippsland Province in another place, and me. The information certainly clarified a bill which has a large number of amendments in it. We were provided with extensive information, of which I am most appreciative.

Among other things the bill amends the National Parks Act by adding approximately 400 hectares to four national parks, one state park and a national heritage park. These areas have been donated by various bodies or are minor corrections to boundary alignments. The areas affected include the Great Otways, the Grampians and the Mornington Peninsula national parks, Broken-Boosey State Park and the Castlemaine Diggings National Heritage Park. There are also some minor excisions from various parks.

I was also provided with information relating to amendments to no-fishing provisions in the marine national parks, and also there are amendments to the Crown Land (Reserves) Act to create three regional parks at Bendigo, Kurth Kiln and Macedon, among several other minor reserves.

I have to say from the outset that The Nationals have always reviewed the national parks legislation that has come before Parliament as it relates to increasing and extending national parks throughout Victoria and a range of other areas. But I also have to indicate to the house that — as members would be aware — The Nationals have often opposed this type of legislation being brought before the Parliament where there are major extensions to national parks across Victoria. Included in those are the marine national parks, the Box-Ironbark National Park and the Otway National Park.

I further indicate that, as the house will be aware, investigations are being undertaken into the red gum areas along the Murray River. We have extreme concerns with those investigations. We also would be opposing this legislation if it were going to affect the operations of many people in these red gum areas along the Murray River. We will be watching with great interest and look forward to seeing the report, when it is presented to Parliament, on the investigations currently being undertaken into the river red gum areas in that part of northern Victoria.

I also want to put on the record that we now have 3.3 million hectares of land in Victoria under national parks acts, which is approximately 14.5 per cent of the state's area. The concern of The Nationals over many, many years has been that, whilst we can agree that there should be extension of some national parks and heritage

areas and a desire to look after many of these special areas — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Ingram) — Order! Will honourable members show respect to the member on his feet and stop the large number of conversations in the chamber.

Mr JASPER — Be aware, Acting Speaker, that as the noise increases I will increase the volume of my voice, so you will hear it anyway — and for those who do not wish to hear, that is okay. But I agree with you that it is disrespectful to the person on his or her feet. I am sure the Minister for Tourism, who is the minister at the table, will listen very carefully to what we have to say.

I have outlined the concerns that we in The Nationals have about continuing the extension of national parks. I said in a contribution to a debate on legislation here a little time ago that when the maps of the proposed extensions to national parks in New South Wales and Victoria were presented to me in the 1980s I said, 'They will never achieve it'. They were going to connect parks right through that area, and in fact it has been achieved. The difficulty we have, as was mentioned by the member for South-West Coast in his closing comments, is how you manage all these areas. If the government is going to have extended areas for national and state parks throughout Victoria, it needs to provide appropriate funding so they can be managed appropriately, correctly and for the good of all people living in the state of Victoria.

I indicated that I was given an extensive briefing. There is no doubt that many of the changes and amendments are logical. They are commonsense changes. From The Nationals point of view, we will not be opposing the legislation on the basis that it is an extensive piece of legislation which contains many corrections to the national, regional and state parks, and indeed other land management areas within the state of Victoria. However, I want to make some comments on specific areas that are directly or indirectly affected by this legislation and in fact related to that.

We see that the legislation details three new regional parks. In the 1990s I raised for the attention of the coalition government at the time the fact that in the northern part of my electorate of Murray Valley, on the boundary between Victoria and New South Wales along the Murray River, there was an area designated as the Cobram Regional Park. I made extensive representations to the then minister, the late Marie

Tehan, seeking information as to why this park had not been gazetted. Her response was totally inadequate at the time. She indicated that it had been designated as a regional park but in fact had not been gazetted, and she could not give me any indication as to when that would happen. Perhaps the minister responsible for this legislation in this house will be able to provide a response to me and to those of us living in my electorate of Murray Valley as to why the Cobram Regional Park has not been gazetted.

To all intents and purposes it is a regional park, and it is managed that way by Parks Victoria, but it makes it very difficult for the department to be able to implement appropriate management structures along that area, recognising that a lot of people come and camp along the Murray River right along those areas. There needs to be stronger management tools so people can also utilise those areas within appropriate management structures. I have arranged a number of meetings — three or four — in Cobram, bringing together people who are interested in the management of these particular areas and who would like to see better management practices put in place.

I mention that because I think that is an area that needs to be addressed urgently in order to get appropriate management — for instance, in New South Wales you cannot light campfires along the northern part of the Murray River, but you can do so on the southern part of the Murray River in Victoria. I am not suggesting that we should or should not have campfires, but surely there have to be better management structures in place. That is just one issue. Despite the fact that there have been a number of meetings which I arranged at Cobram to look at our concerns in relation to the management of the Cobram Regional Park, we do not have enough management structures to be able to utilise Parks Victoria, the police, the Country Fire Authority and other organisations to get better management.

In relation to the box-ironbark area, I want to mention particularly the Broken-Boosey State Park, for which there are amendments in this legislation. They are mainly changes regarding roads and tracks. There have been meetings between representatives of the Moira Shire, Parks Victoria, the Department of Sustainability and Environment and the Surveyor-General's department, to precisely define roads. Some tracks were excluded from the park and other tracks are now included in the park.

I have had representations from an adjacent landowner, Mr John Rudd, going back earlier this year. I arranged a meeting, which included representatives from Goulburn-Murray Water, the catchment management

authority, the Department of Sustainability and Environment and Parks Victoria. It was a very unpleasant meeting in trying to placate the concerns of this particular person because the Broken-Boosey Creek goes through his property. An area of about 40 hectares is now being fenced off from his property for usage. It is an area which he regularly grazed but which apparently may not be grazed at all now that it has been fenced off. He had genuine concerns, and I believe there should have been greater cooperation from the departments in looking to meet the concerns he had.

He spoke about a small construction to regulate the flow of water which had been developed by his father and other families in the area, who had paid for that construction. That construction has been ripped out. They have replaced it with a fish ladder, which is of some benefit, but they are concerned that they will not have appropriate water in the creek for stock feeding. These are issues that people have concerns about. If there are to be changes and cooperation, there needs to be cooperation between landowners and the general public. With the national and state parks you need to take people with you; there needs to be consultation to achieve appropriate results.

The member for South-West Coast mentioned wood collection. I note that one part of the legislation before the house refers to the Jancourt nature conservation reserve, where there is an extension of fire collection until 2010. That is a huge issue for us in north-eastern Victoria. With the declaration of the Box-Ironbark National Park and the state park, restrictions were imposed on where people could collect firewood. Many people in country Victoria still have open fires and utilise them not only for heating but also for other aspects of general living.

There is now a situation in north-eastern Victoria where people have great difficulty in accessing where they can collect firewood. They may have to travel long distances to access firewood collection areas within the national parks and particularly within state parks. With the amount of timber seen lying along the roads in country Victoria in close proximity to towns, surely a better arrangement can be made for accessing state parks and even areas on the roadside to clean them up.

A classic example is the Warby Range State Park. I have spoken to Country Fire Authority people there, who have indicated that if fires were to occur in the Warby Range in proximity to Wangaratta, they would not go in there to eliminate the fires because there would be too much danger to the firefighters. I suggested that perhaps 50 metres or 100 metres should be cleared back on either side of the road along the top

of the Warby Range so there could be a fire protection area. Despite my strong representations, the people from Parks Victoria were not prepared to concede that there needed to be an area which could reduce the fire hazard within the Warby Range State Park. These are the sorts of issues that should be addressed.

I want to refer to an issue brought to my attention by Mr Bob Cheesley. He lives in the Chiltern area in north-eastern Victoria. The 2003 bushfires that went through the Box-Ironbark National Park encroached onto and burnt out a large section of his property, including major fencing which abuts the park. He has some kilometres of fencing that borders the national park. Despite a visit by the Premier of Victoria and an indication that works could be undertaken to protect his property — he had insurance which covered the reconstruction of the fence on the boundary of his property and the park — he now has a situation where timber growth in the park is right up against his fence.

There is no cleared area in the park next to his property, so trees and limbs are falling over this newly reconstructed fence and he has a constant job to protect his property. At the time of the works being undertaken when the appropriate equipment was available he requested that an area of, say, 15 metres to 20 metres be cleared back from his boundary fence. None of that was done, and I have been told that the most that would be done would be to clear up to 5 metres from his boundary fence. There is a massive area of trees right along his fence.

I am extremely concerned about this and have visited his property on two occasions, on the second occasion with representatives from Parks Victoria. But to date there has been a very poor response from the department. It is holding the line saying, 'We will not be doing anything within the park'. I think that is a disgrace. I am very worried about the health of Mr Cheesley, because he believes no-one wants to help him. He has the situation of having a boundary fence abutting the Box-Ironbark National Park, and no support is being provided to him. Even when limbs fall over onto his property and he cuts the timber into logs he cannot sell it; he has to use it for his own purposes. That is a disgrace in itself.

The Nationals' view is that we will not be opposing the legislation. We think most of the changes included in it are logical and commonsense, but there needs to be greater cooperation by the government and government organisations to assist in ensuring that the areas within national and state parks are appropriately managed. There needs to be cooperation with the local communities so they do not see, as has been mentioned

by others on many occasions, the government people who are controlling these areas as the managers from hell because they are not looking after their properties or ensuring that adjoining property owners are appropriately protected and given just responses about the works being undertaken.

It is interesting that at the bottom of my notes I have written 'border anomalies'. But border anomalies do not come into this area particularly, except where I mentioned — along the Murray River because of the differences in the management of land on both sides of the river. Often management practices on the northern side of the Murray River in New South Wales are totally different from the management practices for those of us living on the southern side of the Murray River in Victoria. With the investigations into the red gum forests along the Murray River there needs to be some balance in the report that is prepared so that the interests and rights of all the people along the river are protected in a just and balanced way. There needs to be consultation between the state governments to make sure that there is universality in the control measures for people who utilise these important areas along, say, the Murray River, which is the boundary between Victoria and New South Wales.

I applaud the fact that the Premier has responded to the representations I made on the abolition of the Border Anomalies Committee in late 2004 with a major meeting which took place a few weeks ago at Echuca. The secretaries of the premiers departments of Victoria and New South Wales chaired the meeting and set out some rules and regulations that should be adhered to by both state governments in looking to eliminate border anomalies. This is an area of major concern that I believe should be addressed into the future.

Finally I say that as far as The Nationals are concerned, on the information that has been provided on this legislation we recognise the amendments that have been put into place and the need for national and state parks, but we need to make sure that the government is thoroughly responsible in how it manages these areas. When I get representations from constituents of the sort I have mentioned in my contribution to the debate, it really makes it hard to convince people that the state government is being fair and reasonable in the way it is handling the areas under its control, whether they are national or state parks, nature conservation areas or other reserves which come under the purview of the National Parks Act. As a consequence we call on the government to look at better management practices to make sure that these areas are not only managed correctly but are also available to people to access.

It is interesting that only last night I spoke on the phone to a person who was talking about the elimination of cattle in the high country, which The Nationals totally opposed. They asked when horses will be removed from the high country. At present there is access for people involved in horseriding and other activities, but that may be the next step. These are issues which need to be addressed by the government. A clear direction needs to be given on how these issues will be managed into the future for the benefit of all Victorians and not just some sections of the community. The legislation before the house, as far as The Nationals are concerned, will not be opposed.

Ms LINDELL (Carrum) — It is a great pleasure to speak this afternoon in support of the National Parks and Crown Land (Reserves) Acts (Amendments) Bill. I will reiterate some comments made by the member for South-West Coast. I do not always agree with everything the member for South-West Coast says, but I echo the comments he made about the debt we all owe to the voluntary workers and committees of management right across the state of Victoria who maintain our precious public land reserves. We have many voluntary committees of management and friends groups throughout our great parks and reserves, and they do an absolutely fabulous job. I know many people in the friends of Mount Buffalo and Wilsons Promontory national parks groups, and they do an extraordinary amount of work for the conservation and protection of our parks estate.

This bill continues the Bracks government's legacy in relation to national parks and aims to further enhance our parks and reserves system. If we look at the list of achievements of the Bracks government on the environment we see the creation of the new Great Otway National Park, the creation of the box-ironbark parks, the creation of the new marine parks that we established in our first term and the reduction in logging to ensure sustainable timber harvesting into the future. There is also the phasing out of logging by 2008 in the Great Otway National Park, the ending of woodchipping in the Wombat State Forest and the commencement of the trial of community forest management. Then we see the improvement in fire preparedness through a massive injection of resources into protection burns, equipment for firefighters and equipment for access tracks, although the member for South-West Coast made very scathing remarks about our fire management and fire preparedness, which I of course disagree with — but he would not be surprised to hear that.

The securing of Point Nepean National Park was a great victory for all Victorians. The work done by the

Bracks government to force the federal government into a backdown and to ensure that Point Nepean stayed in public hands was perhaps one of our greatest victories. The overall increase in funding of \$98 million for our parks system has seen the employment of an extra 50 rangers to ensure the better management of our parks.

This bill adds a further 400 hectares to four existing national parks, one state park and a national heritage park, the most significant area being the remnant bushland in the Ironbark Basin that is being added to the Great Otway National Park. This bushland is located close to Anglesea and adjacent to the Point Addis Marine National Park. The Surf Coast Shire has agreed to surrender this land to the state at no cost in return for its permanent protection in the Great Otway National Park. As the member for South-West Coast noted, it has significant red ironbark vegetation which is quite uncommon in a coastal location.

There are several significant species listed in the Flora and Fauna Guarantee Act that have been recorded in this area. They include the rufous bristle bird and the swamp antechinus. The Otway grey gum, which in Victoria is vulnerable and is restricted to the Aireys Inlet–Point Addis area, is also found in this particular region. There is also the 25 hectares that contains part of the Sabine Falls walking track. The member for South-West Coast gave us a little history lesson about the Napthine family, and it is always nice to speak on legislation in which we have some personal interest. He talked about Jack O'Meara, who must have been a man of great principle to put his own legal status at risk in acting for that member of the Napthine family.

There are three small allotments owned by Wannon Water near Arkins Creek which are also going to be added to the Great Otway National Park, and there are some other small areas, mostly land purchases, which will be added to the French Island, Grampians and Mornington Peninsula national parks, the Broken-Boosey State Park and the Castlemaine Diggings National Heritage Park.

I will talk for a few minutes about clauses 5 to 7 of the bill, as they relate to the offence provisions that apply to the marine national parks and marine sanctuaries. The amendments aim to increase the ability to enforce the prohibition on fishing and to encourage compliance with it. The amendments do not alter the fundamental position that fishing is prohibited in marine national parks and marine sanctuaries, but they take into account the experience gained since the marine national parks were created in 2002.

The amendments create a new offence relating to the use of recreational fishing equipment and increase the range of options that enforcement officers have for dealing with fishing offences in marine national parks and marine sanctuaries. The existing fishing offences are not suitable for the issuing of penalty infringement notices. This is seen as a weakness in the legislation, and that will be amended in this bill.

There is a new offence relating to recreational fishing equipment, but it applies only to the use of recreational fishing equipment in a marine national park and does not apply to the possession of recreational fishing equipment. This finetuning of the original legislation has come about from some of the experiences in dealing with and prosecuting people who are doing the wrong thing in our national parks.

I want to make some brief comments in regard to the increased resourcing of management practices on our national park estate. The opposition beats up this issue at every opportunity while totally ignoring the fact that since the Bracks government came to office in 1999 it has provided a massive increase in resources to Parks Victoria for weed and pest management on public land. It is a very significant issue, and I do not think any member of the government would back away from that. The opposition has gone one step too far in trying to claim some higher moral ground on these issues, given that it cut everything in country Victoria when it was last in government.

Since 2005–06 a further \$45 million has been spent on weed and pest management on public land. The Bracks government is certainly responding to community concern about pest animals — the deer, the rabbits, the foxes and the wild dogs. As the Acting Speaker knows, I am quite aware of all of these issues! There have been 35 additional positions created across relevant agencies to address these issues. With those brief comments I would like to commend the bill to the house.

Mr MULDER (Polwarth) — I rise to make some brief comments in relation to the National Parks and Crown Land (Reserves) Acts (Amendment) Bill insofar as it affects the seat of Polwarth, in particular the towns of Anglesea and Aireys Inlet.

The bill provides for the addition of the Ironbark Basin to the Great Otway National Park. Yet again we have another addition to the Great Otway National Park. I know the member for South-West Coast and before him the member for Murray Valley spoke in relation to the growth of national parks. The Liberal Party supports our national parks. However, we have serious concerns about the management of the national parks, such as the

maintenance of access tracks and the lack of cool burns through the autumn period, which is an even greater concern. I understand our burn-off in the Great Otways National Park has fallen well short of the target set by the Department of Sustainability and Environment. What it is looking for now is some window of opportunity towards the end of spring to be able to conduct burn-offs to reduce the fuel load in the Great Otway National Park.

The grave concern that my communities of Lorne, Apollo Bay, Kennett River, Aireys Inlet, Anglesea and some of the smaller inland towns have is that, given the cycle of bushfires through that region, we are overdue to have a fire through that area. Governments can act in two ways. Either they can act responsibly to ensure that if we do have a bushfire, the impact will be minimal or they can act irresponsibly and fail to conduct the required amount of fuel reduction burning in the Great Otway National Park, as the Bracks Labor government has done. Consequently it has put those communities at risk. Given the very dry weather conditions we are experiencing throughout south-western Victoria at the moment, there is no doubt that the Great Otway National Park will be a tinder box throughout the summer months, and, as I said, we have grave concerns.

It is great to have these national parks, it is great to promote our national parks and it is great to send tourists into those areas, but we have to be able to accommodate them in a safe manner, and we have to make sure that the growth of national parks does not come at a cost of putting the community at risk of bushfires and wildfires throughout the areas. The community is well aware that we are overdue for a fire of some sort in that region, and it is up to the government to offer to the community the greatest level of protection it possibly can and to make sure that it sticks to its targets. There seems to be an inability, or some form of paralysis, within the Department of Sustainability and Environment when it comes to fuel reduction burning. I do not know whether it is a lack of expertise, a fear of litigation or simply a lack of direction or leadership, but certainly the people of Polwarth, particularly those who live along that coastal area, have some concerns about the government's inability to offer the protection they require.

The issue of access tracks has also been raised. The lack of work carried out to prepare access tracks for firefighting personnel and vehicles may mean we will suffer the fate of having a serious wildfire go through that area. It is not just a lack of access tracks but also a lack of maintenance in relation to some of the major arterial roads leading from the Princes Highway down

through the Great Otway National Park to the Great Ocean Road. I looked recently at one road in particular which leads from the treetop walk back down onto one of the major arterial roads, and it is second class. There just has not been enough money spent on the road from Apollo Bay leading back into Colac, which carries huge volumes of traffic.

It is one thing to send people into those areas during the summer months, but it is another to provide them with safe exit should their lives be put at risk due to a wildfire. The Liberal Party policy which has been put forward offers \$129 million for local councils to assist with road maintenance, road upgrades and bridge repairs. We hope the Labor government picks up that policy and supports local councils. Certainly throughout the Great Otway National Park there are a number of roads that could benefit greatly from that so they can provide safe access and also safe exit for tourists should they wish to get out in case of a major wildfire.

I return to the issue in relation to the Ironbark Basin. This is a significant area of remnant bushland located close to Anglesea and adjacent to the Point Addis Marine National Park. I note that the minister in his second-reading speech said that the Surf Coast Shire has generously agreed to surrender it to the state at no cost so it can be included in the national park. In return the land on the corner of Gilbert Street and Boundary Road, Aireys Inlet, will be given over to the Aireys Inlet community for a recreation reserve. I will touch on that as I go through my contribution.

There is no argument that the Ironbark Basin land is a welcome addition to the park, and even more welcome is the long-awaited reserve for the Aireys Inlet community. When I visited that community in the very early stages after being elected in 1999, children were playing cricket and kicking footballs in the hotel car park. That community has developed significantly since that period of time. The community was well and truly overdue for a proper recreational oval in Aireys Inlet. It is very generous indeed for the Surf Coast Shire to have handed over the Ironbark Basin land. I have spoken to some of the councils there, and they have said it has a value of somewhere of the order of a couple of million dollars. The value of the land provided at Aireys Land is worth nowhere near that amount. The ratepayers down there were subjected to a rate increase of around 7.9 per cent this year.

I wonder whether all ratepayers agree that this has been a prudent decision and a value-for-money swap for the area of land at Aireys Inlet. It has involved nearly six years of lobbying by the Aireys Inlet community, and we now have this amendment, which has been

formulated to finally provide the community with a recreation space, as pointed out in the second-reading speech. But before the ink has even dried on the document, various protest groups are citing the presence of assorted flora and fauna on the land that has been identified for the recreation reserve. They have lined up to try to prevent the people of Aireys Inlet ever setting foot on that reserve.

I am not sure what assurances the government has had from the environmental groups as to what level of support it is going to get as the development of this reserve moves forward. What guarantee do the people of Aireys Inlet have that the bill will ensure them the smooth path they have the right to expect? One has to ask that if the site included sensitive protected vegetation in 2001, what has happened to it since? These issues were pointed out when the site was originally identified for a recreation reserve. I hope the minister has taken them into account in presenting this bill and that he will take the appropriate action to ensure the Aireys Inlet community can go about its recreational pursuits free of interference.

I would like to refer to a report which is dated November 2001 and is entitled *Aireys Inlet Oval — Review of Development Options*. In referring to this piece of land, which was the new oval on Crown land at Gilbert and Boundary roads, the finding at the time was:

The shire has previously considered this, but indications are it is unavailable due to zoning restrictions and vegetation removal orders.

Council officers have sought written advice from the Department of Natural Resources and Environment regarding access to the site. DNRE has advised that the site includes sensitive protected vegetation. This restriction also applies to the abutting land for sale. This site is therefore not available for consideration. The adjoining land (30 acres) was recently available for purchase at \$380 000 which contains similar zoning restrictions.

It has since been sold.

This option is not a consideration for the development of a senior cricket facility for the reasons as outlined above.

I have some real concerns as to what level of support and what level of guarantee the Minister for Environment has given to the Surf Coast Shire that these restrictions no longer apply; that this land will be able to be developed as a recreation reserve for Aireys Inlet; that there will be no interference from green groups; and that the minister will bulldoze any approach by the green groups in that area to stop the people of Aireys Inlet having the recreation reserve they truly deserve and have fought for over six years.

We have made representations on this issue in the past. I have met with the community of Aireys Inlet. As I said, it is not appropriate to have children playing cricket and football in a hotel car park full of potholes while cars come in and out. They deserve an oval. I want some guarantees, and I seek assurances from the minister in his summing up on this bill that this will go ahead and the issue of vegetation will not impact on the reserve.

Ms LOBATO (Gembrook) — I am very pleased to speak in support of the National Parks and Crown Land (Reserves) Acts (Amendment) Bill. The main features of the bill are to amend the National Parks Act 1975, to add areas to six existing parks and to improve the provisions relating to offences in marine national parks and marine sanctuaries. It also amends the Crown Land (Reserves) Act 1978 to create the Bendigo, Kurth Kiln and Macedon regional parks, among other reserves.

The most important aspect for the community within the electorate of Gembrook is that an area consisting of 3470 hectares between Launching Place and Gembrook is to be proclaimed as the Kurth Kiln Regional Park. Access to this area is by the Gembrook-Launching Place Road which I am pleased to advise is totally sealed now. Anybody who used to gain access on the potholed, gravelled major road can now do so very comfortably. The new regional park will consolidate several areas adjoining Kurth Kiln including Shiprock Falls and Ewart Park. This consolidation provides for formal recognition of these existing local treasures along with of course the famous Kurth Kiln itself.

As a proud member of the Friends of Kurth Kiln I would like to congratulate the group, particularly the vice-president, Rosemary Beth Rem, the secretary, Alfred Klink, and his wife, Ursula, and all the other members, along with Parks Victoria for its very active involvement. I particularly point out one member, which I probably should not do, and that is Ralph Angelico, for his passionate support of Kurth Kiln. Also I would like to mention Merle Mathieson, who is very active in Kurth Kiln.

At this point I would like to pay tribute to our past president, Meinhard Holtz, who passed away recently after a battle with cancer. Meinhard was 75 years old and he basically dedicated all of those 75 years to the community and the environment. He was a member of all local environment groups and was passionate about educating our youth, particularly the students at Gembrook Primary School, often bringing them down from the school to work in Kurth Kiln doing replanting. He educated them about protecting our environment, particularly the local environment. On behalf of the

Gembrook electorate, I thank Meinhard for his massive contribution to our environment and his advocacy towards a better future for our children. Fortunately for me, Meinhard celebrated with me at a function I held at Kurth Kiln at Christmas.

I previously mentioned the inclusion in the regional park of Shiprock Falls and Ewart Park. Ewart Park is named after Cr Henry Ewart who was responsible for having the land reserved and installing public facilities. This area will be known as the Ewart picnic ground. Shiprock Falls is a magical tourist site, which I encourage all members to visit, and now they can do so safely. I was taken to Shiprock Falls by a Gembrook resident and local activist, Ian Bennett, some time ago. He wanted to show me just how unsafe the area was. As I slipped and caught a view of those lovely falls, I realised just how unsafe they were. Fortunately, now we have some safety facilities and handrails to assist there.

Visiting the Kurth Kiln picnic ground is like going back in time, such is the way it has been looked after and preserved. For the past three years I have celebrated this magnificent site with the community at the Kurth Kiln Festival, which I would also encourage members to attend. I have opened the festival on a couple of occasions. The festival surrounds the kiln and several huts; it involves many different community groups who provide information about the kiln itself and about the local environment groups that actively participate.

The kiln has an incredibly interesting history. It was built during the Second World War to make charcoal that was used in gas producer units fitted to motor vehicles as a substitute for petrol at that time. There are many floral and faunal attributes within the park and many rare and endangered species, and it is also very close to areas such as Yellingbo, which is home to the helmeted honey eater.

Other recent significant changes to Crown land that I want to briefly comment on include the transfer of Beaconsfield Reservoir from Melbourne Water to Crown land. It is now known as Beaconsfield Nature Conservation Reserve and is proudly managed by the Cardinia Environment Coalition. That was a major local achievement and one that the Beaconsfield and wider community can feel very proud of. Similarly the O'Shannassy aqueduct was transferred to community ownership and will become a 30-kilometre walking track. We have spoken at length about these wonderful initiatives previously, but I wanted to mention them again because they are outstanding achievements for the local community and for our future generations.

The current amendments in the National Parks and Crown Land (Reserves) Acts (Amendment) Bill extend the Bracks government's commitment to our environment and to a sustainable state, and it is wonderful timing that we should be debating this bill in the week that the Premier and the environment minister released the groundbreaking sustainability statement. It is very appropriate timing. We can be assured that these amendments contribute to Victoria being the place to live, work and raise a family, and I commend the bill to the house.

Mr PLOWMAN (Benambra) — I have pleasure in joining this debate, because any debate about public land, particularly when we are talking about the inclusion of greater areas of national park, is vital to all country members. There is no doubt that the management of public land is one of the most volatile issues in rural Victoria. It is essential that any legislation that comes before this house is given the debate it deserves in order to ensure two things.

The first is that any increase in the area designated as national park, regional park or whatever is matched with the funding required to manage that area in the way it should be managed. As has been noted by many speakers prior to my contribution to the debate, it is the bane of country people's lives that public land is just not being managed the way it should be. This does not apply to just one side of the house or the other; both sides of the house are guilty. We are all inclined to want to increase the area of national parks or regional parks, but we are rarely prepared to match that with the funding needed to manage them properly.

The bill includes offences relating to marine national parks and marine sanctuaries. I know the member for South-West Coast dealt with that issue and talked about the need for those provisions, so I will not touch on anything to do with them. The bill also deals with the inclusion in national parks of areas of land managed by water authorities. That makes good sense in many respects. A catchment area for a water authority can be managed as well or better by the local regional or national park authority in which that catchment area exists.

However, I repeat that if you look at the management of Melbourne's catchment area by Melbourne Water, you find that it is exemplary in comparison to other public land that is now reserved in regional or national parks. I say again that if this land reverts from the control of regional or local water authorities, it is essential that that is matched with the funding required to look after it and keep it in a manner that will do two things: firstly, provide well-managed parks, and secondly, ensure that

the land is well managed from the point of view of water harvesting, because those catchment areas are vital to our water supplies throughout country Victoria.

Other provisions in the bill change the definition of water supply catchment areas in the Great Otway National Park, and again I do not have any concerns about that. I have touched on the increase in the area of existing national parks, the formation of additional regional parks and some minor excisions from various parks right across Victoria.

I think is vital in a bill like this, which includes an enormous number of small changes, to note that the devil is in the detail. There are three areas I want to follow up closely. The first is the excisions in the Beechworth Historic Park; the second is the changes concerning Black Dog Creek; and the third concerns an area that is outside my electorate but is one in which I have had a big involvement throughout my life, and that is Boosey Creek. Having gone through them in detail, I have no argument with the changes in the legislation, but even though we have maps available to us in the parliamentary library it is difficult to pinpoint the changes and the areas that are subject to those changes. It is essential with a bill as complex as this, where you look at a whole range of small changes throughout the state, that we ensure that we are not disadvantaging some people.

As the member for South-West Coast again clearly indicated, some of those excisions are due to mistakes made earlier. One thing that really disappointed me was that there was no opportunity to excise the Woolshed School Reserve in the Beechworth area. That reserve is the site of school no. 1900, which closed in 1922. In 1999 the then Department of Natural Resources and Environment assessed the reserve to determine whether the land was suitable for private sale. Before the land was sold there was quite a lot of local resentment to the sale and people expressed their disapproval and that sale did not go ahead. As a result, at a public meeting held in June 2000 a committee of management was elected to manage the area as a temporary reserve and that was gazetted on 11 October 2001.

It was an area with a lot of history which the community wanted to keep and maintain. When you think about it, in Australia we do not have a lot of history, and we should preserve every bit that we have. The community decided that the school reserve should be retained in public hands and managed by local people. They effected that management and planted hundreds of native trees and maintained the fencing, the gates, the roads, the parking indent and so on. They put in all sorts of improvements such as seats and so on so

that people could use it, including picnicking there, without destroying the value of the area. They put a lot of their own time, effort and funds into managing it.

When the Chiltern Box-Ironbark National Park was established, the reserve area was inadvertently included in the national park. The committee of management took exception to that, and on 10 March Mr Jim White wrote to the minister, suggesting that there had been a mistake. He had access to two emails. One was from Lois Pauline, the box-ironbark project officer in Wodonga. Referring to the Environment Conservation Council, she said:

There appears to be no justification for the land being reserved as national park in 2002. It was not the intention of the ECC based on the original mapping.

...

I think the best option is for the land to be excised out of the national park and again reserved for management by the local committee of management.

That was a very sensible idea. That was followed by another email, from Merv McAlicee, in which Merv agreed with Lois Pauline and said that the area should and could well be reallocated as a reserve under public management.

To date nothing has happened. I would have thought the bill would have provided the ideal opportunity to excise that school reserve. I am disappointed that that has not happened. I accept the fact that these things sometimes take time. But the committee of management had been formed some years ago, and in March a letter went out from the chairman of the committee of management. It is time for the minister to at least respond to that letter and time for the department to accept that the area should be excised from the Chiltern Box-Ironbark National Park.

Ms ECKSTEIN (Ferntree Gully) — I am very pleased to make a brief contribution in support of the National Parks and Crown Land (Reserves) Acts (Amendment) Bill. The bill is very important because it further protects Victoria's natural heritage for future generations as well as the habitats for our native flora and fauna. The bill significantly extends Victoria's national parks and Crown land reserves. It extends six existing parks by adding additional areas to them. In fact, approximately 400 hectares are being added to four national parks, one state park and a national heritage park. The most significant addition is the inclusion of the Ironbark Basin in the Great Otway National Park. Some small additions are also being made to the French Island and Mornington Peninsula

national parks, the Broken-Boosey State Park and the Castlemaine Diggings National Heritage Park.

A really important part of the bill is the creation of the Bendigo, Kurth Kiln and Macedon regional parks. Those parks provide natural settings for informal recreation that are close and accessible to urban areas. They attract significant numbers of visitors and tourists as they are often close to other tourist activities and tourist routes. I want to talk a little bit about the Kurth Kiln Regional Park, which is not in my electorate but is not far away from it. I am very fortunate in that adjacent to my electorate I have the Ferntree Gully National Park, and part of the Lysterfield Park is in my electorate. Those parks are very well used by my community and constituents and very much appreciated by them. We are very lucky in that regard. Kurth Kiln is a little bit further away but it is still close and accessible to people in my area.

The Kurth Kiln Regional Park near Gembrook covers 3400 hectares and is typical of a natural environment relatively close to and accessible from the suburbs. It is a lovely spot for picnics, walking, camping, horseriding and visiting the historic sites of sawmilling in the district and the associated tramways. The Friends of Kurth Kiln and the Gembrook Flora and Fauna Group are actively involved in supporting this important regional asset, as are many friends groups associated with our national and state parks. They have a very important function in supporting our parks.

I know some of the people involved with the Friends of Kurth Kiln, including Alfred and Ursula Klink, whom I have known for many, many years, and I know of their dedication to preserving both the natural environment as well as the pioneering history of the area. About two years ago I visited Kurth Kiln with some friends. We all remarked on how fantastic it was to come to such a beautiful spot on the fringes of metropolitan Melbourne. Mind you, the day that we were there it was absolutely freezing — and raining, to boot — but that did not detract from the inherent natural beauty of the area. I am delighted that this legislation adds Kurth Kiln to our Victorian regional parks.

I am proud to be part of a government that has a strong record in the environment and in protecting and extending our national parks. The creation of the Great Otway National Park and the marine national parks and banning cattle grazing in the Alpine National Park, amongst many other things, are important achievements of this government that I am very, very proud of. With those few remarks, I am very pleased to commend the bill to the house.

Dr SYKES (Benalla) — It is a pleasure to speak on behalf of The Nationals on the National Parks and Crown Land (Reserves) Acts (Amendment) Bill. As the member for Murray Valley has indicated, The Nationals will not be opposing this bill, which involves the addition of approximately 400 hectares of land to national parks. That is in spite of The Nationals' policy to oppose the extension of national parks. The reason we have that policy is that we have a grave concern, as other speakers have mentioned, about the ability of the government to manage the — I think it is — over 3 million hectares of national parks and around 4 million hectares of state parks.

The reason for the management problem is twofold. One is the philosophical issue of 'lock the gate and throw away the key'. Secondly, there is an issue of a lack of recognition of the massive amounts of money and resources that are required to manage national parks. That is the problem that exists there. But within that context, it is my understanding that the proposed increase of 400 hectares will basically put into the national parks, land that is effectively already managed as national park. Therefore, within that context, we believe this is commonsense prevailing. The Nationals do believe in the application of commonsense, and therefore we have no problem with this.

I turn back to the general principle of the management of our Crown lands. Last Sunday I was at a meeting of the Country Voice group in Merrijig, which is near Mansfield. A large number of cattlemen expressed their concerns about the decision by the government to exclude cattle from the high country. Two members of the government did attend — the members for Ripon and Seymour. I think the cattlemen made it very clear to those government members that they were very unhappy about the government's approach to the management of national parks, in particular the exclusion of cattle.

They quoted an example which I think is very relevant to another expansion of the national parks, and that is Wonnangatta Station — which, as I understand it, came under government control about 18 years ago and in that time has not had livestock grazing on it. Independent reports indicate that there is one heck of a fuel load on Wonnangatta Station, consisting of native grasses and other vegetation, and also a massive weed burden, to the point where the station is considered not only a weed-infested jungle but also a firetrap for the people who want to go in and enjoy our national parks. That is one example of where there are grave concerns about parks management.

Clearly we do have some fantastic parks, but given their large area there is a need for the government to recognise that millions and millions of dollars need to be allocated to manage them. It is somewhat insulting when the government announces an allocation of, say, \$600 000 to assist with the management of weeds, particularly on the perimeters of a park. According to my calculations, we have around 200 000 or 300 000 kilometres of perimeters of parks and state forests. If there is \$600 000 being allocated to improve weed management on those perimeters to overcome the government's reputation of being the neighbour from hell, we are effectively going to have approximately \$2 or \$3 additional funding per kilometre to manage the weeds there. Now that is a drop in the ocean.

If the government is going to manage these parks for all Victorians, which is its responsibility, then in addition to taking on that responsibility there is a need to put the resources in and manage the weeds and pests. We have the ongoing saga of the wild dogs, particularly out in the Tallangatta Valley, where the dogs are breeding up in the parks and coming out and attacking livestock, whether lambs or calves, and causing tremendous damage and death amongst our native fauna. Earlier today I spoke with the member for Morwell, who commented that in travelling in Tasmania a number of years ago you did not see foxes as road kill on the sides of roads; you saw a large number of native animals there — suggesting that there was a much larger population of native animals in an environment where foxes and wild dogs were not running around.

There is a need, in addition to setting aside what appear to be pristine parcels of land, for the management responsibility to be accepted by the manager, which is in this case the government. Interestingly The Nationals have come up with a policy for the management of the environment which suggests that the Department of Sustainability and Environment's management responsibility should focus on those national parks; that the Department of Primary Industries should take charge of broader weed and pest animal management; and equally, that the government, as a manager of 7 million hectares of land — to which it is adding another 400 hectares — needs to be treated the same as other land managers and to comply with the state legislation in relation to land management.

As I say, The Nationals do not oppose the addition of this extra 400 hectares of land to the national parks, because it is commonsense. However, we do oppose significant further additions to national parks unless there is going to be one heck of a substantial increase in funding and management resources or, alternatively, unless there are excisions of like parcels of land.

Mr MERLINO (Monbulk) — I am very happy to rise in support of the National Parks and Crown Land (Reserves) Acts (Amendment) Bill. This bill continues the Bracks government's excellent track record on the environment, and specifically its track record on reserves and parks in Victoria. We have created more national parks than any other government in Victoria's history, and that is something which I, unlike the member for Benalla, am very proud of and which I hope continues into the future.

I will mention just a few of those achievements. They include creating the Great Otway National Park, the phasing out of logging by 2008, the creation of 13 marine parks, the creation of 11 box-ironbark parks and ending woodchipping in the Wombat forest. In my electorate of Monbulk, we have expanded the Dandenong Ranges National Park by 322 hectares, further improving the important wildlife corridors in the Dandenongs, protecting native plants, animals and water catchment areas and improving recreation opportunities.

Our achievements in our parks and reserves are not just about creating new parks or reducing logging and woodchipping; we have also significantly increased the resources for our parks system. The government has increased parks funding by \$98 million, employed an extra 50 rangers to better manage our expanded park system and significantly addressed bushfire preparedness over recent years. In terms of weeds and pests, \$40 million per year is expended on weed and pest programs, which is particularly important and quite a significant issue in the Dandenongs and in the national park in my electorate. On any measure the Bracks government has a proud record on the environment.

The bill does a number of things, including amending the National Parks Act by adding approximately 400 hectares to the French Island, Grampians, Great Otway and Mornington Peninsula national parks, the Broken-Boosey State Park and the Castlemaine Diggings National Heritage Park. It also improves the offence provisions in our marine parks. The bill amends the Crown Land (Reserves) Act, creating the Bendigo, Kurth Kiln and Macedon regional parks, four nature conservation reserves in the Otways region, eight water reserves in the Macedon Ranges and a recreation reserve at Aireys Inlet.

Like the member for Ferntree Gully and the member for Gembrook, I would like to focus on the creation of the Kurth Kiln Regional Park, as it is located next door to my electorate and is enjoyed by many local residents. Kurth Kiln covers approximately 3500 hectares and is

adjacent to the Bunyip State Park. It is currently designated as a state forest, but its new designation as a regional park will provide greater protection for the park. I think it is an excellent move. The park offers a range of recreational opportunities, is particularly popular with walkers, campers and horseriders, and has several picnic grounds. In terms of flora and fauna Kurth Kiln is quite diverse: the wildlife includes swamp wallabies, echidnas, yellow-bellied gliders, lyrebirds, honeyeaters and yellow-tailed black cockatoos; and the vegetation includes areas of mountain ash forest, swamp heathland and shrubby foothill forest. It is a significant environmental area.

The park is named Kurth Kiln, which has quite an interesting history. With the onset of the Second World War and petrol rationing a year later charcoal was seen as an alternative source of energy, being converted to gas for modified motor vehicles. Charcoal kilns were established across Victoria, including the one at Kurth Kiln. Ultimately it was not a great success. The charcoal proved to be dirty, significantly less powerful than expected, very expensive and highly flammable — so unfortunately, even with today's high petrol prices I do not think charcoal is going to be an alternative.

The kiln was closed down soon after the war, but it remains a significant heritage site and the only one of its type in Australia. It is well looked after by the Friends of Kurth Kiln, and I am sure the friends are quite happy with the increase in its status, given that Kurth Kiln is becoming a regional park. I commend the bill to the house.

Mr INGRAM (Gippsland East) — I rise to make a contribution to the debate on the National Parks and Crown Land (Reserves) Acts (Amendment) Bill. From the outset I would like to say that some members of the government need to get out more. I have listened to this debate with a bit of interest, noting the comments that a significant area of land — some 400 hectares — is going to be added to four national parks under this bill. Government members need to get up to Gippsland East and have a look around the national parks. The Alfred National Park in my area is a small park — its 3000 hectares are an important small piece of rainforest — and the Snowy River National Park consists of 90 000 hectares. We are talking about significant land areas up there.

I endorse the comments made by previous speakers about the importance of making sure that the significant areas set aside as national parks in my area are adequately resourced. They are important assets to my region, both for the sense of tourism and for the protection of biodiversity in Gippsland. My electorate

covers 27 000 square kilometres of land, 80 per cent of which is either national park or state forest. Gippsland is always going to be the area where large new areas of national park are going to be identified in the future, and we see that already there is a push from some sections of the community to further reserve certain areas.

Whilst my community knows that we have an important part of the forested area of this state, we are often disappointed that the resources to back that up are never there — and there is a significant cost involved in doing so. The park staff do a great job with the resources they have, and they are always battling with a bureaucracy, particularly within Treasury, that seems to think that once an area is set aside as a national park it should no longer cost money to manage it. I think that is a frustration felt by a lot of people within the management of parks and reserves.

If you look at some of the areas that are being set aside you find that they are fairly small additions. In the debate so far the three parties in this place have indicated their support, so clearly there is cross-party support for these additions. Members have commented on the level of resources and the need for a significant increase in funding. What is that significant level of funding? This house should really address that when it debates the introduction of new areas of national park.

In my view there are two areas, and one is ongoing maintenance. A large number of pest animals and plants have been introduced into this country, and all of them have changed the relationships among indigenous animals and plants. Significant threats exist, and that costs money to manage. Blackberries are an obvious pest. As a member of Parliament I get large amounts of correspondence complaining about blackberries, particularly along riverbanks. I can take any member of this place to areas where blackberries are such a significant problem that they are killing large native trees by taking water away from some of the drier areas, particularly in the Snowy River National Park.

Huge sections of hillside are covered in blackberries, and that is in some of our most pristine and isolated national parks. That will cost a significant amount of money to manage, and we do not have the resources there. Because they are often hidden from view, unfortunately these things go untreated and are not acted upon. It is a disappointment for someone who loves those areas and visits them quite regularly that there are no resources for the adequate management of areas which are so important that they were some of the first parts of the state to be recognised as worthy of preservation as national parks.

The other area which I think needs significant funding is infrastructure. We are always told — and I listened to the debate in this house — about the importance of tourism in national parks. In my electorate one of the disappointments experienced by the community is when resources are allocated for the initial infrastructure investment to attract tourists to new national parks areas but when later there is no ongoing budgetary allocation for the maintenance of that infrastructure. As the infrastructure deteriorates or declines the visitation numbers fall and then the infrastructure is totally withdrawn. That has happened in areas like the Errinundra National Park, which is a very important national park. I would hate to have to put a figure on it, but I think the necessary funding would need to be of the order of 5 to 10 times the current allocation.

I hear governments members say, 'We have increased the funding'. That is fine, but on the ground when you have such extensive areas of national parks, you do not see that — it is basically a drop in the bucket. There is a sense of frustration because the national park areas in my electorate in particular are probably in the long term some of the most important assets of the region; they would lead to the future development of the tourism industry in the area.

A proposal for the Coradjil National Park was put forward by Parks Victoria in 1999–2000. It was one of the earliest proposals made under the Regional Infrastructure Development Fund and would have established a coastal walk. That would have really established the necessary coastal walk infrastructure in the Coradjil National Park. Since that time a number of marine parks and marine sanctuaries have been established at Point Hicks and Cape Howe. There may have been an increase in infrastructure funding, but you do not necessarily see that increase on the ground. It becomes extremely frustrating for local regional Parks Victoria managers because they receive a large number of complaints but continually have to fight for every dollar they get.

I make these points because they are important when we are debating the creation of small increases in parks which may be clearly warranted and desired by the local communities, which is why there has been a push for them. An offhand comment I made was that if you look at the number of ministers who sit in this place, their electorates would fit neatly inside the area of national parks in my electorate.

Members should think about the area of land represented by ministers of this house. Some of them would consider themselves to be members of

Parliament representing regional areas. Those parks need funding to make sure they are protected and preserved for future generations, because that is why they were established. The funding is desperately needed to make sure the infrastructure is present so people can come and visit the parks.

There are a number of challenges. One of the suggestions I made previously in this place is to link the Aboriginal heritage of our region with the management of national parks. I think there are some opportunities there both for job creation and to better link the challenges within our Aboriginal community, because I also have one of the larger Aboriginal populations of Victoria in my electorate. In that way we could try to get young people reconnecting with the land and providing a work force.

This has to be funded. It is not going to come from government members saying, 'We have increased funding for national parks'. We need major increases and long-term commitments to make sure our reserves — and they are great reserves — are protected. I dismiss the comments made that logging should occur in national parks or that dams should be constructed on some of the rivers like the Mitchell. Those are outrageous comments.

These areas have been identified and set aside because they are very important for the future of this country. Let us look after them, let us protect them and let us make sure the resources are there to manage them in the future.

Ms NEVILLE (Bellarine) — I am pleased to join the debate in support of the National Parks and Crown Land (Reserves) Acts (Amendment) Bill. This bill further enhances our great parks and reserves system. This government has a very commendable and proud record in relation to our commitment to national parks, protecting these natural assets, but also in terms of investing in the better management and development of these parks as wonderful assets of Victoria.

Some members have today mentioned some of the key elements of the commitments we have made to protect these natural assets. The establishment of marine national parks, certainly in my community, was welcomed overwhelmingly; now their establishment is celebrated. The parks have been a major tourism drawcard in my community. This bill addresses some of those issues to ensure we continue to protect our national parks. One of the other important achievements of this government has been the creation of the Great Otway National Park, and this will

certainly be a legacy in our region, if not across Victoria.

This bill contains some opportunities to extend the Great Otway National Park. One of the important amendments in this bill is the addition of the ironbark basin to the Great Otway National Park. This is a significant area of remnant bushland near Anglesea, and this land has been surrendered willingly by the Surf Coast Shire for inclusion within the Great Otway National Park. It is a unique area with some distinct vegetation that is often uncommon in coastal locations. It has some significant species as well, and it is an area that is currently used for walking and has some extraordinary coastal views.

In addition to this another 25 hectares of land has been donated. It includes some walking track and tall wet forests. In terms of not just creation of this land, which will have a significant impact in the protection of our environment, but also with tourism the government has backed that up by significant investment in the Otways. We have invested \$14 million into the Great Otway National Park and also the Otway forest park. Some of this includes money for the control of weeds and pests and replacing and repairing of assets. I think it would be worthwhile for this house to see the extent of the investment and the achievement of this government in building this great natural asset for the future generations of Victorians.

Fifteen new staff have been put in place to coordinate and play management roles within the park. There have been improvements to visitor services, upgrading of visitor sites, displays, visitor guides, roads and tracks. Some of those examples include the \$1.2 million redevelopment at Triplet Falls, the upgrade of the short walk opportunities at Erskine Falls, Stevenson Falls, Beauchamp Falls and Hopetoun Falls. The 12 kilometres of Otway Ranges mountain bike trails have been completed, and a 20-kilometre trail is currently under construction — and ultimately its length will be 30 kilometres.

A signage plan has been completed with 160 signs being installed. Nine new toilet blocks have been installed by Parks Victoria, replacing very run-down ones, plus we have improved landscaping and undertaken revegetation. There has been the Old Beechy Line rail trail and the Great Ocean walk, just to name two of the investments that the government has made, which will protect this asset but also ensure that Victorians and international visitors and people from across Australia can enjoy and appreciate this most beautiful part of the world.

One of the issues that has been discussed today is our responsibility to manage public land. It is obviously an ongoing challenge, but this government has continued to invest money in trying to meet this particular challenge.

One of the references that the member for South-West Coast referred to was some figures from the Australian Bureau of Statistics which he claimed showed that we spent less than any other jurisdiction per person in relation to management of nature parks and reserves. That seems to me to be a bizarre way of actually calculating our investment. In fact if you look at it on a per hectare basis, you see that in fact Victoria is second only to New South Wales in terms of our investment.

We have a strong record in this area. We have a strong commitment, and that will continue. This bill strengthens and enhances our record in relation to national parks and reserves, and I commend it to the house.

Mr HARDMAN (Seymour) — I rise to speak on the National Parks and Crown Land (Reserves) Acts (Amendment) Bill. I would like to provide my full support to this bill because I think it is always fantastic when we as a government look toward protecting and enhancing our environment for future generations.

This bill amends the National Parks Act 1975 to make further provision for parks under that act. It amends the Crown Land (Reserves) Act 1978 and makes further provision for reserves under that act. With regard to the National Parks Act 1975, it adds areas to six existing parks and improves the provisions relating to offences in marine national parks and marine sanctuaries. It also amends the Crown Land (Reserves) Act 1978 to create the Bendigo, Kurth Kiln and Macedon regional parks, four nature conservation reserves in the Otways region and more. That is all fantastic. Those three parks basically surround the Seymour electorate and would be no more than a drive of an hour and a half from my home, which is just great because it gives great opportunities for my family and many other people across the state to enjoy those areas.

About 400 hectares of land are being added to four national parks, one state park and also a national heritage park under the National Parks Act. The amendments contained in this bill are really important for our lifestyles in Victoria. People enjoy national parks across the state. I know that in my electorate there are hundreds and thousands of visitors to the Kinglake National Park every year; the same applies to the Yarra Ranges National Park and the Cathedral Ranges State Park. All those areas are wonderful places that people

go to visit and enjoy. They provide significant opportunities to places throughout, for example, the Seymour electorate, whether it be Marysville, Taggerty, Healesville or Kinglake.

People go to those areas for a variety of reasons. It may be to educate their children about what native plants and animals can be found there and what the natural environment in Victoria looks like when we look after it or when it has not been changed for many hundreds of years. The environment obviously does need to be protected. We know that species can be threatened, endangered and even become extinct. By creating and extending parks we are ensuring that future generations get to see flora and fauna in their natural environment. Also, if species that are indigenous to those limited areas are protected in these sorts of parks, they will be there forever, but if they are not protected, they will not grow or be found anywhere else.

Tourism opportunities obviously exist as well. Again, having hundreds of thousands of people coming to visit the parks in my electorate creates a great number of jobs throughout the area, not only in the local communities but more broadly. We have great accommodation, for example, up at Marysville, which has Lake Mountain nearby, but that is only for a short period of time. I am sure the accommodation up there is made viable because of the beautiful surrounds — the easy visit to the Cathedral Ranges, the wonderful waterfalls that exist in the area and the stunning views across other great national parklands that can be viewed from up there. That is really important.

There are also a number of people such as tour operators and guides who bring people into the area and create business and more jobs for our communities, making them more sustainable. We are getting better and more creative at that. The state government, through its tourism campaigns, is attracting people to Victoria, inviting them to come and see our natural environment, which is very beautiful. Victoria is a very beautiful state. People from either interstate or overseas can come here. Over time, as we build on the experiences that people have, more and more people will come here as a result of the message being spread through word of mouth, and more and more of our communities will again benefit from the parks in that particular way. That is another reason why they are very important.

The reason we like to go to these places, as well as to see flora and fauna in the natural environment, is for a sense of wellbeing. When we go to these places we like to see the green vegetation, the waterfalls and the native animals. There is nothing better than being able to spot

a lyrebird, for example, if you have not seen one for a while. But if you go across to Badger Weir park, for example, to an area which is almost right in the middle of Healesville, you will be able to see lyrebirds on a regular basis, something which you probably do not see around in many places these days. That is all wonderful.

I am sure that if in future the Liberals and The Nationals get into government and they provide the same great support for our parks as we do, our state has a wonderful future ahead of it, because our parks are really important. It is fantastic that the government has continued to include more areas of significance in our parks, and I commend the bill to the house.

Mr MAUGHAN (Rodney) — I wish to make a few brief comments on the National Parks and Crown Land (Reserves) Acts (Amendment) Bill. I listened with interest to the remarks of the member for Seymour. I agree with his general comments about having a wonderful state with a great environment and natural resources, and we are all very proud of that and want to preserve it. There is no argument about that. The argument is about how we go about that and what sorts of philosophies we adopt.

Clearly there is a marked difference between this side of the house and the other on those issues. I do not want to go through all that tonight, except simply to note that Victoria has over 7 million hectares of public land managed by the government on behalf of the people, and about half of that is protected within parks and reserves under categories such as national parks, state parks, wilderness areas et cetera. The bill before the house tonight only adds relatively minor areas to those existing parks. It is a tidying up exercise, and for that reason The Nationals are not opposing it, although our general philosophy is that no more land should be included in national parks unless we take additional land out of some of those reserves we already have. Why do we have that philosophy? Because we believe there is a limit to how much you can go on locking up lands. Let me expand on that.

We believe there is a limit to how much you can just go on locking up land and not providing the resources to properly manage it. We are all about sustainable use of our national parks. We believe the environment must be actively managed. We reject the lock-it-up-and-leave-it approach that is adopted by this government, as if just locking it up in a national park is going to protect it. As we have seen with fires in the north-east in recent years, the contrary happens. If you do not manage it properly, then the very thing you are trying to protect is destroyed and in some cases wildlife is destroyed forever. There

were huge losses of wildlife in that 1 million-plus hectares of land that was destroyed in that disastrous fire.

Likewise we are constantly being contacted by constituents about the management of feral pests and the spread of weeds, certainly throughout northern Victoria and generally throughout the state. Why? Because the government is keen on locking up more land but not providing the resources to manage the pest plant and animal problems.

In fact pest plant and animal officers are now almost an endangered species, because they have been taken out of the field. In northern Victoria weeds like Paterson's curse and St John's wort are running rampant over the landscape. Not only is the government not doing anything about making sure errant land-holders deal with their weeds, but also it is not dealing with the weeds and feral animals on the land for which it is responsible. It is a totally irresponsible neighbour. I am not necessarily blaming this government, because governments of both political persuasions have not done enough in getting rid of weeds and feral animals like foxes.

We in The Nationals have been arguing strongly that the fox bounty should be reintroduced. Why? Because foxes are doing an enormous amount of damage to the environment. Not only are they causing damage to lambs, cattle and farming industries, but they are also eating large numbers of native birds and animals. Foxes are out of control, yet this government refuses to reintroduce the fox bounty, which has proven very successful. The government is using baits, but they alone are not sufficient to control the problem.

It is the same with kangaroos. We all love kangaroos, and it is great if you live here in the city to drive up and see some. It is not so great if you drive home down the Northern Highway, as I do frequently, where you have to be careful of kangaroos all the time. We have debates here about our having to leave late on a Thursday night. It is fine for city members to jump in their cars to go home, but there are those of us who have a 3-hour drive along roads where kangaroos are likely to hop across in front of you. For example, if you go to Heathcote in my electorate and talk to the panel beater there, he will tell you that about 60 per cent of his business is generated by people whose cars unfortunately hit kangaroos. The ambulance service now has a 70-kilometre-an-hour voluntarily imposed speed limit because of the damage caused by hitting kangaroos.

I could go on forever about the poor management by the government of its Crown land and the reason why

we are therefore opposed to additional national parks. I want to read into *Hansard* a letter I recently received which I think sums up the tone of some of the animosity that is directed towards Parks Victoria. I will read it because it is typical of the sentiments of a lot of people in my area. It is from Ron and Ronda Crossman and Bruce and Rhonda Taylor, who are constituents of mine in the Torrumbarry area. The letter is addressed to Mark Stone, the chief executive officer of Parks Victoria, and is about access gates and boundary fencing along the Murray River reserve at Torrumbarry. It states:

We refer to recent correspondence from Parks Victoria and to conversations with park rangers regarding the closing of vehicle access gates along the Murray River reserve in the Torrumbarry area. We believe that this matter has been handled very badly by your organisation. Decisions have been made without consultation with the local community, have been based on incorrect assumptions and display a surprising lack of specific knowledge about the Murray River reserve between Sexton and Headworks roads. We wish to make a number of specific points with regard to this issue and have some suggestions which may assist in resolution.

Without exception all ... gates in this area have immediate access to the river track. Local residents are not making 'numerous tracks' between their boundaries and the river track —

as Parks Victoria has alleged.

There will be no revegetation projects established in the areas south of the river track because there is no space to do so.

Parks Victoria has been arguing that that is what it wanted to do.

To continually claim that the gates need to be closed to facilitate revegetation in this area is simply not true.

The river track between Sexton Road and Headworks Road would be more accurately described as a 'local road' rather than a 'river track'. A brief look at a local map will explain why this is so. The gates listed for closure are not recently constructed access. They have been there for generations, a number for more than 100 years.

I might point out that the Crossman family has been there for 100 years and the Taylor family has been there for three generations.

There is significant detrimental impact upon the Murray River reserve in the area north of the river track caused by river users including campers, motorcyclists, skiing enthusiasts and houseboat owners. This is the area in which there are numerous forged 4WD tracks, habitat destruction and serious riverbank damage. These are the issues which must be addressed. Closing off landowner access gates will not mitigate any of this impact problem.

Parks Victoria apparently believes that 'Community involvement is a vital part of planning and managing parks and reserves in Victoria'. (Quote from parks web site.) The organisation has clearly failed to involve the local community in this instance.

We regard the Murray River reserve as an important environmental asset and have worked to initiate tree planting programs through the local primary school, been active in trying to develop projects to revitalise local lagoons and are supportive of efforts to maintain the river environment. We know other landowners in this area are also supportive of efforts to conserve the Murray River reserve. Without exception however, they all feel somewhat alienated by the ... lack of consultation on this issue and the clumsy manner in which this matter has been handled.

As land-holders owning property adjoining this reserve we accept the responsibility of being custodians of this natural asset. On numerous occasions we have intervened to prevent inappropriate use of this area and have reported matters of concern to parks rangers. We are not just other members of the public; we are Parks Victoria's neighbours. We are important players in the preservation of this area, as are all other property owners with land adjoining river reserves. Sadly this seems not to be well understood by people in your organisation.

We stand ready to play our part in any community efforts to resolve this issue ...

...

Mention Parks Victoria in this area and one is met with groans and words of derision. It's time real efforts were made to address this issue ...

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

Mr SEITZ (Keilor) — The Bracks government has a fantastic track record in regard to national parks, and this bill aims to further enhance Victoria's magnificent parks and reserves system.

Since coming to government we have achieved many things for the environment. We have created the new Great Otway National Park; created 11 box-ironbark parks; created 13 new marine parks; reduced logging by a third to ensure that the industry remains sustainable into the future; reduced logging by 25 per cent in the new Otways national park and will phase out logging there by 2008; ended woodchipping in the Wombat forest and commenced the trial of community forest management; improved bushfire preparedness, with more resources, protection burns, firefighters and equipment access tracks; forced the federal government to secure Point Nepean National Park; and increased parks funding by \$98 million and employed an extra 50 rangers to ensure the better management of our parks and reserves system.

The Bracks government is taking a strategic approach to dealing with noxious weeds and feral animals. We are addressing these issues in key locations across both public and private land. We are spending \$40 million a year on our weed and pest programs. Minister Thwaites recently announced the commencement of a \$600 000 per year program to tackle pests and weeds across the state. As part of the ongoing program 15 new Parks Victoria seasonal positions will be created to form roving teams to combat pest plants and animals throughout eastern, central and western regional Victoria. They are the facts. This government is managing and putting resources into controlling feral animal pests and weeds, unlike what we heard before from opposition speakers.

One of the things we have reduced in my electorate is noxious weeds on hobby farms. Again that is very critical to the people in the surrounding areas, because we have some people who maintain their land while others do not. We have allocated funds to local council to employ education officers to attack those issues, in particular the control of serrated tussock in the Melton shire area of my electorate. It is important to have those sorts of education programs in areas that are not in national parks but on private holdings and public land in the region and which are creating problems.

We are continuously spending money and improving our control of noxious weeds, despite what the opposition would have us believe. To this end I believe that the continuation of the programs that have been implemented by this government and the continuation of the support for and funding and employment of a roving team across Victoria that will be able to hit hot spots will prove successful in dealing rapidly with problem areas that need addressing, whether it is weed control or the control of foxes, feral dogs, pigs and those types of issues.

We are all aware of the rabbit problem. The region along the Maribyrnong Valley in the Organ Pipes National Park, which is controlled by Parks Victoria, has a baiting system which was introduced because the rabbit population had started to get too big and the rabbits were eating all the grass seeds during the unseasonal dry weather we have been having. That is commendable, and once again there has been an allocation of more resources to control the noxious animals in that region.

There are also a lot of foxes that need to be eradicated in the Maribyrnong Valley along the creek right up to the Organ Pipes and beyond. That is in a domestic area, and believe it or not there are more foxes in certain locations there than there are in country areas.

What the opposition would have us believe is completely fictional so far as what the government is doing about maintaining parks is concerned. Along with the ever-increasing amounts of land that are being turned into national parks go the resources that the government is committing to managing them. I commend the bill to the house and wish it a speedy passage.

Debate adjourned on motion of Mr KOTSIRAS (Bulleen).

Debate adjourned until later this day.

CORRECTIONS AND OTHER JUSTICE LEGISLATION (AMENDMENT) BILL

Second reading

Debate resumed from 18 July; motion of Mr HOLDING (Minister for Corrections).

Mr WELLS (Scoresby) — I rejoin the debate on the Corrections and Other Justice Legislation (Amendment) Bill. As I was saying last night, the primary purpose of the bill is to ensure that serious sex offenders who are subject to extended supervision orders cannot change their names for improper purposes. The Liberal Party will be moving a couple of small amendments which it hopes the government will see the benefit of. It relates to the insertion of new section 79H into the Corrections Act 1986. The new section, headed 'Information-sharing between the secretary and the Victorian registrar', says in subsection (a):

the Secretary may notify the Victorian Registrar of the name (including any other name by which he or she is or has previously been known), date of birth and residential address or addresses of any prisoner on parole ...

We say this has to be tightened up, because it is too loose in its current form. We say the secretary must, rather than may, notify the Victorian registrar of the name change. We think that is important.

We have seen a number of issues arise over decisions about what to do with paedophiles once they finish their prison terms. The problem has always been that there are some paedophiles who will not accept any counselling and will not take any medication. If a sentence is for eight years maximum and six years minimum, a paedophile can choose to serve out the eight years so that they avoid counselling and taking medication. This is a problem for the government, and it is the matter before us now in debating what to do with them. The government has decided on extended

supervision orders — which is something the Liberal Party strongly supports. If a paedophile who is released from prison is still a risk to the community, something has to be done in the way of supervising them. Extended supervision orders are a step forward in that regard.

A further problem involves the recent revelation that the government wanted to put a number of paedophiles just outside the Langi Kal Kal prison. It sent eviction notices to all the prison wardens currently living in Corrections Victoria housing. It wanted them to move out and the paedophiles to move in. The reality is that the government proposed to put five or six paedophiles in the one area, and that was a recipe for disaster. The people at Beaufort claimed that the government was going to turn the town into a paedophile colony. We understand that we have to place these paedophiles somewhere, but we argue that it needs to be inside the prison grounds in housing where they can be properly monitored. If they are left outside and only curfews or other loose restrictions are imposed on them, obviously the local townsfolk are going to be very concerned.

We are running up to an election, and I suspect that is why the government has changed its mind about where it will locate paedophiles. I also suspect that after the election the government will revisit the proposal put before the Minister for Corrections for the paedophiles to go into the housing complex just outside the Langi Kal Kal prison, but we will wait and see. We hope the government will accept our small amendments to tighten up the bill. We understand that extended supervision orders are a positive step forward, but there is still the issue of where to put paedophiles once they have finished their prison terms.

With those few words I indicate that we will be supporting the bill, but we would hope the government accepts our very small amendment to tighten the bill up. We understand that extended supervision orders are a positive step forward, but there is still the issue of where you put the paedophiles once they finish their terms. We say that the dangerous ones, the ones who still pose a risk to the community, need to be housed inside the prison grounds to allow them to be tagged and checked via their electronic devices, because the community needs to feel safe.

Dr SYKES (Benalla) — I rise to speak on behalf of The Nationals on the Corrections and Other Justice Legislation (Amendment) Bill. I would like to thank the minister and his staff for making a briefing available to me. The Nationals will not be opposing this bill, but we do support the amendments proposed by the member for Scoresby.

I will recap the purpose of the bill and the key implications. The purpose of the bill is to make miscellaneous amendments to the Corrections Act 1986 and the Serious Sex Offenders Monitoring Act 2005. The amendments are intended to facilitate the effective operation of these acts. The implementation of those acts, particularly the Serious Sex Offenders Act, has identified some loopholes and inconsistencies, which this bill addresses. We think that makes sense. There are also amendments to the Firearms Act 1996 and the Firearms (Further Amendment) Act 2005 in relation to the disposal of forfeited firearms which tidy up an ambiguity which left some margin for error. They change the wording to achieve the intent of the legislation, which was not readily achieved earlier.

One key implication of the bill is that it will increase the powers to prevent improper name changes. To this end the bill provides new powers to prevent sex offenders who are subject to extended supervision orders under the Serious Sex Offenders Monitoring Act 2005 from changing their names for improper purposes. The bill provides similar powers to those that already exist in relation to prisoners who are already held in custody.

The bill also extends the existing victims register to enable information to be given on offenders who are on extended supervision orders. Currently the legislation restricts the information that can be given to victims on offenders who are in custody. That reflects the advent of the Serious Sex Offenders Monitoring Act and its implications. The bill also allows for victims to make submissions on a proposal to place an offender on an extended supervision order, and the information which can be provided to the victims has been expanded. The victims register, to a large extent, has remained the same, although there are some modifications to it also.

In relation to the amendments to the Corrections Act, under the current act, due to an oversight, a warrant does not allow a policeperson to enter and search premises in order to find and arrest an offender. That is out of line with similar legislation, so this bill provides the power to enter and search premises to bring it into line with other similar legislation both in Victoria and interstate. Equally the bill provides powers for the Adult Parole Board to recall and/or rescind warrants and to issue duplicate warrants when circumstances dictate that as being necessary. They are commonsense provisions.

The bill also extends the scope of the act to cover federal prisoners transferred to Victoria. This complements national interstate prisoner transfer arrangements. As previous speakers have indicated,

there are also some other amendments to the Serious Sex Offenders Monitoring Act which basically tidy up and address what may have been potential ambiguities or loopholes in the act, which was implemented in 2005. Other provisions in the bill enable firearms that have been forfeited to the Crown to be given to Victoria Police for forensic and like purposes and to museums and similar bodies for historical purposes. This was apparently unintentionally limited in earlier legislation, so the bill addresses that potential problem.

The Nationals in arriving at our position have consulted with a number of groups. One group that provided us with considerable feedback was the Combined Firearms Council of Victoria. Apart from being generally happy with what was being provided for in this bill, particularly as it relates to firearms, it did raise a couple of concerns in relation to firearms, which are worthy of comment.

Firstly, the Combined Firearms Council of Victoria is concerned about blow-outs in the time it takes for Victoria Police to process registration certificates and other paperwork relating to firearms despite the great length of time it has had to bed down the process. This has become apparent to me in recent times through two constituents also raising concerns about the long time taken by the licensing services division (LSD) of the department to process applications for firearms registrations and other permits.

A concern has also been raised about the overall efficiency and effectiveness of the LSD relating to —

Mr Lupton — On a point of order, Deputy Speaker, loathe as I am to interrupt the flow of consciousness that is emanating from the member for Benalla, the amendment in this bill dealing with firearms is a very narrow one; it does not deal with the licensing of firearms at all but rather with the process for the disposal of forfeited firearms. I ask you, Deputy Speaker, to bring the member back to the bill.

The DEPUTY SPEAKER — Order! Lead speakers are normally given some latitude when addressing a bill to make passing references to matters that may be pertinent to the bill, but they are expected to return to the content of the bill forthwith.

Dr SYKES — I thank the member for Prahran for helping me focus on the intention of the bill. As I said, a concern has been raised about the efficiency of the LSD, but I will return to the bill. The good thing about this bill is that it specifically targets criminals. Therefore it is likely to give good reward for effort.

This contrasts with some of the other legislation that is passed through the house, which has involved a broad-brush approach in attempting to deal with serious sex offenders. I am talking in particular about things like the child employment legislation, which requires people to undergo police checks and obtain permits, resulting in a high degree of inconvenience and costs for a large number of people. By contrast this bill, in relation to the Serious Sex Offenders Monitoring Act, focuses on a small number of people. I believe there may be fewer than 10 people currently affected by the act, so focusing on that area makes sense. Equally, there is another bill that has caused concern — that is, the legislation relating to the volunteers. Over \$20 million will be spent to potentially identify as few as 3000 offenders. Again, that is a poor return for effort in relation to a bill such as this to focus on the problem.

The Nationals see this legislation as being commonsense. Therefore we support the amendments proposed by the member for Scoresby, because they seek to tighten the legislation even further, and I believe they are consistent with the intention of the government. Therefore I ask the government to support the amendments proposed by the member for Scoresby. That aside, The Nationals will not be opposing this bill.

Mr LUPTON (Prahran) — I am very pleased to be able to speak in support of the Corrections and Other Justice Legislation (Amendment) Bill. There are two principal changes that this bill will bring about: there will be an increased power to prevent improper name changes by people who are subject to the Serious Sex Offenders Monitoring Act and an important extension to the victims register under the Corrections Act.

In relation to the powers to prevent improper name changes, the Serious Sex Offenders Monitoring Act was enacted by the Bracks government last year. It provides powers for the extended post-sentence supervision of serious child-sex offenders in the community. These powers provide a significant new tool in reducing the risks to community safety posed by serious child-sex offenders.

Currently offenders who are on parole or extended supervision orders (ESOs) under the Serious Sex Offenders Monitoring Act can change their names in the same way as can other members of the community. However, it is important to note that name changes by these offenders can raise serious issues that do not arise in the case of name changes by other members of the public. In particular, changing one's name in the circumstances can give rise to particular difficulties for victims and other members of the community. The issue has been particularly raised in the attempt by the

well-known offender known as Mr Baldy to change his name in recent times. That has led the government to quite properly act in the community interest to bring this piece of amending legislation before the Parliament.

This bill will provide for new powers in the Corrections Act and the Serious Sex Offenders Monitoring Act to prevent improper name changes of this type by offenders on parole or on extended supervision orders. An offender on parole or an ESO under this legislation once enacted will have to obtain the approval of the Adult Parole Board before changing his or her name. The Adult Parole Board under this legislation must refuse a name change that would be likely to be offensive to victims of crime or an appreciable sector of the community or undermine the offender's supervision arrangements. The task will be given to the Registry of Births, Deaths and Marriages to preclude the registration of a name change by any offender on parole or an ESO without the Adult Parole Board's approval.

These new powers will mean that offenders on parole or extended supervision orders can change their names for legitimate purposes, but it will ensure that the Adult Parole Board can scrutinise and prevent proposed name changes that would be for inappropriate purposes.

Sitting suspended 6.30 p.m. until 8.02 p.m.

Mr LUPTON — As I was saying before the dinner break, the second major change to legislation brought about by this bill is an important extension of the victims register scheme. The Corrections Act already enables specified victims and family members to be given information about a prisoner who has been convicted of violent crime. Eligible victims can elect to be included on the victims register and receive information about the administration of the prisoner's sentence. A registered victim also has the right to make submissions to the Adult Parole Board about whether the prisoner should be released on parole and any relevant supervision conditions that should be applied. The Adult Parole Board must take the submissions into account before making a parole order.

The bill will extend these provisions in two important respects. Firstly, it will enable a registered victim to be given information about the offender's release on an extended supervision order and about changes affecting the operation of the extended supervision order. This power will be included in the Corrections Act itself. The second important change is that it will give a registered victim the right to make submissions to the Adult Parole Board about the offender's supervision conditions under the extended supervision order. This

right will also be included in the Serious Sex Offenders Monitoring Act. These changes will further strengthen the rights of victims by ensuring that registered victims can be kept informed about an offender's release on an extended supervision order, giving those victims the opportunity to have their say in relation to the offender's extended supervision order supervision regime.

The two major changes that this bill brings in will prevent improper name changes by serious sex offenders and it will extend the victims register in important ways to further protect victims. This is of course in addition to the important law reforms that the Bracks government has made to support victims in Victoria since it has been in office.

We are committed to assisting victims of crime in this state. Of course the first and most important way of protecting people in this state is to make sure there are fewer victims of crime. This government has been committed to ensuring that we drive down the crime rate in Victoria by increasing police numbers, which were decimated by the previous Liberal and National Party government, and by giving police the resources they need to carry out their important community safety tasks in an appropriate way. We have boosted police resources enormously in order to do that. As a result we have seen the crime rate in Victoria fall by over 20 per cent, and we will continue to pursue the local priority policing, smart policing and proactive crime prevention policies that have seen Victoria become the safest mainland state in Australia. We are very proud of that record, and we will continue to work hard to ensure that remains the case.

But when crimes are committed it is important that we as society support victims in an appropriate way. The Bracks government has of course implemented many measures that support victims. We have reintroduced pain and suffering compensation for victims, which was callously removed by the former Kennett government. We have improved access to counselling and financial assistance for victims. That is very important after a crime is committed, particularly in ensuring that the psychological effects of being a victim of crime are appropriately treated. We have established the Victims Support Agency in order to further protect and support victims, and we have implemented a statewide network of local victim support services. We have created specialist courts for crimes such as family violence, which are giving appropriate support to victims in that area. We have started a project of wholesale reform to change the way the justice system treats victims of sex offences to ensure they are treated with dignity and sensitivity. We have introduced a victims register,

which of course the bill before the house further improves and strengthens.

Currently before Parliament is the Victims' Charter Bill, which will enshrine victims rights in one document and set out the obligations of government and agencies like the police and the Director of Public Prosecutions to make sure that victims are treated with respect and get the information and support they need. Of course there is always more work to be done in these areas, and the Bracks government is committed to increasing and improving support for victims as we go forward. It is important that victims groups and the government continue to work in partnership to ensure that our justice system responds to their needs, and the Bracks government will ensure that that cooperation and partnership continues.

The bill before the house makes some very important and timely changes to improve security and support for victims in this state by extending the victims register system. It also acts appropriately and properly to prevent serious sexual offenders from changing their names in inappropriate circumstances, which can have adverse effects on victims and on the community. I commend the bill to the house.

Mr McINTOSH (Kew) — The primary purpose of this bill is to ensure that serious sex offenders who are subject to extended supervision orders (ESOs) cannot change their names for improper purposes. This also applies to people on parole, which is a slightly different concept.

I want to touch on two matters in my brief contribution. The first relates to a matter that has come to my attention in recent days. It concerns the Donnelly family, whom I have known for a long period of time. Mr and Mrs Donnelly lost their son James in a hit-run accident that resulted in a significant change in the penalty that can be imposed in relation to culpable driving. The penalty for leaving the scene of an accident in those circumstances was raised to 10 years. As a result of that the family received some more publicity about a month ago, when it was discovered that the offender had been released on home detention. It was a matter of profound concern at the time that the family found out only when a journalist rang to inform them of what had happened, rather than their being notified by the Adult Parole Board.

That shows there are still flaws in the system, and this was obvious in the distress caused to this family, given the turgid process they went through during the trial in the County Court and then the appeal to the Court of Appeal. They had to sit through all of that, and even

before that occurred there was a long process of investigation, the deliberate cover-up by the offender and his family, and the detection of the offender, leading to his incarceration. Having gone through all of that, finding out through a journalist that the offender had been released on home detention rather than being informed of it by the Adult Parole Board, much less being given the opportunity to make an appropriate submission to the board, was unfortunate in the extreme.

I also want to say that I am pleased the law on name changes, at least in relation to people on parole or people who are subject to extended supervision orders, is being tightened up. Of course the opposition has raised concerns over a long period of time about the ability of people to change their names for nefarious purposes. In that respect the opposition has categorically said that the simplest way of enforcing the law to prevent serious offences ranging from fraud to organised crime and concerns about terrorism would be to have the registrar of births, deaths and marriages immediately notify Victoria Police of any name change.

As we know, 99.9 per cent of all name changes are done for legitimate purposes, whether it be a person reverting to their maiden name from a married name, anglicising their name or changing their name because regrettably they are not happy with it — for example, wanting to change it from Mickey Mouse to Donald Duck — all of which is their absolute prerogative.

In all those cases, in order to protect the integrity of the system, including the police database, the simplest thing would be to ensure that the registrar of births, deaths and marriages notifies Victoria Police of such a name change. As members know, the information stored by Victoria Police can be used for a range of important things. Today we have heard that other agencies, including the Victorian Taxi Directorate, have access to the law enforcement assistance program, or LEAP, database held by Victoria Police. With the talk about privacy and the fact that the Information Privacy Act is given as the reason why the information cannot be provided to Victoria Police — particularly when the police consider it would be a useful tool in preventing serious crime downstream — it would be a simple and easy amendment to make.

It is regrettable that the government refused to allow a private member's bill that I moved in this house last year to that effect to be second read. Given the fact that the Child Employment Act, the Working with Children Act and, with its amendments, the Education Act now require appropriate checks, which is something that, in the interests of protecting our children, we all agree

with, there should be police checks to prevent people who have been convicted of a serious sex or other offence from coming into contact with our children. All members have agreed that there must be some process. Members of the opposition were concerned about how difficult, detailed and turgid the legislation in its current form is. Notwithstanding that, we agree with the principle.

It seems that there could be a significant loophole in the bill in its ability to protect children because people could change their names merely for the purpose of hiding the fact that they have been convicted of a sex offence against children or another criminal offence. Under the current regime the police would certainly not be able to detect that in a short time and provide significant information to the relevant authorities that would be able to prevent that person from coming into contact with our children, which is something that those on all sides of politics agree is a necessary step in the modern world. That further step seems to be beyond the reach of this government to even contemplate or accept as worthwhile.

The police consider it worthwhile, as do many members of the community, and as I said, the opposition has moved a bill to achieve that. It is unfortunate that the government has not taken that next step. We are going part of the way with this legislation, which will ensure that people who are subject to parole or an extended supervision order and who wish to change their name will not be able to do so for an improper purpose. They will require the consent of the Adult Parole Board to do so.

The bill provides that to do so without that permission is an offence. One would hope that that information would be provided. It seems to me ludicrous that the registrar of births, deaths and marriages should not be notified of the name of somebody who is on parole. Indeed the amendments that my colleague the member for Scoresby has foreshadowed put into sharp focus what is perhaps an oversight in the legislation, which provides that the Secretary of the Department of Justice may notify the registrar of births, deaths and marriages of the name of a person subject to parole or an extended supervision order. That discretion is unnecessary; it should be obligatory for that to happen.

I am grateful that, after long and substantial discussions between the minister, the member for Scoresby and myself, that the minister has indicated that he will accept the amendments and acknowledges the hard work that the member for Scoresby has put into them. The amendments will change the discretionary provisions to provide for an obligatory requirement for

the secretary to notify the registrar of births, deaths and marriages of a name change.

I take this opportunity to congratulate the member for Scoresby on his hard work on the amendments. I congratulate the minister for seeing the importance of the amendments, accepting them and allowing the member for Scoresby to move them in the consideration-in-detail stage. I register my congratulations and thanks to the minister and my congratulations to the member for Scoresby on these amendments.

Ms DUNCAN (Macedon) — It is my pleasure to speak this evening on the Corrections and Other Justice Legislation (Amendment) Bill 2006. As has been said, the bill meets a government commitment to provide new powers to prevent offenders who are subject to extended supervision orders or on parole from changing their names for improper purposes. In recent times we have seen a couple of examples of attempts for that to happen. The government and, of course, the community were justifiably outraged at some of the proposed name changes.

The bill requires that the Adult Parole Board give approval for such a name change. The requirement will apply to people who are subject to the provisions of the Serious Sex Offenders Monitoring Act, which was introduced in 2005. Members may remember that that new piece of legislation gave significant new powers to continue the supervision of someone who had been declared a serious sex offender for up to 15 years after their release. That significant bill introduced significant new powers that are part of the government's ongoing program of ensuring that Victoria remains the safest state in Australia.

Australia is one of the safest countries in the world, but we need to be a bit diligent. We need to ensure that our legislation continues to acknowledge changes and that as loopholes and problems arise the government is ready to respond to those. The bill is an example of that and I commend it to the house.

Mr HOLDING (Minister for Police and Emergency Services) — Firstly, I thank all honourable members who have contributed to this debate. This is a significant piece of legislation and it does a number of things to tidy up some of the various pieces of corrections legislation, particularly relating to the Serious Sex Offenders Monitoring Act, which was new legislation introduced by the government in 2005. I acknowledge the contributions made by the members for Scoresby, Benalla, Prahlan, Macedon and Kew and

thank all honourable members for the spirit in which the debate has taken place.

I want to correct one issue that was raised during the debate by the member for Scoresby, who made reference to a proposal from Corrections Victoria in relation to Langi Kal Kal. Members of the opposition continue to perpetuate the proposition that somehow they were opposed to the measure and that this was something that the government was seeking to foist on the people of Beaufort. I make it clear that at the time the government welcomed the comments made by the member for Kew, when he said:

While I am disappointed for the families of the prison officers who have been evicted from their homes, and I expect the government to make appropriate arrangements to accommodate them, it seems to be the most practical and inexpensive solution to detain them within the prison precinct.

That was reported in the *Pyrenees Advocate* of Friday, 31 March. I thank the member for Kew for making those comments. Nevertheless, the proposal will not be proceeded with. I assure the member for Scoresby, who is continuing to suggest to the community of Beaufort that perhaps after the election, if the government is returned, that proposition will be returned to, that it will not be. We have now entered into other arrangements at Ararat, which we consider a more sustainable and safer set of arrangements for managing high-risk offenders on extended supervision orders.

The long and short of it, though, is that the member for Scoresby proposes to move amendments in relation to the discretion currently allowed for in the bill as to what information the Secretary of the Department of Justice provides to the registrar of births, deaths and marriages. The government is relaxed about this. We take the view that whether the word was 'may' or 'must', the relevant information in any event would have been provided to the registrar. The member for Scoresby is proposing an amendment that would change the word 'may' to 'must'. The government does not feel that this in any way substantially changes the policy framework and legal basis of the bill, so we are prepared to accept that amendment.

I thank all honourable members for their contributions and wish the bill a speedy passage through the Parliament.

Motion agreed to.

Read second time.

Consideration in detail

Clauses 1 to 6 agreed to.

Clause 7

Mr WELLS (Scoresby) — I move:

1. Clause 7, page 11, line 30, omit "may" and insert "must".

Amendment agreed to; amended clause agreed to; clauses 8 to 19 agreed to.

Clause 20

Mr WELLS (Scoresby) — I move:

2. Clause 20, page 24, line 16, omit "may" and insert "must".

Amendment agreed to; amended clause agreed to; clauses 21 to 23 agreed to.

Bill agreed to with amendments.

Remaining stages

Passed remaining stages.

NATIONAL PARKS AND CROWN LAND (RESERVES) ACTS (AMENDMENT) BILL

Second reading

Debate resumed from earlier this day; motion of Mr THWAITES (Minister for Environment).

Mr DIXON (Nepean) — I wish to join in the debate on this bill because it impacts directly on a couple of very important issues in my electorate. There is, first of all, the proposed addition of some purchased land to the Mornington Peninsula National Park in the Cape Schanck area, which is referred to in clause 13(1), which amends schedule two of the National Parks Act. Some land — 0.17 hectares — has been purchased and will be added to the Mornington Peninsula National Park. This is basically a couple of house blocks in a court that impacts into and is totally surrounded by the Mornington Peninsula National Park. There were up until recently three house blocks of land that were privately owned there; two have now been purchased and incorporated into the national park, and there is only one block of land remaining. I understand that the owner of that block of land is not keen to sell out and it will be interesting to see how long they actually last there.

It is a very interesting contradiction, in a way, that here we have a minor addition to the Mornington Peninsula National Park, whereas at the same time you can look down from these blocks of land to another section of

the Mornington Peninsula National Park which the government proposes to bulldoze and flatten — hectares of primary coastal dunes right in the national park — in order to extend the pipeline of the Gunnamatta sewage outfall 2 kilometres out to sea. This 2-kilometre extension of the pipeline cannot be done without massive ground and shore works to construct the pipeline — to join the pipes together and create the derricks or the piers or whatever might be needed to construct a 2-kilometre extension to send the sewage 2 kilometres out to sea.

At the moment the pipeline discharges on the shoreline right in the national park, so to facilitate the construction of this extra 2 kilometres of pipeline there would obviously have to be a major access road through the national park to the shoreline. The area is all sand dune, and huge areas would have to be flattened and probably asphalted or concreted to enable the building works to go ahead. It is quite ironic. On the one hand you have got a celebration over 0.17 hectares of land being added to the national park, but at the same time this government is proposing to bulldoze and flatten hectares of the national park to enable the 2-kilometre extension of the Gunnamatta sewage outfall.

There is quite a range of additions here to state parks and national parks throughout Victoria. Still on the Mornington Peninsula, it is interesting to note too that the government has recently announced that the former public land surrounding the Devilbend Reservoir is to be incorporated as a special nature reserve, yet the government intends to sell some of that land to fund some of the preservation works on the land that is going to be converted into a nature reserve. I cannot see why none of the land around Devilbend has been incorporated into this bill — and that is very disappointing. It is also disappointing — and locals are disappointed — that the government has chosen to sell some of that public land around the Devilbend Reservoir to fund the works on the new reserve that it is going to create.

Of course the Liberal Party's policy is to not sell any of that land and incorporate it all into a nature reserve. We came out with our policy first. The government followed but could not go as far as we did and said it would sell some of the land. This is the same peninsula that the government was very upset about when the federal government proposed selling some of Point Nepean. Now a few kilometres up the road it is not only proposing but actually selling some public land in order to fund a nature reserve.

The third point I wish to make relates to clause 11, which repeals sections 65 and 66 of the National Parks Act in regard to Point Nepean National Park. That park is at the end of the Mornington Peninsula down at Point Nepean. It also incorporates the South Channel Fort off Point Nepean. It is a part of the saga which has been going on over a few decades of the defence land being turned over to the state. Only about 90 hectares of that land remains in federal government hands. It no longer belongs to the defence department; it is now with the federal environment department.

A large part of the land previously owned by the federal government in the 1980s was bought by the state government and incorporated as part of the Mornington Peninsula National Park. Most recently the Shire of Mornington Peninsula has taken over about 20 hectares of the defence land at Police Point. The shire has taken over the management of the area you see as you go to the end of Point Nepean Road at Portsea — which is the first area of land up on the beautiful cliff tops overlooking Portsea and Port Phillip Bay — and turned it into a wonderful park. It has some more minor development works to do there in terms of day facilities and picnic facilities, but it has done a great job with it.

Recently in this place we celebrated the fact that 210 hectares of bushland incorporating the defence land has been handed over as part of the Point Nepean National Park, and that is very pleasing. The 90 hectares that are left have now been heritage listed by the federal government, and recently that government announced a further \$27 million to be spent on upgrading the infrastructure there so the maritime college and respite centre can go ahead, as well as the Aboriginal cultural centre and an upgrade of the museum at the quarantine station. That is where things are down there at the moment.

The state government is still holding out and not being part of the process at Point Nepean and has refused a seat on the board of the Point Nepean Community Trust. It does not like the fact that things are going along quite well, and is still being political about it. It is disappointing that the state government has not taken up the board seat that has been on offer for a long while.

Parks Victoria has had an offer for a full-time project officer to work on the master planning process for the remaining 90 hectares. Officers of Parks Victoria have moved in and out of the process, but so far it has refused to appoint a full-time project officer to work on the master plan. Because this land is eventually going to be state government land — it will be handed over in 2008–09 — it really is disappointing that at this stage it

is not part of the community trust and not part of the community process at Point Nepean.

A few years ago funding for Point Nepean National Park and the Mornington Peninsula National Park was reduced and that money was allocated to work on the bushfire-affected areas of north-east Victoria. It is very disappointing to see that that money has not been returned to the Mornington Peninsula National Park; those cuts are still in place. At the same time the state government has been complaining about the treatment of Point Nepean by the federal government, which has so far put in over \$50 million for the redevelopment of Point Nepean. Not a cent has come from the state government; it refuses to spend a cent until it has all the land. It even has the audacity to reduce the funding on the existing Point Nepean and Mornington Peninsula national parks. The rhetoric has been very different to the reality down at those national parks.

With those few words I exhort the state government to put aside the politics, get involved in Point Nepean, do the things it should be doing and show some sort of commitment to the area by spending some of the money it said it may eventually spend in 2009.

Mr MAXFIELD (Narracan) — It is with pleasure that I rise this evening to support the National Parks and Crown Land (Reserves) Acts (Amendment) Bill. I have a strong interest in protecting our natural environment and seeing that we have healthy and strong national parks. Without a doubt our marine parks are one of the proudest achievements of the Bracks government.

Although this bill is not massively significant, it is clearly significant to the communities involved. A number of parks are being looked after in the bill, which creates three regional parks and four nature conservation reserves. We are also enhancing the marine parks through the issue of fishing. It is important that we have strong compliance in terms of no fishing if the credibility of our marine parks is to continue. Without doubt we need to ensure that we have proper compliance in place, and this bill reflects that.

Without going into the detail of the individual parks, I would comment that the creation of the reserves will certainly help. They are reserves where significant recreation can take place in a natural setting and that is what our parks are about. They are about providing for the community to enjoy and have recreational and sporting activities in our natural reservations. That is something we have to encourage. Too often now we play with Xboxes and DVDs and everything else, which shows we are not getting out and being active. A

proper park and reserve system will help to encourage that.

It is interesting to have this bill before the house this week. It amends not only the Crown Land (Reserves) Act but also the Mineral Resources Development Act 1990 and the Heritage Rivers Act 1992. Our heritage rivers have been in the news this week, because as people in the chamber would be aware, the Bracks government has moved to protect those rivers by banning the building of additional dams. We are seeing an appalling situation developing in East Gippsland where The Nationals want to dam rivers flowing into the Gippsland Lakes.

We have seen a loss of water quality in the Gippsland Lakes as water has been diverted to other sources, including Melbourne, and other irrigation uses. The results of that diversion have seen a deterioration in fish numbers and water quality and increased algal blooms, which means the Gippsland Lakes are progressively dying. By reducing the nutrient flow and protecting the water we are seeing a significant improvement in water quality, but if members of The Nationals get their way we will say goodbye to the Gippsland Lakes and their tourism potential. I wait with interest to hear the Liberal Party's position on the dams. I am sure the whole chamber will be very keen to hear it.

Mr Honeywood interjected.

Mr MAXFIELD — Hasn't he gone yet?

Mr Honeywood — I am referring to a fellow member of the departure lounge, as far as I am concerned!

On a point of order, Acting Speaker, this bill relates to the addition of reserves to national parks. It does not relate in any way to water policy, and it certainly does not relate to The Nationals' policy on dams. The member has been speaking for some time now on matters totally unrelated to legislation that adds a number of reserves to national parks.

The ACTING SPEAKER (Ms Lindell) — Order! The member for Narracan, on the bill.

Mr MAXFIELD — I must point out that the Heritage Rivers Act is certainly part of the bill, but I will move on and talk about the need to preserve our natural environment, which is what this bill is all about. It is about ensuring that we can maintain our parks system and that we have the proper enforcement regimes in place to protect particularly our marine parks. It is not only about the additions to the different

parks around the state, which are so important, it is also about maintaining those parks and not destroying them.

The desire by some members of this Parliament to put cattle back into the Alpine National Park highlights the fact that, although we have moved a long way forward in protecting our environment, there are some within our community who have not taken up the cudgels in this area. It is pleasing to note that the Leader of the Opposition is here, because I know he has acknowledged in his comments in the media that it is important to protect the cattle — —

Dr Napthine — On a point of order, Acting Speaker, this bill is about specific pieces of land. It is nothing to do with the Alpine National Park or alpine grazing. I ask you to bring the member back to the specifics of the bill.

The ACTING SPEAKER (Ms Lindell) — Order! The member for Narracan, on the bill.

Mr MAXFIELD — The bill is about protecting our national parks and expanding them, and certainly the issue of whether you allow cattle into national parks is pretty important to our parks right across the state. On alpine parks I welcome the response of the Leader of the Opposition, who has supported our position on that.

Dr Napthine — On a point of order, Acting Speaker, the member for Narracan seems to be defying your ruling. This legislation is about a number of additions to and deletions from a number of national parks, none of which has to do with the Alpine National Park and none of which has to do with cattle grazing in national parks. I ask you to bring him back to speaking about the bill before the house.

The ACTING SPEAKER (Ms Lindell) — Order! The lead speaker of The Nationals, as is his right, discussed cattle grazing in the Alpine National Park. As a lead speaker he is given a much broader canvas to work on. The member for Narracan, on the bill.

Mr MAXFIELD — It is clear that the Liberal Party does not want me to speak on, but the reality is that there are a number of other members in this chamber who are keen to speak on this bill.

In summing up, the Bracks government is about enhancing our natural environment and it is about ensuring that we have an appropriate structure of national park and Crown land management in place and that that land is protected. I know that the communities that are gaining these three regional parks and four nature conservation reserves are absolutely thrilled with the bill and the actions the Bracks government has

taken in protecting our natural environment. It is with absolute pleasure that I commend the bill to the house.

Mr HONEYWOOD (Warrandyte) — In making a brief contribution to the debate on the National Parks and Crown Land (Reserves) Acts (Amendment) Bill this evening I take up the last comment by the member for Narracan that the Bracks government is about enhancing national parks. It might be about enhancing bits of land devoted to national and state parks, but when it comes to funding them this government stands condemned, according to the most recent figures from the Australian Bureau of Statistics. Even after factoring in any recent state budget additions to park management funding, when it comes to a national park management regime this state government spends less per hectare and less per person than any other state or territory in Australia. They are not my figures, they come from the ABS, and they even factor in the recent state budget.

Essentially the bill involves amending the National Parks Act 1975 to add areas to six existing parks and improve the provisions relating to offences committed in marine national parks and marine sanctuaries. It also involves amendments to the Crown Land (Reserves) Act 1978 to create the Bendigo, Kurth Kiln and Macedon regional parks, several associated water reserves at Macedon, four nature conservation reserves in the Otways region and a recreation reserve at Aireys Inlet.

Importantly there are also three new offences created that relate to the use of recreational fishing equipment in marine national parks and marine sanctuaries, the liability for offences committed on board a boat and the possession of underwater priority species. These are all laudable objections, and the opposition, having been the party that in government created the vast majority of Victoria's national park estate, will always support such an important range of meaningful proposals.

Having said that, what concerns me as a member with a significant state park in his electorate, that being the Warrandyte State Park, is that this government is unwilling to provide a breakdown in its annual budgeting of the pest animal and weed control maintenance programs for each park, and that includes the parks mentioned in this bill. We find that the government is constantly attempting to camouflage the fact that it is not funding to appropriate levels any maintenance of the parks that are already in existence, let alone any additions that will be the outcome of the bill.

Only last week I attended a public meeting — the annual general meeting of the Warrandyte Community Association — at which the member for Yan Yean was present. The people at that meeting discovered that, having given a commitment to the Warrandyte community that she would provide a breakdown of the budget, the member for Yan Yean refused to provide the actual figures for the pest animal and weed control maintenance program budget. The reason is, of course, that whereas under the previous Liberal government this used to be \$100 000 per annum, under the Labor government it was reduced to \$10 000 per annum in 2001 because of the alleged need to transfer funds from Melbourne parks to areas in the north-east of Victoria that were recovering from the appalling bushfires around Beechworth.

Some years have transpired since then, yet we still do not have anywhere near the level of pest, animal and weed control maintenance program funding in our metropolitan parks system as prevailed under the previous Liberal government. The then minister, Mark Birrell, did a fantastic job in both adding to the park estates but also providing sufficient funds to maintain the park estates. Certainly we were much better than the current government when it comes to the Australian Bureau of Statistics figures on per hectare and per person funding of those important maintenance programs, because unless you provide the people on the ground, be it park rangers or contractors who can do the weeding and the animal pest control, you are going to find that it is going to be almost impossible some years down the track to get in there and significantly improve the situation when it comes to weeds and feral animals.

In my own electorate the numbers of foxes and rabbits are increasing, quite apart from the feral dogs which do incredible damage to the native fauna in the Warrandyte area. The member for Yan Yean has yet to come good on her commitment to provide a breakdown from the Minister for Environment on the actual budget there. At the public meeting last week in Warrandyte all she came up with when put to the test was a comparison of the 2001 overall budget for the Warrandyte state park with the 2006 budget, and, as I said, the 2001 budget was the very budget that took away 90 per cent of the funding, so it is not a fair comparison. There was no breakdown provided for the intervening years.

Then, of course, when we look at the additions to the marine national parks that are contained in this bill, we see the other sorry situation of being told, 'Don't you worry; there are rangers in boats paddling away in the ocean making sure that illegal fishing and other poaching of the marine resource does not occur and that

we do not have boat owners discharging oil et cetera into marine park areas, let alone diving', and so on. All of that is laudable and the Liberal Party fully supported the creation of marine national parks. Having said that, what about the buffer zone between the townships that often border the marine national parks and the coastline? What about the foreshore management committees? What we are finding is that these foreshore management committees — be they in Lorne, Anglesea or in any number of what I call buffer zones between coastal townships and marine national parks — are not being funded appropriately yet again by this government.

We have some wonderful volunteers whom I have met in my previous capacity as shadow Minister for Environment and who have the very heart and soul of their community at the forefront of their endeavours, but they cannot get sufficient funding from this government to implement environmental management programs — be it, for example, some of the wonderful programs that I witnessed in Western Australia where they are using any number of natural filter mechanisms, such as planting special aquatic plants, to filter stormwater discharge through a series of ponds before the run-off of sewage, often *E. coli* from septic tanks in some of these coastal communities. This would provide a natural filter for stormwater and the illegal *E. coli* discharge that is going straight into the ocean at some of our most pristine and wonderful national park and indeed marine park locations.

Apart from the plea that I put forward this evening for Victoria to meet the average of our states and territories when it comes to park funding, rather than just adding to our parks estate, I would also put a plea in for those volunteer foreshore reserve committees which have so much goodwill, are willing to often get stuck in and do a lot of volunteer weeding themselves, but are not given the funding to ensure that best practice is put in place.

With those couple of reservations, I am pleased that the party in this state that has in government added most extensively to the national parks and state parks reserve, the party in government — the Liberal Party, of course — that created Australia's first national park service under the late Sir Rupert Hamer, is yet again supporting this important National Parks and Crown Land (Reserves) Acts (Amendment) Bill.

Ms DUNCAN (Macedon) — I am very pleased to speak on the National Parks and Crown Land (Reserves) Acts (Amendment) Bill. I had to check the name of the bill because those of us in the Macedon Ranges think this is all about the Macedon Regional Park, but of course it goes far beyond that. In addition

to the Macedon Regional Park, this legislation creates two other regional parks, adds areas to six existing national and other parks across the state and improves a number of provisions relating to offences in marine national parks and marine sanctuaries. But for us, and for me as the member for Macedon, it is pleasing to finally have the Macedon Regional Park permanently recognised and reserved. This has a very long history. In fact it was the former Land Conservation Council, I think as early as 1987, perhaps earlier, that recommended that this park be a regional park, so I am pleased this legislation puts that into place.

It is a great place, as all our regional parks in Victoria are, to go to relax and get away from it all. This regional park will be 2200 hectares in area. It is a significant water supply catchment area. It has significant conservation and landscape values, including messmate, snow gum and alpine and mountain ash. It also has a wide range of fauna, including the greater glider and mountain possums and many bird species. It is a beautiful place and I would encourage all members of the house to come up and have a picnic there at any time, marvel at the Camels Hump, which is a 6 million-year-old molten lava formation that is amazing, as well as Sanatorium Lake and lots of other fabulous places up there.

I would also like to pay tribute to a number of local community groups that have agitated for this for many years, including the Macedon Ranges Park Advisory Committee, the Friends of Macedon Ranges, the Barringo Reserve committee of management and the Shire of Macedon Ranges. I think I had only been elected for a couple of months when Terry Larkins, who is a member of the Macedon Ranges Park Advisory Committee, came and spoke to me about this park and the fact that it had not been permanently reserved and that there were still some issues over boundaries.

I would also like to pay tribute to Western Water which had a number of water infrastructure tanks and things up on the mount. It donated 300 hectares of its land to the park so that we could continue. That land was always reserved as major catchment land for its catchment values, and those values will be protected in this regional park. Western Water will probably be quite pleased that Parks Victoria will now take over the management of that land.

A couple of parts of what was originally part of the park were sold under the previous government. There were some pine plantations that were recommended for inclusion back in 1987. In 1993 the plantations were placed under the control of the Victorian Plantations

Corporation, and of course that was then privatised in 1998 and acquired by Hancock Victorian Plantations. The licence and the lease were transferred to it, so that cannot be included at this point in time.

This is fantastic news for Macedon. It has been a long time coming for many of those community people, but we are very pleased that this bill puts into effect what has been recommended for a very long time. I commend the bill to the house.

Mr JENKINS (Morwell) — It gives me a great deal of pleasure to again rise to support this government's continuing improvement in the form of our national parks — those areas that are being set aside and well managed, I might say, by this government, and that is the important part. At the same time as this government is making sure that we reserve those places of high conservation value, as the member for Macedon has already indicated, for the first time giving those guarantees, we are also making the investment in managing those areas on behalf of the Victorian community and on behalf of the future of the Victorian community.

We are ensuring that, as well as the reservations we are including in the Bendigo, Kurth Kiln and Macedon regional parks, we continue to make the budgetary commitments and put in the very important dollars that are needed to manage them. The weed eradication program continues to be improved and added to by the minister. On top of the \$40 million a year program to eradicate weeds and pests, the minister announced recently the allocation of a further \$600 000 per year, which will go towards employing another 15 people seasonally to work in roving teams that will go to areas that we really need to attack first.

We recognise that, just as we must consult broadly with the community on the reservation of these public lands, we also need to consult and work with the community, private landowners, local government and others to make sure that we attack pests and weeds. As we know, pests and weeds do not usually recognise fences or boundary lines, so we need to continue to work cooperatively. It has been a hallmark of the legislative and budgetary program that this government has brought in to deal with national parks that we have continued to work cooperatively in making those investments.

For instance, the roving teams whose establishment has been announced recently will be working with community members and the members of friends groups — I have a number of them in my electorate — who work very hard to manage smaller parks, and also

cooperatively in some of our larger parks, for the betterment of the Victorian community. It is a great system whereby friends groups and Landcare groups participate with state and local governments to make sure we do not just set land aside but manage it effectively.

The roving teams will be working out of Omeo and Bairnsdale in my area and also out of Castlemaine, Bendigo, Ballarat and the Otways. I met some people from Castlemaine about 10 minutes ago, and they told me quite clearly the correct way to pronounce 'Castlemaine'! They will benefit from having those roving teams working there. It is not just about noxious weeds; pest animals are also in the sights, if you like, of government. It is too simple to adopt a shoot-them-all approach, as The Nationals are doing. They think the idea is to put a fox bounty on and have somebody else solve all our problems. We need to actively use new technologies and other smart ways of attacking pests, such as the Southern Ark program that I launched on behalf of the minister last year in East Gippsland in the huge eastern part of our state, where we are actively controlling and reducing the fox population by selective baiting. It needed investment, and it needed to have scientific proof behind it. We have been prepared to make that investment, and I am sure we will continue with that in the run-up to the election, recommitting the considerable amount of money, time and effort that the department puts into managing weeds and pests.

This bill is really about a progression and a continuation of the policy that the government already has to reserve and manage public land effectively. It deserves the support of all those across the house, and of course out there on the stump we need to be talking to our communities and continuing to engage with and encourage friends groups and Landcare groups to work with us. It gives me a great deal of pleasure to commend this bill to the house.

Mr CAMERON (Minister for Agriculture) — I thank the many honourable members who have made contributions to the debate on the National Parks and Crown Land (Reserves) Acts (Amendment) Bill. They are the honourable members for South-West Coast, Murray Valley, Carrum — that is, you, Acting Speaker — Polwarth, Gembrook, Benambra, Ferntree Gully, Benalla, Monbulk, Gippsland East, Bellarine, Seymour, Rodney, Keilor, Nepean, Narracan, Warrandyte, Macedon and Morwell. Certainly the government thanks them for their contributions and for their support. Of course a part of this bill relates to land in my own electorate, so again on behalf of the government I wish the bill a speedy passage.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

HEALTH SERVICES (SUPPORTED RESIDENTIAL SERVICES) BILL

Second reading

Debate resumed from 7 June; motion of Ms PIKE (Minister for Health).

Mrs SHARDEY (Caulfield) — I rise to speak on the Health Services (Supported Residential Services) Bill. The Liberal Party will be supporting this piece of legislation, which brings some changes to a sector which provides accommodation in a very difficult area, mostly to a large number of people who are either aged, have disabilities or are suffering from a mental illness.

This bill will amend the Health Services Act basically to establish a further framework for the registering and monitoring of supported residential services. The government has a responsibility in relation to monitoring these homes, which provide accommodation for the group I just mentioned. The aim of this legislation is to protect 6800 residents in nearly 200 privately owned and operated supported residential services. It also aims to streamline the registration of proprietors of supported residential services and to ensure that residents are cared for if for some reason an administrator has to be appointed to take over their operation.

The main provisions of this bill include placing further controls on the money and other assets of residents. The bill adds new criteria which the secretary must use when granting and renewing the registration of a supported residential service (SRS) proprietor. The bill clarifies the meaning of prohibited transactions and reportable transactions. It extends the grounds that enable the minister to appoint an administrator and ensures that 28 days notification has to be given to a resident or guardian if a supported residential service is to be closed. It also ensures that resident care plans are established and carried out and that interim care plans are also implemented.

This bill deals with a sector which has been fraught with problems for many years. I last recall speaking on legislation covering this sector back in 2004, when some changes were brought in again to try to regulate what had been a very difficult sector. There have been a

lot of problems, as I mentioned. When I spoke on the legislation in 2004 I recalled that in 2001 there had been a segment on a television current affairs program which looked at the appalling conditions that many people in supported residential services were living in. Most people would have considered some of those conditions to have been unacceptable. The minister at the time talked of conducting another review, which she in fact put in place. Of course there have been many, many reviews of this sector, the last of which was done by Professor Green.

These reviews have told tales of woe in a sense, but of course if it were not for this sector a large number of people would be out on the street as a result of deinstitutionalisation and because there is just not enough accommodation for people suffering from disabilities and for many elderly people, many of whom actually prefer to live in a SRS than in an aged care facility.

I think we sometimes need to appreciate that at least supported residential services offer some people a choice they may not have at other times. Supported residential services can be pension only, which can be very basic sort of accommodation, but in some cases they can be quite luxurious, or middle of the road as it were. A lot of elderly people choose to live in this sort of accommodation because it offers them a choice without them necessarily going into a hostel or a nursing home. My mother, who passed away earlier this year in her 90s, went into such a place. It was a very nice place and she thoroughly enjoyed living there because she was living with people around about her own age and there were a lot of activities. She could afford to live there and she saw out her days in what I thought was a really nice environment. She was one of the lucky ones — not everybody is as lucky as she was. Some people live in very difficult accommodation where they need some care to be provided by management and sometimes it is not a very pleasant environment.

The issues that have been raised over time in community visitors reports were set out by Professor Green in his report. I will go through some of them and perhaps some of the history. I have talked about what this bill will do and I will probably go back to some of those provisions but it is interesting to go back and look at this sector.

Mr Cameron interjected.

Mrs SHARDEY — This may not be riveting legislation but I regard it as important.

The ACTING SPEAKER (Mr Jasper) — Order! I assure the member I am listening with great intent.

Mrs SHARDEY — The community visitors report presented in December 1999 said that:

After nearly a decade of consistent visiting under the Health Services Act 1988, community visitors conclude it is time for a complete rethinking of the role supported residential services (SRSs) play in the Victorian health care system. It is time to unpack the bundle of services provided by the SRSs and see how best to fulfil the various roles they perform.

In 2003 there was a comment in the community visitors report that:

Community visitors call once again for a complete overhaul of the supported residential services sector. They draw your attention to the untenable situation whereby some vulnerable Victorians who have the most complex of health needs are living in situations which are unacceptable when measured by current community standards.

In April 2004 the Liberal Party was happy to support legislation that brought about some changes which did not exactly overhaul the sector but certainly made managers much more accountable. The previous government had introduced legislation to bring about significant changes just like those in the 2004 legislation.

I would like to go over a little bit of history. Professor Green went into this and I think it serves a purpose in telling us something about how these types of accommodation emerged. The term 'special accommodation house' (SAH), as SRSs were originally called, was developed in the early 1970s to distinguish those boarding houses which provided personal care services from those which did not — we are talking about places that provide personal care services. In 1973 the then Liberal government introduced the Health (Special Accommodation Houses) Act to Parliament to amend the Health Act and establish a code for the registration of those boarding houses that catered for older and handicapped residents.

In 1980 Parliament again amended the Health Act, this time to correct a number of anomalies in the earlier legislation. These changes were supported by the making of new regulations for SAHs, as they were called then. In 1983 a Health Commission of Victoria working party identified further anomalies in the legislation and recommended that the distinction between boarding houses and special accommodation houses be based on the functional capacity of residents and not the age of the residents or the nature of their disabilities. There was a new definition of a special accommodation house. It was:

... a place which provides or offers to provide accommodation to persons (other than members of the family of the proprietor) and which provides or offers to provide special or personal care to the residents ...

The minimum standards of safety and care of residents and certain other matters authorised or required by the act were prescribed in the Health Services (Residential Care) Regulations that came into effect in 1991. In 1997 additional amendments were made to the act and regulations to strengthen the safety and care provisions and to allow for more substantial penalties in the event that breaches of those provisions were proven. Professor Green's report stated:

It has been argued that each of the changes mentioned below have disproportionately impacted on the viability of pension-level facilities —

that is, those facilities where all the residents are in receipt of pensions and those pensions are paid over to the proprietor or manager for their care —

contributed to the continued pattern of closures in that sector of the industry, and further reduced the likelihood of there being new pension-level applicants for registration.

We have seen some of this history being repeated as pension-only SRSs are closing and we are facing further problems in accommodating people in this sector. When I spoke on the 2004 bill I said we faced continuing problems in this sector, particularly for pension-only facilities.

In response to ongoing concerns about the safety and privacy of residents, in 1998 the Department of Human Services introduced new bed number guidelines. These were designed to remove non-existent beds from a facility's registration and to progressively reduce overcrowding and improve privacy in existing supported residential services. A special task force was set up to look at the implementation of those guidelines. That task force continued after 1999, into the life of the current government. There were some problems in the implementation of the legislation, particularly in relation to the size of rooms required. Some pension-only premises found it very difficult to comply and there was concern at the time that many of them would close because they found it difficult to comply with the new laws.

Since 31 March 1999 premises, including SRSs, on which food is prepared for vulnerable people have been subject to new food handling and storage procedures. These have often included planning processes and physical design changes in line with the requirements of the Food Act, so there was a further change. On 1 January 2001 new minimum qualifications and employment requirements came into effect for personal

care coordinators in SRSs. By 1 August 2002 all existing SRSs were required to have sprinklers in accordance with new fire safety regulations, so we saw even more changes.

What has changed has been the profile of people living in SRSs. This has changed over time and I will quote from page 9 of Professor Green's report. I think this is a very telling description of the profile we are looking at. It states:

A 1996 survey conducted during the preparation of the Sandon report —

one of numerous reports into this sector —

indicated that about 74 per cent of registered facilities at the time were either entirely or primarily dependent upon pensioner residents. With an industry capacity of approximately 7100 in 2001, that implies a pension-only capacity of something in excess of 5000 beds.

By 2001 estimates showed pension-only capacity to be around 2000. There have been some changes to the types of people who are now living in pension-only facilities. The report states:

Most of those pensioner residents are now younger people, that is 73 per cent are under 70 years and only 9 per cent are over 80 years, with a psychiatric or physical disability, or where they are age pensioners, have complicating disabilities in addition to age-related frailty.

So they are younger people but they are also people who by and large have some type of disability or mental illness, and that is continuing to cause huge problems in the sector. One has to recognise that part of the reason for this occurring, of course — and I said this back in 2004 — is that in the areas of mental health and disability services there is a lack of supported accommodation, which we continue to face as a problem. In fact I noted at the time that there were some 3000 people on the register for supported accommodation — and I suspect that is probably around about the same — with about 1000 of those people being urgent cases.

In summary, pensioner-only supported residential services (SRSs) are distinct from pension-plus SRSs. They have younger residents with many complex needs, and many of them have low financial capacity. The infrastructure in many SRSs, as I said back in 2004, is to some degree of poor quality. In some presentations on television, as we saw back in those times and probably as it still exists, there are instances of facilities which are not of a very high standard.

Professor Green's consultation was a very important part of that whole process when he was doing that

report. He spoke to community visitors and they raised a number of concerns. Many of those concerns still continue to this day. Some, of course, have been met by government but a large number remain unmet, and I will look at the latest community visitors report to see if some of those concerns still exist. They include the ineffectiveness of the department in carrying out its responsibilities in relation to licensing proprietors and facilities and enforcing minimum standards. I would like to hear, perhaps from the government, about the way in which those standards are now being enforced.

There was concern that there was some under-resourcing of the operation of the department at the time in relation to ensuring there were enough people to actually monitor SRSs; perhaps the parliamentary secretary will be able to clarify that as an issue for the house because I think it is important that we understand how this sector is operating today. Certainly it is some time since I had a very close look at this area because I have new responsibilities and I am interested to know how the department is operating in terms of the process of monitoring, how many people are now employed to monitor SRSs and what is the sort of usual number of visits that occur over a period of time.

One thing I was interested in was a program that was introduced by the government. It was a pilot program that was referred to in the community visitors report, but which I think is quite interesting. Although it is done as a pilot the community visitors report has gone on to say it would like to see it extended, and this is the research pilot which will fund non-government organisations to provide \$5000 packages of care to residents with medium to high needs who live in selected pension-level SRSs.

The explanation says that the packages will fund the goods and services needed by those residents that are above those required by legislation. The expected outcomes of these packages are improved viability of SRSs, increased capacity of SRSs to provide service to medium to high-care residents, enhancements of residents care and wellbeing.

Certainly at that time there were packages spread across the state in areas like the Grampians, the north-west metropolitan region, the eastern region, the eastern metropolitan and a couple in the southern metropolitan, but there were a small number of packages, so I would be interested to know if there is an intention by government —

Mr Andrews interjected.

Mrs SHARDEY — I understand there is now an intention to spread those packages across the sector. I heartily support that, because I think there are very big issues about the types of people who need care.

In the time remaining — although I have mentioned some of the changes that are going to occur, and I assume my colleague will go into more detail on some of those — perhaps I will just look at some of the issues that have been raised within the community visitors report, not really to point a finger but just to ensure that we continue to understand that there are still a lot of issues to be faced because the community visitors report talks about the changed profile of the people living in SRSs, particularly in pension-only ones where we see a lot of younger people with mental illness and disability.

It talks about the packages as I have discussed, and I have already been informed that this part is going to spread, so I think that is a very important element. I will talk briefly about some of the things it found that were of concern. One of the issues is a lack of accommodation and support options, and page 15 of the last community visitors report, which came down in September 2005, says:

Community visitors have reported for over a decade that there is a shortage of support and accommodation options for people who have ongoing support needs as a result of —

disabilities.

While SRSs fill that gap, we also need to accept that that shortage is something that the community continues to find a burden. It is something that government still has to think about addressing in a much more serious way. A census was done in 2003 which really reflects what I have talked about in terms of the changed profile of residents. Page 15 talks about the fact that 45 per cent of residents have a psychiatric disability, 14 per cent have an intellectual disability, 8 per cent have an acquired brain injury, 2 per cent have serious medical issues and only 3 per cent of pension-only residents have been reported to have no disability at all. It goes on to say:

Many SRS residents have complex needs and some have challenging behaviours that make it very difficult for them to live in a communal setting.

There is a concern expressed on page 15 of the report about the closure of supported residential services (SRSs). It states:

In the last 12 months —

that is, the 12 months prior to September 2005 —

110 beds have been lost from the pension-level SRS sector. This continues the decline in the number of pension-level beds that has occurred since the 1990s. In 1992 there were 315 registered facilities, with a total of 9100 beds ... At June 2005 there were a total of 203 facilities with 6796 registered beds.

At the time I had responsibility for this area I used to meet with the managers in the sector. Many of them found it extremely difficult to run these places of accommodation. The community visitors report states on page 16:

However, at other SRSs compassionate staff — —

Mr Maxwell interjected.

The ACTING SPEAKER (Mr Jasper) — Order! The honourable member for Narracan has just entered the chamber. I would like him to take his seat and listen to the contribution being made by the honourable member for Caulfield. It is a most interesting contribution, and I am certainly listening intently.

Mrs SHARDEY — Many supported residential services, particularly pension-only facilities, find it very difficult to provide care for about \$35 to \$40 a day per person. That would probably provide some explanation as to why quite a number have closed over the years. Particularly in areas where land prices are rising it is becoming more and more difficult for these facilities to be maintained.

On page 17 of the report under the heading 'Limited options' it states:

Health and community service workers and guardians often refer people being discharged from hospital or prison to pension-level SRSs, not because they believe these facilities will best meet the person's need but rather because there is nowhere else where their clients can afford to live.

We have people in not the best of circumstances being admitted to supported residential facilities. Perhaps they have come out of prison and are trying to integrate back into the community, and this communal-type of living may not be the best environment for them, or they may be coming directly from hospital. I want to mention that there have been other programs in the hospital system that are probably better able to look after such people. There are programs such as Hospital in the Home, where someone is able to get care and attention in a very different way.

This community visitors report points out that in several regions SRSs are taking people directly from hospital:

In one SRS in the north and west region a hospital pays for two beds and provides 24-hour higher care. In the Loddon-Mallee region an SRS room is leased by the local hospital.

So we have hospitals leasing rooms in SRSs to provide hospital and home programs for those people because they have nowhere else to go.

The community visitors report also raises issues in relation to health care and says that one of its major concerns is that people are still being discharged from hospital and going into SRSs without appropriate information being supplied to the SRS. Another issue is that residents do not always have their own doctors, and SRS residents in small country towns can find it very difficult to access health services, particularly services like podiatry, physiotherapy, dental care and so forth.

I will list some of the other health issues raised in the report — and I will pick just a few of the issues that I think need to be looked at and addressed. The report gives the examples of a resident who had a percutaneous endoscopic gastrostomy, or PEG-feed blockage, and needed hospitalisation but could not get care; a resident with a recurrent urinary tract infection and staff needing to assist that resident with personal hygiene six to eight times a day, which is a little more than a manager would be expected to do; a resident with a cyst in the eye needing attention; a resident with a broken hip who had an unstable bed; and so on. These are complaints that have been dealt with, but they should not have to be addressed by management staff; they are addressed by management staff because there is no health care available to such people. The report goes into a lot of detail, which I will not repeat.

The community visitors report also raised a number of issues related to the handling of medication. This has always been a very vexed issue in SRSs. We have passed a lot of legislation to try to ensure that medication is handled in the appropriate way. In fact managers have a duty of care under the legislation to do just that, but the community visitors report that some residents have loose pills in their drawers, medication is removed from doset boxes and placed on saucers on tables, medication sheets are not up to date and the system used to update scripts is not clear. So there are still problems in that particular area. There are also problems with staff-client ratios, which are regulated by legislation but are not adhered to. All of these issues were found by community visitors, but they should be monitored by the government, and that is why I am interested to find out what is occurring in relation to the monitoring of supported residential services.

The community visitors report also refers to the lack of training of supported residential services staff. A census of the SRS industry in 2003 revealed that there is considerable variance in the qualification and training of staff and points to the fact that the act states that a

person must not be employed as a personal care coordinator unless the person has a certificate III in community services, aged care or personal care or an equivalent. Yet when surveyed 1 per cent of metro and pension-level SRSs reported an unqualified personal care assistant as being the highest qualification held by a staff member. Obviously there is a lot to be achieved in that area as well.

I could go on and give more detail of what this report says. What it essentially says to us is that although community visitors appreciate that there is a lot more protection being offered to residents of SRSs, there is still a way to go in ensuring that proper standards are maintained in this type of accommodation, which is really there to provide care and support for many people, such as old people, people with disabilities and people with mental illness.

It is my view that we should do more as a society to provide more appropriate accommodation, but I recognise that currently this is often the only type of place to which many people are able to go to have a roof over their heads. I just hope that governments of both persuasions are careful to continue to try to provide the best possible standards and protection for those people who live in this type of accommodation. They need our support and care.

Mr DELAHUNTY (Lowan) — I rise on behalf of The Nationals to speak on this important Health Services (Supported Residential Services) Bill. The bill amends the Health Services Act 1998. It mainly deals with the administration and operations of supported residential services here in Victoria. The bill covers such areas as notice of closure, financial protection, prohibitive transactions, reportable transactions, residential statements, care plans, administrator appointments and applications to the Secretary of the Department of Human Services.

The Nationals have consulted widely with people such as the Association of Supportive Care Homes, the Carers Association Gippsland and some supported residential service (SRS) operators. In preparing for this debate, I particularly wanted to look at country Victoria. We represent rural and regional Victoria very well and I want to make sure that we reflected the views of people in rural and regional Victoria.

We note there are about 200 facilities in Victoria; about 40 of them in country Victoria. It was interesting to note when I went through the list that the closest one to my electorate is at Ararat. It is the Golden Gate Lodge SRS in Stawell Road, Ararat. When I was married that was called the Golden Gate Motel and in fact it had a

fantastic reception area which is where the reception for my wedding was held. There are 46 registered beds at that facility. The SRSs in rural and regional Victoria range from 6 beds in Sale to one with 60-odd in Ballarat called the Pineview Retirement Home. They play a very important part, as the member for Caulfield said, in our community. In relation to the conversation we had, some concerns were raised. They included issues such as more paperwork, red tape and costs. But as the bill deals mainly with the protection of residents in SRSs, The Nationals will not be opposing this legislation.

What are supported residential services? I do not think enough people in this house know what they are. They provide accommodation and care for people who need support in their everyday life — for example, people who are frail or have a disability. In Victoria they are privately run businesses; they do not receive any government funding but must be registered by the state and monitored to ensure they provide certain standards of care and accommodation. We were briefed by Jill Coyne, Ruth Harper and Andrew McKenzie, and I thank them for the briefing. They informed us that SRSs provide a varying range of services and that people in this accommodation pay a varying range of fees. It is interesting to note that there were 200 supported residential services registered with the Department of Human Services (DHS) as of March this year. There are about 6800 residents.

In preparing for this debate I looked through some research papers from the DHS web site which talked about a review in 2003. At that stage a census was taken of 215 facilities which then had 7104 beds. As the member for Caulfield said, we are seeing a decreasing number of facilities and also a decreasing number of beds that are supporting these people within our community.

The SRSs are all privately run. They provide accommodation with personal care. Most of the people in these facilities are older, frail people, people with a psychiatric or intellectual disability and people with particular needs, such as those suffering from dementia. As I said, at the moment there are 6800 residents in approximately 200 facilities. There are two segments in SRSs. One includes those above pension level, who are mainly female, over the age of 70 and mainly have issues related to frailty and disabilities. There is also the other level, which is pension only: they are mostly male and below 50 years of age, and about 60 per cent of them have psychiatric disabilities.

In the above-pension level, my information is that there are about 4400 people or about two-thirds of the total.

In the pension-only level there are about 2400 people or about one-third. It is interesting to note that many years ago those numbers were reversed. Therefore there is obviously a market demand that is being serviced particularly in the above-pension level, which is increasing markedly. Some of those places I am informed — I have not been to any — are very well-run, high-class establishments. The area that is of concern is the pension-only level. There used to be over 4000 people in the pension-only level; now that has dropped down to about 2400. The concern of many people in Victoria is where those 2000 pension-only people are now being housed. That is an issue for all governments. It will not be covered in my presentation here today.

The residents of SRSs need special or personal care mainly relating to their age or disability. They do not receive government funding. There are some exceptions to that. The federal government provides very minimal rental assistance through Centrelink. To the credit of the government, this year's budget has put in about \$30 million over the next four years in what it calls a vulnerable person's initiative. This is for pension-only facilities, and it will be spread over those four years. But there are still concerns about their personal treatment and how that will be administered. I know that this funding follows a pilot program in which personal treatment such as stand-up staff cleaning was provided and issues such as a lack of security were addressed.

I have to say that we are concerned about how this money will be spent. According to the briefing we received the money will go to non-government organisation (NGO) service coordinators, who will link with other services. The worry is, and it is important that we make sure this does not happen, that a lot of the money will be spent on administration and not on service delivery, which is the part of the project that is being funded here.

This bill covers many matters such as notices to vacate. Clause 12, which inserts new section 106C into the principal act, provides that if a proprietor proposes to cease to carry on a business they must, at least 28 days before the proposed date of cessation, provide each resident and the resident's guardian or administrator with a written notice requiring them to vacate the premises — in other words, before they want to close. In the briefing we were given I asked what would happen if a proprietor became bankrupt. I was told that there is a process to be followed, which the member for Mulgrave, who is the Parliamentary Secretary for Health, might cover in more detail. However, my understanding is that an administrator will be

appointed. It could get a little bit messy, but we hope the process works well.

Bankruptcies occur from time to time, because these are businesses with very fine margins, and it is important that we protect the residents of those facilities and give them as much notice as possible, because not only in this sector but generally in the aged care sector people treat these places as their homes, which they are at that stage of their lives. So how we deal with a place if the proprietor becomes bankrupt is a concern.

Clause 4 on page 3 of the bill contains a new definition of 'close associate' and describes what that term means in relation to a proprietor of a supported residential service. If the proprietor is a natural person three subparagraphs set out what happens as a result. Subparagraphs (i) to (iv) of clause 4(1)(b) deal with what happens if the proprietor is a body corporate. The clause also covers next of kin, 'related body corporate', which has the same meaning as the definition in the Corporations Act, and 'spouse'. These definitions have been included in the bill to cover the close associates of the proprietor.

The bill also contains financial protections for residents, and they are covered in clauses 14 and 15, which deal with the management or control of residents money by the proprietor, including prohibited transactions and reportable transactions. Prohibited transactions include proprietors accepting gifts above \$100 and many other things. I do not have time to go through them, but I am informed that there have been significant complaints about the operation of some of these SRSs particularly at the pension-only level. I have been informed that one SRS was the subject of a police inquiry, but unfortunately the charge was unable to stick because there was a loophole in the legislation, and that is part of not all of the reason why this unfortunate legislation has to be brought in. Like all laws in this Parliament it addresses unscrupulous operators when 95 per cent or maybe more operate in a proper manner.

The bill also covers residential statements. Clause 10 states that a residential statement must contain new initiatives relating to the management or control of a resident's money. Basically this is about the consumer protection that we all have out there in the community. The bill also covers care plans. As we all know, currently these plans have to be developed in cooperation with the resident, their family, personal care workers and the proprietor, and they have to be prepared within 30 days. Under this legislation an interim care plan will have to be prepared within 48 hours. This is because, as we know, some of the

residents move in and out within a week and they need care plans while they are in a facility.

This legislation covers administrative appointments and other applications to the Secretary of the Department of Human Services. It is my understanding that under the current act an administrator can be appointed for 90 days, and under this bill that period will be extended to 180 days.

I want to cover some of the points that were raised during the discussions we had with various groups of people. Some were concerned about the bill creating extra administration and paperwork. Some said that the government kept moving the goal posts — they must have been football supporters — and that as a result it was very hard to keep up with things. Importantly people felt that there would be a greater workload and, more importantly, higher costs. As we know, these places, particularly those that are pension only, are run on very fine margins, and we hope this legislation does not push too many into a situation where they are not viable and have to close.

We do know that the residents in these places are on limited incomes. They only get limited support, including rental assistance through Centrelink. Representatives of the Association of Supported Care Homes informed me that the Department of Human Services had only met with them once, and this is disappointing. They are members of a very active group that cares for people in supported residential homes. When they met with department representatives they told me they were advised of rather than being invited to discuss the changes proposed in this bill. They would like to have had more input, but after reading through the bill and the second-reading speech they do not have any real problems with it.

I received an email following a couple of conversations I had with representatives from the Gippsland Carers Association and the Victorian Liaison National Carers Coalition. This email is from the president of those associations, Jean Tops, and it reads:

Thank you for asking me to make comment on the second-reading speech of this bill ... we feel very strongly about the ongoing exploitation of people with disabilities and mental illness and the families who care for the majority of those with a dependency.

Nowhere is this more obvious than in the number of people in the above categories who are now occupying SRS beds because of government indifference and abandonment and double standards.

They raised many issues about the legislation. I refer to just a couple:

A 2003 census of clients showed that 20 per cent of all SRS clients had a disability or mental illness

97 per cent of pension-level SRSs clients had a disability (psychiatric 45 per cent — 14 per cent ID — 8 per cent ABI — remainder a mix of medical and disability).

So there is an enormous number of those with a disability, particularly in the pension-only facilities, with 20 per cent overall to 97 per cent in the pension-only facilities.

I quote further from the email:

The most significant issues for the carers of people with mental illness and disabilities are the hypocritical 'do as I say and not as I do' actions of this 'amoral' government.

...

What do we have here?

An honourable member interjected.

Mr DELAHUNTY — I am quoting from this email, which states:

What do we have here?

A government that denies disabled people aged less than 65 years the same rights as those over 65 years to access age-appropriate nursing levels of care and hostel levels of care ...

At the same time this gutless governments turns a blind eye to the 2400 clients of pension-level SRSs being disabled and mentally ill because it suits them to do so.

The email finishes off with:

The amendments to the SRS bill are a clear case of shooting down the 'bad profit takers who exploit disabled persons' so that the government can be seen to be acting in their best interests when in fact the greatest exploiters are the writers of the legislation.

They are very, very inflammatory words, but again there are concerns particularly for people with disabilities. All honourable members would agree that that is a sector for which we all need to do more. The government is doing more work, but there is a lot more to be done. I quoted from that email because of the concerns that have been raised with me and I consider that it was only just that I do so.

It can be seen that not everyone is happy with what the government is doing or not doing, particularly for people with a disability. However, the bill does protect the residents of SRSs. As I said, it covers the notice of closure, financial protections and, importantly, improved residential statements and more timely care plans. Taking all that into account and although I have much more that I can say, as others want to speak on

the bill I inform the house that The Nationals will not be opposing this legislation.

Mr ANDREWS (Mulgrave) — I am very pleased to rise this evening to make a brief contribution in support of the Health Services (Supported Residential Services) Bill. I begin by acknowledging the support of the Liberal Party and The Nationals, as expressed by the members for Caulfield and Lowan. That underscores the critical importance of this bill, in that it provides a much better and more secure framework to enhance the prospects, security and supports given to some of the most vulnerable members of the Victorian community. I want to run through the main elements of the bill and then, as the member for Caulfield has raised a couple of issues, I want to try to address those.

As has been noted by members opposite, the bill amends the Health Services Act to provide security and other financial protections and safeguards to those who live in the supported residential service (SRS) sector, particularly the pension-only sector. I will come back to that in relation to initiatives funded in this year's budget, which form an important part of our government's contribution to the national action plan on mental health.

The amendments to the Health Services Act will put in place a better set of arrangements for the supported residential service sector and the residents. They are summarised as follows. Firstly, under the amendments operators of SRSs will be obliged to give residents notice if the SRS is to close. That notice of closure is a fairly fundamental right and very important in terms of certainty for those residents moving forward. That notice period is 28 days and it is an important step forward for those people who often are, I think it would be fairly well agreed, some of the most vulnerable members of the Victorian community.

Secondly, the amendments provide better arrangements for the management of residents finances. Thirdly, the amendments put restrictions on the types of transactions and financial arrangements that operators and those closely associated with operators can enter into with residents in supported residential services. That is important as well in terms of probity and making sure that people are not taken advantage of. Fourthly, the amendments place restrictions on guardianship, powers of attorney and other administration arrangements that can be entered into between a provider and somebody in their care — in effect, a resident of a private SRS facility.

Further, the amendments better define the powers, roles and functions of the Secretary of the Department of

Human Services. That is important in terms of providing certainty moving forward. In a similar vein, the amendments provide clarification and an increase in the circumstances under which the responsible minister — in this case, the Minister for Aged Care in another place — can appoint an administrator to an SRS. They increase the appointment time of an administrator from 90 to 180 days. That is important, too, in terms of people who are arguably some of the most vulnerable members of the Victorian community having the underlying support and care that they need.

Moving on, the amendments also deal with a whole range of housekeeping matters that are again important in enhancing the operation of the act and the sector. The bill also deals with a new registration framework. Again, that is obviously critically important. One of the most important elements of the amendments is the mandating of the development of residents care plans and the review of those care plans. That is critically important in driving better outcomes in the personal care and circumstances that SRS residents find themselves in.

Members opposite have detailed some of the nature of the SRS sector but I think it is important to speak again about the scope and size of the sector and the key factors that make up the sector. As other members have noted, there are just under 7000 — 6800, to be exact — residents in the residential supported service sector. They receive care or live in around 200 privately owned and operated SRS sites right across Victoria. They are right across Victoria, with, as the member for Lowan has observed, about 160 in metropolitan Melbourne and about 40 in rural and regional communities. So they are spread right across the service and provide fundamental accommodation and other support to a very substantial number of people — as I said, almost 7000 Victorians.

I think it is fair to say that those nearly 7000 Victorians who live in supported residential services are, as I have noted, perhaps some of the most marginalised and often the most vulnerable members of the Victorian community. It is important that we have a strong, robust and contemporary legislative framework to underpin their care, residency rights and other safeguards that they enjoy in their residential circumstances. Again, the amendments are important in providing a much more solid and sound foundation, particularly for the pension-only sector of the SRS cohort.

As has been noted by the members for Caulfield and Lowan, the vast majority of residents have special needs. Some figures were quoted, including that around 45 per cent of pension-only residents have a mental illness. I am advised that it is closer to 60 per cent of

that group of 2400 who live in the pension-only sector. It is on that basis that earlier this year the government moved to provide in the budget \$40.4 million to underpin the viability and ongoing care in the pension-only sector. That is of quite substantial and enduring benefit. A viable pension-only sector is of very substantial benefit, both now and well into the future, for not only those mental health clients but also for the entire population of those 2400 people who live in the pension-only sector. I will come back to that when I address one of the questions asked by the member for Caulfield.

At the end of the day, these issues are very, very important and the people in the sector need real care. The member for Caulfield spoke about the community visitors reports, the many recommendations and the many quite valid criticisms that have been made by the Office of the Public Advocate and community visitors. Recently I was very pleased to open the annual conference of the community visitors and to speak with Julian Gardner, the public advocate, and the community visitors whose dedication is really clear. They should be praised in this place and right throughout the community for the wonderful work that they do. They very much welcome the \$40 million SRS viability package that the government has funded and see that as a really positive step forward in driving better outcomes for, as I have noted, some of the most vulnerable members of our Victorian community.

This sector is a for-profit sector, but it is a particularly well-regulated sector. Indeed, no other state regulates any similar sort of residential services in quite the way that we do, and that is important. However, the regime and legislative framework that underpins this sector can always be improved, and that is what the amendments before the house are designed to do.

As I said, in that pension-only sector 60 per cent of clients have a mental illness; they are probably the most vulnerable group in the overall sector. This year we provided \$40.4 million over five years to underpin the viability of that sector.

In terms of individual packages of care, the member for Caulfield raised an issue about the seven pilot programs. The \$40.4 million will effectively mainstream those care packages — that is, that intensive support. That is about the viability of the sector but it is also about absolutely better care outcomes for those clients — and a large percentage of those clients obviously present with a mental illness. It is on that basis that that money is included as part of our \$472 million contribution to the national action plan on mental health.

The member for Lowan raised some concerns in relation to how that money would be spent. As a government we are confident, and I know Minister Jennings in the other place is confident, that that money will be spent wisely and that it will deliver real benefits in terms of care. And as I said, a more viable pension-only SRS sector is of great benefit to those who currently live in it, but it will be of enduring benefit to those who may at one point or another in the future find that that is the only viable accommodation option for them.

The member for Caulfield also raised the issue of standards and how they are being monitored. I will need to seek further advice on the exact nature of the regime that is put in place. As the member for Caulfield knows, this is not a sector that is administered by the Minister for Health; it is administered by the Minister for Aged Care in the other house. However, I will seek some further advice for her.

I can say, though, that in 2005–06, for instance, 205 complaints were brought to the attention of the department by residents, family members, community visitors and a whole range of others. Four proprietors were successfully prosecuted, with substantial fines and cost orders being made against those offenders. Conditions on registration were placed on approximately 50 SRS premises, and administrators were appointed to protect the wellbeing of residents at a number of different SRS locations.

I think that is clear evidence that the government takes its obligations seriously in relation to monitoring standards and making sure that those standards are upheld as we move forward. I am happy to commit to provide the member for Caulfield with some more information in relation to exactly what resources are allocated by the department and by the government to make sure that those in our pension-only sector and in the above-pension SRS sector receive the best possible care.

In closing, I think it is important to note that things can be a lot better in this sector. That is why the government has brought these amendments into the house. It is why Minister Jennings argued so effectively about this and why we have been able to provide this \$40.4 million package. That is a very substantial expenditure in what is a private sector outfit, if you like. This is a for-profit sector, so for us to invest such a substantial amount of money is a fairly large policy leap. But again, this is about better outcomes for some of the most vulnerable members of our Victorian community, not the least of which are those who present with a mental illness. These amendments and

the record funding this government has provided will be of profound benefit to those in the SRS sector. I commend these amendments to the house.

Business interrupted pursuant to standing orders.

Sitting continued on motion of Mr CAMERON (Minister for Agriculture).

Dr NAPTHINE (South-West Coast) — I rise to speak on the Health Services (Supported Residential Services) Bill and to make a few comments with regard to supported residential services in my electorate, thus providing a slightly different perspective that comes from regional and rural Victoria. Most of the traditional supported residential sector is based in the metropolitan area, and often in the inner metropolitan area.

As other speakers have said, the supported residential service sector has a number of roles and a number of different variations, but the most common supported residential service system that we are familiar with and are seeking to deal with is the service system that provides a roof over people's heads and some support for some of the most vulnerable people in our community. These are people often with mental health problems, people who often have drug and alcohol problems, people often with personality disorders and people who perhaps have had a fairly challenging and difficult life and who themselves often lead a challenging and difficult lifestyle.

It is a real challenge for any government or regulators to get the balance right in providing adequate regulation that affords protection for vulnerable residents without, to use a colloquial expression, killing the supported residential sector with rules and regulations that are costly to administer and unworkable in terms of keeping the services alive. If the supported residential sector closed down, then those vulnerable people would become even more vulnerable. For many of those people it would be inappropriate to be in institutional care. It would be not in their interests, it would not be their desire and I do not think it would be in the community interest. Therefore, we do have to recognise that there is a role to be played in the community by the supported residential service sector.

In particular I wish to use as an example of the facilities that exist in different parts of the state a facility in my electorate called Shamrock House. It is what I consider to be an excellent supported residential service. It provides outstanding support and care, and a safe and secure place for people who have faced a number of challenges and difficulties in their lives. The clients of Shamrock House are not often the most easy people to

work with, yet the people who run Shamrock House do it with great care and devotion and produce some very good outcomes in difficult circumstances. I want to place on record my support for Shamrock House.

This relates to what I am concerned about: when we introduce legislation like this, how does it impact on the service provided by a place like Shamrock House? And how can we make sure we get that balance right, as I said, between having adequate regulations to provide protection for clients and having protection for proprietors and people who work in the system? It is a two-way street.

I want to talk about the problems Shamrock House faces in terms of financial viability, because it is not a Robinson Crusoe in this area. Many supported residential services in the city and many in the country face these same financial viability problems. When we start imposing more and more requirements on these facilities, then we are sending them closer and closer to being over the brink when it comes to their financial status.

I refer to an article in the Warrnambool *Standard* of 20 June, under the headline 'Shamrock House in cash crisis', which states:

Demand for crisis accommodation at Crossley's Shamrock House has increased as the centre begins fund raising to upgrade its ageing facilities.

The centre, which helps people with mental illness, drug, alcohol or domestic violence troubles is facing an uncertain future after it was revealed it needed \$500 000 in improvements to comply with regulations.

...

Father John Murphy, who runs the centre with Paula Page, said more than 1500 people took shelter in the centre each year.

In quoting Father Murphy the article continues:

'Every night there is 10 to 15 people (staying here) over the school holidays it is busy with families coming to stay'.

The article further states:

Support committee president Bill Quinlan said the group needed to raise about \$25 000 just to keep the service operating before tackling any renovations.

Bill Quinlan is quoted further in the article as saying:

The immediate need is to buy food and pay the expenses ...

The article fundamentally says that Shamrock House does a terrific job providing services for those in desperate need, But is it not sad when we reflect on the comment about the fact that often families need to use

that facility that we do have families, we do have individuals, in desperate need and they need the services of a supported residential service like Shamrock House, yet Shamrock House is facing a cash crisis and a viability crisis. Indeed its very existence is threatened. One of the things the article refers to is the cost of meeting regulations that are imposed on the service.

Mr Andrews interjected.

Dr NAPHTHINE — I hear what the member for Mulgrave says, and that is a point I made when he was out of the chamber — that is, one of the balances that is very difficult to get is having regulations to protect people to ensure there is still a viable service, because if the service is not viable and closes, the vulnerable people are left in the lurch. I think that is one of the real challenges.

When this legislation came before the house I sent a copy to Shamrock House and asked for comments. I will read into *Hansard* the letter I received, signed by Father Murphy and Paula Page, executive director. Addressed as ‘Shamrock House, P O Box 326, Koroit’, the letter states:

Thank you for seeking my comments on the bill re residential support services and the new proposed legislation which will be debated in July.

I have read through the bill and speech given by the Labor government minister. I have also discussed the matter with some of the team that work with me.

We are of the opinion while many responsibilities are placed on the proprietor and ‘close associates’, with which we in general agree, not enough of the proposals contain sufficient attention to the rights of the proprietor.

The point being made is that plenty of responsibilities are placed on the proprietor, yet there does not seem to be counterbalancing protection of the rights of the proprietor. The letter further states:

From our own experience over the years it can happen that the proprietor can be the subject of litigation over property and insurance regarding residents. If not litigation there can arise quite unpleasant dealings with relatives or others regarding debts incurred or property of a resident.

... I think that something should be expressed in the proposed bill.

Those carrying out the services provided at Shamrock House are voluntary workers. Some have direct contact with the residents, others carry out services that are needed. Perhaps there is need of mention of such persons so that they too are covered by the act in direct or indirect contact with the residents.

While that letter does not specifically talk about suggestions about how the legislation should be particularly amended I think the sentiments being expressed by Father Murphy and Ms Page are the need to get that balance right between having legislation that protects the rights of the residents and also protects — —

The ACTING SPEAKER (Mr Nardella) — Order! The member’s time has expired. I call the member for Bentleigh.

Dr Napthine — On a point of order, Acting Speaker, the clock was stuck for a while so it did not show the correct time. In the adjustments it was not corrected.

The ACTING SPEAKER (Mr Nardella) — Order! I have been informed by the previous Acting Speaker that the clock was adjusted.

Dr Napthine — I do not think it was adjusted correctly.

The ACTING SPEAKER (Mr Nardella) — Order! And the Clerks have informed me the same. It was interrupted at 10.00 p.m. and it is now 10.10 p.m., so I call the member for Bentleigh.

Mr HUDSON (Bentleigh) — It is a great pleasure to speak in support of the Health Services (Supported Residential Services) Bill. This is a great bill and one that the Parliament can be proud of. When you consider the vulnerable population we are talking about, you can see that in numerical terms it is a comparatively small population. It is a population of people who do not have a lot of power in the community and are often hidden from public view. It is not often that you see governments creating legislation which is basically about expanding and protecting their rights.

I am very proud to be part of a government that is doing that because it is a mark of our community that we do not only look after the rights of the majority and the rights of the broader community, but we take the time to look after the rights of those who are vulnerable, who are powerless, who do not have a voice and who need protection. It is even more extraordinary when you consider that, coupled with this legislation, we have a government that has made a considerable investment in supporting these residents.

While some might say that that is happening partly because, if this sector closed, we would have an enormous number of people out there on the streets, the fact is that in other countries, and indeed in other states, they are out on the streets. The fact of the matter is there are many people who have been in this kind of

accommodation — in boarding houses and supported residential services — who do live on the streets, who do live under bridges, who do live in cardboard boxes. They create a nuisance and even a general level of distress in the community; nevertheless, very little is done.

I would like to commend the minister on this legislation. I think it has been a great joint initiative between the Minister for Health and the minister responsible for senior Victorians in the other place, Gavin Jennings. I would like to commend the government on what is being done because, quite frankly, it is a landmark day in terms of looking at the needs of this particular group.

A lot of people have commented on the vulnerability of this group. We know that they are on very low incomes. We know that often their only source of income is the pension and rent assistance. In the pension-only group, we are talking about people whose income is gobbled up by their accommodation and their food and who have very little else left. That means they are not really in a position to go out and purchase some of the other things that we take for granted as being some of the basics of life. Many of these people have psychiatric disabilities and mental illnesses and they need specialist care. Often in the past they have missed out on that care and they have not been able to afford it.

Over the last 25 years we have seen an enormous loss in boarding house accommodation and this kind of supported residential services accommodation — in particular in the inner city of Melbourne, because this was the traditional home of those kinds of facilities. When you consider the massive loss of that accommodation over the last 25 years, you see that it makes it even more imperative that we do what we can to preserve some accommodation for this particular population group.

It is also clear that there is a changing profile in the supported residential services group. Many younger people with quite complex needs and psychiatric disabilities have been coming into this accommodation. I can attest to that because about 10 years ago I did some work for ecumenical housing and the Melbourne City Council, looking at places like the Markillies and the Hotham hotels which were providing this type of accommodation around the city of Melbourne. They were quite scary places to go into because even then you could see the dramatic increase in people with mental illness with no support in that accommodation.

I would like to take this opportunity to note the really good work that is being done, often without a lot of

support and in very difficult circumstances, with drug users and people who exhibit quite erratic behaviour by organisations like the Royal District Nursing Service. They have done a tremendous job in reaching out to this population in a way that has been very meaningful and very important in their lives.

What is terrific about the package that the government has announced is the more meaningful way in which it is going to occur. What we are going to see for the first time through this \$40 million supported accommodation package for vulnerable Victorians is a stabilising of accommodation for at least 2000 of those residents, and that is going to be done through indirect facility cost relief. Non-government agencies will be contracted to assess the needs of those residents and to ensure that we are providing the right services and the right supports to maintain their accommodation.

That will be of enormous benefit to proprietors as well. A number of speakers have commented on the fact that many of them are good people. Yes, they are running a business, and yes, they are making money from the business, although not necessarily a huge amount of money, but they also often genuinely care about the residents. What they have confronted in recent years is the fact that increasingly they are finding it difficult to look after those residents and provide services to meet their needs. They often see terrible scenes develop, not only between the residents but also with other people from the street who interact with them.

I believe this package will do an enormous amount to help proprietors deal with residents, and it will be of enormous benefit in improving the health and wellbeing of those who have been crying out for this kind of assistance for a long time. It will be terrific to see the individualised support and activities that are going to be offered to pension level residents. I believe we will see a significant improvement in their quality of life. That is so important, because whilst the community is often willing to be judgmental and even aggressive and hostile towards people on the street who are exhibiting strange, difficult and challenging behaviours, the fact is that those people have often had no support, have often had inadequate medication and have never had a proper assessment — and they have certainly never received the treatment they need. What is so fantastic about this package is that they are going to be getting some of that support.

The other thing about the bill that is important is that it will provide greatly improved protection for residents. I note in particular the notification period that will now have to be given to residents in supported residential services. The notification period is really important,

because people who are vulnerable, people who have no other support and people whose friendship network may only extend to the other people who live in their accommodation do not know where to go or what to do when these places close down. Often they end up on the street. What this bill does is give non-government agencies, proprietors and the residents themselves some time to look at options for those who often have had limited options. That is a very important safeguard.

There are also some safeguards in relation to the handling of residents funds. That is again a very important element, because these people are vulnerable. Whilst I believe that most proprietors are ethical in their behaviour, there are nevertheless some who have taken advantage of residents in the past, exploiting them and abusing the positions of power and trust they have had. This bill has a range of provisions to protect the funds and the property of residents, which will add greatly to their dignity and to the protection they now have. It is a great bill, and I commend it to the house.

Mr HONEYWOOD (Warrandyte) — In addressing the Health Services (Supported Residential Services) Bill this evening we would all have to acknowledge, whether we like it or not, that we are dealing with an accommodation option for people who are often in dire need and which will be a growth industry. Therefore the opposition is supportive of the government's endeavour to better regulate such a crucial and sensitive industry and also to ensure that appropriate arrangements are made for future needs.

Having said that, one only has to look at the trends in the community. Whether we like it or not, we have a situation in which home and community care (HACC) funding is having to cater for a much larger cohort across the community. That HACC funding is unusual in Victoria in so far as it is controlled by the state government and not given directly to local councils. I am sure many honourable members would agree with me that a number of councils are desperately worried that now they can only offer, for example, one shower a week to many of their clients who are living in their own independent living arrangements.

When it comes to trends in the community — and this is a community-wide problem and not specific to any one government — and the need for people to move into the supported residential services (SRS) accommodation option, often it can be the result of the fact that there are not other services available to the need and extent we all hope as members of Parliament. Higher rents in the private accommodation market, family breakdowns and any number of factors are

leading to the situation in which we will have a growth industry with supported residential services.

The purpose of the bill is to amend the Health Services Act 1988 to:

- (a) revise the criteria which the Secretary must consider in relation to applications for approval in principle, registration and renewal of registration of health service establishments;
- (b) enhance the ability of administrators of supported residential services to carry out their functions;
- (c) regulate the content of residential statements provided under section 106 of the Health Services Act —

and it goes on. Previous speakers have mentioned some of the detailed regulations. Importantly the bill also ensures that there must be at least 1 staff member for every 30 residents — that would appear to me to be an absolute minimum — and to ensure that extra staff are used to provide adequate levels of care for residents on site overnight to respond to residents care needs and to ensure safety of residents. This overnight stay arrangement for staff is absolutely crucial because one of the key factors, if this sector of accommodation options for those in greatest need is to expand in a way in which the community feels comfortable with, is to ensure that these facilities are good neighbours, that there is a qualified staff member on site at all times to ensure that the wider community believes this supported residential service is ensuring that its clients are not only cared for but also are not exhibiting any number of bad neighbour type behaviour that soon turns the community against any such facility.

I know that in my electorate, particularly in the Ringwood area, there are a number of these facilities, which by and large do a great job. However, given the obvious trend for this accommodation option to become a much more growing option in the absence of other facilities and arrangements, and the absence of sufficient HACC funding to keep people in their own homes in many cases, or carers funding, then of course we will find we unfortunately have to regulate this industry even more closely. On that basis the opposition is supportive of the government's endeavours.

Ms MORAND (Mount Waverley) — I am pleased to support the Health Services (Supported Residential Services) Bill. This is an important bill to improve the protection of people living in supported residential services. As other members have said, a large number of people — around 6800 residents — are living in around 200 privately owned and privately operated supported residential services in Victoria.

They fall into two different groups — the pension level and the pension-plus level. In the pension level a lot of residents in this form of accommodation are actually not the elderly but are people under 50 years of age who are suffering from a psychiatric or other disability or are suffering substance abuse issues and acquired brain injuries. These residents are very vulnerable. In the pension-plus category, people in supported residential services are also very vulnerable members of our community, being the elderly, and these residents are mainly over 70 years of age. The provision of care to this vulnerable section of the community is regulated under the Health Services Act, and the amendments before the house today are needed because of the very vulnerability of these residents.

Certainly, first and foremost, the amendment providing for a minimum notice of closure is needed to give an opportunity to residents and also to the Department of Human Services to respond to a situation where a supported residential service (SRS) is to close so there is time to make alternative accommodation arrangements for these vulnerable people. It is appropriate and necessary to give a minimum of 28 days notice in this often very distressing situation for people who have been living in SRSs for some time when the closure is announced, and they have very short periods of time to make alternative arrangements.

Likewise, the amendments relating to the management of residents' money and other assets are to provide for better accountability between the proprietors of SRSs and the residents. Unfortunately some people take advantage of the vulnerable in our community, and sadly because of the minority of the people who do so — whether they are in the SRS industry, the retirement village industry or the financial industry — we need to have laws that spell out what is not appropriate and what sorts of transactions are not in the interests of the vulnerable.

Amendments in this bill will regulate and specifically prohibit certain transactions between the residents and the proprietors or the close associates of the proprietors, and those close associates are set out in clause 4 of the bill. Prohibited transactions include proprietors or close associates acquiring property from a resident at less than market value or selling property to a resident at more than the market value — in other words, ripping off the resident without them actually knowing what is going on.

Full market transactions, though, can take place when they are reported in the prescribed manner to the secretary. Other amendments revise the criteria which a secretary must consider in relation to the registration

and renewal of registration of SRSs, and they are also very important.

The pension-level sector has been in decline for a range of reasons. This sector is very fragile, given the limited ability to increase the fees because of the limited capacity for residents to pay increased fees. Also the types of residents now living in pension-level SRSs in particular are increasingly more complex and their needs are much greater. The member for Bentleigh referred in his contribution to the loss of accommodation that has been suffered in this sector over a long time.

I want to mention that it was welcome news that the state budget will provide for additional support for this sector to allow for improved viability and sustainability. The funding of \$40 million over five years is really important to back up the sector and provide greater sustainability for accommodation for the homeless in the community. Part of the funding includes the comprehensive health and social assessment of approximately 2000 SRS residents and improved integration of pension-level SRS and local service networks. The money will also be used for service coordination and support and providing more individualised support and activities for pension level residents.

I congratulate the Minister for Aged Care in the other place on the initiatives announced in the budget, and I also congratulate him on the legislative reforms and amendments before the house. I commend the bill to the house.

Mr MAUGHAN (Rodney) — I want to make a few brief comments on this important piece of legislation. I have listened to the debate with a great deal of interest. As I think everybody who has spoken has acknowledged, supported residential services provide a very important service to the community and certainly to the most vulnerable people in our community.

I think it is a sad commentary on our society today that there is an increasing number of these vulnerable people who do not have support from families, who are alone and who in many cases are suffering from a disability of some sort. In most cases they are male and have a psychiatric disability. They are frail, aged and certainly some of the most vulnerable people in our community. The member for Benambra and I were meeting with many of these people this morning. I have been into some residential services, and I take my hat off to those private providers who provide the service.

As the member for South-West Coast pointed out in his contribution to the debate, it is a difficult task for government to get the balance right by on the one hand providing sufficient regulation to ensure people are not in the industry for the wrong reasons and are not profiting unnecessarily or benefiting from these vulnerable people while on the other hand making private investment attractive enough so we can continue to provide more accommodation rather than put people out of business by more and more regulation. We all acknowledge that getting the balance right is difficult, but by any standard we need to applaud the government for providing \$40 million over five years which will undoubtedly have a positive effect on increasing accommodation for some of the most vulnerable people in our community.

What is a supported residential service (SRS)? We have been through most of that. It is privately owned and it receives little if any direct government funding. The main income it receives is the pension or rent assistance of the residents. I note there are 6800 people in this accommodation in some 200 privately owned and supported services across the state. Largely the people who run those facilities are altruistic and are not in it to make large amounts of money but to provide services for those people who otherwise would not have accommodation. The fees vary from 85 per cent of the pension or thereabouts. My understanding is something like 80 to 90 per cent of people living in this accommodation are paying at the lower level, but there are people of more independent means who pay up to between \$800 and \$1000 a week.

The objectives spelt out in the bill are essentially fourfold. They include the regulation of the content of residential statements. These spell out between the proprietor and the tenant the services that the tenant can expect to receive for the money they pay. This is in the nature of a contract, so the proprietor is required to deliver those services that are in that assigned residential statement. It must provide a minimum period for the provision of a notice to vacate. As other members have already noted, this is a very important provision. These people are not able, generally speaking, to get other accommodation easily. They need time and it is quite reasonable that they are given the maximum time to make other provisions.

The bill revises the provisions of the act that relate to the management and control of the money of residents of supported residential services. Generally speaking this is a good provision. I know there are some proprietors who object to this on the basis that they are honest and open and have done a great job in some cases in assisting residents to manage their money. On

the other hand there are always those who do the wrong thing, so I think it is necessary that there be some regulation, control and oversight by government so vulnerable people are not ripped off by unscrupulous operators.

The legislation will also lead to the regulation of certain transactions between residents of supported residential services and proprietors or close associates. Again people working in or owning those facilities are not able to extract from those residents money or assets which a normal person, a decent honest person, would not do.

The Nationals are not opposing this legislation. We think it is perfectly reasonable legislation. We support it because there is a need for more public housing out in the community. This will provide for housing for a greater number of those vulnerable people and to that degree it will take some of the pressure off other housing. The Nationals will not be opposing this legislation.

Mr LEIGHTON (Preston) — This is socially just and fair legislation which protects some of the most vulnerable in our society. Housing is one of the most fundamental of needs. Indeed, when I did my training at the Royal Park Psychiatric Hospital in the 1970s we were fond of referring to Maslow's hierarchy of needs which has five levels. The most basic level is physiological needs — the need for food and water. Second to that are safety needs such as the need for adequate shelter. That is most definitely the case for people such as our mentally ill. If you do not have housing, how can you enjoy any quality of life or have any stability in your life? How can you gain and maintain an adequate state of health, let alone enjoy some of the other social activities?

Another experience I had as a young mental health worker in the 1970s was going out to some of the special accommodation houses and the boarding houses in areas like St Kilda to do follow-up visits for our ex-psychiatric patients. Many of those places were pretty grim. Even where there was a level of commitment from the proprietors those facilities were run very much on a financial shoestring. In many cases there was a lack of basic hygiene and nutrition. There were issues around the administration of medication, let alone safety and security of tenure for the residents concerned.

In some ways that has become more of an issue over the past 10 or 20 years with the advent of deinstitutionalisation. In my view the temptation for governments throughout the Western World has been to

embrace the philosophy of deinstitutionalisation and use it as a way to save money. It is not enough to simply say, 'We are now able to deinstitutionalise patients. We accept that philosophy, and we are going to put them out into the community'. To do it properly costs money as you put in a range of services, whether it is crisis assessment and treatment teams, day placements and activities or housing. I believe there is particularly an issue in coordinating or integrating the housing with the mental health needs of our former psychiatric patients from the large hospitals. Too often we construct silos so this one deals with their psychiatric treatment and another one deals with their housing and there is a lack of coordination between the two.

I think this is fantastic legislation. It protects the rights of residents in supported residential services in a number of ways. It requires proprietors to give 28 days notice to vacate. There are various restrictions on the financial dealings between managers and residents, and there is provision for the residential statement. Not only are we as a government providing a legislative base for protecting people in supported residential services but we are matching that with a financial commitment. I believe the \$40 million over five years is tremendous practical support to some of the most vulnerable people.

I think something like 80 per cent of those in supported residential services get by mainly on their pensions, backed up by rent assistance. Of those, some 60 per cent are psychiatrically ill. On top of that, in some of the other categories — the elderly and those with acquired brain injury — we have some of the most disadvantaged and vulnerable people in our society.

This is great legislation that protects and cares for those people, so I am pleased to have the opportunity to speak in support of it tonight.

Mrs POWELL (Shepparton) — I am happy to speak on the Health Services (Supported Residential Services) Bill on behalf of The Nationals and to acknowledge that we do not oppose it. The bill has a very specific purpose, which is to enhance the protection of residents of supported residential services. This is a really important issue. A number of members have spoken about some of our vulnerable elderly, and as we are ageing we all understand that at some stage of our life we will end up in some sort of an institution, and we would hope that the people who will care for us will do so with decency and integrity.

A number of members of The Nationals — the member for Rodney, the member for Lowan, a member for North West Province in the other place, the Honourable

Damian Drum, and I — had a briefing with the office of the Minister for Aged Care in the other house, and I thank the department for that briefing. We went through the bill, we asked a number of questions and we were given answers. It was really important that we understood not just the intent of the bill but what the bill actually means to people who are residents in those supported residential services.

We were also told that approximately 6800 residents are in about 200 privately owned and operated supported residential facilities in Victoria. That is a huge number of facilities that obviously all work quite well, but it is a shame that sometimes legislation has to be used to make those people deal with elderly people in a decent, respectful and professional manner. Obviously there are some people who are unscrupulous and who need that legislation. You would hope that people who make their money from caring for people in those sorts of facilities do so in a manner that provides dignity for those people to the end of their lives.

Many of the residents in these supported residential services are frail aged, and some have a number of disabilities. Sometimes they are physical disabilities, but just as importantly they are sometimes psychiatric disabilities. The bill provides a number of initiatives that will ensure that these people are dealt with safely.

One area of the bill deals with the closure of facilities. We have seen this played out in the media a number of times when facilities have been closed and the residents of that facility have experienced a high degree of anxiety and a high degree of stress. If they have been in those facilities for a great deal of time, they have made friends with the others in that facility, they have formed relationships with the carers and the staff of those facilities and they have gained the confidence of the people who are looking after them.

It is very important, as people age and reach a time when they need higher levels of care, that they can have confidence in the people who give that care and that they understand that those people are doing it in their best interests rather than the best interests of the facility to make money. There are some unscrupulous proprietors, and the bill acknowledges that. There are some people who own a facility who will look at cost-cutting in caring for residents and who will perhaps not provide meals that are appropriate for the better health or the better management of those residents. Those proprietors are to be condemned. There are also people who are proprietors of those sorts of care facilities who do not provide the appropriate level of care for residents.

It is sad that we need this legislation, but we obviously do need it to make sure there is a benchmark of good caring and that people adhere to that benchmark and do not go below it. There are also a number of checks and balances provided for in the bill to determine whether the person who owns or runs a facility is a fit and proper person and whether that person has enough finances to be able to run the facility in the long term — not to run it only as a marketing facility and a commercial venture.

It is really important for us to understand that the people running these sorts of facilities do so because they want to provide care, rather than running a commercial venture. Most of the people who run these sorts of facilities — and the government has acknowledged this — are ethical, professional, empathetic and decent. They do it for the right reasons and they have facilities that are run with the highest regard for the residents, who are dealt with in an empathetic and sympathetic way so that they are allowed to live in those facilities with dignity.

I touch briefly on a number of areas in this bill that have made some changes. The residential statements must be signed as soon as possible when the resident arrives in the care facility. There must be information about the type of care and the accommodation that resident will receive, including their rights, their entitlements and their obligations. Also it needs to make sure that there is a complaints handling system so that if the residents do have some concerns or some complaints, there is some sort of resolution or some sort of area that they can go to so they feel they can make their complaint in confidence, knowing that they are not going to be in some way disadvantaged by making that complaint and that their way of life will be enhanced.

We also have care plans. Currently an interim care plan is to be prepared within 48 hours of admittance. There also has to be an ongoing care plan within 30 days, but this bill actually introduces a requirement to implement the interim plan, as well as the long-term plan. And that care plan can have input by a number of people so that the people who have input have the best interests of that resident at heart. That can be the GP, it can be the family, it can be the proprietor, and it includes the level of care that is to be provided for that person.

The sorts of things that can be in that care plan are the issues such as the types of care they are going to have, the medication they are required to have, the medication they will receive and the supervision they are going to have as well. It can even have things like the trips that they are going to have. It might be in the care plan that the resident is going to have one trip a

week to do some shopping, or one trip a week to go to a film night or to visit relatives. Even those sorts of things and that level of detail can be put in their care plan.

Clause 15 prohibits certain transactions between proprietors and residents or close associates and residents. They can be such things as gifts from a resident which are valued at \$100 or more. The bill goes on to say that this does not include things like flowers or chocolates which may be a thankyou from the resident to one of the carers for doing some extra special things for them, like doing some shopping or doing something extra special for which that resident might feel obliged to say a very special thank you.

But there are some carers and some proprietors who may take advantage of those vulnerable people at their most vulnerable level. This would include a transfer of property, whether that be personal or real estate, from a resident for less than the market value. This means that if somebody sells their house for less than the market value to return money back to the resident to pay for their care, that proprietor cannot sell their property for less than the market value, just to be able to recoup some of the losses.

That is a really important one because we see some instances where some carers may take advantage if the family is not part of the long-term association with that resident. Maybe the family has moved on or passed away and the resident may feel some sort of sympathy towards a carer, and may even will a house or some sort of personal belongings. This bill actually stops that. Where the person has to sign over there is a five-day cooling-off period when somebody can have a look at that and say, 'This is not an appropriate level of remuneration for the person who is taking care of that resident'.

The protection of people when they are frail, aged and disabled is vital. Some do not have families who care for their welfare. We were advised at the meeting that there are about 800 people under State Trustees care. That shows some residents do not have people who care about their interests, who are there not particularly for the good welfare of those people; they are under the administration of State Trustees.

I look forward to the passage of this bill to hopefully put in place measures to protect our vulnerable aged in supported residential services.

Mr PERERA (Cranbourne) — I take pleasure in supporting this important bill, the Health Services (Supported Residential Services) Bill. The occupants of supported residential services are some of the most

vulnerable members of our society, with significant psychiatric and other disabilities, brain injuries and substance abuse issues. It is incumbent upon the government of the day to put in place measures to safeguard them from some of the unscrupulous supported residential service (SRS) operators.

I am honoured to note that the Bracks Labor government is doing just that: developing and enhancing the wellbeing of SRS residents. It is unfortunate that many of the residents are frail and require special and personal care due to disabilities and age-related factors. There are approximately 6800 residents residing in 200 privately funded supported residential services in Victoria. It is a sizeable operation that should be regulated.

The provision of care is regulated under the Health Services Act 1988. The bill amends that act to provide security and financial protection to SRS residents and provide better regulation of the industry. The bill provides a requirement for a proprietor to give at least 28 days notice of the impending closure of a supported residential service. This provides peace of mind not only for the SRS residents but also for their guardians and of course their families and loved ones. This is in line with acts in some other Australian jurisdictions.

The South Australian Supported Residential Facilities Act 1992 provides a requirement of at least 28 days notice before exercising any right to terminate a resident contract. The Queensland Residential Services (Accommodation) Act 2002 states that the service provider may end a periodic agreement by giving at least 30 days notice.

The 28-day minimum notice strikes a balance between planned and unplanned closures where a financial failure is a likely factor. The bill is also designed to place firmer controls on the management of money and any other assets that residents may have.

We must note that existing section 108H of the act does not prevent staff members or others from managing residents money, which is the money other than what is paid to the proprietor on account of fees payable for accommodation and expenses. The bill makes it mandatory that only the person in charge of the SRS should undertake money management for residents, and that his employees should handle the money only under direction of the proprietor. Close associates of the proprietor other than employees should not handle the residents money.

Overall, the implementation of this nature of financial management control makes the proprietor solely

accountable for residents money. A bond paid in respect of fees that were not yet due or payable would fall into the category of residents money, and the proprietor would need to manage it accordingly.

This streamlines the accommodation and caring process and makes things simpler for the residents as well as for the proprietor. I commend the bill to the house.

Ms MUNT (Mordialloc) — I would like to make a brief contribution to the Health Services (Supported Residential Services) Bill. Rather than going through all the technical details of the bill I simply say that many years ago I worked with homeless people through a group called The Van. We used to take people who had nowhere to sleep to supported residential services to put a roof over their heads. These people truly are vulnerable; a lot of them cannot manage their own affairs. They have a range of psychiatric and other ailments that prevent them from doing so. There are two levels of resident: the pension level and the pension-plus level. The pension-plus level is mainly for people who are elderly.

Homeless people have the same vulnerabilities as these other members of our community who need our help. I believe this bill strikes a good balance between regulation and support in addressing the security of these residents. I would particularly like to acknowledge the provision of over \$40 million of funding in the last budget to provide services to these residents and the supported residential services to make them more robust and, hopefully, to provide more accommodation for these most vulnerable people in our community. I support this bill. It is another piece of good legislation, and I commend this bill to the house.

Ms ECKSTEIN (Ferntree Gully) — I too wish to make a very brief contribution in support of this bill, which provides for increased protections to residents of supported residential services (SRSs). Residents of SRSs are some of the most vulnerable members of our community, and it is therefore appropriate that we give them the best protections we possibly can. This bill makes some significant progress in this regard.

The requirement for 28 days notice of intent to close a supported residential service gives residents, or their administrators or guardians, an opportunity to seek and find appropriate alternative accommodation. The strengthening of the financial arrangements around day-to-day money management, the need for market-value tests for the disposal or acquisition of residents assets, the need for written consent, the requirement that legal and financial advice be sought for transactions involving moneys over a certain

amount and the reporting of transactions to the secretary are all important provisions that will enhance the support available to people who have very complex care needs because of their disability or health situation. Their needs are many and varied.

Recently I had an opportunity with my colleague the member for Bayswater to visit an SRS in his electorate together with the Minister for Aged Care in another place. This particular SRS houses a number of younger people under 50 who have complex issues. At that SRS, Viewmont Terrace, we met April, who is in her late 20s and has been living there for a little while. She spends a lot of time with the SRS's newly acquired kitten, which sleeps on her bed. The kitten's name is Sammy. April also does some work for the Royal Society for the Prevention of Cruelty to Animals in Burwood. She really loves having Sammy around and being able to look after him, and this is part of what makes this place a home for April and for the other residents at Viewmont Terrace. It is important for us to remember that SRSs are homes for people and not institutions and that we provide them with the best possible protections. I commend this bill to the house.

Ms GARBUTT (Minister for Community Services) — I would like to thank all those members who spoke on this bill, and there were many of them. It is encouraging to see such strong support for this bill from all parties. It enhances the protection given to vulnerable people living in SRSs, and I believe all members support that approach. In fact I was encouraged by the great compassion and commitment shown by members. I am pleased to commend the bill to the house.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

Remaining business postponed on motion of Ms GARBUTT (Minister for Community Services).

ADJOURNMENT

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

That the house do now adjourn.

Rural and regional Victoria: patient transport

Dr NAPHTHINE (South-West Coast) — The issue I wish to raise is for the Minister for Health. The action I seek from the minister is an immediate review of and appropriate increases in payments under the Victorian patient transport assistance scheme. VPTAS is a long-established scheme which has operated under various state governments to provide financial assistance to people in rural areas who need to travel — and they often stay overnight — to get access to specialist medical and oral health services. VPTAS is used relatively sparingly to help those in genuine need in country Victoria. As I said, often people in rural communities need to travel to Melbourne or to regional centres to visit medical specialists. The cost of this travel and overnight accommodation can be significant, especially when they have to travel 300 to 500 kilometres each way.

Currently under VPTAS country people are paid 14 cents a kilometre for the use of their cars. This was last increased in August 2003. We are all well aware of the significant increase in fuel costs since that time, particularly over the last few months. Indeed we are talking about fuel prices that in many parts of country Victoria have already exceeded 150 cents per litre. The Royal Automobile Club of Victoria web site indicates that the cost of running a car the size of a Ford Falcon or Commodore is 75.4 cents per kilometre, while the cost of running a smaller car such as an Astra or Ford Focus is 52 to 54 cents per kilometre. When those rates are compared with the rate under VPTAS of just 14 cents per kilometre, I think it is time to review the current arrangements.

Also under VPTAS the maximum payment for accommodation is \$30 per night. You could not get a broom cupboard in the cheapest hotel in Melbourne for \$30 per night, so clearly people in country Victoria are being disadvantaged in gaining access to medical specialists under the scheme. As I say, VPTAS is used sparingly for those people in genuine need. Unfortunately I have seen situations where people in country Victoria, particularly older, vulnerable people, have not taken the opportunity to see medical specialists in regional centres or Melbourne simply because they are concerned about the cost of doing so. That is not in their interests and certainly not in the interests of their health.

I urge the minister to consider the needs of country people and immediately increase both the travel and the accommodation payments available under VPTAS for country people who need to come to Melbourne or

regional centres to see medical specialists or oral health specialists.

Tourism: Dandenong Ranges

Mr MERLINO (Monbulk) — I would like to raise a matter for the Minister for Tourism. My electorate of Monbulk in the Dandenongs has great value as a tourism destination and is one of the key drivers of the local economy. The action I am seeking is that the minister support an intrastate marketing campaign for the many tourist attractions in the Dandenong Ranges region.

As the minister would be aware, the Dandenong Ranges are an integral part of the Yarra Valley, and the Dandenong Ranges tourism region is featured in Tourism Victoria's jigsaw advertising campaign. It has some of Melbourne's and Victoria's most stunning scenery and fantastic tourism facilities, including the iconic Puffing Billy, Parks Victoria attractions such as William Ricketts Sanctuary, the National Rhododendron Gardens and Grants picnic ground, the magnificently refurbished Sky High Mount Dandenong, and the 1000-step Kokoda Track memorial walk in the Dandenong Ranges National Park. Each year hundreds of thousands of visitors enjoy those and other attractions in the area. Visitors to the Dandenongs also enjoy the world-class restaurants and bed and breakfasts that can be found in villages across the region.

The Bracks government has spent over \$5 million on rolling out the highly successful Yarra Valley Run Rabbit Run brand campaign. Most recently the advertisement was shown during the Commonwealth Games period. Since the launch of the campaign in 2003, interstate overnight visitors to the Yarra Valley and Dandenong Ranges region have increased by 11 per cent — 76 000 in 2003, 81 000 in 2004 and 84 000 in 2005. Interstate overnight visitor nights to the Yarra Valley and Dandenong Ranges region have increased by 70 per cent — 300 000 in 2003, 361 000 in 2004 and 511 000 in 2005. The interstate campaign has clearly been highly successful.

In discussions with local tourism operators and the peak body, Dandenong Ranges Tourism, there is a call for a Dandenong Ranges-specific campaign to boost the important domestic market. With spring and the school holidays approaching, I urge the minister to allocate funding to market the Dandenong Ranges region to Melburnians and other Victorians to boost visitation to this spectacular area of the state and assist the many tourism and related businesses in the area to maximise their share of Victoria's fast-growing tourism industry.

Police: Branhholme residence

Mr DELAHUNTY (Lowan) — I raise a matter for the attention of the Minister for Police and Emergency Services. The action I ask is that he publicly inform the people of Branhholme that their police residence will be constructed and there will be a permanent police presence in that town.

The background to this issue is that during 2005 a police officer moved out of Branhholme because it was said the house was not up to standard. He was not replaced. Earlier this year I wrote to the minister and in 2006 in the *Hamilton Spectator* more than 100 people signed a petition supporting a permanent police presence in Branhholme. In the same article Chief Inspector Penny said:

... a new police residence was listed to be built ...

Until a new police house has been built the position won't be advertised ...

At that stage I met with residents in Branhholme who were very concerned there was no action happening in relation to the construction of the police residence. I wrote again to the minister on behalf of the residents of Branhholme who had raised concerns with me regarding the lack of a permanent police residence in the town, and I asked for the house to be constructed. I received a response from the minister and I thank him for it. He said in the letter:

I do not have unlimited funds at my disposal. Any new police stations or residences must be determined in accordance with the budget process. Let me say again that your request on behalf of Branhholme residents will be considered, in light of competing budgetary priorities.

Whoopy-do! The budget came down in late May. The budget overview states:

Rebuild Branhholme police station residence.

And that \$500 000 would be allocated for that in the budget. But on 24 June there was an article in the *Hamilton Spectator* under the headline 'Live-in cop goes':

There will no longer be a police residence in Branhholme.

The proposed police residence — which has been on the drawing board for the past two years — will no longer be built.

...

Money had been set aside to build a new police residence in Branhholme, but Supt. McLeod said police were looking at putting that money towards a new police residence in Heywood, to replace the existing one which was in bad disrepair.

The community is very concerned about this. I have spoken to the minister about it on numerous occasions and he has privately reassured me that the police residence would be built and there would be a police presence in the town. I again call on the minister, who will be in our area on 2 and 3 August, to meet with the residents and tell them personally that they will get their police residence and, more importantly, get their police presence.

Watsons Creek: dam

Ms GREEN (Yan Yean) — I wish to raise a matter for the Minister for Environment who is also the Minister for Water. The action I seek is for him to ensure that the beautiful Watsons Creek, an important tributary of the Yarra in my electorate, is not dammed.

I applaud the action of the Bracks government this week in introducing legislation to ban dams on the Yarra River and on Victoria's other 17 heritage rivers. The communities of Christmas Hills, Kangaroo Ground, Panton Hill and the Bend of Islands have been through all this before. They did not want dams in the 1970s, the 1980s and 1990s, and they do not want them now. This legislation shows the Bracks government is serious about our new no-dams policy and will reinforce our water reforms relating to river health and future water of requirements including the Our Water Our Future and Victorian river health strategies.

A new dam on the Yarra River or its tributary, Watsons Creek, would not create new water. It would simply take it from the environment, cause massive disruption and damage Nillumbik's green wedge. We have to face future water shortages, but building new dams is not the way to go about it. We are short on rain and not on dams. The most effective way to secure our water future is through conservation and efficient use, not by building costly new dams.

Families living in Warrandyte, the Bend of Islands, Christmas Hills and Panton Hill would have their way of life changed forever if a future Liberal or Nationals government decided to dam Watsons Creek or the Yarra. I for one certainly do not want to see the Yarra reduced to a trickle or the beautiful areas upstream of Warrandyte deliberately flooded and made into a massive dam.

And what of the opposition? We know the attitude of The Nationals: dam the rivers and damn the environment. But where do the Liberals stand? At last week's Victorian Farmers Federation conference, which I attended, a response provided by the opposition leader during a question and answer session was

particularly concerning. He again criticised Melbourne 2030, which he has previously said he would scrap, and he seemed to say that population growth in Melbourne and regional centres ought to be accompanied by new dams. The Leader of the Opposition has form on this. The community should be very worried about an earlier indication of his attitude. I quote from the *Age* of 13 May 2006:

Baillieu did not join the Liberal Party until 1981 ...

One of the two triggers of his signing up was:

... his support for Malcolm Fraser's refusal to intervene in the plan to dam the Franklin River ...

I call on local Liberal Party candidates to say where they stand. Do they support the opposition leader's plan to dam waterways in my electorate, ruin the local environment and cut off Eltham and Yarra Glen by completely flooding the area? The people of Yan Yean have a right to know what the Liberals would do if they were elected and whether they would ruin our local environment. To hell with the dams. I ask the minister to act.

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

Apprentices: training facilities

Mr SMITH (Bass) — Tonight I raise an issue of great concern to our community. I ask that the Minister for Education and Training address the shortfall in training facilities in the West Gippsland area, where we have young people who wish to get into trades unable to get into facilities to carry out their necessary training at a time that will benefit them or their employers.

As an example, I have a young constituent who lives in Inverloch and wishes to become a plumber. He found an employer who will take him on for his apprenticeship, but when he went to register for his school training he found that the nearest facilities were an hour and a half's drive away — either east to Yallourn North or west to Frankston or Dandenong. Either way he would have to drive past another facility — either Gippsland TAFE at Leongatha or Chisholm TAFE at Wonthaggi. Neither facility provides apprenticeship training for plumbing because the government will not fund them for it. To make matters worse, the colleges that do provide this training cannot take apprentices for up to 12 months.

What is all this mealy-mouthing by the government about? What it needs to do is find out about the apprentices who need this training and provide facilities for them. A recent article in the trade-only *Plumbers*

Choice newsletter has the headline ‘Vic government is ignoring the needs of apprentices’. It is right. The government mouths off, but it does not back up its words with the necessary financial help. The fact is plumbing apprentices cannot get into their first year’s training until their second year, and into their second year until their third year and so on.

This is costing employers heaps of money. Using the enterprise bargaining agreement wage rates for apprentice plumbers, it is estimated to cost companies about \$5660 to have their apprentices a year behind in their skilled training time. Members should remember that is only the direct wage cost and does not take into account the fact that apprentices only start to pay back some of their costs in their final year.

I am a great believer in apprenticeship training, having trained many kids in my time as a plumber — and I am very proud of every one of them. I ask the minister to adjust her funding to reflect the real needs of apprentices and employers and to have more facilities and teachers available to carry out the training necessary for these kids to fill the vacancies we have in trades across Victoria.

Schools: Cranbourne electorate

Mr PERERA (Cranbourne) — I would like to raise a matter for the Minister for Education Services. I call upon the minister to take action to keep supporting the Bracks Labor government’s Schoolyard Blitz initiatives for all government schools in the electorate of Cranbourne.

Many schools in my electorate have benefited from this program which provides a \$5500 grant to every school to undertake a blitz on their school grounds. This is a fantastic program which encourages schools to undertake initiatives such as improved student safety, sunshade protection, environmental improvements, water-saving initiatives, garden beautification or playground improvements.

However, there are a number of schools in my electorate that are yet to receive funding. They are Carrum Downs Secondary College, Cranbourne Secondary College and Monterey Secondary College. I request that the minister consider this matter and ensure that these three schools are able to benefit from this exciting initiative.

The ACTING SPEAKER (Ms Barker) — Order! Can I just clarify the action that the member for Cranbourne is requesting? It is not appropriate to ask a minister to continue to do something. That does not

constitute asking a minister to take action, and that has been a ruling of the Speaker. I therefore ask the member to clarify in the time he has left the action he wishes the minister to take.

Mr PERERA — I am asking the minister to provide Schoolyard Blitz funding to three schools: Carrum Downs Secondary College, Cranbourne Secondary College and Monterey Secondary College.

Maroondah Highway, Buxton: school crossing

Mr DIXON (Nepean) — I wish to raise a matter for the Minister for Transport regarding the lack of a school crossing outside the Buxton Primary School on the Maroondah Highway at Buxton.

The school recently contacted its local member who is the member for Seymour, and he referred the matter to the Minister for Transport and the Minister for Education Services. However, the school council was not satisfied with the lack of action by the ministers and wrote to me asking if I would pass on its concerns and do something about the issue. That is why I am raising this matter tonight.

I am asking the Minister for Transport to review the decision not to do anything about the school crossing and to use any means possible to increase safety at the area across the road from the school so that it is a safer place for children, their parents and also teachers to cross. I will read a couple of sentences from the letter sent to me by the school council, which describes the area. The letter says:

Buxton Primary School is situated on the Maroondah Highway, which is a major transport route for delivery vehicles, log trucks and holiday traffic. As well as this, the approach on the highway from the south is on the crest of a hill which affects drivers’ viewing.

The reason given by VicRoads for not having taken any action there is a lack of traffic volume. There is not enough traffic on the highway and not enough people are crossing the road because the primary school is quite small. But there is nothing there at all; there is no provision for any crossing whatsoever. Not even a school crossing supervisor has been provided, and because it is so dangerous the staff are rostered to help children cross the road before and after school.

If children arrive at school before the staff that are rostered on, they have to cross the road on their own, and as I said, it is a very busy road. It is also an area of road that is often subject to fog, especially before school in the morning when fog can be prevalent, and that adds to the danger of the area.

The formula that VicRoads uses is totally based on volume. It is not flexible enough and is far too rigid. Other things such as the physical condition of the road, where the road is located, the times when the road is busy, even though it might not be busy all year round, and the various safety aspects need to be included in the equation. The formula should not be based purely on numbers, because it just does not work like that.

The local police have real concerns about safety issues in the area. A very strongly worded letter from the local police, which I wish to quote from but do not have time to, also points out that something needs to be done or somebody will be killed.

South Gippsland Highway, Tooradin: speed zones

Ms BUCHANAN (Hastings) — I direct my adjournment matter to the Minister for Transport. The action I seek is for the minister to initiate a review of the speed limits and traffic-calming devices within the coastal township of Tooradin to protect the safety of pedestrians.

Tooradin is a vibrant coastal community on Western Port Bay and is a popular tourist destination because of its picturesque views of coastal mangroves, its historic fisherman's cottage, the school classroom and its excellent hotels and eateries — fresh fish restaurants and cafes — that line its main thoroughfare. Recent major commercial developments have attracted even more visitors and shoppers to the town. Consequently on any given day, but more particularly on weekends and holidays, there is a constant stream of traffic moving through the town, with many visitors stopping to enjoy the town's many attractions.

The main thoroughfare of Tooradin is the South Gippsland Highway, which caters for tens of thousands of traffic movements every day, being the prime route to Phillip Island and one of our most popular tourist attractions, the penguin parade. At any given time tourist-laden buses, along with numerous domestic and commercial vehicles, stop and start as they move through Tooradin. At Tooradin's boundaries the speed limit is 100 kilometres per hour, and through the township it is 80 kilometres per hour. Many hundreds of tourists and local residents have access to the one set of pedestrian lights they must use to pass from one side of the divided four-lane highway to the other.

Recently a local resident and businesswoman, Cheryl Andreula, wrote to me with concerns about the current 80-kilometre-an-hour limit and the safety of pedestrians using the pedestrian lights. Cheryl told me that many

vehicles are not adhering to the 80-kilometre-an-hour limit, and she told me of the subsequent concern that such vehicles will not be able to stop safely when the pedestrian lights turn red. Many pedestrian near misses have been reported, and I am aware that local traffic police have been undertaking a concerted campaign to have motorists obey the speed limits. In particular I would like to acknowledge the support offered to Tooradin residents by Sergeant Pat McGavigan and the team from the Casey traffic management unit at Narre Warren.

Cheryl's representations to me were supported by a petition requesting that the speed limit be reduced from 80 to 60 kilometres per hour, and the petition was signed by nearly 1000 local and district residents. Cheryl also raised the issue of school buses using Tooradin as a focal point to collect and drop off students attending the local secondary college at Koo Wee Rup.

Another related issue is the need for the Tooradin Country Fire Authority brigade to be able to safely access the highway when responding to call-outs. Research by this brigade indicates that the installation of flashing warning lights could ensure that these dedicated volunteers can respond effectively and safely to incidents around this region and get their units out onto the highway, often at times when traffic from Phillip Island is bumper to bumper.

I am going to keep working with the local residents to pursue any opportunities to reduce the risks both to pedestrians and motorists while they are visiting the Tooradin township by liaising with local traffic police. Local police have had discussions with VicRoads and have indicated that the installation of flashing warning lights on the northbound side of the highway to complement the flashing warning lights already installed on the southbound side would assist drivers by letting them know that the pedestrian lights are about to change and enabling them to take defensive action.

Therefore I ask the fantastic and wonderful Minister for Transport — —

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

Housing: Murray Valley electorate

Mr JASPER (Murray Valley) — I raise a matter for the attention of the Minister for Housing in another place. I refer to the lack of public housing being built in my electorate of Murray Valley. I seek action from the minister to ensure that additional housing is built to

service the needs of people who are on waiting lists that are now out to two, three and four years for particular types of housing.

By way of background I indicate to the house that through the 1980s and the 1990s — with a Labor government through the 1980s and a coalition government through the 1990s — regularly we would get homes built throughout my electorate. As an example, in Wangaratta each and every year we would get 20 to 30 new housing construction projects from the government for low-income earners.

I raise this as an issue because of the public housing crisis we have in north-eastern Victoria, and particularly within my electorate, and because of the need for more funding to be provided. The state budget revealed that 130 homes will be constructed in this financial year at a cost of \$25.5 million. I indicated that this was totally inadequate for the Murray Valley electorate as far as I was concerned. The minister took umbrage at that and came back with a response through the media. She said quite clearly that Wangaratta was doing very well, because 29 homes had been constructed in Wangaratta since 1999. On my calculations fewer than four homes per year have been constructed in Wangaratta compared to what had been built in the previous years.

In the year prior to the change of government in 1999, between 20 and 30 new houses were constructed by the government, which clearly indicates that there is now a lack of support for housing for low-income earners within my electorate and right across Victoria. As I said, I came back to the minister and challenged her to come up with different information which could support the claim that there is housing construction in my electorate, when in fact there is not.

The figures quite clearly indicate that since the change of government there has been a winding down of the funding provided for homes in north-eastern Victoria, particularly in Murray Valley — right across the electorate but particularly at Wangaratta, where there is a great shortage of housing for low-income earners. I regularly get complaints from people who come into my electorate office, and when I make inquiries to the Office of Housing the people there indicate quite clearly that there are extensive waiting lists of up to four years and there is no prospect of housing being provided for these people, many of whom are in desperate situations.

I seek action from the Minister for Tourism, who is at the table, in providing this information to the minister in another place so that consideration is given to

providing further funding to address the situation in country Victoria, particularly in my electorate of Murray Valley and in the Rural City of Wangaratta. More funding needs to be provided for housing for low-income earners.

Pharmaceutical industry: pricing

Mr SEITZ (Keilor) — I raise a matter for the attention of the Minister for Health. I ask her to pursue the federal government, asking what it proposes to do to bring down the price of medicine in Australia. As reported in the *Age* of 9 June, we are paying 200 to 300 per cent more for our medicine than people in other countries are paying. I therefore ask the Minister for Health to pursue this matter on behalf of my constituents, many of whom are low-income earners and cannot afford these high prices. They are forced to use generic medicines, which, according to the Australian Medical Association (AMA), are not the same as the brand names that are prescribed by doctors. The answer by the federal government should not be that people on low incomes get inferior medication. They need and should be able to access and afford the same top-quality medicine as other people who live in our society do.

For those reasons I strongly urge the Minister for Health to take this up with her federal counterpart and the federal government. They should take on the pharmaceutical companies that are actually making the profits — because in many cases the pharmaceutical companies control the generic brands as well. However, the AMA is saying that those generic brands of tablets are not quite the same. The tablets are not made the same way and they do not have the same impact on the elderly people who are taking them. We need to have the same medication for everybody, and everybody in the society should be able to afford it.

I know it is a vexed situation, but we do need to negotiate with the companies because at the end of the day we taxpayers are subsidising the companies that are making the medication and tablets in this country when in other countries they can sell them an awful lot cheaper. We are paying far too much percentage wise, compared to our counterparts in the Western World, according to the *Age*.

The ACTING SPEAKER (Ms Barker) — Order! Ten matters having been raised — —

Mr Kotsiras interjected.

The ACTING SPEAKER (Ms Barker) — Order! The member for Bulleen knows full well that it is 10 matters or 30 minutes.

Responses

Mr PANDAZOPOULOS (Minister for Tourism) — I know that the member for Monbulk is very passionate about tourism in the Dandenong Ranges. I very much appreciate the numerous presentations he has made to me over a number of years now about the importance of tourism there. He is, of course, very much aware of the increased level of resources that we have given to the Yarra Valley and Dandenong Ranges Tourism Board.

The Dandenong Ranges are, of course, a very important part of that. Recently the board has gone through some evolution, with some changes forced by council. Certainly Tourism Victoria hopes that that will strengthen the tourism industry, with cooperation between the Yarra Valley and the Dandenong Ranges. The interim board very much recognises that, whilst the Yarra Valley has had a lot of focus, the Dandenong Ranges has great potential and there is a need for some confidence to be given to the local tourism operators to encourage them to find resources for cooperative marketing efforts.

The member is aware, as not long ago he organised a meeting here in Parliament with representatives of Dandenong Ranges Tourism, that they have been seeking support for their own marketing campaigns. Recently the new chief executive officer of Tourism Victoria met with operators from the region to discuss the proposals of the new interim board about separate marketing campaigns between the Yarra Valley and Dandenong Ranges, at least in the intrastate market. That is under active consideration.

The region has a lot more potential, and we are seeing more international visitors in the area. Dandenong Ranges Tourism is saying that there is a lot more competition in Victoria and that it would like to lift its profile, being so close to Melbourne and with petrol prices the way they are. It might be about giving Melburnians and other Victorians a bit more information about the great diversity of experiences which are available both in the park system in the Dandenong Ranges and in the wonderful little towns with their bed and breakfasts, eateries and little shops. As I said, it is under active consideration. I thank the member for working so hard, and I will ask Tourism Victoria to consider the matter he has raised.

The member for South-West Coast raised a matter for the Minister for Health about the Victorian patient transport assistance scheme, and I will pass that on to her.

The member for Lowan raised a matter for the Minister for Police and Emergency Services about a police home in Branhholme. I will pass that on to the minister.

The member for Yan Yean raised a matter for the Minister for Environment about Watsons Creek and the importance of protecting it. I will pass that on to him.

The member for Bass raised a matter for the Minister for Education and Training about apprenticeship training opportunities in the West Gippsland area. I will pass that on to the minister.

The member for Cranbourne raised a matter for the Minister for Education Services about continuing the Schoolyard Blitz program, particularly in three schools in his electorate. I will pass that on to the minister.

The member for Nepean raised a matter for the Minister for Transport in relation to a school crossing at Buxton Primary School. I will pass that important issue on to the minister.

The member for Hastings also raised a matter for the Minister for Transport about speed limits and traffic-calming measures around the Tooradin area. She is absolutely right: traffic is growing in that area as people see the great tourism potential that Tooradin has. It is a great stop-off point for other regions in the West Gippsland and South Gippsland areas. I will pass that on to the minister.

The member for Murray Valley raised a matter for the Minister for Housing in another place about public housing in his electorate. I will pass that on to the minister.

The member for Keilor raised a matter for the Minister for Health about the cost of medicines. I will pass that on to the minister.

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

House adjourned 11.31 p.m.