

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-FIFTH PARLIAMENT

FIRST SESSION

Wednesday, 9 August 2006

(Extract from book 10)

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By authority of the Victorian Government Printer

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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.

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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.

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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:

The Hon. J. W. THWAITES

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

Mr E. N. BAILLIEU

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

The Hon. LOUISE ASHER

Leader of The Nationals:

Mr P. J. RYAN

Deputy Leader of The Nationals:

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Jenkins, Mr Brendan James	Morwell	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
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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, 9 August 2006

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

BUSINESS OF THE HOUSE

Televising and broadcasting of proceedings

The SPEAKER — Order! I wish to advise the house that I have given approval for the filming of the statements relating to care leavers, which will take place in this chamber at 3.00 p.m. today. The statements will be broadcast live to the parliamentary gardens to provide for additional viewing access for the public. There will be three additional cameras in the chamber: two cameras are co-located in the existing media camera locations with a third camera located in the upper public gallery on the left-hand side of the chamber.

Notices of motion: removal

The SPEAKER — Order! I wish to advise the house that under standing order 144, notices of motion nos 77 to 84, 293 to 294, and 353 to 364 will be removed from the notice paper on the next sitting day. A member who requires the notice standing in his or her name to be continued must advise the Clerk in writing before 6.00 p.m. today.

PETITIONS

Following petitions presented to house:

Buses: Frankston–Dandenong service

To the Legislative Assembly of Victoria:

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

unlike other bus services in the area, the route 830/831 bus service between Frankston and Dandenong railway stations has not been improved to meet growth and changes in the area;

currently the bus service decreases in frequency in the evenings at the time that many local people who work in the city would be returning home;

the service runs less frequently on Saturdays and ceases at 5.00 p.m. meaning people working until 5.00 p.m. are unable to use it.

The petitioners therefore request that the Legislative Assembly of Victoria:

improve the route 830/831 bus service, in particular its frequency in the evenings, and extend the service until 8.15 p.m.;

consider extending the service later on Friday evenings;

increase the frequency and extend the service later on Saturdays.

By Mr PERERA (Cranbourne) (269 signatures)

Ferntree Gully Primary School: historic buildings

To the Legislative Assembly of Victoria:

The petition of residents of the municipality of Knox draws to the attention of the house:

The Association for the Preservation of Ferntree Gully Primary Schools Historic Buildings.

The association's objective is to ensure that the original Ferntree Gully Primary School teacher residence and classroom both built in 1883, the classroom built in 1901 and a third classroom built in 1937 are retained and maintained in good condition for the benefit of the local community.

The petitioners therefore request that the Legislative Assembly of Victoria:

retain the buildings aforementioned for use by the local community;

that funding be available by the government of Victoria to ensure that the buildings are preserved and maintained in recognition and respect of our past heritage and for the benefit of future generations.

By Ms ECKSTEIN (Ferntree Gully) (286 signatures)

Cycling: Bay Trail

To the Legislative Assembly of Victoria:

The petition of residents of the Sandringham district draws to the attention of the house the proposal by the City of Kingston to remove vegetation and convert the existing soft surface 'goat tracks' into a wide hard-surface, shared bicycle-pedestrian path as part of the Bay Trail through foreshore vegetation between Charman Road, Mentone, and Nepean Highway, Mordialloc.

This will deprive people of all ages of their safe, quiet, shady walks along the current sandy track and adversely impact on the natural state and biodiversity of the cliff-tops, cliffs, foreshore for the enjoyment of residents and Victorians today and for posterity.

The petitioners therefore request that the Legislative Assembly of Victoria:

- (1) require the head of the Department of Sustainability and Environment and Parks Victoria to withdraw or refuse the City of Kingston any approval or support, explicit or implicit, allowing or facilitating the construction of a bicycle and/or bicycle/pedestrian shared path through

the cliff-top/foreshore vegetation and/or along the cliff edge;

- (2) require VicRoads to cooperate with the City of Kingston to facilitate and expedite the construction of a behind-the-kerb bicycle path along the beach side of Beach Road between the intersections with Charman Road at Mentone and Nepean Highway at Mordialloc without the sacrifice of cliff-top vegetation, connecting with the similarly located bike path to the north in the City of Bayside;
- (3) require the head of the Department of Sustainability and Environment to require the City of Kingston, as committee of management, to retain the cliff-top and cliff vegetation and the cliff-top soft surface dirt tracks in their current state except insofar as it can:
 - (a) improve the local biodiversity-foreshore vegetation by judicious planting of a full range of indigenous trees and understorey to rebuild the natural structure in accordance with good ecological practice;
 - (b) improve picnic areas by planting indigenous trees and understorey as shade and windbreaks and as visual/noise barriers between picnickers and Beach Road.

By Ms MUNT (Mordialloc) (276 signatures)

Tabled.

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

Ordered that petition presented by honourable member for Gippsland East on 8 August be considered next day on motion of Mr INGRAM (Gippsland East).

Ordered that petition presented by honourable member for Mordialloc be considered next day on motion of Ms LINDELL (Carrum).

DOCUMENTS

Tabled by Clerk:

Confiscation Act 1997 — Asset Confiscation Operations Report for the year 2004–05

Freedom of Information Act 1982 — Statement of reasons for seeking leave to appeal under s 65AB

Interpretation of Legislation Act 1984 — Notice under s 32(4)(a)(iii) in relation to the Building Code of Australia 2006 (*Gazette G31*, 3 August 2006)

Statutory Rules under the following Acts:

Estate Agents Act 1980 — SR No 100

Retirement Villages Act 1986 — SR No 99

Water Act 1989 — Katunga Groundwater Management Plan.

PERSONAL EXPLANATION

Mr SMITH (Bass) — I wish to make a personal explanation. Yesterday in the other house an Independent member for Silvan, the Honourable Andrew Olexander, made a number of accusations that reflected on my integrity and honesty. He suggested that I had spoken to him regarding poker machines that would be removed by the Liberal Party under its gaming policy. I have never spoken to him regarding poker machines or our party's policy. He also implied that I had illegally obtained a poker machine for our policy launch on the steps of the Parliament, which is untrue.

MEMBERS STATEMENTS

Schools: Burwood electorate

Mr STENSHOLT (Burwood) — I am privileged to have so many fine schools in and near my electorate. I would firstly like to congratulate the schools and children in my electorate for their massive involvement in the Premier's reading challenge. More schoolchildren from schools in the Burwood electorate than any other electorate in Victoria have signed up for the Premier's reading challenge. I have some great schools in my area, many of which I have recently visited, including the Royal Victorian Institute for the Blind School, Presbyterian Ladies College junior school, Ashwood College — which I visited with the Minister for Consumer Affairs — Ashwood Special School and Roberts McCubbin Primary School.

The other day I was out with children from Wattle Park Primary School and planted trees around Back Creek for National Tree Day. Last week I presented an award for excellence at Emmaus College to Brenton Van Vliet. I also had the good fortune to attend an assembly at Salesian College in Chadstone — another fine school in my electorate. This week I visited another excellent primary school in Ashburton, Solway Primary School, which has recently received funding for a new toilet block. Like so many primary schools in my area, it has received funding for sports equipment. I also dropped into Frank Dando Sports Academy in Ashwood, which helps young men who have had a bit of trouble at school.

Later this week I will be attending some of the celebrations for the 120th anniversary of Surrey Hills Primary School. I also look forward to the opening in the near future of the new facilities at Camberwell South Primary School, where I recently presented school leaders with their badges. These are all fine schools and are a credit to their teachers, parents and communities.

Wonthaggi State Coal Mine: future

Mr SMITH (Bass) — In Wonthaggi the historic state coal mine has had its underground tours cancelled for some two years, which is, of course, having a serious impact on visitations to the mine by visitors from all parts of Australia and around the world.

The government has been aware of this from the time of its closure and has done nothing to encourage the great band of people who have worked there on a voluntary basis hand in hand to try to raise funds to open the mine. It will cost approximately \$2 million to reopen the mine. The local tradesmen and trade houses are currently upgrading the electrical work to comply with government regulations, but the government has done nothing to assist this unique tourism development. It is okay to waste something like \$70 million of taxpayers funds to buy out Seal Rocks and then commit a further \$7 million to upgrading it, yet the government will not spend \$2 million on a mine that in 2009 will celebrate 100 years of existence. This mine helped to put Victoria on the map by keeping our railways running when New South Wales was screwing Victoria for coal availability and pricing.

I extend an invitation to the Minister for Resources to visit the mine with me so he can see what a great asset we have in Wonthaggi. In fact he may then wish to make a commitment to spend \$2 million to upgrade this mine.

Cranbourne electorate: community kitchen

Mr PERERA (Cranbourne) — I am proud to be representing the constituents of the Cranbourne electorate. Unfortunately in the electorate of Cranbourne there are several families doing it tough, some doing it tougher than others. All tiers of government have a responsibility to represent all residents, including those who are doing it tough. I am proud that the Bracks Labor government stands up for all. I am fortunate to have come together with a well-oiled local consortium. This consortium consists of local community champions, including Cr Steve Beardon from the City of Casey, Reverend Paul Creasey from Cranbourne Uniting Church, and Mr Phil

Sealey, the coordinator of the William Angliss cafe in Cranbourne. Together they have come up with an initiative — a free community kitchen for local families who are doing it tough.

I am contemplating running free community kitchens for Frankston North and Carrum Downs families, along with Anglican and other church groups. Reverend Father Ian Morrison from the Anglican Church plays a leading role in organising these events in Frankston North and Carrum Downs. It is satisfying to know that the consortium will kick off our first community kitchen this Sunday at 5.00 p.m. at the William Angliss cafe in Cranbourne. At times of record petrol prices, increasing interest rates and draconian industrial relations reforms, we should spare a thought for the families who are simply doing it tough.

Jack Findlay

Mrs POWELL (Shepparton) — On Saturday, 29 July, my husband, Ian, and I had the pleasure of being in McLennan Street, Mooroopna, to attend the unveiling of a life-size bronze statue of world champion motorcyclist, Jack Findlay, on the Suzuki motorcycle on which he won the Isle of Man race. The statue was unveiled by Jack's brother, Rob, and his sister, Joan.

Jack Findlay was born in Mooroopna in 1935 and left for England to start his motorcycle racing career. He is now 71 and lives in Paris with his wife. He won many championships and races over the years competing as a privateer and went on to win the world motorcycle championship in 1975 by 1 point from Barry Sheene. Jack was a great ambassador for Australia. He raced with the flying kangaroo on his helmet. While Jack is a motorcycle legend overseas, he is virtually unknown in Australia. All of that has now changed thanks to a dedicated and passionate group of motorcycle and motor sport enthusiasts and a generous community who raised the \$25 000 that was needed for the statue which was made by Elphinstone artist Phil Mune.

I pay tribute to Mr Noel Heenan, who formed the Jack Findlay recognition committee about 18 months ago in an effort to recognise this outstanding sporting hero from Mooroopna. Other committee members were Noel's wife Victoria Heenan, Mick Pettifer, Rob McLean and Kevin Simmonds. This was a great day for Mooroopna with over 1000 people, including representatives from Motorcycling Australia and the Federation of International Motorcyclists, attending the unveiling of the statue.

I congratulate the Goulburn Valley Motorcycle Club for organising the ride of about 500 motorcyclists and

for organising the dinner. An Australian sporting hero is now recognised in his home town of Mooroopna.

Netball: Vermont South stadium

Ms MARSHALL (Forest Hill) — It was with great pleasure that I attended the announcement with the Premier and the Labor member for Koonung Province in the other place of \$500 000 in state government funding for a stadium to be built at Livingstone Primary School in Vermont South. This is part of the Go for Your Life grant provided to the Whitehorse City Council to build a fair-court netball stadium.

One of the things in my electorate of Forest Hill that I have been incredibly aware of is the high level of participation in recreation sports by our community. Netball is one of the most popular sports for females, and now, with the addition of mixed teams to competitions, all members of the community can participate.

The Go for Your Life campaign of the Victorian government is investing in initiatives to encourage a healthy and active lifestyle among Victorians, including our schoolchildren. The state government contribution to the netball stadium will guarantee these students have the opportunity to learn in a world-class environment. Victoria is the only state to mandate sport and physical education at both the primary and secondary level, and high-sugar content soft drinks will be phased out of Victorian government school canteens by the end of the year. Everyone knows that Victorians love their sport, but as a government it is vital that we encourage young people into lifelong habits of joining in and being physically active, not just being spectators.

Rail: rural and regional crossings

Mr MULDER (Polwarth) — Last week a 21-year-old woman survived a level crossing accident at Aireys Reserve Road, Birregurra. This is the third level crossing accident in recent months in which Victorians have been either killed or injured. All three level crossings — at Trawalla, Lismore and Birregurra — did not have flashing lights and bells fitted, but all had similar problems in relation to the drivers' view being restricted by trees, vegetation and mounds of earth.

I understand that shortly after the accident at Trawalla, earthworks were carried out to improve the view for approaching vehicles. At Lismore, the Australian Transport Safety Bureau indicated that even though the accident was not caused by the trees that restrict approaching motorists' views in order to detect trains

on the track, they were a safety issue. Once again, I inspected the Aireys Reserve Road level crossing at Birregurra. It is fitted with a stop sign, and yet again the blackwood trees that have grown along the rail reserve about 100 metres from the crossing clearly restrict a motorist's view of trains approaching from the east.

I have raised the matter of safety associated with level crossings on several occasions in this house in the past, and I again call on the Minister for Transport to reassess the audit process for level crossing safety, ensuring that hazards such as trees, mounds of earth and other vegetation that restrict a motorist's view are removed as a matter of priority.

I note that in the budget papers this year the minister cancelled almost half of the country level crossing upgrades that were proposed, but surely there is no excuse for not carrying out basic maintenance around level crossings that are fitted with just 'Give way' and 'Stop' signs.

Xin Jin Shan Chinese Language and Culture School: Western Bulldogs membership

Ms MORAND (Mount Waverley) — Earlier this year all members received a pack from the Western Bulldogs with two community Year of the Dog club memberships. This was a great initiative by the club, and as it is the Chinese Year of the Dog I purchased some children's memberships and ran a competition with the Xin Jin Shan Chinese Language and Culture School.

This is an excellent and very well-known Chinese language school that runs schools around Melbourne, including a large school from the Mount Waverley Secondary College campus. I ran a competition asking students to write in 50 words or less why they wanted to be a Western Bulldogs member. I got 50 fantastic entries, and it was very hard to choose the winners. Some of the entries were obviously from Bulldogs fans, and some were keen to be involved in Aussie Rules football for the first time. The Western Bulldogs chief executive officer heard of the competition and decided it was a great opportunity to introduce and establish an ongoing relationship with Aussie Rules football and the Chinese language school.

Mr Haoliang Sun, the principal of Xin Jin Shan Chinese Language and Culture School, welcomed the chief executive officer of the Western Bulldogs, Campbell Rose, to the school where all the children who entered the competition and their parents received a Western Bulldogs membership. The school also adopted the

Bulldogs as their official club, so beginning an ongoing relationship with the Bulldogs.

The club also invited the school to the recent Melbourne versus Western Bulldogs game at the MCG, where the Australian Football League had organised a multicultural event around the game, and 146 students from the Xin Jin Shan school were present. Unfortunately the Dogs lost — but the season is not over yet!

Victorian Civil and Administrative Tribunal: decision

Mr CLARK (Box Hill) — A Box Hill solicitor has raised with me the case of a son who went to the Victorian Civil and Administrative Tribunal (VCAT) to seek permission to sell the family home owned by his mother, who was suffering from dementia. This was not a family dispute. The son had given the issue considerable thought and had obtained several written opinions from different financial advisers, which he put before the tribunal.

Despite this, the tribunal ordered that the mother's affairs be handed over to a firm of solicitors and administrators. The mother's home was worth around \$600 000, and she also had cash assets of around \$100 000. With the administrators being entitled to a fee of 5.5 per cent of the capital value of an estate, the VCAT order meant that the administrators would earn a fee of around \$40 000 simply for selling her house.

It was only when the son sought legal advice from the solicitor, who obtained a rehearing before a more senior VCAT member, that this ruling was overturned and the son was able to regain authority to administer his mother's affairs, and the control of the assets was returned, but not before around \$7000 in fees and charges had been deducted. The solicitor who acted in this case was so disturbed about what had happened and what is happening in other cases which he has observed that he came to see me about it.

I know that VCAT often has difficult cases come before it which can require intervention. Nonetheless this case adds to my concern that some VCAT members are far too willing to ignore the financial and personal arrangements that elderly Victorians have put in place for themselves or entrusted to their families, and instead order that those arrangements be disregarded and their affairs vested in professional administrators or others.

The result is that substantial unnecessary charges are incurred, and the happiness and wellbeing of a person's

latter years is made dependent on the competence and goodwill of strangers.

Country Fire Authority: Modewarre brigade

Mr CRUTCHFIELD (South Barwon) — Last Sunday the Minister for Police and Emergency Services handed over the keys to a \$123 000 Isuzu diesel tanker to Modewarre fire brigade. This tanker replaces the 25-year-old International brigade-owned unit and is funded through the state government's community safety emergency support program fund, the Country Fire Authority and, of extreme importance, from brigade contributions. Modewarre raised over \$40 000 from the local community. This is testimony to its hardworking volunteers and the generosity of the community.

Congratulations to Captain Kelvin Boddington and his members, especially Michael Meesen, who has communicated with me over a long period, including at the Modewarre football club. Congratulations also go to operations officer Geoff Gray and area manager Paul Stacchino for their work. At the event there was also a presentation of service medals and brigade life memberships. New brigade life members were Rodney Batson, Tim Dennis, Graeme Duffield, John Earl, David Harvey, Eric Lewis, Tom Malone. Howard McPhee — good man, Howard! — Graham Noble, John Rutherford, David Stiles, Murray Wilsher and Barry Wilson.

Finally, could I pick from the list three of the long service medal recipients. One who received a 30-year clasp was Neil Hickman. Colin Coutts received a 45-year clasp, and Ken Noble received a 55-year clasp. He is certainly the last of the original members of the brigade which was commenced in 1946, and I think his two sons received 25-year clasps as well.

Grampians Wimmera Mallee Water: charges

Mr WALSH (Swan Hill) — I vigorously support the call by my constituents in the Wimmera–Mallee for the survival and safety of families and farms to be put ahead of the proposed environmental flow of the Wimmera and Glenelg rivers in this most desperate of dry years. The allocation of environmental flows to these rivers should be held over in favour of providing water for farm households in the region and filling strategically placed dams for fire fighting.

As is well known, the Grampians storages are at record lows, and unless commonsense prevails the Grampians Wimmera Mallee Water Authority will allocate supplies to towns and then provide 3000 megalitres for

the Glenelg and Wimmera rivers environmental flows. This will force families to cart water at great cost when the drought has already taken a large toll on their farms and businesses. It will leave hundreds of dams that are needed for fire fighting bone dry over the hot dry summer. It is recklessly irresponsible of the Wimmera and Glenelg catchment management authorities not to heed the calls of their local communities to re-allocate this water.

We all accept the need for environmental flows. The rivers and their riparian areas too have been hard hit by drought. I urge the CMAs to ask the minister for the proposed environmental flows to be carried over until a wet spring or, at worst, next year to allow communities to get through the summer with essential basic water supplies.

Ambulance services: Craigieburn community emergency response team

Ms BEATTIE (Yuroke) — I would like to take this opportunity to congratulate the community emergency response team (CERT) of Craigieburn on its 10-year anniversary and in particular the original Craigieburn and District Ambulance members who are still serving — Nazio Mancini and Keith and Mary Herring. Original community emergency response team members Steve Jones, Lyn Ganning and Wayne Jordan, all former team leaders, and Maree Jordan all remain to this day active members. I also congratulate past team leader Karen Mullins and current members Laurie Long, Trudy Harris, Darryl Sutton, Chris Tyrell, Casey Nunn — who is also Hume Young Citizen of the Year — Shannon Simpson, Tom Walsh, Vanessa Zugaro, Tia Gialano, Robyn Jones and Rebecca Lines.

Craigieburn CERT has dealt with over 2100 incidents, including chest pain, shortness of breath, road accidents, asthma attacks, strokes, childbirth, house fires, overdoses and assaults. I know that the Craigieburn community is in great hands with such a dedicated team of committed and hardworking people at its service, and I thank everyone at CERT for 10 years of dedication and support to community members at times when they are at their most vulnerable.

I would also like to say that Casey Nunn, the Hume Young Citizen of the Year, will be present in the Youth Parliament in a couple of weeks time, and I look forward to hearing her contribution.

Schools: Sandringham electorate

Mr THOMPSON (Sandringham) — Earlier in the year I raised my concerns regarding the urgent maintenance requirements of particular schools in the Sandringham electorate. In particular there are deficiencies in the school learning environments in Sandringham, Black Rock and Beaumaris.

A reply from the education minister in relation to a number of the points raised was a three-paragraph outline of the government's expenditure in the area of education. No response was made in respect of the particular problems faced by these schools or how they would be addressed, nor was an overture to the minister for a deputation to examine these matters accepted. Parents expect, and their children deserve, better. They do not want to watch as \$80 million is spent on an advertising campaign of self-promotion on the part of government while they are told that there are insufficient funds to attend to the particular problems faced by their schools.

One school posed the questions:

What else can we do to convince you that we are indeed a school in need?

How can we convince our school community that they have not been forgotten when we are compared with other schools who have received substantial funding?

In the words of Colin McInnes-Smith, school council president of Sandringham East Primary School:

Our current school environment is, at best, a mishmash of facilities which include: mod 2s; relocatables; an old wooden classroom; a Bristol; an ageing core brick building.

There is a serious need for funding to be expended on the upgrade and modernisation of other schools in my area — —

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

Schools: It's Your Move program

Ms NEVILLE (Bellarine) — Recently I was pleased to have the opportunity, with Dr Rick Kausman, to launch the Creating Community Conversations: Fad Diets Won't Work project. This is part of the government's Go for Your Life campaign and is focused on conversations with young people about health and wellbeing. Its aim is to improve community support for teenagers to maintain healthy lifestyles, specifically through healthy eating, physical activity and positive body image. The event was launched at Costa Hall in Geelong, and students from

Bellarine Secondary College, Christian College, Newcomb Secondary College and Geelong High School participated in the launch.

We know that 5 in 10 girls and about 3 in 10 boys occasionally use fad diets or skip meals to try and lose weight. For many young people there are mixed messages about the need to lose weight. For example, magazines show unrealistic body shapes followed by recipes for cakes and then the latest celebrity fad diet. This program is part of the government-funded strategy It's Your Move which is a whole-community approach to obesity prevention, particularly focused on young people in the communities of Bellarine and Geelong. The message is that fad diets are not the answer. In fact the evidence suggests that young people who diet actually gain more weight over the long term than those who do not diet. A recent study in America found that girls who dieted gained an average of almost a kilogram more each year than those who did not.

I want to congratulate Louise Mathews and Tony Backwell on a great job and all the young student ambassadors who are continuing this conversation back at their schools with their peers. I am looking forward to hearing the results of those conversations.

Warrandyte electorate: community associations

Mr HONEYWOOD (Warrandyte) — The tabling in the house yesterday of the *Inquiry into Building New Communities* report by the Outer Suburban/Interface Services and Development Committee, of which I am a new member, prompts me to celebrate the role of residents and ratepayers groups in my electorate. The parliamentary report clearly identifies the key role played in community building by local volunteer residents groups.

The Park Orchards Ratepayers Association has been operating as an organised voice and advocate for its wonderful community in my electorate for over 30 years. Ably led by president Steve Graham and vice-president David Mayor, it has taken on developer interests and even the local council from time to time to ensure the unique bushland lifestyle of this part of my electorate is retained.

Equally, the more recently formed Warrandyte Community Association has already played a pivotal role in standing up for the Yarra River on sewage pollution and, importantly, for the Warrandyte green wedge despite this government's recently allowing inappropriate developments within the green wedge such as a large new nursing home on top of the ridge line. The Warrandyte Community Association is very

ably led by Dick Davies, as it was previously by Jonathon Upson. I am sure honourable members will be delighted to hear that former Parliamentary Librarian Bruce Davidson is also a very active member of the WCA committee.

Insofar as these organisations speak for and on behalf of the overwhelming majority of local residents, they play a key role in community building and very much assist our job as local parliamentary representatives. They, together with neighbourhood houses and adult community education providers, are the building blocks of many communities, particularly those in outer suburban areas such as Warrandyte. We should pay tribute to the volunteer efforts involved in establishing and running these important community organisations.

Djerrnong Anglican parish: Sudanese community

Ms BEARD (Kilsyth) — On Sunday, 23 July, I had the pleasure of visiting the Djerrnong Anglican parish of Heathmont and Ringwood East. The parish was given its name by the local Wurundjeri people, and because of the congregation's understanding of the importance of this privilege, it adopted the name.

What also makes this congregation special are the 30 Sudanese families from my local area who have developed a close relationship with the parish. On Sunday mornings, some of these Sudanese families worship with the parishioners at either of the two churches, Christ Church at Heathmont or Holy Trinity at Ringwood East. On Sunday afternoons they gather at the Ringwood East church, talking in their Dinka and Arabic languages and enjoying drumming, dancing and singing as part of their worship. This small church community not only has been talking about the difficulties facing Sudanese people who arrive here under humanitarian visas but has acted. It is contributing to the assimilation of the Sudanese in the area. Using their capabilities the parishioners of Djerrnong are ensuring that all people in my local community can live together.

This is only a small story, but it is important that this congregation and many others like it in other suburbs are encouraged in such community work. Thousands of Sudanese will join our communities over the next few years. The better the assimilation in these early days, the better equipped we will be as a state. I thank and congratulate all involved at Djerrnong for enhancing the lives of our newest migrants, and I hope to have the opportunity to join them again very shortly.

Ballarat: business excellence awards

Ms OVERINGTON (Ballarat West) — Ballarat has a well-deserved reputation for promoting excellence in education, the arts, health and business. I was pleased to attend a dinner last week, along with 600 other people, to announce the winners of the CGU Commerce Ballarat business excellence awards 2006.

Whilst being a finalist is a tremendous accolade, winning has to be the ultimate acknowledgment of outperforming your competitors. I particularly congratulate these 10 category winners: Mortgage National; Stems Flower Market; Boswenger Carnations; Cafe Lekker; BEST Community Development; FMP, one of our largest employers; Ballarat Regional Industries; Wilsons Fruit and Vegetables; Zip Tales; the Driver Training Academy; and Neighbourhood Cable. The top business award went to BEST Community Development. Ron Stone, the chief executive officer, is to be congratulated for the hard work and commitment of his staff throughout the year. Through innovation and development they have enhanced the lives of individuals and enriched the community.

These awards showcase the best in Ballarat, from the new and small to the large and established. It is a real pleasure to live in a city where the pursuit of excellence is the reality for so many.

Rail: Ballarat line

Mr HOWARD (Ballarat East) — I was very pleased to be at the Ballarat railway station last Wednesday when the Premier and the Minister for Transport were present to unveil the new timetable that has been developed as part of the fast rail project. This new timetable, which will come into effect on 3 September, provides details of not only the fast rail service between Ballarat and Melbourne but also more than 90 additional services on the line each week. Not only will there be 13 more services on weekdays in and out of Ballarat station, but there will also be 25 new weekend services from stations down the line like Ballan. They too will receive 11 additional weekday services and 25 more weekend services.

The story is similar on the Bendigo line with the Kyneton and Malmsbury stations, which are in my electorate. For example, Malmsbury will gain 17 more weekday services and 26 more weekend services. This will represent a new era of train travel along these lines, which will benefit residents in so many ways. Not surprisingly it was welcomed by most who learnt about it, including the Ballarat mayor, David Vendy. However, it was lamentable that the shadow Minister

for Transport and member for Polwarth said the next day that this money should have been spent on issues other than transport.

Chelsea Men's Shed

Ms LINDELL (Carrum) — The Chelsea Men's Shed opened last week. I would like to place on record my congratulations on this wonderful local initiative. It is a place for men to come and share some time together and talk tools, footy, tasks, and I suppose other secret men's business. It is a place for companionship and connectedness. It will be a great service for many underemployed, unemployed or retired men who sometimes have difficulty living a life that is different from the one they have known. I commend Colin Duggan, the coordinator of the men's shed, and Gary Rogers from Longbeach Place, who have been instrumental in driving this initiative. The Reverend Steve Rose from the Chelsea Church of Christ, on behalf of the Chelsea care network, has been instrumental in making this a reality. Bunnings in Moorabbin has been a sponsor of the project and Pace Constructions, a small local construction business, donated the shed. The SkillsPlus employment network ran the work for the dole program to erect the shed.

Member for Mornington: comments

Dr HARKNESS (Frankston) — There are two types of politician — those who work hard to seek to better the lives of those they represent, and those who are only interested in spouting shallow political rhetoric. The second group of politicians weaken our democracy and engender cynicism in the broader electorate. Yesterday we heard another example of this lowest form of political representation from the member for Mornington as he spouted rhetoric and untruths about me in a vain and tawdry effort to bolster the political opportunities of the Liberal candidate for Frankston.

Let us set the record straight. For four years my office has operated efficiently and passionately for the many disadvantaged groups and people in the Frankston electorate. I even offer a referral service to the many people who come to my office for assistance even though they live in other electorates, including a disproportionate number of disgruntled residents of the Mornington electorate who have been given short shrift by their state MP. Recognising that two-income working families are increasingly the norm in our community, my office has extended hours — opening every Saturday morning and Thursday evening to ensure that these working families can access political representation outside normal working hours. I can

advise you, Deputy Speaker, that Saturdays are often the busiest time of the week.

More than that, politicians should be actively involved in the communities they seek to represent. That is why every second Sunday, for example, Frankston residents can come and see me at my stall at the Frankston Sunday market — to simply have a chat, advise me of problems, suggest good ideas or seek assistance. The next time the member for Mornington wants to help out his political mates in Frankston, let him get the facts straight and not seek to mislead. Further, if he wants to help the people of Mornington he should resign early and let Bill Puls — —

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

Breakwater Road, South Geelong: bridge

Mr TREZISE (Geelong) — On Monday, 24 July, together with the member for Bellarine, I attended a public meeting organised by the Breakwater Residents Action Group to voice community concern about the VicRoads preferred route for the Breakwater Road bridge going down Fellmongers Road. At this meeting I was presented with a petition containing 1225 signatures of residents from essentially the greater Geelong region who are opposed to 'compulsory acquisition of houses in Fellmongers Road without proper community consultation and investigation into alternative route options'. I have provided both the Minister for Transport and VicRoads with copies of this petition.

The Breakwater Road bridge has been an ongoing issue for the majority of this year. For the information of the house, there are realistically two routes which have been examined by VicRoads. The first is the VicRoads preferred route of down Fellmongers Road. This has been the designated route for approximately 40 years. However locals are concerned that this route would see compulsory acquisition of nine homes and divide the Breakwater neighbourhood. The other option is down Leather Street, which is essentially a street lined with industry. The disadvantage of this route in the eyes of VicRoads is the width of the road. Residents have also called for a more southern route but in my eyes that would not service the local areas of Newcomb, St Albans Park, Whittington and other suburbs.

I fully appreciate that this is an important issue for local residents, especially those who may have their homes compulsorily acquired. I support the Breakwater Road bridge and call on VicRoads to ensure, as the petition calls for, proper community consultation.

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

GRIEVANCES

The DEPUTY SPEAKER — Order! The question is:

That grievances be noted.

Hospitals: waiting lists

Mr BAILLIEU (Leader of the Opposition) — I grieve for Victorians in the hospital system who are waiting for much-needed surgery. Victoria has a problem with waiting lists that the government does not seek to acknowledge or want to address, and it is a problem we have been raising at some length in this house and outside it. It is a problem that is growing, and even that growth is not acknowledged by the government. The figures suggest that since the government came to office the total waiting list has grown by an additional 500 people.

The categories of waiting lists, whether they be urgent or semi-urgent — 1, 2 or 3 — or uncategorised, have grown. It is a significant problem that is not about numbers but about individuals. There are individuals who are suffering and in pain and who are waiting for surgery which from their point of view and their doctor's point of view is much needed. It is a concern for them, but it is a broader concern for the Victorian community, because it is not something you can turn a blind eye to.

Indeed the government has engineered a waiting list for the waiting lists — and in some cases we find that people cannot even get onto that waiting list! The medical profession itself has had a bit to say about this issue. Dr Peter Lazzari, the chair of medical chairs, recently drew attention to the number of Victorians who are dying while on waiting lists. He also expressed grave concern on behalf of the Royal Australasian College of Surgeons. It is a matter we have raised in this house. Indeed the Australian Medical Association has expressed its concerns. In the *Age* of 5 August Dr Mark Yates said of the waiting lists and the fact that they are being manipulated by having a waiting list for the waiting lists:

Let's be honest about our provision of public hospital beds. It might not be comfortable, but at least it would allow us to plan properly by measuring from the time someone sees a GP and clearly needs a specialist opinion to the time they actually receive the treatment that's required.

He went on to say:

I understand that from the government's point of view there's a political risk, but from a health management perspective, for doctors to best prioritise who needs what service you have to understand the whole care continuum and not just the last two-thirds.

Individual doctors are saying the same thing to us, as are those who run our hospitals. We have a number of doctors and hospitals who have said to us and to their patients that the best way of their patients getting the surgery they need is by raising it with their local members of Parliament, effectively introducing a system of parliamentary triage. I do not think there are members of Parliament who want to participate in that, but it is a reality. Doctors are suggesting it to their patients, and hospitals are suggesting to their patients that they raise it with their members of Parliament and use whatever possible forums there are beyond the health system to get themselves the surgery they need.

It is interesting to reflect on Labor's claims over the years in regard to waiting lists. Members who were here under the previous government will recall that the current Deputy Premier made a career out of hounding that government about waiting lists, access to hospitals and people waiting on trolleys in hospitals. It is interesting to reflect that the number of people waiting for more than 12 hours on hospital trolleys is now treble that in the last year of the previous government. It is not something that seems to appear on the front pages of the newspapers anymore, but it is a fact that the number of people not being served as they should has trebled.

It is sobering to go back and read the *Hansard* debates over the years to see the approach the current government took when it was in opposition to waiting lists and the management of hospitals. Former health ministers would know that they had the blowtorch applied to them. That is fair enough — applying the blowtorch is the job of oppositions — but there should be no cant on the part of the current government as to whether or not this is a significant issue. It is.

This government has had money the previous government never had, and it has had opportunities and power that the previous government never had, but it has failed to manage waiting lists in a way that has produced results for particular individuals.

In response, opposition members have made an effort over the last period of time to raise these issues both in Parliament and more recently on a hotline we have established. The response to that hotline has been quite extraordinary. Hundreds of calls have come from a full range of patients right across Victoria and from all the categories on the current waiting lists. They have included calls from people who have been waiting for

spinal fusions since August 2004; some have waited for shoulder surgery since December 2004. People with neurological complaints have been waiting since March 2003, and several people have been waiting for hip replacements for over two years.

All sorts of complaints have been mentioned — hip replacements, knee replacements, shoulder surgery, gall bladder surgery, hernias, ankles, colonoscopies and others across the categories. As I said, the people are spread across a whole variety of locations — country and city. I mentioned some in category 1, such as in Caulfield and Knoxfield, and in category 2, Niddrie, Grovedale, Hamilton, Dallas, Endeavour Hills, Gladstone Park and Reservoir. There are others in Dingley, Geelong, Mill Park, Moonee Ponds and Drouin, and people waiting for uncatagorised procedures are living in Bendigo, Ballarat, Altona Meadows, Mount Eliza, Leongatha, Mildura, Maryborough, Broadmeadows and Tooradin.

In country areas the problem is particularly serious, because many country hospitals are struggling with the number of beds and doctors they have. The government has been slow to address this problem, but opposition members have addressed it by formulating a policy on rural doctors and have made an effort to — —

Mr Andrews interjected.

Mr BAILLIEU — We have the full intent of supporting the doctors we currently have in country locations, attracting more doctors from interstate and overseas and training additional doctors, which are desperately needed. The people of the Mildura region know how important this issue is. They have had just one paediatrician for a number of years, and last Thursday, after 17 years of service in the region, that paediatrician pulled up stumps and said he was moving to Queensland. The region will be without a paediatrician. The supply of doctors in rural areas is a distinct issue and a major problem.

We have not just rested there; we have dealt with many of the people who have called the hotline. The shadow Minister for Health, the member for Caulfield, has been addressing those issues directly with hospitals and with doctors. Many of those doctors are simply saying, 'You need to go back and raise this in the public arena because we cannot help'. The hospitals are saying, 'Go back to your general practitioners'. This is a great disappointment to those individuals, and obviously it is a disappointment to the Victorian public.

The government's response has been to describe our help line as a media stunt, but nothing could be further

from the truth. This is about helping individuals to access much-needed surgery. It does not help anybody to have your head in the sand and try and deflect criticism. The response of the government has been to quote statistics and to get them wrong.

Mr Andrews interjected.

Mr BAILLIEU — Statistics do not help those patients with problems. The response of the Minister for Health is to say, ‘Ring the government hotline’. People have been doing that and not getting anywhere. Instead they have been ringing the hotline that the opposition has established. The government’s response is to say it cannot do any better than it is doing, but that is not the case.

The Premier’s response is to say that he will continue to reduce the waiting lists when in fact the number on those lists has gone up. Indeed only last week the health minister finally admitted publicly that waiting lists have gone up. Indeed attempts have been made by the Premier and the minister to attack the opposition on a direct basis, none of which helps any of the patients involved. This is a major issue. Members of Parliament do not wish to be participating in parliamentary triage. It does not do patients any good, and it does not do the system any good.

We have raised a number of examples in and outside the house, and others have as well. I mentioned Elaine Russell, the category 2 patient who suffered a painful shoulder injury and who has been on the waiting list at the Alfred for more than 18 months. Only after we raised it, not just once here but twice externally, was she actually contacted. That is despite all the Premier’s rhetoric in the last few days about needing to have these matters referred. Only after we raised it three times was she afforded the courtesy of a call and a commitment to a surgery date at the end of this month. We only hope that that proceeds.

Albert Riddoch from Geelong had been waiting way too long for hernia surgery. I think the dramatic pictures of Albert Riddoch and the hernia that he has been suffering have moved everybody. Because we have raised it publicly and in this chamber he has now received a commitment to a surgery date. That seems to be the only way to go.

Steve Thorneycroft from Frankston has been suffering from an ephemeral artery problem that is potentially life threatening. It could lead to the loss of a leg if not appropriately treated. He is still waiting. Even though we have raised it in this place and even though the

Premier claims to care, Steve Thorneycroft has not received either the call or the attention he needs.

Jacqueline McCloy is another whose situation we raised yesterday in this house. Jacqueline, a 65-year-old from Kangaroo Flat, desperately needs a hip replacement and has been waiting 22 months. It is a real issue. It is their pain, it is their emotion, and it is not salved by statistics. It is not salved by the spin that the government is so expert in administering. What they want is medical attention, not the spin.

Interestingly, on 5 August the *Age* took the trouble also to reveal the number of other individuals who have been stuck on the waiting list, unsupported by the government. I am not going to go through them all, but it is not as if this is just a small number of people. There are a huge number of people who are suffering in pain. I urge the government to address this issue once and for all, to take its head out of the sand, to take its head out of the statistics and to actually address the human issues involved here.

I was fascinated yesterday to listen to the Premier. In his response to one of these issues, the Premier said the government had allocated \$30 million to a waiting-list blitz last year and \$10 million to a waiting-list blitz this year. Perhaps we should not be surprised that the government is blitzing coming up to an election. I am pleased that the government is prepared to allocate some more money for a blitz, but it is a blitz which we are entitled to be cynical about, as the government is addressing the election rather than anything else. I again make this point: the government has allocated some \$40 million in total for a waiting-list blitz over the two-year period coming into the election. We will continue to attempt to drive the waiting list down, whether we have to raise these cases publicly or in the Parliament.

So the government’s response to this has been to promote a waiting-list blitz of \$40 million over the last 12 to 15 months. That compares curiously with the other blitz that the government is engaged in — that is, the advertising blitz. You have to ask yourself: how much has gone into the waiting-list blitz and how much has gone into the advertising blitz? In fact \$40 million has gone into the waiting-list blitz and, in just this year alone, \$80 million has gone into the advertising blitz.

Mr Smith — Surgery, not spin — that is what we are after!

Mr BAILLIEU — As the member for Bass says, the issue here is about surgery, not spin. The government are good at spin, but it is not good at

providing surgery, which is what the people of Victoria want. Let us put the advertising behind us, and let us put the focus onto the waiting list and the surgery that people need. That is what Victorians expect and that is what they deserve. They want higher standards and they want better services.

Hospitals: waiting lists

Mr ANDREWS (Mulgrave) — I grieve today for the Leader of the Opposition, the member for Hawthorn, and his absolute ineptitude in relation to his understanding of both our health system and, perhaps more importantly, his Liberal Party's record when in government during the 1990s. In recent weeks the Leader of the Opposition, the member for Caulfield and others on that side of the house have had a lot to say in relation to elective surgery waiting lists.

He has suddenly become very interested in the state of our health system, the access and time to treatment, and health and hospital services. He has been very critical of this government's record in health. Despite the Leader of the Opposition's campaign and his sudden interest in these very important matters, he has been exposed for his absolute rank hypocrisy and opportunism when it comes to these matters and for his complete and utter ignorance of both how the health and hospital system works in this state and, most importantly, what his political party did in government during the 1990s.

There are a couple of issues here. Firstly, I want to talk about the fact that the Leader of the Opposition has simply no idea about what his Liberal Party did in government during the 1990s. He showed himself to be completely ignorant in relation to these matters. Last week the Leader of the Opposition claimed that the Kennett government had 'actually reduced the waiting list'. The problem with that bit of spin is that it is completely and utterly wrong.

Mr Cooper interjected.

The DEPUTY SPEAKER — Order! The member for Mornington!

Mr ANDREWS — Let us be absolutely clear about this. The Leader of the Opposition has claimed that the list actually reduced under the Kennett government. That is simply not correct. The waiting list actually went up by 30 per cent.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The member for Mornington and others on the opposition side!

Mr ANDREWS — The total waiting list went from 29 634 in 1992 to 40 293 in 1999. That is not a reduction in the waiting list, that is an enormous increase in the number of people waiting for elective surgery. So the Leader of the Opposition has left every member of the Victorian community in no doubt that he has absolutely no understanding of what his government did to health in the 1990s.

Mr Cooper interjected.

The DEPUTY SPEAKER — Order! I have asked the member for Mornington to desist from persistent interjections. I am now cautioning him.

Mr ANDREWS — The Leader of the Opposition was heard in relative silence. Those opposite do not like hearing about their record, they do not like hearing about the facts of the matter and they do not like having it pointed out to the Parliament that the Leader of the Opposition does not have a clue about what his government did in the 1990s to our elective surgery waiting lists. There was no improvement in waiting lists under the Kennett government; there was no actual reduction at all. They grew by around 10 000 people — a 30 per cent increase.

It is very clear that the member for Hawthorn, the Leader of the Opposition — he who would be Premier, he who talks about higher standards and he who talks about spin — has absolutely no idea of and is completely wrong about his government's record when it was in office in the 1990s. It is not as though the member for Hawthorn was out of the country during the 1990s. He was the Liberal Party state president, working hand in hand there with the then Premier, Jeff Kennett. He needs to know about these things if he is suddenly caring about health and suddenly caring about elective surgery waiting lists, but he is completely ignorant of these matters and has no understanding of what his government did when in office.

The Leader of the Opposition spoke about the hotline that he set up, which is not an advice line or a help line but a screen test. Unless you look good on TV or unless you consent to being part of a Liberal Party media stunt, do not bother calling. And what is worse, the Leader of the Opposition claimed publicly when this telephone line was launched that all sorts of information, including the details of those who had telephoned, would be passed on to the minister's office, passed on to hospitals and passed on to the Department of Human Services. As far as I am aware, no

information has been passed on. This is a cheap and nasty stunt. It is a screen test, nothing more.

Mr Mulder — You are already on the waiting list, Dumbo.

Mr ANDREWS — What a powerful attack from the member for Polwarth. What a wordsmith he is!

Mr Mulder interjected.

The DEPUTY SPEAKER — Order! The member for Polwarth!

Mr ANDREWS — What a parliamentary performance — ‘Dumbo’! What a powerful attack from the member for Polwarth.

The DEPUTY SPEAKER — Order! The member for Mulgrave will return to his speech. The member for Polwarth will cease that form of interjection. If he is finding the remarks of the member for Mulgrave so provocative that he cannot contain himself, I suggest he leave the chamber.

Mr ANDREWS — We are very happy for the member for Polwarth to stay and make those stinging interjections from over there. ‘Dumbo’ — what a parliamentary performance.

The DEPUTY SPEAKER — Order! I ask the member for Mulgrave to return to his speech.

Mr ANDREWS — The Leader of the Opposition, the member for Hawthorn, has been caught out as someone who has no understanding whatsoever of his own party’s record in government and his own record in relation to waiting lists going up. He can claim all he likes that they came down, but the fact of the matter is that they went from just under 30 000 to just over 40 000 in the seven years of the Kennett government.

The member for Hawthorn talked a lot about spin and said he was misrepresented. But what has happened here is that he has been caught out trying to misrepresent the facts of the matter during those seven years of the Kennett government. If the member for Hawthorn wants to run up to the November election talking about the Kennett years as some sort of best-practice model in terms of health, then good luck to him and all power to him, because he will need it. If he represents seven years of the most savage cutbacks to our health system as some sort of nirvana of care, I say good luck to him. He will need more than the freeway billboards, he will need more than the screen-test hotline and he will need more than his cheap stunts to demonstrate to the Victorian community that

he cares one iota about matters he clearly knows absolutely nothing about.

He is wrong when he talks about waiting lists actually reducing during the Kennett years, but in even the most outlandish claim there is often a kernel of truth. It is true to say that under the Kennett government a number of things were ‘actually reduced’ in our health system, because, for example, the number of hospitals were actually reduced. The Leader of the Opposition, in both his former administrative role and his other roles in the Liberal Party, and his colleagues who sat around the cabinet table were responsible for 12 hospitals being shut. There is no elective surgery being done at those 12 hospitals, because they have been boarded up. They were closed by the previous government, and I think that is fairly telling.

Mr Wynne interjected.

The DEPUTY SPEAKER — Order! I also ask the member for Richmond to listen and not interrupt.

Mr ANDREWS — But the number of hospitals is not the only thing that those opposite actually reduced during the seven years of the Kennett government. They actually reduced the number of nurses working in our health system. Some 3500 were sacked — 3500 nurses went out of our health system. They actually reduced the number of doctors working in our public hospitals; they actually reduced the number of beds in our public hospital system; they actually reduced the cleanliness of our public hospitals; they actually reduced public confidence in our public hospital system; and they actually reduced public confidence in our ambulance service. They have form when it comes to ‘actually reducing’ things in health.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The way in which this debate is currently being conducted is unacceptable. I have asked members to bring themselves to order on a number of occasions. This is the last occasion I will do so.

Mr ANDREWS — They have form when it comes to actually reducing things in our public hospital system. The problem is that it was not about things like reducing times for treatment or reducing waiting lists. It was not about reductions that actually benefited Victorians. It was all about reducing resources, access, cleanliness and standards. That is the form those opposite have. If they ever fell back into government in this state, they would be at it again. This is their form and this is their record, and no amount of spin and misrepresentation by the Leader of the Opposition

today, claiming that waiting lists went down when they went up by 10 000 Victorians — —

Mr Wynne — Extraordinary.

Mr ANDREWS — As the member for Richmond says, it was an extraordinary claim, based on laziness, ignorance and desperation in relation to the 25 November election. There is no commitment to care, no commitment to better standards and no commitment to actually building a better future and a better health system. We see the Leader of the Opposition lope in here every day with the Melbourne University revue pantomime act — all loud, proud and angry — and we see the Hawthorn amateur players performance every question time. Where was he in the 1990s? Where were the indignation, the mock anger and the powerful speeches then? Where was the hotline then? He was nowhere to be seen, because he did not care — and he does not care now. He is a rank hypocrite when it comes to these matters.

If he had cared about it, then he would have pulled aside former ministers Marie Tehan, Rob Knowles or Alan Stockdale or the then Premier, Jeff Kennett, and said, ‘Hang on a minute, having 10 000 more on the waiting list is no great shakes. That is not a great outcome. We can do more, and we ought to be doing more’. But of course he said nothing. Now we have the hotline screen test — ‘How good will you look on TV? Ring us and we will get you on television, but if you are not interested in being in the media, do not bother calling’.

Those who closed hospitals, sacked nurses, cut budgets and saw services go through the floor have come in here today talking about standards. The member for Hawthorn spoke about the waiting list being so important that you cannot turn a blind eye to it. What were the 1990s if they were not about turning a blind eye? Some 10 000 extra Victorians were sitting on the waiting list, and now those who presided over that appalling performance are suddenly the best friends of those in our community who need health and hospital care. They are rank hypocrites and frauds. They are people who have no answers, no idea, no plan, no vision and, funnily enough, no public support.

Those opposite think the passage of time can make black look white, make cutbacks look like investments and make their abject neglect of our health system look like rosy times. No amount of freeway billboards will explain or wash away the performance of this rabble opposite — a bunch of policy sloths who have no idea of how to build a better future. And no amount of freeway billboards, spin and feigned indignation from

the Leader of the Opposition will build a better future for those in our community who need surgery and hospital care.

Mr Mulder interjected.

Mr ANDREWS — Previously the member for Polwarth powerfully interjected, calling me a dummy. As the shadow minister for Transport, find a SmartBus that will let you on!

Mr Mulder — On a point of order, Speaker, the member is quite clearly misquoting me. I did not call him a dummy, I called him ‘Dumbo’.

The DEPUTY SPEAKER — Order! The member for Polwarth well knows that that is a frivolous point of order. Given his conduct this morning, he is hardly helping the conduct of the house in general. I advise him not to continue in that vein.

Mr ANDREWS — That was another stinging attack from the member for Polwarth!

The member for Polwarth invites me to talk about what we have done. I will tell him what we have done: we have provided 83 per cent more in funding and \$2.5 billion in capital works to make sure that our hospital infrastructure matches the quality of our staff. What does that investment mean? It means that 300 000 extra patients can be treated per year. You do not increase funding by 83 per cent by accident. It takes a lot more to put in and repair things than it does to rip them down.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! Members on the government side are not assisting matters.

Mr ANDREWS — There are 6500 extra nurses and 1200 extra doctors working in our public hospital system. As I said, there is 83 per cent more funding.

Mr Cooper — What about waiting lists?

Mr ANDREWS — The member for Mornington talks about waiting lists. I would have thought that in the interests of causing himself no more embarrassment he would have kept quiet about waiting lists. When he was at the cabinet table the number of people on waiting lists went up by 10 000. What did he say then? He did not say boo. The member for Mornington is now loud and proud, just like his leader, the Leader of the Opposition. But no amount of screen-test hotlines, spin and attempts to rewrite history from the Leader of the Opposition will wash away the fact that the rabble

opposite closed hospitals, sacked nurses, ran standards down and left our public hospital system in an absolute mess.

Rural and regional Victoria: government performance

Mr RYAN (Leader of The Nationals) — I grieve for country Victorians, who are at the mercy of an uncaring and increasingly arrogant Labor government in this state. If ever you wanted to see an example of that, you only had to listen to the previous effort of the member for Mulgrave. The member for Mulgrave is of course the Parliamentary Secretary for Health — and the Minister for Health is at the table as I speak. On 8 February, when I stood in this place for the first time to tell members about what was happening to Rural Ambulance Victoria (RAV) and its management, the member for Mulgrave was sent in to the house to interject while I was speaking and then to announce to the world, ‘There is no problem and there is no issue’. That is what the member of the Mulgrave was trotting out! The government’s line was that there was no problem — and that was also the line from Rural Ambulance Victoria.

The member for Mulgrave has today come into this house and sanctimoniously talked about what this government has done to the health system. The government has butchered the health system — that is what it has done. There is no better example of that than what has happened to Rural Ambulance Victoria. What was the commentary in response to what I said on the 8 February about there being problems? ‘There are no problems’, said the government. ‘There are no problems’, said Rural Ambulance Victoria. The two of them were working hand in glove.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! On a number of occasions in the last few minutes I have made remarks about the conduct of this debate and the path it is going down. The current conduct of this debate is unacceptable. It is time for members to return to extending the courtesies of the house to the member speaking in the same way as they were extended to the opening speaker.

Mr RYAN — On 8 February when I made that commentary it was denied by the government and the RAV. What happened subsequently? Even the government was reduced to directing that an inquiry be conducted into the RAV. It was the weakest and most benign form of inquiry. The government could have ordered one of three forms of public inquiry under the

public administration legislation, but we received the most benign inquiry. We have been given an interim report, but when are we going to receive the final, complete report? Guess what? It will be after the election on 25 November! This is yet another issue that the government has ducked and pushed out until after 25 November.

The member for Mulgrave, who is masquerading as the Parliamentary Secretary for Health, is telling members what a great job the government has done. At the same time this government is spending about \$3 million a week on spin and spin doctors and to tell Victorians what a great job it reckons it has done. What a joke it is! Increasingly people, particularly in country Victoria, are seeing right through this. While all this is going on, the interests of country Victorians are absolutely languishing. You would not see a better example of that than what has happened over the past couple of weeks.

The Nationals have made several policy announcements in a number of forums. We announced our environment policy at the Victorian Farmers Federation conference. It is a farsighted policy which we believe contains a number of plans that will advance environmental issues in this state. It deals with managing the environment in a constructive way and takes out of the equation the notion, which seems to be evident at the moment, that there is a competition between the environment and the economy. Environmental issues can be managed so that that notion does not arise, and it can be done in a constructive way for the benefit of the economy.

There are plans to refocus the Department of Sustainability and Environment and the Department of Primary Industries. We propose to make the Department of Primary Industries the major department which looks after agriculture, water and private land and to have the DSE look after public land. Generally the policy is about managing the environment in a way which does justice to the needs of country Victoria. And what is the response from the Minister for State and Regional Development?

The Minister for State and Regional Development was here in question time a couple of Thursdays ago waving around The Nationals policy and complaining bitterly about the costs that he said attach to it. Indeed, he tabled the document during the course of question time because he had it in his hands and was referring to it, which is a fair thing. But what happened when I asked him to incorporate the document in *Hansard*? Not on your nelly, Deputy Speaker! He did not want what is a terrific policy with a series of plans for the environment of country Victoria in particular incorporated in the

Hansard of Victoria. He was happy to bag it from a distance and go through his usual process of putting heaps of the proverbial upon it, but when he was actually put to the jump and asked to have it incorporated in *Hansard*, he would not do it.

Last week I announced on behalf of The Nationals our plans for infrastructure development in country Victoria. We propose that \$1 billion be expended over four years, which would see the development of infrastructure of different sorts across country Victoria. These plans go to a number of issues that are absolutely essential to country Victorians. There is the question of gas extensions, because the present government has not lived up to the promises it made to so many people in so many communities before the last election. The government allowed \$70 million for it, and that money is well and truly spoken for now. We believe \$150 million is appropriate for that purpose. The package we have announced will go towards the all-important issue of roads and bridges. We have already said in another policy announcement on local government that we think 1 per cent of the GST payments that come to the state of Victoria should go to local councils, but in addition we have made allowance in this \$1 billion program for important work to be done on roads and bridges.

We want to see power upgrades extended to enable the development of industry throughout country Victoria. We refer not only to the single wire earth return lines but to power upgrades generally so that industries are able to flourish. There are issues to do with allocating decent amounts of money to enable small town sewerage schemes to occur. There are also issues regarding water saving initiatives that are imperatives for all Victorians, from both an environmental perspective and an economic perspective. Then there is the question of rail upgrades, because the rail freight system in this state has been utterly abandoned by this government. Labor has no vision at all for rail freight systems in the state of Victoria. We have proposed that funding be allocated to that all-important task.

Then there is money for a range of general programs that we would like to see implemented on behalf of country Victorians. In addition to that, we believe a further sum of \$500 million over the next four years is appropriate for public asset renewals across the state. There are issues to do with the poor state of our rail stations; our jetties and piers, not only in the lake and river systems and in our general storage areas but in the coastal areas of the state; and our public buildings generally.

The member for Shepparton has provided to me an enormous amount of material regarding the way public housing is being ignored in her electorate and how the government has failed to respond appropriately to the reports issued by the Ombudsman over the last two or three years. These sorts of things ought to be part of that extra half a billion dollars. What has been the response from the Minister for State and Regional Development? The day after I had been out there promoting these important issues we had him doing the circuit as well, bagging the fact that this amount of money should be allocated to country Victorians. He was doing that in a context where it would be all right if it happened in some other venues but not all right if it happened in country Victoria.

It is all right to put \$1 billion into the Commonwealth Games, which we all celebrated as a state and which we all agree were a great success. It was the time to do it, and we all supported it. I was one of the many parliamentarians who was out there championing the cause of the Commonwealth Games in the interests of Victoria and the success of the event itself. It was a terrific thing to see happen and we all applauded it. So it is all right to spend \$1 billion holding that event, and it is all right to spend what has ultimately turned out to be \$1.3 billion on the so-called fast rail project. That Labor Party special started at \$80 million but has somehow ended up at \$1.3 billion — another exercise in how to manage money by the Labor Party.

It is all right to spend \$750 million on the rail side of it and then another \$550 million on trains in circumstances where it is impossible to deliver fast rail services, but when it comes to spending some decent money on country Victorians over a period of four years, the government is just not interested. It is fine to go out in April this year and announce that \$150 million will be spent at Olympic Park to build a rectangular playing field, but when it comes to spending some decent money on country Victorians it is not interested. It is all right for the government to turn its back on country Victoria!

It is all right for people in the township of Meeniyah in my electorate to walk around the streets in their own excrement on days when it rains because they do not have an appropriate sewerage system, and it is all right for the people down at Venus Bay, which is also in my electorate — I was there last week — to face problems in relation to sewerage schemes. The government thinks it can turn its back on them and not worry about them because they are only from country Victoria. Into the bargain we have the government trumpeting the Regional Infrastructure Development Fund. We have always supported the principle of it.

We have the government out there saying that \$360 million has been committed to this over the period of its time in office, but in fact by the end of this year it will have spent, on its best estimates, only \$174.6 million of it — and we are in the seventh year of this government's time in office in the state of Victoria. It is another example of how people in country Victoria are being misled. The Minister for State and Regional Development told the Public Accounts and Estimates Committee on 13 June this year that by the end of this year \$174.6 million will actually have been expended. Again you see the duplicitous nature of the government and the difference between what it says on the one hand and what it does on the other.

What about the all-important issue of students in country Victoria, which I raised yesterday with the Premier? We have proposed that \$3000 be paid to those tertiary students who have to move more than 100 kilometres from home for the purposes of advancing their tertiary education. This government is not interested in it. We have our country kids struggling because they are unable to obtain appropriate post-secondary education qualifications, yet this government has turned its back on them.

The fact is that 33 per cent of country students are going to university but 47 per cent of Melbourne-based students are going to university. It is an absolute tragedy, and this government is culpable in not supporting these young people. We have a shortage of skills in our country at the moment, and we are at a time of generational change. The Nationals have proposed this particular initiative because we think it will help at least in part to address what we know to be a basic problem for country families. Parents just cannot afford to send their kids off to get that all-important, necessary and vital tertiary education which they need, not just now but for the sake of future generations.

I have the *On Track 2005* government-sponsored report from the Department of Education and Training on the needs of country Victorian students. It says in part:

Country Victoria also had the highest rates of students terminating their education and training upon completion of year 12.

If I had the time I would read other passages from this document, because it is replete with facts about the awful problem that is now entrenched in our communities in country Victoria, in that our kids simply do not have the financial capacity, either themselves or through their families, to gain the skills that are needed for the future of the rural parts of the state.

I will conclude on this basis. We now have four-year fixed terms in our Parliament. An election is due in November this year, and there will not be another election until the latter part of 2010. This is an issue of generational change. There is a window of opportunity available now to propose plans for country Victoria which will do justice not only to the people who live there but to all Victorians. That is because the magnificent contribution which country Victorians already make can be enhanced if they are given a fair go and a fair share. That is all we want from the government — a fair go and a fair share.

Geelong bypass: Liberal Party policy

Mr CRUTCHFIELD (South Barwon) — I grieve for the people of Geelong and its regions, but particularly for people in my electorate of South Barwon with respect to any genuine Liberal Party commitment to Geelong. In that respect, Deputy Speaker, you would be well aware of the promise that the Liberal Party made early in 2003 in terms of setting up a permanent Liberal Party office in Geelong. That still has not occurred. If you could call Stewart McArthur's office a permanent office, it may well be, but in terms of a dedicated separate office for the Liberal Party in Geelong, that is still to be committed to.

The Liberal Party has certainly been consistent in its complaints with respect to every conceivable initiative that we have put forward. What is salutary in particular to the people of South Barwon is its current campaign — I would not call it a policy — with respect to the ring-road. The ring-road's original aim — and still its current aim — is to improve access to not only the south-west of Victoria, but also to the Great Ocean Road for both freight and tourism. It is not about a Colac bypass; it is not about a Winchelsea bypass; it is not about a Warrnambool bypass. The name of the bypass is the Geelong bypass, and one of its primary aims is to service the Geelong community as much as it is to service south-west Victoria. It is about improving access to the Surf Coast and Armstrong Creek, the designated growth areas for Geelong. As you would be well aware, Deputy Speaker, the designated growth area is not the Waurin Ponds hills and it certainly is not Winchelsea. It is the Mount Duneed growth area in terms of Armstrong Creek.

Mr Walsh interjected.

Mr CRUTCHFIELD — I will get to that issue. It is also about reducing the amenity effects in urban Geelong, not just in Latrobe Terrace. Certainly the member for Geelong and you, Deputy Speaker, would

be well aware of the gridlock that occurs in Latrobe Terrace, particularly during peak hour. It is also about the amenity effects in the Barwon area in terms of Pioneer Road, Anglesea Road and those other traffic linkages that currently are impacted on because we do not have this bypass.

I also grieve for the home owners in Waurn Ponds and Wandana Heights. As I have said in the newspaper, they are being absolutely conned. These are the people who own just houses, the quarter-acre owners; they are being conned. Clearly this has been an adversarial issue. There is no other way of getting around it. You need to go through an independent process. The panel is set up; you have different communities arguing their particular cases. But with respect to the campaign that Liberal Party members are waging — and it is not a policy because they cannot agree on exactly where their particular option 3 route goes — they are not articulating it at all. In fact they are hiding what their intention is for Waurn Ponds and Wandana Heights. They will get a road under the Liberal Party policy, whether it is option 2, 3, 4 or 5, and continuous, on the current reservation.

It is also instructive to recall history with respect to this. In 1997 I was on the council and we had a significant debate about our arterial road strategy. There was a debate about whether we should have a bridge over the bay, or whether we should have a western bypass versus an eastern bypass. Council indicated quite strongly that the western bypass was the one it supported. So people on the reservation — and I make the point that the reservation has been there for some 25 or 26 years and it is certainly a point that the independent panel hones in on — should have known that the debate was there and there was a real possibility that the bypass was going to be built on that western option.

In October 2002, as you would be well aware, Deputy Speaker, the Bracks Labor government was out in the Geelong electorate. We are committed to building the Geelong bypass, and that is despite the lack of support from the Liberal Party. In fact the federal member refused to support any matching of federal money in terms of AusLink money for that particular project, and it took him up until very shortly before the next federal election to agree — something which is symptomatic of his view about Geelong. He is the Dr No of Geelong politics. That was the view he expressed about the Geelong-Melbourne road. He said, 'No, no, no'. But just before the federal election it was 'Yes'. In 2002 he did the same with respect to the ring-road.

Mr Mulder interjected.

Mr CRUTCHFIELD — And he is also doing it in terms of our view about stage 4.

The DEPUTY SPEAKER — Order! I remind the member for Polwarth that he has already been cautioned.

Mr CRUTCHFIELD — The actual process has been fearlessly independent. It has been long and extremely adversarial. It has been well over two years through an environment effects statement, an independent panel, 230 submissions, open days, technical reference groups and community reference groups. It has been adversarial. It has split my communities in South Barwon and it is certainly something that I have more than a passing interest in. I have friends supporting all those different options. You need an independent process. You do not need property developers and the Liberal Party to select where they want the road to go, which is currently what its policy is.

The independent panel recommended that option 1(c) be extended, and it did so for a number of very clear reasons. I acknowledge that it was not the preferred option of the G21 councils. They wanted option 2, but as recently as last week G21 acknowledged that the process has been fair. Whether the G21 councils agree with option 1(c) being extended, what they are saying now is, 'Yes, let's move on and let's access stage 4 funding for that extended plan' — the Waurn Ponds link, or whatever you want to call it. That is the view of the Colac Otway shire, the City of Greater Geelong, the Surf Coast shire, the Queenscliffe borough and the Golden Plains shire.

There clearly cannot be any other process other than an adversarial process. The Liberal Party — exactly the same as the waste containment facility at Nowingi — is saying, 'No, we don't want it there, but we do not have a clear policy to articulate about where it goes. Do we want it on option 2? Do we want it on option 3?' — which is the Lambert view — or 'Do we want it on Stewie McArthur's wacky idea of halfway to Winchelsea?'. Liberal Party members do not have a clearly articulated view. They have a number of different options. Their only clear policy on this is, 'We don't want it on option 1'. They do not want it on option 1 because Stewart McArthur did his numbers and worked out that there were more people affected by option 1, so he said, 'I will run with my tail between my legs as far west as I possibly can and oppose option 1'.

It is also interesting to note that originally that was not the view of the state Liberal Party. Certainly the local candidate was supporting option 2, which he now

says — and certainly the member for Polwarth is also saying it — is not acceptable. They say, 'We will go out to 3 or 4 or we will go out to 5'. There is no clear policy for the Liberal Party on the ring-road other than delay and other than playing rank politics with people's lives. The Liberal Party wants to go back through exactly the same process for another two years and split community after community, and who benefits? No-one benefits other than a small number of property developers that hold land on the current reservation.

This is not about altruism. It has nothing to do with it. The panel excluded options 3 and 4. The panel clearly could have said — and it was one of the options that it did not take up — 'Let's direct VicRoads to investigate options 3 and 4'. They did not do that and they did not do that for clear reasons, because options 3 and 4 do not provide the benefits to the Geelong community, particularly for the residents of South Barwon. People from Torquay and Barwon Heads are not going to drive halfway to Moriac to access a road that services Colac and Camperdown — the home towns of the member for Polwarth and the member for Corangamite.

This penalises the residents of South Barwon and penalises the people of Geelong because option 1, clearly on 10-year road usage figures, amounts to approximately 40 per cent, so 8000 more cars will use option 1 because it is closer to the population.

The other issue is that anyone who has picked up a *Melway* in the last 25 or 26 years will see a road reservation there. The panel made it very clear that if you purchased property on that reservation it would be wishful thinking to believe there was not going to be a road built on it. In fact there will be a road built on it. I wrote an article in the *Geelong Advertiser* of Wednesday, 26 July, advertising a public meeting that I and about 600 people went to a week and a half ago. After meeting with John Lambert, one of the property owners on the reservation, he made it very clear that there will be a road on the current reservation. There will be a two-lane, two-way feeder road going from opposite Rossack Drive up to the interchange at Barrabool Road.

On the Tuesday I got a draft copy of the newsletter they letterboxed through Waurm Ponds and Wandana Heights. On the Wednesday afternoon I got another copy, and it had changed quite dramatically. What has been removed are the green lines indicating the two-lane, two-way feeder road going up the current reservation. Talk about dishonest! Talk about duplicitous! Also removed was the fact that it would end at a roundabout at the Princes Highway. Whatever option was to come up, it was always going to end at an

interchange at the Princes Highway, whether it was one —

Mr Mulder interjected.

Mr CRUTCHFIELD — At traffic lights. The member is correct. It was to end at traffic lights or a roundabout at the Princes Highway. Whether it was option 1, 2 or 3, that was where it was going to end. At that public meeting I put it very clearly, as did John Lambert, that there will be a two-lane, two-way feeder road on the current reservation, and no-one corrected me. Wandana Heights people and Rossack Drive people are being duped. That will be a rat run, because 8000 people are not going to drive out to Moriac. They will use that two-lane feeder road and other rat runs in the Waurm Ponds-Grovedale area.

At that public meeting I asked people to declare their pecuniary interests. Every one of the people who spoke at that meeting had a pecuniary interest. Interestingly no-one articulated their pecuniary interests. I have here copies of a couple of titles. One is in respect of John Lambert. Interestingly enough, if you declare at a public meeting in front of 600 people what your pecuniary interest is, then it is up to them to decide about your motives, whether they are altruistic or influenced by other things. John Lambert holds 14.84 hectares abutting the bypass.

Michael King, the current Liberal candidate for South Barwon, also failed to declare his pecuniary interests. Not surprisingly, he owns 3 hectares which he has failed to articulate to the *Geelong Advertiser*. He said it is on the public record that he has pecuniary interests, but he has never actually said that. That is a little disingenuous. There are a number of others who have pecuniary interests, and one may wonder what their motives are. There is nothing illegal in that, may I add — nothing illegal at all. But we should let people make their own judgment on all information provided. Certainly at present that has not been articulated at all. In summary —

Ms Asher — Are you right there with your papers?

Mr CRUTCHFIELD — I have got a fair few. The member for Brighton interjects, but I have got a number of other emails here which I have not got time to pass on. They do make very interesting reading. What the panel made clear is that this is an interim arrangement. The AusLink option, whether it be option 1, 2 or 3, would terminate at a set of traffic lights or a roundabout, and that is exactly the same result in terms of the McArthur option or the Lambert option. What is interesting is that it does not solve Geelong's traffic

needs, it is more expensive and does not allow for a Surf Coast link.

In closing I want to remind members that the Premier has sent a letter to the Prime Minister asking for an in-principle agreement to stage 4. We are yet to receive a reply, but not surprisingly the federal member has indicated his opposition. He has done that previously on the Melbourne road and on the bypass. With a federal election next year, the G21 councils and a number of community groups are keen to pressure the federal government to match funding for stage 4.

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

VicUrban: administration

Ms ASHER (Brighton) — Today I wish to grieve about the waste and mismanagement of this government, especially in relation to the way the Minister for Major Projects has handled VicUrban. VicUrban was established on 1 August 2003. It was a merger between the Urban and Regional Land Corporation, a body at that time running at a profit, and the Docklands Authority, which was debt ridden. The merger happened after the failed installation of Jim Reeves, the Premier's mate, as head of the URLC. The merger was effected as retribution, and the two bodies were merged on 1 August 2003. What we have seen since 2003 is significant waste of taxpayers funds and significant non-performance by this newly constructed entity.

First of all, according to freedom of information (FOI) documents delivered to me, the transition costs to effect the merger were \$600 000 — that is, \$600 000 of waste to effect a structural merger. However, there are many more significant areas of waste and mismanagement. The second point I want to make is that since the merger 18 senior staff have resigned. Again, that has come through FOI documentation. You have to ask yourself the question why, in an organisation like that, 18 senior staff would resign. The answer, of course, is that they are displeased with the manner in which the organisation is being run.

The third point I wish to make about this is that we have seen a range of staffing blow-outs since the merger. I refer members to the VicUrban annual report of 2005. As at 1 August 2003 VicUrban employed 111 public servants, at 30 June 2004 it employed 128, and at 30 June 2005 it employed 133 public servants. There has been a significant increase in the number of public servants — but for no additional output or, indeed, for a lesser output. I draw the house's attention

to the budget update for 2005–06, which the government released towards the end of last year. It indicates that there will be more public servants. Another \$2.8 million will be spent from 2006–07 to 2009–10 to establish a new provincial unit within VicUrban, so we are seeing substantial staffing blow-outs within VicUrban.

I also draw to the house's attention the excessive secrecy surrounding what the two previous organisations were set to achieve financially and in terms of their corporate plans. I wrote to the Treasurer some years ago, asking him to release the corporate plans of VicUrban and the former Urban and Regional Land Corporation. He wrote back to me on 6 December 2004, advising me as follows:

Due to the commercially sensitive nature of these plans, the government has consistently treated them as commercial in confidence ... accordingly I cannot authorise the release of the corporate plans of VicUrban or the former URLC.

You do not have to be Einstein to work out why the Treasurer does not want the corporation plans of the former URLC to be released — because its financial projections and a range of other projections have not been met.

I now refer to the far lower levels of achievement of the new body. From what I can garner from the 2005 financial statements, I make the following observations about VicUrban: overall profit after tax has been reduced from \$33.6 million to \$22.2 million, and the general fund profit has been reduced from \$26.5 million to \$12.5 million. Members might like to ponder how many developers have recorded reduced profits for 2005. How many developers have had a reduced result in excess of 50 per cent for the 2005 financial year? That is this government's performance in residential development with, I might add, a brief to create low-cost housing, which I would have thought the Labor Party cared about.

Borrowings have increased from \$164.2 million to \$187 million. Interest has increased from \$8.2 million to \$14.2 million. Project management expenses have increased from \$12.9 million to \$19 million. This reduced performance by VicUrban has a significant impact on the taxpayer.

The government has always been paid a dividend by the URLC. The dividends paid have been reduced from the 2003 final dividend of \$17.2 million, through the 2004 interim and final dividends of \$7.2 million and \$7.4 million respectively, to the 2005 dividend of \$1.3 million. This should be a signal for real concern to the minister, cabinet and the government. Cash flow

generated by operations went from an inflow of \$37 million to an outflow of \$1.6 million. VicUrban cannot even fund its operations let alone repay borrowings. So there are significant reasons for concern over this entity's financial performance.

I move to the issues of consultancies and overseas travel, which are out of control. Documents that VicUrban had real difficulty releasing — and they have been doctored — record \$176 000 of overseas travel from 1 August 2003 to 9 September 2004. VicUrban has not been cooperative in response to freedom of information requests about consultants. There are reams and reams of consultancies. One particular consultant, Dimity Reed and Associates, collected \$74 493 from VicUrban.

The chief executive officer pay scale is excessive. The new CEO, Pru Sanderson, reputedly earns over \$400 000. The former CEO, John Tabart, earned between \$440 000 to \$449 000 including bonus, according to the annual report. However, a remuneration review conducted by Mercer Cullen Egan Dell in 2000, which I obtained under FOI, says that for the managing director of the URLC the salary range should have been \$210 180 to \$316 180 per year, with a midpoint of \$263 480. You can adjust that for inflation and public sector pay increases, but it is clear that this body is overpaying its chief executives by public sector standards.

The greatest failure of the new VicUrban has been its failure to deliver developments. Let us go through some of the developments. I advise the house that VicUrban's web site was wiped clean in February, and all of the commencement and completion dates were removed. However, I have records of them should members of Parliament be interested in seeing the performance of this organisation. The delay in commencing Aurora, the much-trumpeted government development, which is supposed to be a green development, was substantial. In a press release issued by the Premier on 16 September 2002 he claimed:

The first of Aurora's homes will be built by the end of 2003.

However, according to a June 2004 newsletter on VicUrban's web site the first sod was turned to mark the first stage of construction on 9 February 2004. By that time the first home was meant to have been completed. Now the government says development will not be fully completed until 2015. In mid-2006 the first neighbourhood was expected to have been available for sale. So there have been significant delays in commencing that development.

There has been a two-year delay in completing Cairnlea. This is an interesting development. Again it is a much-trumpeted development. The projected completion date according to the VicUrban web site on 9 September 2004 was 2005. According to the VicUrban web site on 3 February 2006 the projected completion date is now 2007 — a two-year delay in the completion of that project.

Mr Nardella — So what?

Ms ASHER — The member for Melton says, 'So what?'. This is the appalling thing — when there is a delay there are increased costs. I have already run through the financial figures which are an embarrassment to the government and the Minister for Major Projects in another place.

With Epsom Park there was a delay in completion: the initial projected completion date was 2002, but it was much later than that. Lancaster Gate — delay in completion; Lynbrook — delay in completion; Roxburgh Park — delay in completion.

Mr Nardella — It is finished!

Ms ASHER — It was delayed. It was meant to have been finished in 2003 — that is the problem.

With Tower Hill in Swan Hill there was a delay in commencing. Even those who are not all that bright can get the picture that if all of these projects are late, the organisation surely is not performing. Add on to that increased staff, embarrassing financial figures and a whole range of other things I have mentioned and you can see that the Minister for Major Projects is not administering VicUrban to a satisfactory level. Valley Lake — a delay in completion; the Horsham saleyards — very little progress; the Officer development — a delay in commencing. I could go on and on.

How many announcements have we had in relation to the Dandenong development? Works were meant to commence on the site in early 2004, according to the URLC annual report 2003. That changed to commencement in mid-2004 according to a newsletter dated April 2004 which appeared on the VicUrban web site. On 28 July 2004 the development was approved and there was a report in the local press that construction was expected to start at the end of that year. However it was not until April 2005 that construction work started, according to the VicUrban annual report 2005.

In Cheltenham Green there has been a delay in completion. I could go on and on with all of these

developments. Even members of this government should be concerned about the performance of VicUrban. I could also mention an Ombudsman's report tabled in this house headed *Investigation into Parking Infringement Notices Issued by Melbourne City Council*, dated April 2006, which of course covers Docklands parking infringement notices. The report showed doctoring of minutes and quite frankly in my opinion false information being provided to the Ombudsman.

I believe I have presented a case which conclusively proves that the Minister for Major Projects needs to lift his game. He need to assert authority over VicUrban. The URLC was a respected body. Under this government VicUrban is a disaster. Importantly it is a disaster funded by taxpayers. There has been a waste of money over the merger itself. The staff blow-outs are inexplicable. The fact that the corporate plan has not been released shows that the government wishes to hide the level of achievement that was expected of the former body. The financial performance is woeful, and that has a direct impact on taxpayers. The consultancies and overseas travel are out of control. Most importantly, the projects the government is meant to be providing for the citizens of Victoria are being mismanaged. They are massively late. They are massively delayed. Perhaps if it was one or two you could deal with it but what we have seen here is a systemic failure of this entity called VicUrban.

This is yet another example of the Minister for Major Projects being unable to manage entities within his brief. His job is to deliver major projects on time and on budget. His job is to manage VicUrban to make sure that this housing is available. We are seeing an organisation out of control. This is what we have learnt to expect from the third Minister for Major Projects — I think the Premier is on to this. I call on the minister to lift his game, get his act together and fix up VicUrban.

Hazardous waste: Liberal Party policy

Ms GREEN (Yan Yean) — Today I wish to grieve for all Victorian communities within 100 kilometres of Melbourne. They are living in fear of the Liberal Party being elected to government at the forthcoming election because the Liberal Party has committed itself to building a hazardous waste facility within 100 kilometres of Melbourne.

It gives me great pleasure to follow the contribution of the Deputy Leader of the Opposition and shadow spokesperson on this issue. Imagine my surprise last Friday when I heard the Deputy Leader of the Opposition being interviewed on the ABC — —

Ms Asher interjected.

Ms GREEN — She has just said that has been the policy for years. The previous Leader of the Opposition, the member for Malvern, did state that the opposition was opposed to a long-term waste containment facility being located at Nowingi but opposition members have not said where they support locating this facility. The opposition has cast a pall over every community within 100 kilometres of Melbourne. Every suburb and every regional area from the central business district to the edge of the 100-kilometre zone is living under this threat.

The opposition changed leaders again earlier this year. The new leader made a commitment to the Victorian community that he was going to make some positive changes for the benefit of the community. I think some in the community started to listen and thought that would have to be an improvement on the previous opposition leader. If you visit the Liberal Party web site most of its policy areas are under development — it is not really telling us a lot about what it stands for. Imagine my shock on hearing the Deputy Leader of the Opposition on ABC radio on Friday reiterating the opposition's bankrupt and stupid commitment to siting a long-term waste containment facility within 100 kilometres of Melbourne. This means that every town and suburb in that area would be a potential site for a hazardous waste containment facility if this mob were elected.

The opposition is not being honest. It is not talking about process. We know that when the opposition was in government previously it had no respect for process. It is not talking about process at all. It has just said we will not have the facility at Nowingi, it will not be honest about where it will be. The member for South Barwon talked in his remarks about the Geelong bypass about the Liberal Party's approach to process. Like the site selection for the long-term containment facility at Nowingi, there has been a process for the Geelong bypass. The member for South Barwon said the Liberal Party favours a secret mates process. It does not tell people where things are going to be and it is not honest about it. We have seen the federal government talking about nuclear storage dumps. It has talked about the Northern Territory. I have heard some commentary about Puckapunyal, which is also within 100 kilometres of Melbourne.

Ms Pike — It is on the list.

Ms GREEN — Would Puckapunyal be on the list for a long-term waste containment facility if the Liberal Party were to get into government? Would hazardous

waste be stored next to munitions? Is that what the Liberal Party is up to?

In terms of my community, many of the communities I represent are within 100 kilometres of Melbourne. Would the Liberal Party be looking at some of the old tips and quarry sites in my area? There are a number of quarries — —

Mr Helper — Next door to a kindergarten?

Ms GREEN — Exactly. The member for Ripon suggested they might put it next to a kindergarten. There is a former landfill site at the end of Graham Road in Kangaroo Ground, only about 1 kilometre from where the state government is putting in a new kindergarten to be co-located with a school. Would the Liberal Party put it there in Nillumbik's pristine green wedge? There are numerous quarry sites and tip sites around Wollert and Epping North. That could jeopardise housing development in the area. In the next 10 years a population the size of Warrnambool will be built in Epping North.

There is a lot of really positive community development going on there including the construction of houses, which means jobs. There is a large industrial area established for clean industry where many local people will be employed in local jobs. The state government is playing its part in this too, with the relocation of Melbourne's wholesale fruit and vegetable market to Epping, which will mean at least 10 000 jobs. Having a hazardous waste facility up the road from that would certainly jeopardise that investment and those jobs.

The government's approach to a long-term containment facility is that we believe in an open and transparent process — to actually having a discussion with the community and looking at the environment. We are a government that remains committed to reducing hazardous waste and stopping hazardous waste going to landfill. Regrettably, a small amount of hazardous waste is still generated and will be generated for the foreseeable future, although the government is mindful of the environment, and we work with industry to try to diminish that waste.

The government is pushing ahead with the proposed long-term containment facility because it is needed in this state. The Bracks government actually takes on the hard issues and has identified a site for the long-term containment facility. We are doing everything to minimise the amount of hazardous waste but we have to deal with the amount that is left over.

It is not just the Liberal Party that has said it is opposed to the site at Nowingi, it is The Nationals too — but they will not say where it should be built. The shadow Minister for Environment has been forced to rule out central Victoria but that leaves all those other areas within 100 kilometres of Melbourne.

I return to comment on Nowingi, which the government has identified as a suitable site for a world-class, long-term containment facility for industrial waste that cannot be avoided or reused — —

Honourable members interjecting.

Ms GREEN — I will come to that. It cannot be recycled, used for energy recovery or otherwise treated.

The site and the proposed design for the facility are the subject of a full environment effects statement (EES) process, giving the community access to the most transparent and rigorous processes under Victorian law. The process is investigating all environmental, social and economic issues in great detail, allowing the government to make the most informed decision possible about this process. We are looking at all specialist technical reports, and the Environment Protection Authority (EPA) works approval application was placed on exhibition late last year.

The Premier has extended that exhibition period after approximately 1750 submissions on the EES were received. They are being considered by an independent panel appointed by the Minister for Planning. The opposition was so lazy about this that it sent in its submission some two months after the closing date.

This has been the longest environmental inquiry in Victoria's history. The panel has convened on more than 56 days. Only after receiving the panel report, including the panel's evaluation of all environmental, social and economic aspects of the proposal, will the government make any decision on whether the project should proceed. The government has always said that the long-term containment facility at Nowingi will proceed only if it satisfies the independent EES planning processes and meets stringent EPA requirements for safe waste containment.

But we have not heard that from the opposition. All it has said is it will not be there. They have not set a process, and that is what should really concern the community. When the opposition was in government it made sweeping changes to the fabric of our community in Victoria, like when it changed local government boundaries. It did not consult the people; it just imposed its will. That is what communities in my area will be concerned about.

In the adjournment debate last evening the member for Hastings also expressed concern, as her electorate is within 100 kilometres of Melbourne, that the Liberal Party would impose the facility without proper controls on that area around Western Port Bay and the Mornington Peninsula. I know the member for Melton expressed a similar concern as his electorate reaches as far as 70 kilometres from the centre of Melbourne.

What are these clowns going to do? Is it going to be a pin-the-tail-on-the-donkey exercise with a bit of a blindfold, a spin around and a look at the map of the CBD of Melbourne? We know it will exclude the well-heeled areas such as Brighton, the shadow minister's electorate, and the Leader of the Opposition's electorate, Hawthorn. It will exclude all those areas. But no doubt it would be prepared to put the site in other communities that it is not so enamoured of. We heard the Deputy Leader of the Opposition say in her earlier contribution that she had made a case; but she certainly has not made the case in relation to this facility.

I would have put the question to the Deputy Leader of the Opposition, through the Chair, had she remained in the chamber. I know the opposition is always making claims about other members not being in the house but I note that she is not here now. Would she build this hazardous waste facility in regional Victoria? Has she had discussions? Would the opposition build it in Geelong, Werribee, Warrigal, Seymour, Marysville, Kyneton, Castlemaine, Heathcote, Sorrento, Anglesea, Torquay or Koo Wee Rup? They probably would not put it in Koo Wee Rup because that is in the electorate of the Leader of The Nationals, and they may need the numbers if they are to form government.

Rather than regional Victoria within 100 kilometres of Melbourne, would the opposition put the facility in suburban Melbourne — Bacchus Marsh, Sunbury, Craigieburn, Hurstbridge in my electorate, Yarra Glen in the member for Seymour's electorate, Belgrave in the member for Monbulk's electorate, Cranbourne or Mornington as I mentioned before? Would it be in Frankston, where massive housing development is occurring? There is a real regeneration in that disadvantaged community, and it is now going ahead in leaps and bounds, but would the opposition take that community through a backwards step? Would it put it at Carrum, Mentone, Ringwood, Burwood, Bayswater, Narre Warren, Prahran, Mitcham or Rowville? The answer is that we do not know, because opposition members are not saying. They need to be honest with Victorians and to tell them where a Liberal government would build it and whether or not it would be in their suburb or town.

In terms of my own electorate, I would be very concerned about some of the other investments that the government has made in community facilities which I think would be jeopardised. Some \$28 million is being spent through this year's budget on schools in my electorate. If this facility were to be built nearby, all this could be wasted. There are also three water storages in my electorate. Would these precious water supplies be jeopardised? We know that these water storages are precious to Melbourne. Would this facility be near the Sugarloaf, Yan Yean or Toorouroung reservoirs? Members of my community are already in fear of what the opposition might do about water, because the opposition has done a deal with The Nationals to build a new dam in the area of Melbourne.

The dam would be on the Yarra, so members of my community live in fear not only of a toxic waste facility potentially being in their area, that being within 100 kilometres of Melbourne, but also that significant areas could be flooded. We know that The Nationals are committed to damming Watsons Creek, a beautiful tributary of the Yarra. They want to flood that area and ruin those communities. Regrettably the shadow Minister for Water, the member for South-West Coast, is not being honest about that. He is saying one thing in country Victoria and one thing to The Nationals, but he is not actually fessing up to my community and the other communities along the Yarra and the rest of Melbourne.

Opposition members will do and say anything to get themselves back into government. They will go back to the secretive lack-of-openness-and-transparency days that we saw under the Kennett government when the member for Hawthorn was the president of the Liberal Party. I urge opposition members to tell the community where they would put this long-term waste containment facility.

Police: Mildura investigation

Mr SAVAGE (Mildura) — Today I grieve for the victims of Monsignor John Day and for former Senior Detective Denis Ryan, who was the investigating officer into the sad events that occurred in Mildura in 1972. The motto of Victoria Police is 'Uphold the right'. That means to protect the innocent and to pursue crooks, villains, paedophiles and other undesirable people in our community. In the past some undesirable individuals have been members of churches, including Monsignor John Day at Mildura, who had a long list of victims. When he was investigated by Senior Detective Denis Ryan, it was Denis Ryan who ended up being the one targeted and who eventually was forced to resign from Victoria Police.

I have been waiting for some time to raise this matter in a grievance debate, and I am going to list some of the sequence of events that occurred in Mildura in that time. I have known Denis Ryan for some time. His registered number was 11468, having joined the Victoria Police in 1952. He is still alive and well and living at Red Cliffs. He transferred to the Mildura CIB branch in 1962 as a detective from Mordialloc, and Detective Sergeant Jim Barrett was in charge at that time. Ryan's reason for transfer was that his son was unwell, so for health reasons and on compassionate grounds he was granted a transfer to Mildura for a better climate. The alternative was to join the Federal Police and transfer to Brisbane.

Denis Barrett, the brother of Jim Barrett, was later the magistrate who heard the Lindy Chamberlain case. He rang Denis Ryan and told him that he would be making a mistake if he went to Mildura because he would not get on with Jim Barrett.

Before transferring to Mildura in 1955 Denis Ryan was working in the nightshift divisional van out of St Kilda with the late Sergeant Tom Jenkins and Clarrie Bell. One night at 2.00 a.m. they observed a Pontiac Parisienne or a Chevrolet travelling down Wellington Street, St Kilda, near the junction. The vehicle was intercepted and a prostitute named Hazel Hanrahan was found to be the driver. Another prostitute was against the passenger door. Straddled across the front seat was a priest, Father John Day from Apollo Bay, with his head on Hanrahan's lap. He was intoxicated and naked from the waist down. Hanrahan said, 'This bloke is a regular'. The prostitutes were told to go home, and Sergeant Jenkins drove the car and Father Day back to the St Kilda police station. Sergeant Jenkins later rang St Patrick's Cathedral, and a short time later two priests came to the station and took Day away. Afterwards Jenkins told Denis Ryan that Day was the parish priest from Apollo Bay.

On his second day at Mildura CIB in 1962, Denis, a practising Catholic, was taken to the Catholic church by Detective Sergeant Barrett to meet Father Day. He recognised Day from the incident in St Kilda in 1955, and told Barrett after the meeting of what had occurred. Barrett became annoyed and did not accept that the incident had occurred. The next day Father Day rang and said he wanted to see Detective First Constable Denis Ryan. He vehemently denied the allegations and said he had never been the parish priest at Apollo Bay. This was later proven to be incorrect. Some heated words occurred, and from that day on Detective Sergeant Jim Barrett persecuted Denis Ryan.

In 1971 the deputy principal of St Joseph's College, John Howden — who is still alive and lives in Birchip — rang Denis and asked him to come to the principal's office at St Joseph's College. Present were the principal, Sister Pancratius, and deputy principal, John Howden. They told Denis Ryan they did not trust Barrett, and that is why they had called him. Sister Pancratius told him she was breaking her vow of silence because Day had been molesting children for years and that it had to stop. She also said that these would be the last words she would speak on this matter. Howden said, 'I have two complaints from two 12-year-old female students who were indecently dealt with by Monsignor Day, and both the parents knew about it.

Howden told Denis Ryan that he did not tell Barrett because Barrett had a close association with Monsignor Day. Within a day detectives Denis Ryan and Harry Herbert interviewed the two girls in Howden's office. The mothers of the girls were present and statements were taken. A letter was subsequently sent to Bishop Mulkearns by Howden and Denis Ryan detailing the activities of Father Day. Bishop Mulkearns issued a pastoral letter to the parish detailing that the allegations made against Monsignor Day were untrue. Furthermore, a letter was printed that gave parishioners the opportunity to sign it, saying how long they had lived in the parish and that they were disgusted by the allegations being made against Monsignor Day by certain individuals. Howden and Ryan would have been the two people that was directed at.

Ryan pursued his inquiries without Barrett's knowledge and took statements from 14 boys aged between 12 and 16 years, and two girls aged 12 years. These complaints relate to attempted sodomy, rape, sexual assault and gross indecency. I spent an hour the other day reading copies of these statements. I had to stop because of the disgusting nature of what had occurred between 1956 and 1972 in the Sacred Heart parish in Mildura. I was in the police force for 29 years. I have seen a few things, but I have to say that I had to stop reading the material because of the nature of what was detailed in it.

Day would take boys on trips to his sister's place in Yarraville, where they would sleep in a double bed. He also visited motels when taking children, as they used to do, to things in Melbourne. But Day's intent was also to sexually assault these children. Barrett found out about the investigation because Ryan had reported it to Melbourne police headquarters and bypassed the chain of command. Ryan was then spoken to by Detective Superintendent Frank Holland about the seriousness of the allegations. Victoria Police appointed Detective

Chief Inspector Harvey Child and Detective Superintendent Jack O'Connor to investigate.

Before Child and O'Connor came to Mildura, a local, Inspector Irwin, came to Ryan and forced him to hand over the statements. Inspector Irwin showed Denis Ryan a blank record of interview, with questions but no answers — and I have a copy of this. In some later files it was mentioned that Irwin had previous CIB experience and therefore was suitable to do this interview. The interview is about four pages long, and a recruit out of the academy could have done a better job. The detail of the interview with Monsignor Day is disgraceful. Present at the interview was Detective Sergeant Jim Barrett, who was a corroborating officer.

When Inspector Irwin and Detective Sergeant Barrett interviewed Monsignor Day, he denied emphatically all the allegations. Ryan was then told by Inspector Irwin to cease the inquiry, which was a direction from the chief commissioner's office — and I have certain documentation which corroborates that. Against this instruction, Ryan continued on and took three or four more statements. The district superintendent visited Ryan and demanded the further statements. Ryan was told he had disobeyed the instructions to cease the investigation, and the inquiry lapsed. Ryan received close scrutiny and harassment from both Irwin and Barrett. Barrett then arranged for Detective Ryan to be on the afternoon divisional van shift — as a detective — to do all the afternoon shift crime from 6.00 p.m. I have never heard of any similar case where a detective is placed on a uniformed divisional van shift to do that. That is the sort of treatment that Denis Ryan received from his superiors in Mildura.

O'Connor and Child arrived and took statements from Jim Barrett and Denis Ryan. They reinterviewed the children complainants and never found any more victims. They reinterviewed Day and went to see Bishop Mulkearns. A short time later Ryan and Howden wrote to Bishop Mulkearns and explained to him the seriousness of these allegations against Monsignor Day. They had a group of children who had made serious allegations in statements. The kids, who were mostly in grade 6, said in their statements things like:

As a result of what happened, I lost faith in the Catholic Church and have not been to mass since. At the time of these happenings, I was an altar boy. Since that day I have not spoken to Father Day.

That is the pattern. Sometimes they told the parents; sometimes they did not. Sometimes they were so ashamed they told nobody. Ryan wrote to Bishop Mulkearns, who is still alive — Barrett is dead but

Mulkearns is still alive, although Monsignor Day is now deceased. The letter that was sent back, addressed to Howden and Ryan, reads:

I suggest that it might have been prudent, in view of the fact that the matter was already in the hands of the police, to have awaited the result of that interview before stating as a fact that Monsignor Day had been guilty of immoral conduct over a period of years. I have been assured that the police, who rightly take a very serious view of charges of this nature, have indeed investigated the accusations which have been found to be untrue and that they have satisfied themselves that there is no substance to these charges. I am confident that they would certainly bring this matter to my attention officially if they were not completely satisfied.

He goes on to make some threats to Denis Ryan. If he revealed any of the statements he had in his possession, the presumption was that certain legal action would occur afterwards. The bottom sentence says:

I trust that the fact of the police investigation which has evidently cleared Monsignor Day of the charges which have been made against him will result in your demonstration of loyalty to him at a time when he has been subjected to very great embarrassment and strain.

This is the bishop who allocated Monsignor Day the position in Mildura.

Denis Ryan was at this time on his own in the police force. He was a detective senior constable. He had no support from the police department. In fact he was being harassed by his superiors, from the chief commissioner down. He was being berated by members of the community who did not accept that Monsignor Day was a persistent, predatory paedophile. He was charged with failing to put a penalty in his detective diary. They said because he could not get on with Barrett, they were both to be transferred — Barrett to Echuca and Ryan to Melbourne. As Ryan had been sent to Mildura on compassionate grounds for his son's health and for the fact that the inquiry had lapsed, he submitted his resignation.

There is a consistency in this whole process, as the second paragraph of his resignation reads:

I can only hope that any member of the police force who in the future performs a similar type of inquiry that I performed in relation to the monsignor does not suffer the same fate that I have suffered.

The investigating officers, Child and O'Connor, again visited Mulkearns after more statements became apparent, and the next day Monsignor Day resigned his position in Mildura. At the time Denis Ryan had four children who relied on his income from the police force. He was then forced by a district superintendent to delete those comments from his resignation. He has since spent \$4500 accessing under freedom of

information material that Victoria Police should have given him in the first instance.

I have not seen too many cases in my service or my time as an MP where there has been a greater injustice. Victoria Police should unequivocally and promptly apologise to Denis Ryan, who upheld the fine traditions of Victoria Police against significant adversity. He was out there protecting the innocent and making sure that Monsignor Day did not persist in his activities. Monsignor Day actually reappeared in Timboon. We now know that there are probably many more victims from his time as a parish priest after Mildura. He went to Chicago and then turned up in Timboon. Denis Ryan has been vindicated in this disgraceful episode. I think it is time we spoke up for him. It is time for the Victorian police force to acknowledge the great injustice it imposed upon him.

I think we also need to be aware there are many victims out there who are still at risk from the Father Day episode and from people like him and who are still in need of assistance. The Catholic Church has gone a long way to reconciling itself with the victims. It has made contributions in terms of compensation.

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

Wind energy: Bald Hills

Mr HELPER (Ripon) — I commence my contribution today with a quote:

Dr David Suzuki's catchcry of 'Think globally and act locally' is to me a call to our fellow man to do away with the rhetoric and to take action. That action starts in our own backyard. It embraces local communities, our towns, our cities, our regions, our states and a shared responsibility for our nation and our world. This should be the order of priority for our environment policies. We must reject calls to hand over control of the environment to the government in Canberra. We must encourage local action on local problems and cooperative solutions to national and global problems.

That is a quote from the federal Minister for the Environment and Heritage, Senator Campbell, during his inaugural speech to Parliament. They are fine words that I do not think any member in this house or in any Parliament around the world would be embarrassed to have in their inaugural speech, but the proposition that I plan to present to members will highlight how far the rhetoric of Senator Campbell's inaugural speech is from the way he is behaving as an environment minister in the federal Parliament.

Firstly, I will make the case for renewable energy and in particular, in Victoria's case, for wind energy. I state for the record that I am a personal enthusiast for wind

energy. I think it is a no-brainer as a source for renewable energy, particularly in a state like Victoria, which has world-class wind resources and which is ideally suited to exploit the renewable energy that wind can deliver for Victorians. I do not think any of us would claim that it is the single solution to issues of global warming as caused by CO² emissions, but it nevertheless can make a significant difference and, as I say, I am a enthusiast for the renewable energy sector in Victoria and for wind in particular.

We should also take on board the enormous industry development opportunities that the wind energy sector brings to Victoria and that can be built on in Victoria. Already we have seen significant jobs created in the wind energy sector in Victoria. Certainly in my electorate there are plans and deliberate efforts being made to encourage greater manufacturing to take place in Victoria, in particular in Ararat.

The saga of the decision, the backflip, the backdown and the misleading of the people of Australia and of course the people of Victoria by the federal Minister for the Environment and Heritage, Senator Campbell, is a sad and sorry saga. It started in August 2002 when the federal environment minister, Senator Campbell, determined that the proposed Bald Hills wind farm in South Gippsland needed approval under the federal Environment Protection and Biodiversity Conservation Act 1999.

The federal environment minister, indeed, started off this incompetent saga in relation to this matter by simply not making a decision under that act in the statutory time line of 30 business days that the act spells out. In fact the minister took 18 months to make a decision, and the only reason he made a decision then was because the proponents of wind power took legal action to force him to make a decision. That legal action came before the Federal Court on 7 April 2006. The original determination date was 21 August 2002, so a decision was due 30 days later — that is, in September 2002. It has taken until April 2006 for the minister, as a consequence of being embarrassed before the Federal Court, to finally make a decision.

As history would show, of course, the senator refused permission for the Bald Hills wind farm to proceed. He did so, as is also widely known, because of the supposed threat to the rare orange-bellied parrot — a fictitious danger that Senator Campbell made up, suggesting that that endangered species would potentially suffer from the construction of the Bald Hills wind farm.

I will come to the lack of merit of the minister's decision in a moment, but in that process Senator Campbell has delayed a \$220 million wind farm proposal at Bald Hills. Senator Campbell has indeed reinforced the federal government's pathetic attitude to renewable energy and has shown that under this federal government the only positive encouragement that the renewable energy sector is going to get will come from the states. Victoria, of course, leads the way in renewable energy, and later this week we will discuss a very important initiative by the Victorian government to encourage the renewable energy sector, but I will not pre-empt that debate.

I will quote the minister as reported in the *Saturday Age* of 5 August, which followed the astounding backflip by Senator Campbell:

I understand that this will be a disappointing outcome for the proponents of the wind farm, but it is very clear to me from reading this report that every precaution should be taken to help prevent the extinction of this rare bird.

Certainly nobody is arguing that we should not do everything possible to prevent the extinction of any species, whether it be the orange-bellied parrot or a porcupine minister in Canberra!

The quote continues:

I get advice from my department on all issues on a daily basis —

hundreds of days before he makes a decision on them, though, but never mind —

... The bottom line is, if you want a Yes, Minister in action, I'm the wrong guy to be your minister ... It was a very good decision, I stand by it, and I will make it again tomorrow.

The proponents came to me last week and said, 'Look, we would like to get this out of court' ... I said, 'That's entirely reasonable ... It makes no reflection at all on my decision'.

That is an interesting interpretation and an interesting amount of spin that Senator Campbell is trying to put on his disgraceful backflip on this issue, particularly if we consider that Senator Campbell and the commonwealth are paying the proponents' court costs in this matter.

While I am on the subject of paying the proponents' court costs, which I would argue is the only decent thing about Senator Campbell's behaviour so far, I would suggest to Senator Campbell that he should also pay the Victorian taxpayers' legal costs as a consequence of the Victorian government's having to take this decision to court along with the proponents of the wind farm. The fact that Senator Campbell and the commonwealth are prepared to pay the costs of the

proponents of the development does not indicate to me that he was doing them a favour to keep this matter out of court, as he states in the quote I just read out.

Ewin Hannan had some well-crafted words on this matter in the *Weekend Australian* of 5 August. The headline is 'Farcical affair shoots down Campbell's credibility' — at the least! He said:

Ian Campbell's stunning cave-in has undermined his credibility and cast a long shadow over the Howard government's environmental approval process.

Despite ferocious spin, Campbell had little option but to cut a deal. If the court case had run its course, he was a strong chance to lose. Bemused taxpayers would have footed a significant legal bill.

But even in defeat, Campbell was selective with the facts. He claimed he stopped the wind farm because his Biosis report found it would have a 'significant' impact on the orange-bellied parrot. The report actually found the mortality rate would be 'very small'.

Like a drowning man, Campbell seized on a 2003 Victorian departmental submission to a planning panel which said that the wind farm would increase the 'level of threat' to the parrot. While it did not use the site, the submission says it was highly likely to fly across it, often at rotor height.

Let us look at what Senator Campbell is trying to fabricate and spin from the report which was, at the end of the day, made to the planning panel hearings. It was widely circulated and was available to all the parties in the planning panel process, including opponents to the wind farm, to analyse and dissect. It is certainly not a secret report.

Senator Campbell's press release, headed 'Secret Bracks government report reveals hypocrisy on Bald Hills', says:

A report kept secret by the Bracks government has highlighted the blatant hypocrisy of its criticism of my decision not to approve the Bald Hills wind farm.

The so-called secret report, as I said, was a report presented to a panel hearing. The report was available to all parties at the panel hearing and if information serves me correctly, it was actually made into a PowerPoint presentation. I fail to see how it is a secret report; perhaps it is one of those loose uses of the truth that is causing Senator Campbell's to grow a nose like Pinocchio's.

The senator has done an enormous disservice to the taxpayers of the commonwealth, because they are now footing the legal bills of the proponents. They will hopefully foot the bill of Victorian taxpayers for the legal costs to challenge Senator Campbell's decision. He has held up and delayed the development of an

industry which is vital not only for environmental outcomes but also for the potential outcomes of regional development and regional economic growth in Victoria. He has sent a signal to the investment community that if you do not happen to be in Senator Campbell's favour, he will do everything — whether it is within the law or otherwise — to block your process. It is a bad signal for a federal environment minister to send. It is a disgraceful abuse of power by a federal minister.

The Federal Court ordered, with the consent of Wind Power and Senator Campbell, that the decision be set aside) and that the proposal be remitted to Senator Campbell for reconsideration according to law. The federal government has agreed to pay Wind Power's legal costs, as I said.

If the Federal Court is suggesting that Senator Campbell take another look at it and reconsider his decision according to law, that clearly implies that the minister's original decision was not based on law. That is a disgraceful political interference by a federal environment minister in a very important matter which is important to this state, the country and the world. He has operated and made decisions outside the law, and imposed them on proponents.

This project, worth \$220 billion, not only has enormous environmental benefits but also potential economic benefits for the renewable energy manufacturing sector. I would have thought that everybody in this state, particularly in regional Victoria, would have liked to see the project develop.

Question agreed to.

STATEMENTS ON REPORTS

Outer Suburban/Interface Services and Development Committee: building new communities

Mr DIXON (Nepean) — I wish to comment on the inquiry into building new communities by the Outer Suburban/Interface Services and Development Committee, of which I am a member. This report was tabled yesterday. I commence by congratulating the committee staff: Sean Coley, Keir Delaney and Natalie-Mai Holmes. I would also like to thank the member for Melton for his good leadership of the committee and my fellow committee members. I also acknowledge that the Leader of the Opposition played a significant part in the work leading up to the release of this report. He resigned from the committee when he

took over the leadership of the opposition in June and was replaced very ably by the member for Warrandyte.

The inquiry focused on the importance of community building in our interface areas, which are essentially the growing suburbs in Melbourne. They have a large rural component to them, but they are significantly the growing suburbs of Melbourne. The lesson we have learnt from our first inquiry, and this inquiry, is it is important that we develop our communities right from the start. It is too late when there are massive communities in place, houses everywhere and little in the way of community resources and spirit. Our first inquiry was about the infrastructure of these communities, whereas we addressed the social and community capital in our second report.

We need to get in right from the start and develop all those resources so we have a very strong and cohesive community. We looked at some great models that are happening already in Victoria, interstate and overseas. There is no shortage of models and no shortage of good ideas out there, but it is a matter of coordinating them and bringing them together.

One of the groups we have throughout Victoria is neighbourhood houses, and we recommend that they play a very active part in developing communities. I acknowledge the work of neighbourhood houses throughout Victoria and the very important role they play in bringing education to the broader community, including people who are not involved in formal education. The informal education opportunities they offer to the broader community are invaluable.

The executive summary of the report says at page xxii:

In Victoria, the government's *Growing Victoria Together* document places education and lifelong learning as one of its three main goals, while the government's *Future Directions for Adult and Community Education in Victoria* identified ACE providers, including neighbourhood houses, as playing a pivotal role in the process of lifelong learning.

It is very important that the government takes up the recommendations we make on neighbourhood houses and adult and community education (ACE). They are having to take a 3 per cent cut in funding this year and next year as well. That needs to be reversed, because as I said our neighbourhood houses play a vital role in building up lifelong learning and a sense of community, especially in new suburbs. Even though there is some funding for community housing and neighbourhood houses in growth areas, it should not be provided at the expense of other neighbourhood houses, because we need to recognise the important role they play.

Recommendations 2.1 and 2.2 talk about developing small-scale events, such as neighbourhood court parties in housing estates. We believe these small events should be encouraged from the start to build up a sense of community when those communities are new so that they become neighbourhood traditions and continue on over the decades. Recommendation 4.2 is that the government work closely with the adult and community education sector to promote the governance of and training and services for community organisations. Again cuts in funding for ACE will not help this. Neighbourhood houses and community education have a very important role to play in training the leaders in new communities. If they can start off on a strong footing with the right tools, we can have some tremendous communities in our interface council areas.

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

Mr INGRAM (Gippsland East) — I rise to speak on the report on regional telecommunications infrastructure for business by the Rural and Regional Services and Development Committee, of which I am the deputy chairman. The report, which has taken a lengthy amount of time to complete, looks in great detail at a range of issues relating to the telecommunication needs of businesses in rural areas. It is a very good report, and I want to start off by thanking the staff who assisted the committee. I also thank the individuals and businesses who made submissions to the inquiry and also those who appeared as witnesses. The committee travelled throughout country Victoria looking at this issue, and we had some very good quality witnesses at our hearings. I particularly thank the witnesses and other people from Gippsland who gave evidence and put in submissions. We received high-quality evidence and submissions from the people of Gippsland, and a number of recommendations came out of the advice and information provided by those individuals.

The quality of the report will stand the test of public scrutiny. It was disappointing that minority reports were made that were a bit political; but the nature of telecommunications is political, with one of the findings being that we should oppose privatising Telstra. That is a political football at the moment. I urge members to look at the details contained in the report, particularly in relation to things that are currently in the public arena, such as the third generation network (3G). Evidence was given about the limiting factors of the 3G network and whether it would actually meet the needs of rural consumers for mobile telecommunications. As

rural members, Acting Speaker, we know the code division multiple access (CDMA) network is absolutely essential not only for going about our business but for everyone in rural areas. They need mobile communications, and the CDMA network arguably covers the analogue system fairly well. Evidence was tendered that the new 3G network would probably not cover that. There has been public debate on that recently, and the findings and recommendations in the report deal with that adequately.

The other issue which the report examines concerns a fibre-to-the-node network, which is also being debated in the public arena. There was enormous debate on that, and the evidence put before the committee included evidence received internationally. In its deliberations the committee looked at how it could get around that. It is a difficult one, and resolving those issues is a complex exercise. The committee recommended that there needs to be a full operational separation and that the telecommunications network should be split into wholesale and retail so that the people who manage and build the infrastructure are selling to everyone. The current debate about fibre to the node has highlighted that the incentives are not there. There is a cherry picking of Telstra's profitable services, and there is predatory behaviour by the incumbent telco in the delivery of services, so that is an issue.

Some of the issues are particularly state related. One issue that came up in Gippsland was that government agencies seem to be the least positive about picking up new technology such as videoconferencing. It is nothing for a government department to ask some poor public servant in the regions to come to Melbourne for a half-hour meeting with a senior public servant. Most government agencies have the technology, and it should be used to a greater extent than it is. Video technology is good, and comments were made that we have to use this technology well. If the government is not prepared to use the technology, how can it be embraced across other areas?

We must make sure information is available online. One of the issues that came up in Gippsland is the lack of mobile broadband technology on our rail networks. We need to use a customer access network (CAN) to develop broadband access on rail so that business people can use the technology when they travel to Melbourne.

Outer Suburban/Interface Services and Development Committee: building new communities

Mr HONEYWOOD (Warrandyte) — I want to speak today about the report on building new communities tabled in the house yesterday. I note that the honourable member for Melton was quick to join the debate, because he, as the honourable member for Nepean noted, ably led the inquiry.

I want to put on the record my appreciation of the enormous effort put into the inquiry and the resultant report by the staff of the Outer Suburban/Interface Services and Development Committee. Through my attendance to ratify each chapter of the report I can attest to the professionalism of Sean Coley, Keir Delaney and Natalie-Mai Holmes. The key rationale for this inquiry is noted on page 10 of the report:

However, building successful neighbourhoods in Melbourne's outer suburbs requires more than good design. Communities, after all, are about people. Our primary concern in this report is to examine and suggest ways to improve community engagement and assist in the development of strong, cohesive communities in the outer suburbs — participatory communities where people have strong social networks, a shared sense of belonging and an ability to come together and influence the issues that matter to them.

I know all honourable members would agree that that is the key criterion. From my own experience representing the outer suburban electorate of Warrandyte I have become well aware of the pivotal role that well-organised local community organisations can play in making the difference between a community that is humming along and inclusive and a community that shows all the signs of being disengaged and uncaring. I know that you, Acting Speaker, representing communities such as Wodonga, would be well aware of how important it is to have formalised community structures that engage volunteers and make them feel as though they are really participating in community decision making.

Fortunately in my electorate there has consistently been a great culture of community inclusiveness, fostered by groups such as the Park Orchards Ratepayers Association, the Warrandyte Community Association and Ringwood ratepayers. Neighbourhood houses and community houses in Ringwood, Park Orchards and Warrandyte have also played key roles, as has been noted in this report. For electorates in outer suburban areas that are in need of developing a culture of genuine community involvement and engagement, this report details some well-thought-through and researched recommendations. At the most fundamental level, as

the member for Nepean has eloquently pointed out, recommendations for street parties in local neighbourhoods can lead to breaking the ice, breaking down the barriers and getting people to come together in a more formalised way.

However, once a community moves to formalise its ongoing engagement through the creation of organised volunteer groups, the report noted in a series of recommendations that more needs to be done by whichever party is in government to spell out governance issues and regulatory obligations. I am sure that many honourable members would be aware from their attendance at their own local community group annual general meetings (AGMs) each year that nothing is more likely to get volunteers to decline to take on positions of some importance in volunteer groups than if they have not been made aware, through governance training or through seminars, about regulations, maybe hosted by the local council or through government agencies or departments.

Their morale suffers if they only discover at an AGM that something has not been signed off on, that the i's have not been dotted and the t's have not been crossed when it comes to AGM reporting and the conduct of meetings. Unfortunately it should not be the case. We have caught the American disease of overemphasis on many of these formalised requirements when it comes to community groups, but I have noted over the years that many genuine volunteers get very frustrated by the regulatory obligations that are involved nowadays in what used to be very amateur and very much volunteer groups.

The report does a great deal to spell out how important it is that appropriate training occur. Whether it be auspiced by the state government or local government, it has to be done so that everybody knows what the rights and responsibilities are when it comes to participating in such important community building activities. I know the crucial role that infrastructure can play. A previous report by this same committee noted that. I know of one instance in my electorate where in a new community of suburban homes called Warranwood the local school was the only community meeting place or gathering place for many years. Any ability for that community to engage was all about meetings that were auspiced through the local government school, and the gymnasium was well and truly overused for that purpose. Often the infrastructure is crucial, but more can and should be done in terms of encouraging volunteers to get involved and to engage in their communities.

Outer Suburban/Interface Services and Development Committee: building new communities

Mr NARDELLA (Melton) — The Outer Suburban/Interface Services and Development Committee inquiry into building new communities is another great report from another fantastic team of people on the committee led by executive officer Sean Coley, research officer Keir Delaney, and office manager Natalie-Mai Holmes. This is a really great piece of work that talks about social capital, the way that communities are developing, the changes that are occurring within communities and how we as members of Parliament and the communities themselves can grow and develop their social capital. The committee report is assisted by what the other members of the committee who have spoken today — the honourable member for Warrandyte and the honourable member for Nepean — have said. I concur with their comments.

The raft of recommendations really goes to the heart of what the communities and individuals were saying to us throughout the hearings, whether it was the local State Emergency Service, the Country Fire Authority, a neighbourhood house group or just interested community members. It was really interesting to be down on the Mornington Peninsula and to see the councils being really involved in this process. We had a couple of women there for the duration of the hearing, and we got them up to talk to us about the issues in their local community. That is in the transcript. So it was even dragging people out of the bleachers at the forums to talk to us. But it showed that those people had passion and that they cared about their communities. There were young people. We heard from some fantastic young people out at Yarra Ranges and elsewhere. We had a young person who gave us a comedy skit about the issues and the problems that were affecting him and his friends, especially in regard to public transport.

You sit through a lot of committee hearings, and in my 14 years I have forgotten most of them, but those particular ones were extremely important in getting a real feeling for what was happening in the outer suburbs. The overseas trip was also extremely important, because as a state Parliament we can learn from what is occurring out there in the wider world, taking it in first hand, being able to eyeball people and ask them what they are doing, and then bringing their information back. We also attended the Queensland United Nations conference on this particular reference as well.

Building social capital is a concept that was developed by Professor Robert Putnam, whom we had the opportunity of meeting in Queensland. The honourable members for Hastings, Bass and Nepean were there, as well as the committee staff. It is a very important concept, especially when you put it together with democracy, because unless you empower people and communities and give them the skills and the ability to be part of their community, democracy really falls down.

It is interesting how social capital has been reduced over a period of time. If honourable members get an opportunity they should read some of the comments of Robert Putnam. He indicates that 60 per cent of people in the United States played cards in the 1950s, so they got together and talked and interacted. That experience has now been reduced markedly. That simple fact was very important to understand. It is also about reducing disadvantage. The next report is a continuation of the theme of trying to build up the outer suburbs. I sincerely thank the staff for their commitment and hard work and also the other honourable members involved in this report.

Standing Orders Committee: review of joint standing orders

Mrs POWELL (Shepparton) — I would like to comment on the report of the review of the joint standing orders of the Parliament of Victoria. I am a member of the Standing Orders Committee of the Legislative Assembly. Our responsibility is to consider the standing orders of the Legislative Assembly and to report to this Parliament.

In October 2003 the committee comprehensively reviewed the standing orders of the Legislative Assembly and made a number of recommendations that revised the standing orders of the Assembly. These were adopted and came into effect in March 2004, but while we were revising the standing orders of the Legislative Assembly, the Standing Orders Committee identified a very strong need to consider changes to the joint standing orders of both houses. The committee found that the joint standing orders did not reflect the current practices and procedures of what is happening in both houses at the moment.

The standing orders committees of both houses met on 7 June 2006 to review the joint standing orders and to make recommendations to both houses on a new and revised set of joint standing orders. I congratulate the committee that met on that day and in the months that followed, and also the parliamentary officers for their work on this review, particularly Mr Ray Purdey, Clerk

of the Parliaments and Clerk of the Legislative Assembly, and Liz Choat, Deputy Clerk of the Legislative Assembly, for the preparation of the report that is now before the house.

A lot of work went into that report. There was cross-referencing and the deletion of motions that are no longer relevant. The new joint standing orders and joint rules of practice, if adopted, will take effect from the start of the 56th Parliament. Listed on the notice paper is a notice of motion from the Leader of the House that calls on Parliament to adopt the report with some minor amendments, and The Nationals will be supporting that motion.

There is certainly a need to update and modernise the joint standing orders. The current standing orders were approved in 1893 and have been amended about three times — in 1904, 1915 and 1993 — but have never been fully and comprehensively reviewed since first adopted. Eleven existing joint standing orders will be deleted or replaced, and there will be a number of changes to such things as terminology. A lot of the standing orders were not written in modern English, and the committee and the staff have made sure that the terminology is now in plain English. The report also deals with some new procedures for joint sittings, such as the election of the chair, appointments of joint parliamentary committees and incorporating the current practice of sessional orders.

We also made some recommendations on how to deal with disputed bills which may become deadlocked in both houses of Parliament and how to improve the practice of conveying messages between houses. We recommended some changes to procedures regarding errors in bills. The Clerk of the Parliaments may now correct literal typographical errors in bills which have passed through both houses. There was some discussion about giving the Clerk such a responsibility, the Parliament not having seen the errors, so the Clerk will now report errors to both houses of Parliament.

There are some recommendations about access to joint parliamentary committee records. Documents of evidence which are over four years old and have not been tabled in Parliament for various reasons may now be transferred to the Public Record Office Victoria but must always remain the property of the Parliament. If any information in those documents is confidential or restricted, access will not be permitted until they have been in the custody of the Parliament for at least 30 years; then, if the Clerk finds that disclosure of the information is appropriate, it will go on the public record.

Changes to joint standing orders have been a long time coming. They reflect modern practices and procedures, and I hope that after debate in this house the report will be adopted.

Environment and Natural Resources Committee: energy services industry

Ms LINDELL (Carrum) — I would like to make some brief comments about the report on the inquiry into the energy services industry which was tabled at the end of June. Can I at the outset thank my fellow committee members, the Honourables Andrea Coote and Damian Drum — —

The ACTING SPEAKER (Mr Plowman) — Order! The honourable member must advise the house which report she is making a statement on.

Ms LINDELL — I am sorry, I have already done that. I clearly stated that it was the inquiry into the energy services industry.

The ACTING SPEAKER (Mr Plowman) — Order! The honourable member gave the title but not the committee.

Ms LINDELL — Thank you for your advice, Acting Speaker. It is a report from the parliamentary Environment and Natural Resources Committee into the energy efficiency services industry. I would like to thank again my colleagues in the upper house, the Honourables Andrea Coote, Damian Drum and Wendy Lovell, and my colleagues the Honourable Jeff Hilton in the other place and the members for Melton and Macedon for their enthusiastic contributions to this inquiry. I also thank the amazingly talented committee staff — executive officer Vaughn Koops, research officer Derek Benjamin and office manager Vanessa Thomas — for their exemplary performance during this inquiry.

It was in many ways quite a difficult inquiry. We made 27 recommendations that we felt would assist the energy efficiency services industry and which would promote the use of energy in Victoria. We all know it is vital that Victorians use less and become much more efficient in their use of electricity, and we will need a very vibrant and strong industry to help us do that.

One of the major difficulties of the inquiry was that there really is not a clear definition of the energy efficiency services industry. The things that help people save electricity in their homes are the design of houses, the fabrics, lighting, ventilation and glazing used, and how houses are orientated and plumbed. But many people in the building and construction industries do

not see themselves as having any role in the energy efficiency services industry, and that is something that must be addressed.

The committee found that the glazing industry is very conscious of the need to improve glazing in houses and buildings. Green Plumbers is a very successful program run by the plumbing association to upskill plumbers so that we can get into the recycling and reuse of grey water. The electricity associations are certainly aware of the need to further assist training organisations to become much more aware of their role in energy efficiency.

I will talk briefly about some of the report's recommendations. Recommendation 4 is that the national framework for energy efficiency look at establishing a rolling minimum energy performance standard wherever practicable. This is very important. We always need to strive for best practice in energy efficient appliances, and rolling minimum standards would help us do that. One of the other major recommendations is that we extend the Victorian government's 5-star ratings system to apply to major renovations and major pieces of fixed equipment and appliances. I thank all contributors to the report.

STANDING ORDERS COMMITTEE

Review of joint standing orders

Mr BATCHELOR (Minister for Transport) — I move:

That the joint standing orders and joint rules of practice as recommended by the Standing Orders Committee in its report on the *Review of the Joint Standing Orders of the Parliament of Victoria*, July 2006, be adopted to take effect from the start of the 56th Parliament, subject to the following amendments:

- (1) joint standing order 15, paragraph (3), after 'Chair of the Committee and' insert 'may elect'.
- (2) joint standing order 16, paragraph (3), omit 'Presiding Officer' and insert 'Presiding Officers'.

In moving this motion, I commend to the house the report of the joint standing orders committee of this Parliament. I pay tribute to its work and thank the individual members of the Legislative Assembly Standing Orders Committee and their colleagues in the other place. I also thank the Speaker for her leadership and her contribution to this process and the Clerk for his assistance, and the assistance of his very able team, in drawing together these recommendations.

In effect what we are doing today is revising and reviewing work undertaken in 1893 — that is almost

114 years ago. Not once during that 114 years has such a comprehensive review been undertaken of the joint standing orders of both houses of the Victorian Parliament. It is true they were amended in 1904, 1915 and 1993, but this is a comprehensive review — effectively the first that has been undertaken during those 114 years. People should feel proud of the work of all those who contributed to it.

There are a number of reasons why this review needed to be undertaken. Firstly, the current joint standing orders do not reflect a number of procedural changes that have occurred over the years. These are currently followed, but they are not reflected in the joint standing orders. Secondly, the joint standing orders contained a number of obsolete provisions, which were identified by the committee's work. Adopting this recommendation will result in their deletion. The third reason for conducting this review was to ensure that gender-neutral language was used, and also that plain English was used in the preparation and culmination of these new standing orders. Fourthly, it was established that additional standing orders needed to be considered in order to cover new procedures. Fifthly, new orders were required to replace some matters that were previously dealt with by sessional orders for each house.

Establishing the reasons for the review, the committee undertook a comprehensive task and then presented its report to Parliament. For example, new standing orders will deal with matters that have not been previously covered, such as the proceedings and rules of practice for joint sittings, the appointment of joint parliamentary committees and access to joint parliamentary records. It will, sensibly, enable changes to the year of citations for bills and other matters that have had to be dealt with on a case-by-case basis to allow the clerks to carry out the proper ordering of their work. The new joint standing orders provide for the establishment of joint parliamentary committees and establish procedures for joint sittings, presentations of joint addresses, making or amending joint standing orders and procedures for when a referendum or bill is required to be dealt with by a joint sitting under the Constitution Act.

One of the important things this committee has addressed is the new requirements that have arisen as a result of changes to the Constitution Act. In particular section 65G of the Constitution Act 1975 sets out procedures for dealing with or considering a disputed bill. Secondly, section 27A of the act is not yet operational but of course it will be operational once these standing orders come into effect for the new Parliament. Section 27A of the act provides for the filling of casual vacancies in the Legislative Council

when such vacancies occur after the new method of electing members to the Legislative Council first occurs at the next election.

In both cases where the act requires a joint sitting to be conducted the rules that govern those joint sittings are to be determined by the members who are at that joint sitting. While the statute provisions will prevail and require the members in attendance at any of those joint sittings that arise under sections 65G or 27A to adopt appropriate standing orders for each of those occasions, our Standing Orders Committee has very sensibly suggested the establishment of joint rules of practice which will be proposed. That will make the holding of any of those joint sittings of the Parliament much smoother than might otherwise be the case.

Members need to remember that we have not experienced a joint sitting of Parliament to deal with these types of issues. These are new provisions in our constitution and we are getting ahead and recommending practices and procedures so that when the occasion arises under either of those provisions members of the Parliament will, at a time of probably more heightened interest, have guidance as to how they should conduct their affairs. Hopefully they will follow that guidance and adopt that joint practice.

There are a number of other new provisions in these standing orders. They are set out very carefully in the report which accompanies the recommended proposals. I would recommend the report to members here and to future members who seek some guidance as to the intent behind any of these provisions, should they be the subject of future dispute. I do not think there will be but should that be the case the report accompanying the review by the Standing Orders Committee of the Parliament of Victoria provides very good guidance.

As members would notice from the motion I have moved there are two amendments relating to the joint standing committees. One relates to the election of a chair and the election of a deputy chair. The very clear intent of this amendment is, firstly, to make sure it follows the language of the establishing legislation, and secondly, to make it very clear that the election of a chair and the election of a deputy chair are separate elections and are to be carried out by the committee. I think the insertion of the term 'may elect' will help to not only clarify the intent but also continue the custom and practice of both houses when they meet jointly as a standing committee.

The second amendment deals with the release of documents from joint standing committees. There was an internal ambiguity in the structure of the

recommendation. This amendment makes it very clear that permission for the release of information and records from joint standing committees can be given by both presiding officers. I think that removes an ambiguity from the recommendation.

With those few comments I understand that this report comes with the unanimous agreement of all of the parties which contributed to the review. It is based on sense and rhyme and reason. I have no hesitation in recommending the report with these two amendments to this house. On the assumption this house agrees to the motion, we will let our views be known to the other chamber in this slightly amended form.

Mr KOTSIRAS (Bulleen) — The opposition will be supporting the motion moved by the Leader of the House. Being a new member of the Standing Orders Committee I need to thank some former members of the committee in the members for Benambra and Sandringham for the work they did in ensuring that the joint standing orders were reviewed and recommendations made.

As we have heard, the last time changes to these standing orders were debated was in 1893 — almost 114 years ago. Slight changes were made in 1904, 1915 and again in 1993. It was felt that this was an appropriate time to have a major review and make changes to the standing orders to make them more appropriate and relevant to today. The government has recommended two changes. The first changes the phrase 'Presiding Officer' to 'Presiding Officers', and the second replaces the term 'will elect' with 'may elect'. At first I was not too sure why the government had decided to do that; I would have thought it was important that the chair and deputy chair be elected at the first meeting. However, these recommendations have been made to ensure the smooth running of the Parliament. The opposition supports the changes before the house.

Mrs POWELL (Shepparton) — The Nationals will be supporting the motion moved by the Leader of the House. I was a member of the joint Standing Orders Committee as well as the Standing Orders Committee for the Legislative Assembly. I have been part of the review of the joint standing orders for quite a while so I understand first hand the comprehensive decisions that were made.

I would like to congratulate the Speaker for her leadership and her work on that committee, and the parliamentary officers, the Clerk of the Parliaments, Mr Ray Purdey, and the Deputy Clerk of the Legislative Assembly, Liz Choat. I know they put a lot

of work into cross-referencing and looking at practices in other jurisdictions to make sure Victoria has a comprehensive set of standing orders for both houses of Parliament. We found that this review was definitely needed to make sure standing orders were put in place for meetings of the two houses. The committee's report reflected those recommendations.

The Nationals will be supporting these recommendations and the report of the Standing Orders Committee. I look forward to being in this house as part of the 56th Parliament when these standing orders are put in place.

Motion agreed to.

SURVEILLANCE DEVICES (WORKPLACE PRIVACY) BILL

Second reading

Mr HULLS (Attorney-General) — I move:

That this bill be now read a second time.

In October 2005, the Victorian Law Reform Commission (VLRC) delivered its final report on workplace privacy. The VLRC's report was the culmination of the first comprehensive review of workplace privacy laws undertaken in Australia.

This bill implements a key recommendation of the VLRC's report. The VLRC recommended that the surveillance of workers by their employers in areas such as workplace toilets and change rooms be prohibited.

All workers deserve to be treated with dignity in the workplace. Workers should feel secure when they are in a work change room or bathroom. They should feel safe in the knowledge that they will not be observed by prying eyes.

The government recognises that some employers rely on surveillance to protect their property and staff. However, surveillance of workers in private areas such as workplace toilets is generally unacceptable to the community. These are areas where workers expect, and are entitled to, a high degree of privacy and which are deserving of special protection.

I now turn to the details of the bill.

The bill amends the Surveillance Devices Act 1999 to prohibit employers placing workers under surveillance, using an optical surveillance device or listening device,

in workplace toilets, washrooms (including shower and bathing facilities), change rooms and lactation rooms.

It is not intended that the bill affect the existing prohibitions on the use of optical surveillance devices and listening devices in the Surveillance Devices Act but to enhance them.

The bill applies to all Victorian employers, whether they are partnerships, businesses or companies. It applies across the public and private sectors.

The government believes that all workers are entitled to privacy in private workplace areas. Therefore, the bill not only protects the privacy of employees in these areas but also other people who may be engaged by an employer, such as volunteers and independent contractors. However, the bill is not intended to cover domestic arrangements where householders engage baby sitters or trades people. The existing provisions of the Surveillance Devices Act would continue to apply to protect people engaged by householders from unwanted surveillance.

The Surveillance Devices Act currently offers some protection against unwanted surveillance in limited circumstances. It does so by prohibiting third parties from using a surveillance device to observe or record a person's 'private activities' or 'private conversations' without the person's consent.

While these prohibitions may apply in the workplace, the nature of the work relationship between employer and worker can make it difficult for workers to withhold their consent to surveillance.

The bill clarifies this position by making it an offence for employers to conduct surveillance of workers in private areas in the workplace, even with a worker's consent.

The government recognises that there may be very limited circumstances when surveillance in private areas of the workplace is necessary. For example, an employer may suspect that a worker is involved in some kind of illegal activity in a work washroom or toilet and wishes to use surveillance to gather evidence. In such cases, the bill permits an employer to seek the assistance of the police to conduct surveillance under a warrant or emergency authorisation.

The information obtained from surveillance in these circumstances is 'protected information' which must be handled in accordance with part 5 of the Surveillance Devices Act. The bill makes it an offence to communicate or publish this information in other ways.

The bill also permits surveillance in accordance with a law of the commonwealth, such as a law dealing with national security issues. Subsequent publication and communication of any information obtained in this way must also be authorised by the relevant commonwealth law.

Finally, the bill takes account of existing liquor licensing arrangements. Liquor licences may require surveillance to be installed anywhere in hotels, clubs and other 'high risk' licensed venues. Venues which trade late at night are generally regarded as 'high risk'. Surveillance in these venues is for the protection of staff and patrons and to combat problems associated with drug and alcohol abuse. For this reason, the bill allows for surveillance in accordance with the conditions of a liquor licence. The information obtained from the surveillance must be used in accordance with licence requirements.

The bill is the first stage in developing a more comprehensive regime to protect privacy in the workplace. It seeks to achieve a balance between protecting the privacy of workers in private workplace areas and enabling employers to operate their businesses and protect their interests.

The Standing Committee of Attorneys-General will be considering a nationally consistent approach to workplace privacy. If SCAG cannot agree on an approach, this government will consider how best to protect the privacy of Victorian workers.

I commend the bill to the house.

Debate adjourned on motion of Mr McINTOSH (Kew).

Debate adjourned until Wednesday, 23 August.

Sitting suspended 1.02 p.m. until 2.02 p.m.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Hospitals: waiting lists

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer the Premier to the case of 11-year-old Georgia Duncan. Georgia has a rare genetic condition. She is unable to walk and is unable to attend school on a regular basis, and she is required to take pain-killers every day. She is waiting for critical orthopaedic surgery, and her family has tried every available avenue to get urgent treatment. I ask: what is

it that the Premier, and indeed every member of the house, can do to get Georgia off the waiting list today?

Mr BRACKS (Premier) — I thank the opposition leader for his question. As I indicated yesterday and reiterate today, our government has done more than any other government in Victoria's history to increase the number of patients being treated in Victoria's health system. We have something like an extra 300 000 patients who are now treated in Victoria over and above the number of patients who were treated in 1999.

We certainly care about everyone on the waiting list in Victoria, and we will do everything we can to ensure that their procedures are done in a timely way. If there is any capacity for a clinician to reassess the case, then that is available in relation to any urgent surgery that is required. That is the course of action which is available.

I believe we in this state are best able to deal with the requirements of a modern health system, and proof positive of that is the assessment which the Australian government, the Productivity Commission, has given to the efficiency and effectiveness of the health system and the inputs we have put in, which have resulted in more patients being treated and one of the best performances of any state in Australia in relation to the health system.

We also believe that much more needs to be done, and that is exactly why we will continue to invest in the health system. We understand the problem, and we believe we are best able to tackle it. Understanding it means caring, and caring means understanding exactly where the health system is. You do not understand or care if you think somehow the previous government reduced waiting lists. You do not care at all if you think somehow that a previous government reduced waiting lists when in fact the number on the lists went up 10 000 during the period of the last government. We will continue to work — —

Mr Cooper — On a point of order, Speaker, the question to the Premier asked him to address the issue of Georgia Duncan. He has not addressed that; he is now attacking the opposition. I ask you to bring him back to the question and ask him to address the issue of 11-year-old Georgia Duncan.

The SPEAKER — Order! In relation to the point of order, I ask members when they raise points of order to address the house correctly. I ask the Premier to return to answering the question.

Mr BRACKS — I believe we are best able to deal with waiting list and waiting time issues. We have

proved our capacity by the treatment of extra patients and by the 83 per cent increase in investment in our health system in Victoria, which is an increase of some \$2.9 billion since 1999. I reiterate that if there is an opportunity for a clinician to examine this case, that would be something we would be happy to facilitate. If that clinician deems that there is an urgent case required, of course there is always that capacity in each case.

Docklands: local governance

Mr JENKINS (Morwell) — My question is to the Premier. I refer the Premier to the government's commitment to restoring democracy to Melbourne's Docklands precinct, and I ask the Premier to update the house on how the government is delivering on that commitment.

Mr BRACKS (Premier) — I thank the member for his question. Our commitment was to return, under a democratically elected council, the Docklands precinct in a timely way. I am very pleased to say that that commitment is being met with a decision of the council of the City of Melbourne, which indicates that the council will be taking over the Docklands precinct with the support of our government on the due date — that is, before the elections in November 2008.

This is consistent with our government's policy in relation to restoring democracy in local government. We enshrined local government in the Victorian constitution for the first time in our state. We have not described local government as simply a postbox or a creature of the state, which was the description of the previous government when it moved to take out democracy and bring in administrators to run local government in this state. We have steadfastly ensured that local government had the authority of a third tier of government to undertake their own policies in relation to their own democratic mandate.

I am very pleased to say that this orderly transfer of the Docklands precinct to the City of Melbourne will also mean that rates in the city of Melbourne do not need to go up, which is good news. It will mean effectively that something like a revenue base starting at \$8.3 million and going up over the next 10 years to \$37.3 million will be available to the City of Melbourne to provide services and facilities. They will inherit some \$200 million worth of assets in roads, tram links and other key facilities which have been developed by our government over the period that we have had stewardship of the Docklands. Therefore they will be in a very good position to maintain a competitive rate base, to offer good services and to have a

democratically elected council for residents of the Docklands precinct. They will have the cooperation and support of our government to ensure that for the first time they will have a say in the affairs in which they are involved.

I am very pleased to see that the next stage of our efforts to restore democracy in local government around Victoria is being realised, and I look forward to the decision made by the delegated council committee last night being reaffirmed tomorrow by the council. If that is the case, of course we will follow that up with legislative arrangements to ensure that there is a democratically elected council for the Docklands precinct for the first time.

Minister for Agriculture: fishing licence

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Agriculture, who is the minister responsible for fisheries. I refer to government legislative initiatives that require anglers to purchase a recreational fishing licence to fish in Victorian waters. I further refer to the minister's much-publicised efforts to catch a fish in the Nicholson River last week. Can the minister tell the house the expiry date of his recreational fishing licence?

Mr CAMERON (Minister for Agriculture) — I thank the Leader of The Nationals for his question. It is about time he showed a bit of interest in fisheries. I will tell you what the Honourable Bill Baxter, a member for North East Province in another place, said at the Public Accounts and Estimates Committee when we had to talk about fisheries. We were talking about stocking, and he said, 'Why should that happen? Why should that come from the budget of the Department of Primary Industries?'. I have to tell you, this attack on fishing is unacceptable to Labor!

Mr Ryan — On a point of order, Speaker, on the question of relevance, I may be wrong, but I detect an attempt to deflect the question. I simply ask the minister to answer the question that I asked him.

The SPEAKER — Order! I find I must uphold the point of order. I ask the Minister for Agriculture to return to answering the question.

Mr CAMERON — I thought that was a sinker, Speaker! It was a great pleasure to be at the Nicholson River last week with the honourable member for Gippsland East. While Labor supports fishing, I have to also say that the honourable member for Gippsland East is a keen supporter of the fishing measures that we have put in place. We regularly hear from the honourable

member for Gippsland East about making further advances when it comes to fishing in East Gippsland.

I enjoy fishing — I enjoy speaking, too — and my family enjoys fishing, and I enjoy going fishing with a recreational fishing licence. If the Leader of The Nationals wants to know the date that it expires, I bought a new one about six weeks ago, so I would have to say that it expires in 52 weeks less 6 weeks, which on a rough reckoning is in 46 weeks time.

Courts: infrastructure

Ms MUNT (Mordialloc) — My question is to the Attorney-General. I refer the Attorney-General to the government's commitment to improving access to the justice system in a manner that is in touch with the needs of the local community, and I ask him to update the house on how recent initiatives to invest in court infrastructure are a demonstration of that commitment.

Mr HULLS (Attorney-General) — I thank the honourable member for her question. Since coming to office we have certainly delivered on our commitment to rebuild Victoria's justice system after years of neglect under the Kennett government. I refer to initiatives like the \$16.7 million Mildura courthouse, the new \$15.5 million Warrnambool court and the soon-to-be opened \$37.2 million Latrobe Valley police and court complex. They will certainly result in modern, state-of-the-art facilities that are very important to victims of crime and their families, to all users of the justice system and, indeed, to the community generally.

We have also updated courts, and we have upgraded the Bendigo court, the Wangaratta court and the Horsham court. The statewide courts construction program carried out over the last few years actually represents a commitment in investment of over \$100 million to improving access to justice right around the state. These courts certainly provide vital community services, including such things as alternative dispute resolution, welfare and other support services such as counselling, crisis accommodation and mental health service referrals, as well as dispensing justice in civil and criminal matters.

I recently had the pleasure of inspecting the site of the development of the new Moorabbin court complex, another important Bracks government initiative. Due for completion in December of this year, this \$28.2 million investment features vital services for the south-east of Melbourne. This is a very important complex. It will be a state-of-the-art facility and will feature six courtrooms. It will have magistrates courts

and a children's court, and Victorian Civil and Administrative Tribunal matters will be heard there. There will be the latest, state-of-the-art technology, including videoconferencing facilities. Also, from a planning point of view, it is an ecologically sustainable design.

We would all agree that the people living in the south-east deserve the best justice facilities available. I want to take this opportunity to thank the members for Bentleigh, Oakleigh and Mordialloc for their advocacy and support of this very important facility.

I would have thought that gone were the days when people actually opposed modern justice facilities. I would have thought that gone were the days when people actually held archaic views about justice, including the view that new courthouses actually make people feel less safe in their community. I would have thought those days were gone! I would have thought that gone were the days when people took the view that new court developments meant that we would have more criminals coming to our area, bringing higher crime rates. They are archaic views, and if those views were not so serious, they would be laughable.

I just happen to have read those views, not in the year 1906 but in the year 2006. They are the exact views put out in a press release, no doubt sanctioned by the Leader of the Opposition, by the candidate for Mordialloc.

Mr Cooper — On a point of order, Speaker, I refer to previous Speakers' rulings that ministers are required to answer questions in relation to government administration and not to use questions as a vehicle to attack the opposition or other candidates.

The SPEAKER — Order! I uphold the point of order. I ask the Attorney-General to return to answering the question.

Mr HULLS — Just to make it clear, it is the Liberal candidate for Mordialloc.

These are outdated and outmoded views of the justice system. Whilst the Bracks government is very proud of its record, it has opened, is about to open or indeed has refurbished some 13 courts around this state. It will continue to modernise our justice infrastructure. That stands in stark contrast with the previous Kennett regime, which actually closed 13 courts in this state.

Mr Cooper — On a point of order, Speaker, the minister has now been speaking for well over 5 minutes, even though a point of order was taken. The

reality is that he is now straying back into attacking the opposition.

The SPEAKER — Order! The Attorney-General has concluded his answer.

Hospitals: waiting lists

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer the Premier to 48-year-old fencing contractor Mr Roger Henriksen, who is suffering from a severely damaged spine and is unable to work as he is incapable of walking more than a few steps. Mr Henriksen has been forced to wait 12 months just to get on the waiting list for surgery. His urgent surgery was scheduled for 19 July this year, but it was cancelled two days before that date, with no new date scheduled. I ask what action the Premier will take to guarantee that Mr Henriksen receives the urgent surgery he requires.

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. The action the government will take will be to employ more nurses, to open more hospitals and to restore more hospitals. The action it will not take is to close hospitals and sack nurses and doctors.

Our health system has treated 300 000 more patients and the government has injected 83 per cent more funding into the health system, but it has not finished yet. We believe we are best placed to deal with the issues raised by the opposition leader. We understand the opposition's track record. It cannot be trusted on health, just as it cannot be trusted on the opposition leader's figures on waiting lists.

Ambulance services: funding

Ms NEVILLE (Bellarine) — My question is to the Minister for Health. I refer the minister to the government's commitment to improving ambulance services in Victoria now and into the future, and I ask the minister to detail for the house the most recent example of the government's delivering on that commitment.

Ms PIKE (Minister for Health) — I thank the member for Bellarine for her question. Victoria has an ambulance service that rates amongst the best in the world. Of course that is a very different scenario from the one we inherited in 1999, when there was nobody in Victoria who did not think our ambulance service was a basket case.

We have been gradually rebuilding that ambulance service by providing additional funding of about

112 per cent. This investment has yielded the following improvements: we have employed 652 extra paramedics; we now have 54 extra ambulance vehicles on the road; we have upgraded air ambulance services, including the provision of four new aircraft and the revamping of helicopters at Essendon and Morwell airports; and we have a new ambulance helicopter service in Bendigo.

Dr Napthine interjected.

The SPEAKER — Order! The member for South-West Coast should stop his continual interjecting.

Ms PIKE — Our ambulance paramedics are now amongst the most highly qualified in the country, including having now been trained in advanced life support skills. This means that while case loads are up — 64 000 additional emergency services in metropolitan Melbourne and 30 000 extra emergency services in rural areas — response times are on target. We are providing extra resourcing, we are treating many more people, yet we are maintaining a very solid, well-resourced, experienced and expert system. We have upgraded 44 ambulance stations — 35 in rural Victoria and 9 in the metropolitan area — and they now have two-officer crewing capacity. On top of the upgrading of the facilities, there are now 23 brand new ambulance services — 15 in metropolitan Melbourne and 8 in rural areas.

Just last week I was with the member for Bellarine at Ocean Grove, and we turned the first sod for a brand new 24-hour ambulance station in that growing town. This year's state budget further boosted ambulance services by providing additional capital funding. On top of that, of course, we have also provided funding to replace the old radio network with high-tech voice and data services and, in addition, the computer-aided dispatch system. I am spending a lot of my time opening new ambulance stations.

In the next couple of months I will be visiting Kilmore, Seymour and Mooropna with the member for Shepparton. I will also be visiting Hartwell with the member for Burwood. The member for Hawthorn is invited, and I hope he will enjoy the occasion. We all remember Intergraph.

Honourable members interjecting.

The SPEAKER — Order! The level of conversation is far too high. I ask members to be quiet and to allow the Minister for Health to conclude her answer.

Ms PIKE — We all remember the times when you would probably have had more luck dialling a pizza than you would have had dialling an ambulance. But we have restored community confidence in ambulance services, and that is because we care about the community. We know there is a lot more work to be done, but it has been a massive task rebuilding, investing dollars and putting extra resources into a very essential service for our community.

Snowy River: environmental flows

Mr INGRAM (Gippsland East) — My question without notice is to the Premier, and it is in relation to the delivery by Snowy Hydro Ltd of the Snowy River's environmental flows. Given that independent legal advice has confirmed that for the past six months Snowy Hydro has been in clear breach of its water licence and that this breach has exacerbated the pollution incident of last week, I ask what action the Victorian government has taken to ensure that Snowy Hydro Ltd does comply with its environmental flow obligations as contained in the Snowy water licence, which the company is so deliberately flouting.

Mr BRACKS (Premier) — I thank the member for Gippsland East for his question, and I also thank him for the continual effort he is putting in on behalf of the community of Victoria in ensuring that we have strong environmental flows in the Snowy River. The work he has been doing has been second to none. The issue is on the agenda largely as a result of the work of the member for Gippsland East.

The government and I share with the member for Gippsland East his concern about the spillage of sediment from the Jindabyne dam works which has recently occurred. I think this goes to the very heart of the argument the Victorian government has put to the New South Wales government in relation to proper scientific studies that should occur in relation to the Mowamba aqueduct. The member would be aware that I have written to the New South Wales Premier, Morris Iemma, on this matter and indicated that I would like science to be the prevailing view about whether the aqueduct was allowed to — —

Mr Smith — Why do you care?

The SPEAKER — Order! The member for Bass will cease interjecting.

Mr BRACKS — We know the member for Bass would dam the Snowy River, he would dam the Mitchell River and he would dam every river in the

state. We know where he stands. At least we know where he stands!

Mr Smith interjected.

The SPEAKER — Order! I ask the member for Bass to cease interjecting.

Mr BRACKS — He was provoking me.

The SPEAKER — Order! I ask the Premier to cease responding to interjections and to return to answering the question.

Mr BRACKS — I am concerned. Again, one of the reasons I wrote to the New South Wales Premier was to ensure that we establish a scientific advisory committee as a matter of urgency. If this were around the scientific study rather than engineering works, we would not have this problem. We will also take the matter up with the New South Wales government to see if licences have been breached. We will do that directly. If they have, action will be taken under the existing arrangements, as you would expect.

The recent episode is further evidence that we need this scientific group established. We need to have the representatives from New South Wales in place. We have indicated that we have two representatives ready to go to establish this group. If science were running this and not engineering works, we would not have this problem. We are concerned about it. We will certainly take this up with our counterparts in New South Wales.

Manufacturing: government initiatives

Mr MERLINO (Monbulk) — My question is to the Minister for Manufacturing and Export. I refer the minister to the government's *Maintaining the Advantage — Skilled Victorians* statement and ask the minister to update the house on how government initiatives are helping Victorian companies in the manufacturing sector recruit skilled labour.

Mr HAERMEYER (Minister for Manufacturing and Export) — I thank the member for his interest in an industry which employs 330 000 Victorians, is the largest full-time employer in the state and which produces \$30 billion worth of wealth for the Victorian economy every year. We have a skills shortage, not just here in Victoria and not just here in Australia — it is global. Even China, with 1.3 billion people, is experiencing a skills shortage.

An honourable member interjected.

Mr HAERMEYER — It has a huge skills shortage! At the same time Victoria has been performing very well. As we heard yesterday from the Minister for Education and Training, the number of apprentices and trainees in training has nearly doubled since this government came to office. The number of completions has more than tripled. At the same time Victoria has the lowest skilled vacancy rate — —

Dr Napthine interjected.

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

Mr HAERMEYER — Victoria has the lowest skilled vacancy rate of any state in Australia, but we cannot rest on our laurels. We understand and know that more needs to be done as far as addressing skills goes, because addressing the skills shortage is really about our global competitiveness and it is about our ability to attract investment. That is why this government has heavily invested in skills through the *Maintaining the Advantage — Skilled Victorians* statement, which is a \$241 million investment in skills availability and in the quality and relevance of the skills that this state provides. Yesterday the education minister dealt with the educational side of it, but this statement is particularly relevant for manufacturing in this state. We have made it a priority. We have \$10 million going to employers and manufacturers to help them focus on issues like work force planning, attracting and retaining a skilled work force, skilling options and cost effective training investment.

We have also quite heavily invested in our careers in manufacturing program, which has now gone out to 280 schools in Victoria. It is about changing that sort of old, outdated perception of manufacturing, which is that it is about smokestacks and low-skilled and repetitive work. There are exciting and interesting careers available in manufacturing. This morning I opened the Association for Manufacturing Excellence conference in Ballarat — —

Mr McIntosh interjected.

The SPEAKER — Order! The member for Kew!

Mr HAERMEYER — Ballarat was one of the boom towns of the gold rush. Right now we are going through a second gold rush, which is basically the resources boom. Like the gold rush, one day the resources boom will come to an end. We are going to have to go back to relying on our manufacturing sector to produce jobs and wealth. I have just outlined our plan. Our plan is about investing in the imagination, investing in the skills, and investing in the creativity,

the ingenuity and the enterprise of our people. I think that is the future of our manufacturing sector. That is the future for our state. What we want to know is: where is the opposition's plan?

Hospitals: waiting lists

Mrs SHARDEY (Caulfield) — My question without notice is to the Premier. I refer the Premier to Mr Ken Luder of Leongatha South who suffered a stroke in early 2005. Mr Luder was assessed by a surgeon in June 2005 and was forced to wait until 27 July 2006 for life-saving surgery. However, at the last minute — —

Ms Campbell interjected.

The SPEAKER — Order! The member for Pascoe Vale will be quiet.

Mrs SHARDEY — However, at the last minute his surgery was cancelled and as of today has not been rescheduled. Given the Premier's statement that the government cares about patients — —

Mr Andrews interjected.

The SPEAKER — Order! I remind the member for Mulgrave that he is required to be quiet while members are asking questions. I ask him to cease interjecting.

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition!

I warn the member for Mulgrave that if he continues to interject in that manner, I will remove him from the chamber.

Mr Cooper interjected.

The SPEAKER — Order! The member for Mornington! I am on my feet. I ask members to be quiet to allow the member for Caulfield to ask her question.

Mr Cooper — On a point of order, Speaker, the member for Mulgrave made an outrageous accusation that this issue — —

Honourable members interjecting.

The SPEAKER — Order! The member for Mornington is entitled to make his point of order regardless of whether members on the government side agree with him or not. I ask them to show him the courtesy of being quiet until he completes it.

Mr Cooper — The member for Mulgrave made an outrageous accusation that the content — —

Mr Haermeyer interjected.

The SPEAKER — Order! I warn the Minister for Manufacturing and Export.

Mr Cooper — The content of the question by the member for Caulfield — —

Mr Andrews interjected.

Questions interrupted.

SUSPENSION OF MEMBER

The SPEAKER — Order! I ask the member for Mulgrave to leave the chamber for half an hour.

Honourable member for Mulgrave withdrew from chamber.

Mr Cooper — Speaker, the accusation was that the content of the question of the member for Caulfield has been fabricated. I ask you, Speaker, to get him to withdraw and apologise for making that accusation.

The SPEAKER — Order! I will take on notice what the member for Mornington has said. As I have just removed the member for Mulgrave from the chamber, I have some practical problems with that.

Ms Campbell — On the point of order, Speaker, the claim made by the member for Mornington is false. I am sitting a few seats from the member for Mulgrave. I heard exactly what he said. The member for Mornington has misled this house.

Mr Cooper interjected.

The SPEAKER — Order! The member for Mornington is on a warning from this morning. If I hear him interject again, I will remove him from the chamber. As is the normal practice I will check the *Hansard* record. The member for Caulfield, to ask her question without interjection.

Questions resumed.

Mrs SHARDEY (Caulfield) — My question without notice is to the Premier. I refer the Premier to the case of Mr Ken Luder of Leongatha South who suffered a stroke in early 2005. Mr Luder was assessed by a surgeon in June 2005 and was forced to wait until 27 July 2006 for life-saving surgery. However, at the last minute his surgery was cancelled and as of today, it

has not been rescheduled. Given the Premier's statement that the government cares about patients, when will he take action to ensure Mr Luder receives immediate life-saving treatment?

Mr BRACKS (Premier) — I thank the member for Caulfield for her question. If you care about the health system, you invest in it — it is very simple. If you care about the health system, you provide more resources, more doctors, more nurses and better medical treatment. We have been providing care for something like 300 000 extra patients. Our government has invested 83 per cent more in the health system and it will do even more in the future. You care about it when you invest in it, and that is our commitment for the future.

Ms Campbell interjected.

The SPEAKER — Order! I warn the member for Pascoe Vale.

Rural and regional Victoria: government initiatives

Mr MAXFIELD (Narracan) — My question is to the Minister for State and Regional Development. I refer the minister to the government's *Moving Forward — Making Provincial Victoria the Best Place to Live, Work and Invest* statement and ask him to update the house on recent initiatives to grow provincial Victoria.

Mr BRUMBY (Minister for State and Regional Development) — Last November the Premier and I released *Moving Forward — Making Provincial Victoria the Best Place to Live, Work and Invest*, the government's \$502 million plan to create more jobs, opportunity and prosperity across provincial Victoria. It builds on the work of the Bracks government in its first six years, turning around the legacy of the former Kennett government. It is a matter of some pride that in six and a half years in government we have seen something like 96 000 additional people employed in country Victoria. If you compare that to the 1990s during the period of the whole of the Kennett government, 40 000 people were employed over a longer period of time.

We have also seen record building growth and record population growth. *Moving Forward* is about building on those great foundations and putting in place sustained prosperity in provincial Victoria. On 28 July I was happy to be in Wangaratta — —

Mr Jasper interjected.

The SPEAKER — Order! The member for Murray Valley can take that up with the minister later.

Mr BRUMBY — I missed the honourable member on the day, I'm sorry.

Mr Jasper interjected.

The SPEAKER — Order! I ask the minister to ignore the interjections of the member for Murray Valley and answer the question.

Mr BRUMBY — I think the council organised the invitation. That is what it says — 'Meatworks will provide up to 500 jobs'. That's not bad! That is 500 jobs!

The SPEAKER — Order! I remind the minister and the member for Murray Valley that this is not actually a debate between them in the house. I ask the minister to return to answering the question.

Mr Jasper — I am happy to debate it with him.

The SPEAKER — Order! It is more likely that the member for Murray Valley will be removed from the house. I suggest that he be quiet or he will not be debating anything with anyone. The minister should return to answering the question.

Mr BRUMBY — I understand it could have been the federal member, Ms Sophie Panopoulos, who organised the invitations.

Honourable members interjecting.

The SPEAKER — Order! The minister should return to the question.

Mr BRUMBY — Fortunately, she was not there either. It was a positive announcement and I know all members would join with me in saying that. It is a Wagyu beef processing facility, with 100 per cent of production being for the export market. It is a very substantial investment with direct and indirect jobs amounting to 500.

In Shepparton the government was pleased to facilitate the expansion of SCS Plastics with a \$180 000 government grant resulting in 60 new jobs. From there I went to Ballarat where Titeline Drilling received a \$60 000 grant, resulting in 30 new jobs. In total more than 600 new jobs have been created in provincial Victoria. Prior to that, on 6 June, I announced 100 new jobs in Tatura with Unilever, and I said there would be more. That is exactly right. That is a good result for the state.

Last week, with the 48 mayors and chief executive officers from provincial Victoria, I launched the second stage of the Make Your Business Happen in Provincial Victoria campaign. This has been a campaign developed by provincial councils in partnership with the government. It has been an extraordinarily successful campaign and this aspect of the campaign is aimed at the business community with the message that provincial Victoria is ready for business.

We have appointed four business ambassadors: Rob Hunt, the managing director of Bendigo Bank; Alla Wolf-Tasker, the chief executive of the Lake House Restaurant in Daylesford; John King Senior, founder of the Ballarat-based J. G. King Homes; and Nigel Garrard, managing director of SPC Ardmona. This campaign has been endorsed by councils right across the state. It is a fantastic campaign. People who have seen the advertisements in Melbourne have said to me they are fantastic and promote regional Victoria as a great place to invest, work, live and raise a family.

The only group I have been able to find which opposes this campaign is the Liberal Party.

Honourable members interjecting.

Mr Cooper — On a point of order, Speaker, the minister is now starting to debate the question and using the question as a vehicle to attack the opposition. I draw your attention to the fact that even with the banter between the member for Murray Valley and the minister, the minister has now been speaking for close on 6 minutes.

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

Mr BRUMBY — It is a good campaign and it enjoys widespread support. Steven Wojtkiw, the general manager, economics and industry policy, of the Victorian Employers Chamber of Commerce and Industry, states:

... we see it as a very positive campaign ... regional Victoria — it's a good place to work and do business. And we see it as a positive initiative from the government.

Alla Wolf-Tasker said:

I think it is a very important campaign because it makes the regions sustainable ... and assists with growth.

Rob Hunt said:

The opportunities to run a successful business from country areas would only increase.

Cr Ross MacInnes, the mayor of Horsham Rural City Council, said:

Yes, promoting regional Victoria as somewhere to set up business is great.

I think they are strong endorsements. It is a great initiative and will mean more growth, more opportunities and more prosperity in provincial Victoria.

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

Mr Cameron — On a point of order, Speaker, during question time I advised that I recently purchased a one-year fishing licence. It was actually a three-year licence, so it expires two years later than I said.

The SPEAKER — Order! If the minister wishes to make a personal explanation, he has to clear it with the Speaker first!

MURRAY-DARLING BASIN (FURTHER AMENDMENT) BILL

Second reading

Mr THWAITES (Minister for Water) — I move:

That this bill be now read a second time.

The purpose of this bill is to approve and ratify an amendment amending agreement to the Murray-Darling Basin Agreement 1992.

As some members would be aware, the Murray-Darling Basin agreement is an agreement between the Commonwealth, NSW, Victoria, South Australia, Queensland and, more recently, the ACT that articulates how governments will work together to manage the environmental resources of the Murray-Darling Basin. In doing so, it creates both a ministerial council and a commission.

The Murray-Darling Basin agreement has been in operation since 1914 and over the years has been refined to reflect our better understanding of best practice water management.

A major improvement in water management occurred in 1994 when the original COAG water reform principles were adopted by governments. Since that time, it has become apparent that the Murray-Darling Basin agreement should be amended to better reflect these principles.

Negotiations between governments on the form of these amendments have extended over several years; however, final endorsement by the Murray-Darling Basin Ministerial Council was received last year.

The details of the agreed amendments are articulated in the Murray-Darling Basin Agreement Amending Agreement 2006, which was recently signed by relevant first ministers.

The amendment amending agreement will amend the Murray-Darling Basin agreement to:

enable improved business practices for River Murray Water, which is the commission's water business;

clarify Queensland's liability in relation to activities in which it has no part; and

include supplementary details and correct a minor typographical error in schedule C of the Murray-Darling Basin agreement — the basin salinity management schedule.

The first of these matters relates to the response of the Murray-Darling Basin Commission and ministerial council to the COAG water reform principles adopted in February 1994.

Specifically this involves enabling powers:

to establish and manage a long-term renewals annuity fund to provide for capital renewals and major cyclic maintenance: the intention of this amendment is to reduce the fluctuations in annual contributions and allow greater certainty for contracting governments in their financial planning;

for the commission, with council's approval, to undertake borrowings for the major renewals and cyclic maintenance previously mentioned;

for the council to reassign the management of critical infrastructure between the relevant state governments; and

for the council to increase, from time to time, the financial thresholds above which specific council and commission expenditure approvals must be obtained.

The second matter aims to put beyond doubt the extent of Queensland's liability.

Currently, the Murray-Darling Basin agreement does not specifically ensure that Queensland cannot be held liable in damages for matters in which it takes no part.

For example, Queensland plays no part in the management of the natural resources of the Murray and Lower Darling systems. Queensland should therefore not incur any liability in these matters.

Whilst the ministerial council has recognised this principle, the agreed view is that an indemnity should be enshrined in the Murray-Darling Basin agreement.

The third matter is to add to schedule C of the Murray-Darling Basin agreement, which is the basin salinity management schedule, a detailed description of the authorised joint works and measures approved and implemented by the council. Opportunity is also taken to adopt a typographical correction.

I commend the bill to the house.

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

Debate adjourned until Wednesday, 23 August.

WORLD SWIMMING CHAMPIONSHIPS (AMENDMENT) BILL

Second reading

Debate resumed from 8 August; motion of Mr PANDAZOPOULOS (Minister for Tourism).

Mr DELAHUNTY (Lowan) — I rise on behalf of The Nationals to speak on this important piece of legislation, the World Swimming Championships (Amendment) Bill. I can say upfront that The Nationals are very supportive of events, particularly sporting events, right across the state. We have seen a lot of those over the years, and I will come back to a few of those later.

This bill, as we know, will make arrangements for the Secretary of the Department for Victorian Communities to work with businesses and with the World Swimming Championships Corporation, chaired by Tony Beddison and its chief executive officer, Michael Scott, to make sure we facilitate these very important 12th FINA World Championships, which are to be held in Melbourne early next year.

The Nationals have consulted widely in relation to this. My colleague the Honourable Damian Drum in the other place provided a report to me and my colleagues on Monday night, and as a result we will be strongly supporting the recommendations in his report and this bill. The reason for that is the need to make sure these world swimming championships are of the same

standard as the Commonwealth Games, which were held here earlier this year, and, importantly, the very successful Olympic Games in Sydney, which were a great blueprint for events held here in Australia.

One of the key things at those two events was the support given to the community, the organisers, the participants and particularly the attendees by the volunteers. I am not sure if a lot of volunteers are going to be used at the world swimming championships, because they will be held at only three venues, but there will be a lot of people in Melbourne over that time. The grand prix will also be on at that stage, and I understand that the first week of AFL football will start around about then, so there will be a lot of activities here in Melbourne.

Mr Haermeyer interjected.

Mr DELAHUNTY — As the Minister for Manufacturing and Export says, we hope Essendon are doing better next year, but we will get a few draft picks in the lead-up to that.

We know the purpose of this bill is to amend the World Swimming Championships Act 2004 to provide for the management and regulation of the venues and areas to be used by the 2007 world swimming championships. There will be about 1000 swimmers coming from about 175 countries. It is my understanding that over 2000 athletes will be involved in the world swimming championships, which, as members know, will run from 17 March to 1 April.

I would like to record the fact — and I support the comments of the member for South-West Coast — that the championships will be held towards the end of the school term. My understanding, like his, is that the schools will still be operating, but it would be a great opportunity for some of the schoolchildren to get to some of the events that might not be selling so well — and more importantly, it would make sure that we had good crowds at these events. I understand that most of the finals will be in the evenings, so it might be appropriate for some of the schoolchildren to come along to the heats earlier in the day to support the stars, particularly our Australian stars. I will come back to that a little later. Importantly we want to make sure that our country schools are also represented. I call on the government to provide transport and assistance to allow our country students the opportunity to see these major events here in Melbourne.

The original act provided enforcement powers, and it also protected logos and images, and broadcasting, filming and advertising rights. As we know, a lot of

money will be put up by companies in relation to advertising. A lot of money will also be put up by filming organisations, and a lot of work will go into the broadcasting, so it is important to protect those things for the people who are paying the money. Importantly we must also make sure that we maintain our own high standards in putting on major events here in Victoria.

The world swimming championships are a very prestigious event held every second year. In 2005 they were in Montreal, and I understand they will be held in Rome in 2009. Our swimmers are highly regarded, as we saw at the Sydney Olympics and even more so at the Commonwealth Games. We have a proud history in aquatic sports going back to people like Dawn Fraser, Jon Konrads, Murray Rose and Shane Gould. It has been amazing to see Shane Gould come back to swimming in the last couple of years. Lately we have had superstars like Kieren Perkins, Ian Thorpe, Grant Hackett, Susie O'Neill, Petria Thomas and Victoria's own Brooke Hanson. At the 2004 world short course championships in Indianapolis Brooke won six gold medals, a fantastic achievement. I have met this young lady, and she is a real ambassador for this state. I congratulate her on her achievements and also her coaches, who at that stage were Mark Thompson and Grant Watson.

At the Budapest championships held this year we saw the European countries really come to the fore. Superstars have come through the ranks in Germany, France and Britain, and all the European countries are getting very strong in swimming. I think that has come about because they are pinching some of our elite coaches. Even Britain is taking our good coaches.

Victoria has long been recognised as the sporting capital of Australia. We host not only the AFL Grand Final but also the Spring Racing Carnival, the Melbourne Cup, the Boxing Day cricket test, the Australian Open Tennis Championships and a major event in country Victoria, the Stawell Easter Gift. This week I was fortunate enough to go to the Sheepvention, another major event in country Victoria, which attracted 30 000 people over two days. Events are Victoria's forte. I often say that Victoria is bigger than Melbourne, and we want to see not only Melbourne but rural and regional Victoria benefit from these special events. Other major events such as Art Is, the Awakenings Festival, the Wimmera machinery field days and the Casterton Kelpie Festival also need support.

I am interested to know how councils in the area will take to some of the issues in this bill, because clause 8 prevents councils making local laws in relation to anything that can affect the championships. It particularly talks about any noise and light emanating

from the championships. Clause 9 deals with roads and gives the minister the power to temporarily close roads in connection with the works, events and activities of the championships.

Mr Haermeyer interjected.

Mr DELAHUNTY — Exactly! As the Minister for Manufacturing and Export said, these are the same laws that were brought in for the grand prix. I am glad he brought that up, because it was one of his colleagues who sits on the other side of the chamber from us, the member for Albert Park, now the Deputy Premier, who fought hard against the laws that were brought in to protect the grand prix. This legislation is very similar, and not only are we supporting it but all the parties are supporting it, because we all want to make sure that major events held in Victoria are of a very high standard and are not put at risk because of problems that come from left field.

Not only are these laws similar to those for the grand prix, they are also similar to the Commonwealth Games laws. It is my understanding that these championships are not being classified as a major event, and I am not sure of the reason for that. I would have thought they would have classified as a major event because of the ticket scalping problem we have. It is my understanding that that issue is not addressed in this legislation, and I would be interested to hear when the minister sums up at the end of debate why the championships do not have a major event classification under Victorian law so that issues like ticket scalping can be picked up. Such problems are an issue for AFL football grand finals — and particularly when Essendon is playing — and also for other events like the Commonwealth Games.

Clause 9 talks about the operation of the Australian grand prix, in which the Secretary of the Department for Victorian Communities (DVC) will have a major say. My understanding is that if there is a conflict between the grand prix and the world swimming championships, it will fall to the two ministers involved to resolve. Clause 9 goes on to talk about the management of the championships. New section 50S requires the secretary of the DVC to restore venues to a reasonable condition following any major event. Clause 11 deals with behaviour of people at venues.

Business interrupted pursuant to standing orders.

The SPEAKER — Order! The time has come for me to suspend standing orders to enable four members to make statements relating to care leavers. The member for Lowan will be able to continue his comments afterwards.

CARE LEAVERS: GOVERNMENT APOLOGY

Mr BRACKS (Premier) — I thank the house for its permission to proceed on this matter today.

The government of Victoria welcomes the report of the Senate Community Affairs References Committee, *Forgotten Australians*, which was tabled in the Senate on 30 August 2004, as it offers an opportunity to offer a public statement of apology about some of the past practices in the provision of out-of-home care services in Victoria.

The report provides a detailed picture of the life experiences of many people who as children spent all or part of their childhood in institutional care across Australia. The experiences of many of these children were distressing and have had an enduring detrimental effect on their lives. The Victorian government believes it is important that these histories are known, are heard and are acknowledged. The government is working hard to ensure that those unacceptable past practices are never ever again experienced by any Victorian child.

We acknowledge that there have been failures with respect to many children entrusted to care. As a result of being placed in care, many of these children lost contact with their families.

The state, the churches and community agencies cared for thousands of children over the years. For those who were abused and neglected, the message we wish to give to them is that we acknowledge their pain and their hurt.

We are also committed to working together with survivors of abuse and neglect in care to promote the healing process.

We take the opportunity provided by the release of this report to express our deep regret and apologise sincerely to all of those who as children suffered abuse and neglect whilst in care and to those who did not receive the consistent loving care that every child needs and deserves.

Interjections from gallery.

The SPEAKER — Order! I ask the gallery to be quiet.

Mr BAILLIEU (Leader of the Opposition) — The Senate report of August 2004, *Forgotten Australians*, concluded unanimously that many children who spent their childhood in state care in Victoria were the subject of significant abuse. The opposition is appalled by the

abuse of children — anywhere, any time. The abuse of a child — whether it is physical, mental or sexual — is abhorrent to us all. When such abuse takes place under the care of the state or organisations acting on behalf of the state, it is even more shocking.

On behalf of the Liberal opposition I support the apology offered by the Premier on behalf of all Victorians to those who have suffered while previously in the care of the state. We offer to those children, most of whom are now adults, our full support. Those who have not suffered the trauma of abuse can only imagine the pain involved, both at the time and, sadly, for years afterwards. The impact on the lives of those affected has clearly been profound. We can only hope that today's events will help them to accept today's apology and the goodwill accompanying it.

It may never be determined how many individuals have been affected by this unacceptable abuse. However, what can and must be done is clear. The Victorian government must provide a comprehensive range of counselling and support to those who have suffered. We trust the government will move quickly to clarify those concerns.

We want to assure those who have suffered and their families that if we are elected to government, we will undertake immediate and comprehensive consultation with those affected to ensure that needed services and support are provided where and as required.

Those who have suffered have been forgotten for too long, and we are committed to doing all we can to assist them. We openly recognise the trauma and ongoing emotional torment of these events, and we deplore the actions of those who misused their positions of trust. Their actions were unacceptable and unforgivable. All criminal activities involving the abuse of children must be fully investigated and perpetrators brought to justice — regardless of when that abuse took place.

The most important legacy we can provide for victims of abuse is our resolve to do all we can to ensure such abuse is never repeated. We must do all we can to prevent abuse of any child and to ensure those affected have our ongoing support.

While there were people who abused their positions of trust, we acknowledge that the majority of care workers have exercised and continue to exercise their duties with professionalism, commitment and compassion. Their vocation is honourable and much appreciated. They provide an essential service to our community, and we thank them.

Again on behalf of the Liberal opposition I join this apology to those who were abused while in the care of the state. We commit to ensuring all children in Victoria, and particularly those for whom the state has direct responsibility, are given the opportunity to have happy and healthy childhoods.

Mr RYAN (Leader of The Nationals) — The Nationals endorse the apology that has been extended today by the Premier and endorsed by the Leader of the Opposition to those who have suffered appalling ill-treatment in the course of the so-called care that was extended to them over decades past.

The document *Forgotten Australians*, which was produced as a result of Senate committee investigations is compelling. It tells the tale of some of the 500 000 people, or thereabouts, who were placed in care of various forms over past decades, particularly, by definition, during the last century. It is an appalling tale of abuse and misuse of the people who were subjected to that process. It is a period of shame in Australia's history.

One cannot help but particularly feel the savagery that occurred for many of those involved, because at the time for the main part they were children — as young as 7 or 8 and, in many stories, ranging through to 14, 15 and 16 years of age. To think that those who were entrusted with the care of these children abused it in the way that these pages reflect — it is a disgrace! Accordingly, The Nationals strongly endorse the apology which has been extended.

However, I must say we think the job is only part done. We think the issue of compensation to these people must also be explored. The fact is that in other nations across the world — in Ireland and Canada in particular — steps have been taken within those jurisdictions to have appropriate regard to the issue of compensation. In the state of Tasmania *ex gratia* payments have been extended under a scheme which has been developed in that state. The statute law in South Australia has been amended to change the statute of limitations to enable claims of this nature to be investigated. We believe, therefore, that if we are going to deliver dignity and integrity to the people who have been subjected to this appalling treatment, the state of Victoria is also obliged to investigate a scheme or schemes which would deliver that justice to those people.

Finally, I pay tribute to the many people who for so many years and in so many instances have been faithful to the cause of looking after those in their care. One would hate to think this whole debate proceeds on the

basis of some sort of misunderstanding, that those who have extended that care on a fair and proper basis have done other than just that — that is, done it on a fair and proper basis. Nevertheless, the intention of this apology is to reflect upon those who have been subjected to the appalling abuse to which this document refers. As I said, The Nationals strongly endorse the commentary by the Premier and by the Leader of the Opposition.

Ms GARBUTT (Minister for Community Services) — I rise to support the Premier and others in making an apology about past practices in the provision of care to people who were raised in Victorian orphanages and institutions.

The report of the Senate Community Affairs References Committee, *Forgotten Australians*, provides insight for us all into the past abuse and neglect suffered by many children who were entrusted to the care of the states in Australia. The Senate committee received many submissions that showed the care provided to these children in state, church or community facilities was sometimes abusive and often failed to meet the basic needs and rights of children for love, affection and nurturing.

This form of institutional care is now a thing of the past. Victoria no longer operates these institutions — the last government-run institution, Allambie, was closed in 1990. But whilst institutional care itself may be a thing of the past, its impact is not, and today recognises that. We have with us here today some of the people who lived through the experiences described in the Senate report. Some are here in the gallery, and others are viewing this via a video link-up in the parliamentary gardens. I know that today is of special significance for them.

I have met with care leavers and have heard of the devastating and long-lasting impact of their childhood experiences on them and their families and friends. We cannot imagine what it might have been like for a child to live through the experiences described in the Senate report. Today is about acknowledging the abuse and neglect of the past and apologising for it. My hope is that today's apology will help care leavers to know that their experiences are not forgotten and that the Victorian government deeply regrets their pain and hurt. I hope that hearing this acknowledgment and our formal apology is a small step along the path of healing for so many of the care leavers who are here today.

WORLD SWIMMING CHAMPIONSHIPS (AMENDMENT) BILL

Second reading

Debate resumed.

Mr DELAHUNTY (Lowan) — I was speaking on the World Swimming Championships (Amendment) Bill and highlighting that this bill will allow for the protection and, importantly, the good running of this major event here in Melbourne, for the sake of not only Victorians but also the many athletes who will come to Melbourne for this event between 17 March and 1 April next year. As I said earlier, my understanding is over 2000 athletes will be here for the championships.

I spoke earlier about the fact that the Commonwealth Games were held in Victoria earlier this year. Athletes from 71 countries attended. Australia won 71 medals in swimming, diving and synchronised swimming. The library was good enough to provide me with some details. In the swimming area Australia won 19 gold, 18 silver and 17 bronze medals. It is interesting to note that England finished very close to us, with a total of 23 medals. However, it was pleasing to see that Papua New Guinea won its first gold medal at the Commonwealth Games. That was a great achievement for that small community to the north of us. In the diving Australia won 15 medals, followed closely by Canada with 9. It is interesting that in the synchronised swimming we won two medals, the same as Canada. These are the types of events that will be held here in Melbourne early next year.

I want to recognise some of the great achievements. Matthew Cowdrey won the 100 metres and the 50 metres freestyle. To see this elite athlete with a disability win those two events was well worth watching. Matthew Welsh won a silver medal in the butterfly. Matthew is getting on a bit for swimming these days but provided a very important silver medal for Australia and for him in his latter years of life. Michael Klim won medals in the butterfly and the relay. It was great to see the appreciation shown to him. He has been a great ambassador for swimming in Australia for a long time.

The 4x100 was the only gold medal Australia won in the men's area. It was interesting to note that in the absence of Ian Thorpe and Grant Hackett our men's swimming performance was below its normal level. There is a lot of work to be done before the world swimming championships are held here next year. It was the women who held Australia up, whether it be Libby Lenton, Jodie Henry or Alice Mills — all these

people did extremely well in their events. People such as Sophie Edington, Giaan Rooney and Tayliah Zimmer all did extremely well. One event which really stuck out for all of us were the relays. They are great to watch and I have no doubt that this will be the case when we come to the 12th FINA World Championships in March next year.

As I said earlier, this legislation mirrors the grand prix act and the Commonwealth Games legislation, which have facilitated excellent events here in Victoria. In the lead-up to the Commonwealth Games many councils across rural and regional Victoria adopted other countries. We wanted to make sure these people were welcomed in Victoria and Australia. I commend the councils which adopt other countries. Southern Grampians Shire Council adopted Botswana and many of its athletes went to Hamilton and travelled around the Southern Grampians area in the lead-up to the Commonwealth Games. They were very well hosted and very much appreciated, particularly by the schoolchildren they visited.

In the lead-up to the FINA world swimming championships I wonder if there is an opportunity for some of our councils to adopt other nations, even though many more countries will be participating — there could be between 175 and 200 countries represented. More important are the opportunities for these elite athletes to come to country Victoria to train. The Hamilton Indoor Leisure and Aquatic Centre is open now so the weather is not a problem. The Horsham Leisure and Aquatic Centre will be open by the end of the year. I know Mildura has an indoor centre and importantly it has a great diving platform for the divers to practice in that area. There are many opportunities for some of these elite swimming athletes to practice in country Victoria.

It is my understanding that Rod Laver Arena will have a drop-in swimming pool which will be transported in from Spain. I understand it will be 3 metres deep, as against the 2.8 metres of the pool used at the Commonwealth Games. It will be a sight to see.

Mr Mildenhall — A fast pool!

Mr DELAHUNTY — I will come to the member for Footscray's point about it being a fast pool. I am informed it will be a fast pool, to take up the interjection. I understand it will have one more lane than normal on each side and will be an extra 20 centimetres deep and therefore there will not be as much turbulence on other swimmers. It is my understanding that that is what they title a fast pool. We hope world records will be broken. If Aussies are

winning medals and world records are being broken it is a great sight not only for the people attending the event but also those watching it on television.

I highlighted the fact that this event will be towards the end of school term but will happen in school time. I think this is a great opportunity for our country students, if assisted by the government, to come down and visit these events. Our country students do not get the opportunity to see a lot of other things, whether it be the museum, the state library, Government House or even Parliament House. I think this is an opportunity for some of our country students.

This is also an opportunity to highlight that there are good things happening in rural and regional Victoria. Many events were decimated by public liability costs but thankfully that situation has been ameliorated by legislation that has been put through both here and in the federal Parliament. There are many activities right across rural and regional Victoria. I invite some of the visiting athletes and visitors to Victoria for these FINA world swimming championships to come out and see the good things we are doing in country Victoria. With those few words, The Nationals will be strongly supporting this bill.

Ms GILLET (Tarnet) — It is my pleasure to make a brief contribution on the World Swimming Championships (Amendment) Bill before the house today. Between Saturday, 17 March, and Sunday, 1 April 2007, Melbourne will host the 12th FINA World Championships. Melbourne's successful bid for the championships was announced in Barcelona in July 2003. FINA is the international governing body responsible for the ongoing conduct of the championships. The championships corporation — M2007 — has been established by the Victorian government to conduct the event. The championships will run for 16 days and involve five aquatic disciplines — swimming, synchronised swimming, diving, water polo and open water swimming. It is anticipated that approximately 2000 athletes representing about 175 countries will participate in the championships.

The 12th world swimming championships provide both the government and the private sector with a fantastic opportunity to leverage the event. Over a period of 16 days of competition it is estimated that Melbourne will host 2000 athletes, representing 175 countries; 1500 support staff; about 1000 international media and about 12 000 overseas and interstate visitors. Members in the chamber may remember the successful experience surrounding the Commonwealth Games with the creation of Business Club Australia which

produced some important outcomes for individual businesses and collectively for the state of Victoria. As is the case with other large-scale major events such as the grand prix and the Commonwealth Games, the state government is actually the underwriter for the event.

The government's financial risk exposure is managed by the provision of a significant contingency in the budget, conservative estimates of revenue streams and its closely monitoring the planning and management of the event. The government is strongly encouraged by the popularity of aquatic events at the Commonwealth Games, particularly the synchronised swimming, which, despite some detractors, was one of the first events that was sold out. With the addition of more countries, more athletes and the added incentive of the Beijing Olympics being just around the corner, the government is very confident about delivering a spectacular and participatory event in Melbourne next March.

There are significant benefits to hosting such events, as we saw with the Commonwealth Games. The swimming championships provide Victoria with an economic return, with job opportunities and importantly the platform for Victoria to promote itself as a tourist destination. It will help further cement Victoria's reputation as Australia's event state. The event will also reinforce our reputation for hosting world-class international events. With such large attendance of visitors to the event, the economic benefit to the state is expected to be about \$80 million. The benefit will be part of the annual economic benefit of about \$1.2 billion generated by events in Victoria.

Melbourne 2007 is working closely with the Victorian government to ensure that the event leaves a lasting legacy for the people of Victoria and for aquatic sports in Victoria at both the elite and the grassroots level — for example, it is hoped that the championships will increase participation by children in swimming events. It links to the government's programs to lift the profile of swimming through the learn to swim program and Play it Safe by the Water initiative. Last night the member for South-West Coast and today the member for Lowan not only mentioned their support for the event but demonstrated an interest in the temporary pool that is being installed in Rod Laver Arena.

I was able to have some discussions between last night and this afternoon, and I am aware that, as with the Commonwealth Games, the government is particularly keen on maximising the legacy outcomes — that is, the outcomes which remain after major events. The government and Melbourne 2007 are looking quite intensively into the legacy that may attach to the

temporary pool that is being put into Rod Laver Arena. I can reassure the member from Lowan and the member for South-West Coast that the government is committing to maximising legacy outcomes of major events.

The act that this bill amends was established in 2004, much as the base legislation for the Commonwealth Games was, to provide for all aspects of staging, conduct and management of the world swimming championships. It also established the 2007 World Swimming Championships Corporation, providing for its powers and functions, and also for authorisations and protections in relation to the use of logos, images, broadcasting, filming and advertising of the championships and the enforcement of those matters.

The objectives of the corporation established under the act include enhancing the reputation of Melbourne and Victoria as a venue for major international sporting events, the promotion of the sport of swimming itself and the safe delivery of the championships in a way that demonstrates a high standard of financial responsibility, probity and transparency. In creating this legislation in 2004 we were greatly assisted by the base legislation that created our capacity to deliver as well as we did the Commonwealth Games in 2006. Members will not be too surprised about this bill, which provides additional facility for the world championships to be delivered in the same style and in the same method.

There has been some concern by the lead speakers for both the Liberal Party and The Nationals about the curtailment of local government rules and laws — and in particular the closure of streets was mentioned. I can reassure those members that the provisions are identical to the provisions in the Commonwealth Games Arrangements Bill. We can look back on how those provisions were managed and on the level of consultation and discussion — and indeed the cooperation and collaboration — between the organising groups and local councils in order to make sure that citizens who lived close to the venues or who were travelling to the venues were able to do so with a minimum of fuss. Those provisions were only enacted with the knowledge and consent of all those involved.

It is a good piece of legislation which I hope will provide for a sensational world swimming championships in 2007. I encourage all members to do as the Liberal member for South-West Coast and The Nationals member for Lowan have done and provide their support for this piece of legislation and for the event. We are very grateful for and welcome that support, and we thank them for it. I wish the bill a speedy passage.

Ms ASHER (Brighton) — I too wish to make a couple of observations about the World Swimming Championships (Amendment) Bill. As has already been said, the Liberal Party supports the bill, which amends the principal act and, in basic terms, allows the government the power to deliver the 12th FINA World Championships in 2007. It gives powers to fence and to impose temporary road closures, and the government, by delegation, will have the power to assume control of venues, to set up access areas during the event and set up a number of commercial arrangements. We have seen similar legislation; indeed, the second-reading speech refers to the fact that this legislation is similar to enabling legislation for the Commonwealth Games and for the Australian Formula One Grand Prix.

By way of an aside, I again cannot help but remember the arguments put in this place and the other place by the Labor Party when the Kennett government first proposed exactly the same sorts of instruments — fencing, temporary road closures and denial of access. All of these things were first proposed in relation to the grand prix in the first term of the Kennett government, but members of the Labor Party are now endorsing the same procedures. They endorsed them for the Commonwealth Games and they are endorsing them now for these championships, but they did not endorse the former government's facilitating the establishment of the grand prix.

In particular, given that the previous speaker is someone who has an avid interest in the Scrutiny of Acts and Regulations Committee, I recall what was said by the member for Albert Park. His speeches in this place have already been quoted into *Hansard* by the member for South-West Coast, so I will not repeat them, but I do remember vividly the use of SARC which enabled not only the member for Albert Park but indeed the Labor Party as a whole to claim that the bill — which set up exactly these types of restrictions to facilitate the grand prix — was a transgression of rights. A negative report was made to SARC by Labor Party members. I am pleased that they have changed their stance, but they have gone full circle in the way they approached the grand prix to the way they approached the Commonwealth Games, to this World Swimming Championships (Amendment) Bill and indeed the principal act, which this government supported.

The background to the bill before the house is that the world swimming championships will be held from 18 March to 1 April next year. There will be an overlap with the grand prix, and again that has been the subject of an amount of media commentary. As the previous speaker mentioned, it is estimated that 2000 swimmers

will be in Melbourne. I have no doubt that the hotel industry in particular will gain significant economic benefit as a consequence of the 2000 swimmers using hotels rather than using other forms of accommodation — for example, a games village — not that I am for a minute suggesting that those people could have been accommodated in hotels. I am simply making an observation that that will be a sector of industry that will, I hope, achieve significant economic benefits.

Various economic projections are made as to how these various major events will benefit the state. Again I note that the *Sunday Age* has recently covered some projections in relation to the Commonwealth Games where it would appear that some of the benefits were overstated rather than being accurate. Again, we will await the government's final response to that, but I hope the benefits projected by the government in relation to the world swimming championships actually occur.

The next point I wish to make is that the major events strategy — and this is part of it — was devised by the former government. Basically the argument went that Victoria could not possibly compete with the Great Barrier Reef or Queensland beaches and temperatures in a Melbourne winter; and we certainly cannot compete with the beauty of Sydney Harbour. However, we have a stylish and sophisticated city with many strengths.

One of the things we thought we could do was host a range of major events. Again I note that this was not always the Labor Party's stance on this major events strategy. But again I am a generous individual, and I am pleased that in government the Labor Party has embraced what is an excellent strategy for Melbourne. When we came to office in 1992 the tourism industry was on its knees. A strategy was devised that was particularly successful, and I am pleased that the Labor Party has continued with that strategy, and of course this event and this facilitating bill are part of that.

I also want to make brief reference to the Commonwealth Games because the second-reading speech makes reference to them. I acknowledge the role the previous Premier made in securing that event, and again make the observation that we are all still waiting for the costs associated with that event to be released to Parliament and the general public. In particular I will be awaiting with anticipation to find out what taxpayer compensation has been paid to the company Vodaphone for the suspension of its naming rights for the multipurpose venue, which was a major project

constructed under the Kennett government and called the multipurpose venue.

The government signed up Telstra as a sponsor of the Commonwealth Games. Vodaphone was paid an amount in compensation, and in an answer to a question from me in this place some time ago the Premier admitted that Vodaphone was paid compensation. I expect that the amount of money is substantial. It is taxpayer-funded compensation, and rather than my having to fight this case again at the Victorian Civil and Administrative Tribunal, I call on the government to release that figure.

I also want to make mention of the Melbourne Sports and Aquatic Centre, which is one of the venues to host this particular event and which was also mentioned in the second-reading speech. Stage 2 of the Melbourne Sports and Aquatic Centre extension is one of this government's major projects. Stage 1 was constructed under the previous government. I would suggest — and you would expect me to; I cannot help myself from making the point — that this is yet another example of a major project that was late and over budget, and is symptomatic of the performance of this government in major projects, where every single major project is either late, over budget or both.

Stage 2 was to be completed in March 2005. The government opened stage 2 nine months late. The project was actually completed in March — a year late. The original budget was \$50 million but the final cost became \$60 million; therefore a budget blow-out of \$10 million was in part to accommodate a gum tree. I would posit that that was not an efficient use of taxpayer funds.

I also want to refer to page 3 of the second-reading speech, where there is a false claim. It is habit of this government to make false claims in second-reading speeches. This claim says:

The controls established from the Commonwealth Games were integral to the timely completion of works for that event ...

Of course the works were not completed on time or on budget. I have instanced stage 2 of the Melbourne Sports and Aquatic Centre. I can instance the William Barak Bridge and the Melbourne Cricket Ground construction, where \$77 million of commonwealth funds were knocked back by this government because of industrial relations considerations. The government can claim whatever it wishes in the second-reading speech, but that is a factual inaccuracy.

I also note on page 2 of the second-reading speech the flagging of:

... all powers necessary for the establishment of venues and events associated with the championships ...

If only it were that easy! I have a challenge for the government in relation to dropping a temporary pool into the Rod Laver Arena. Whilst this is not a major project, my challenge to the government is to do this one on time and on budget. Can the government manage to drop a temporary pool into Rod Laver Arena and have it done according to its timetable and according to the budget allocation announced in May? It is not a major project; but it is a little challenge I have set for the government.

Again I make the comment that of course the opposition supports the bill, but the claim in the second-reading speech that these powers enable venues to be finished on time is a nonsense. The major events strategy is a particularly successful strategy, and I am glad the government is continuing with it. But again I express my regret that if only the Labor Party had lent its support for the grand prix and this strategy at an earlier time, then Victoria would be a better place.

Mr TREZISE (Geelong) — I am pleased to contribute briefly to this debate and pleased to be supporting the World Swimming Championships (Amendment) Bill 2006, not only because, as a swimming enthusiast, I am looking forward to the championships in 2007 but also because this bill once again reflects the Bracks government's commitment to major events in this state. Major events do not only benefit the city of Melbourne. There are many beneficial flow-ons to many of the regions throughout Victoria, including my electorate of Geelong. In this instance the United States of America team will use the Kardinia Park swimming complex as its training venue throughout the 12th FINA World Championships.

The amount of interest in the USA team, which will be one of the Australian team's main rival, will benefit Geelong greatly. The amount of local and overseas media interest in the American team will ensure that Geelong's hospitality and tourist venues will be well and truly patronised during the championships. The international exposure, especially in the United States, will also benefit the community of Geelong greatly. Members can clearly see the flow-on benefit of the swimming championships not only for Melbourne but also for Geelong.

It is much in line with the Commonwealth Games, during which Geelong hosted the Welsh team. That was

an enormous benefit to the city, as were the basketball games that were held at the Geelong Arena. It is also like the flow-on effect of the world surf lifesaving championships that were held earlier in Geelong and along the Surf Coast and in Lorne. As I mentioned, the direct flow-on effect of the world surf lifesaving championships for Geelong was the second 50-metre pool that was built at the Kardinia swimming complex. As I have said, it is now a magnificent swimming facility that will host the US team during 2007. The new pool will benefit not only the world swimming championships and specifically the US team, but also the community of Geelong for many years to come.

The world swimming championships are a major international event that rivals many other events. Its coverage will provide magnificent international exposure for Victoria. As I said, the influx of tourists will be a major benefit to our state, especially in light of the fact that it will be run in conjunction with the 2007 grand prix at Albert Park. Both of these events will no doubt feed off one another to the benefit of those spectators and visitors to Melbourne. Personally I am looking forward to the FINA world swimming championships in 2007. This is good legislation, and I therefore wish it a speedy passage through this house.

Mr THOMPSON (Sandringham) — Numbered among Australia's greatest distance swimmers would be Kieren Perkins, Ian Thorpe and Grant Hackett. Kieren Perkins rose to fame, firstly, by winning a number of events, including a gold medal at the 1992 Barcelona Olympics in the 1500-metre freestyle and a silver medal in the 400-metre freestyle.

His most notable event was the gold medal he won in the 1500 metres in Atlanta in 1996. His domination of that event looked initially to be over in the lead-up to those particular games. He was unwell and ended up in lane 8 for the final, having qualified with the slowest time. According to the Saxton Speakers Bureau web site, he then displayed incredible strength, determination and athleticism to the world. Blitzing the field he won a truly memorable gold medal. His outstanding victory captured the hearts of Australia. Following his silver medal swim at the Sydney 2000 games, he subsequently retired from swimming.

I refer to Kieren for a particular reason. A number of years later in an interview with George Negus he made the remark that we are probably putting too much focus on the elite end of swimming. There is too much emphasis placed on winning and success and being good at things, and it is important that there are viable options. While achieving outstanding success as a winner in the pool, Kieren did not necessarily regard his

sporting development as being fully rounded when it came to playing a range of other sports. The emphasis on sport at the elite level will be fully covered by the 12th FINA World Championships.

However, I wish to raise for the attention of the house the participation and engagement at the other end of the spectrum. The City of Bayside, in concert with the manager of Klim Swim in Sandringham, has readjusted the opening hours of the Sandringham Leisure Centre. It is now closed to the public from 9.00 a.m. to 11.00 a.m. and 1.15 p.m. to 6.00 p.m. on weekdays. While we have this marvellous engagement at the elite level of sport and outstanding success, exemplified by the performance of Australian Olympians and Commonwealth Games champions, there is an element in Melbourne at the moment at the local community level of disengagement and a lack of opportunity. During the recent school holidays in Melbourne the Sandringham Leisure Centre was closed to the public during these times.

There are a number of articulate and strong advocates for this situation to be rectified, including Sue Hardiman of Highett. She has called on Mr Klim, the operator of the centre, to open the pool according to hours which will meet the needs of the public to a greater degree. Another former mayor of the City of Bayside, Lawrence Bottomley, is a regular pool swimmer with a keen interest in the facilities serving the local community. The ratepayers of the local area, according to Sue Hardiman and others, are being duped. She calls on the council and the councillors of the City of Bayside, who are in positions of trust, to represent Bayside residents. She believes, along with many others — and I would support them in their quest — that the pool should be open at accessible hours to assist junior sport in this state. There is a high level of engagement in junior sport in the Sandringham electorate.

In the build-up to the Commonwealth Games which were held very successfully in Melbourne earlier this year and in the Target 2008 squad for the Beijing Olympics, a number of local people have coached Bayside and district residents to compete at the international level. They include Joanne Love and Brian Ford, and the chief assistants John Counsel and Amanda Isaac. The swimmers who were members of the Target 2008 squad when I last had occasion to comment on the world swimming championship arrangements included Daniel Counsel, Kiara Ferraro, Justin Griggs, Stephen Hopkins, James McNaught and Matt Plumridge. I know that James McNaught has focused on his studies in more recent times, and there may be other athletes in that particular category. The

Target 2006 squad included elite swimmers such as Elizabeth Archer; Jacqui Archer; Alice Davey; Ben Drysdale; David Ferguson-Sharp; Andrew Lauterstein, who had outstanding success in South Africa and has continued on with his swimming career; Lauren McClymont; and Ben Syme-Ross.

In addition to the engagement of swimmers at an elite competitive level, there is the outstanding contribution of swimmers who have had an enormous impact on competitive swimming in other ways. Tammy van Wisse is one of the icons of Australian sport. She has completed a successful swim of the Murray River in 106 days, swum from King Island to Apollo Bay and swum around the bay, across the bay and from Beaumaris to Frankston. In recent years, she has swum in Greece and in the United States and has traversed Loch Ness — and only a couple of weeks ago she had a magnificent swim where she set a new record time of 5 hours, 6 minutes and 48 seconds in a swim from Battery Park, New York City, to Sandy Hook, New Jersey, eclipsing a record set in 1925 by 2 hours and 5 minutes.

According to a *Herald Sun* article:

Van Wisse, 37, waded out of the cold, dirty waters and onto the beach at Sandy Hook and said her marathon was a heartfelt tribute to her hero Ederle and to her pioneering efforts as one of the first sportswomen.

'I've swum one and a half times around the world' —

in terms of her swimming training —

'but these 22 miles meant the most to me', said van Wisse after the swim.

The article reports that Tammy said in relation to Gertrude Ederle:

She was a pioneer for women, a barrier-breaker for all athletes, and a timeless inspiration.

Male swimmers such as Ian Thorpe, Grant Hackett and Kieran Perkins and female swimmers such as Giaan Rooney, Dawn Fraser and Tammy van Wisse are sporting icons and set an example to aspiring young swimmers. They provide a background and framework that provides an excellent example for junior swimmers to model themselves upon, whether it be in engagement at an elite level or at a junior level.

It is expected that some 2500 elite athletes from around the world will be at the world swimming championships, and there will be an estimated viewing audience of several hundred million people. The championships are expected to generate many millions of dollars in economic benefits to the state of Victoria

and provide about 2000 jobs. There are meant to be a number of disciplines for the world championships, which include swimming, diving, water polo, synchronised swimming and open-water events. I am confident that I will be attending all those events, except for the synchronised swimming, of which I have not quite mastered my spectator understanding.

I would like to reiterate the importance of ensuring that there is engagement in the sport at a local level to ensure that the fitness levels of all Victorians are raised to higher standards. There has been a lack of commitment on the part of the government to promote sport in schools and to enable physical education teachers to conduct wide-ranging programs in this state, as measured by the independent benchmarks of the level of obesity amongst Victorian school students. More needs to be done to assist junior swimmers and to promote junior sport and also recreational swimming.

I know there are a number of more mature people in their 40s and 50s who have embarked upon swims of the English Channel. They include the Bardoel brothers, Peter and Albert, who have achieved some magnificent outcomes in crossing the English Channel and helping others in that quest; John van Wisse, who set the fastest Australian time for crossing the English Channel; and Nick Newton.

Recreational swimmers such as Leon Buchanan, John Griffiths and Andrew Monotti also maintain a strong swimming routine as part of their wider pursuits in life, utilising some of the valued recreational pools of Melbourne.

I conclude my remarks by expressing serious disappointment with the running down of pool availability in the city of Bayside through the Sandringham Leisure Centre. I call upon the council to look at ways of promoting engagement in sport throughout the week and particularly during the school holidays. When the state government is spending \$80 million on self-promotion and local community swimming pools are being closed during school holidays, I think that is a totally unacceptable outcome for residents in Melbourne. More needs to be done on the part of the Bracks government to promote amateur sport as well as the elite end of sport, as represented by the 2007 world swimming championships.

Mr CRUTCHFIELD (South Barwon) — I rise to talk briefly on the World Swimming Championships (Amendment) Bill 2006. A couple of speakers have indicated that the championships are being run on the back of Melbourne 2006. As those who were lucky enough to get tickets to the swimming events at the

Commonwealth Games will know — I was not, unfortunately; I went in the ballot and could not get tickets — they certainly exceeded expectations, like the whole of the Commonwealth Games, I may add.

The swimming was part of that whole event, which certainly made Victorians and Australians feel very confident about running major events and which cemented Melbourne's particular place in the world as the major events capital.

The FINA championships will be staged in Melbourne next year at the Melbourne Sports and Aquatic Centre, and those facilities are there to be enjoyed. I note that we also have to build a temporary facility at the Rod Laver Arena and that we are using St Kilda for the open-water events. The focus is certainly starting to turn on the FINA events for 2007. You have only to look at the newspapers in recent times and the TV to see that the focus has been on Australia and Thorpie and his fast-food issue. I know he is training in America, and that certainly adds to the interest in the events to be held in 2007. Personally, I do not care whether Thorpie is eating hamburgers, pizzas or whatever, as long as he keeps his feet kicking and turns up for the FINA event in March.

It is certainly instructive to note that world interest is on the championships to be held here in March, just like world interest was on the Commonwealth Games here in Victoria. In Geelong, the new 50-metre upgraded pool at Kardinia was utilised by teams during and prior to the Commonwealth Games. Rescue 2006, the world lifesaving championships which the state government chipped in significantly to run, were held at Kardinia pool and also at Lorne.

Whilst the Commonwealth Games, Rescue 2006 and the FINA events focus on the elite level of competition, clearly they are about filtering down those benefits and those messages of healthy lifestyle to our youth. That is certainly what a lot of the Commonwealth Games educational material for schools was about. It was about healthy lifestyles, it was about healthy diets, and it was about participating not necessarily in elite sport or indeed competitive sport but in some form of recreation.

I want to touch very quickly on the Geelong sports academy, of which local Geelong members are very supportive. That is an academy that focuses on a pathway from recreational swimming into the elite level. People from Colac and indeed from Geelong do not now have to continually travel to Melbourne to the Victorian Institute of Sport. The Geelong academy now adequately addresses some of the travel issues for those

people with respect to swimming. Swimming is one of those sports that we need to encourage our youth to participate in, because it is a wonderful sport that is non-contact and that you can take part in even at my age of 44.

Finally, I want to congratulate someone of my age. Brian Cook, the chief executive officer of the Geelong Football Club, is one of those recreational swimmers. Would members believe that he has just recently completed the Fremantle to Rottnest Island swim. Brian is one of those individuals of my age who is participating in swimming. I take umbrage at the comments of the previous speaker, the member for Sandringham, who said that this government does not focus on lifestyle and education issues. It does for those at preschool and primary and secondary schools, as well as for the more mature of us in the world.

Ms NEVILLE (Bellarine) — I am pleased to rise today to make a brief contribution in support of the World Swimming Championships (Amendment) Bill. I am looking forward to this great event. I am not sure if you, Acting Speaker, are aware, but this will be the largest aquatic sports event in the world. Similar to an event we recently held here in Melbourne and across Victoria, the Commonwealth Games, this will be of a significant nature. It will have participants from countries across the world, and it will attract tourists from across the world.

Like the member to South Barwon I was unfortunately unable to secure tickets through the ballot to either the diving — which would have been fantastic — or the swimming events at the Commonwealth Games, so I am looking forward to going along to this event to see the diving. We now have some fantastic diving talent in Australia, and we are really developing the sport at an elite level. It will be exciting to watch the diving at the swimming championships next year.

I am also looking forward to seeing a swimming pool in the Rod Laver Arena. I have been to a number of events at the arena, including the gymnastics during the Commonwealth Games, concerts and of course the tennis. But I have never quite imagined putting a pool in the Rod Laver Arena. I think that in itself will bring people along, because they will want to look at it. There are some wonderful things about it. I understand that the design is great and that it is going to be a fast pool. The Rod Laver Arena will enable 12 500 people to go along and watch the swimming races and the synchronised swimming. Unlike the member for Sandringham, if I were able to secure tickets to the synchronised swimming, I would take them up.

Swimming has provided Australians with some very memorable moments, and there are two moments that stand out for me. One was the men's 100 metre relay race against the USA at the Sydney Olympics. It was an extremely exciting event and one that I will always remember. My other moment is the same as the member for Sandringham's — Kieren Perkins's swim in Atlanta in 1996. I remember he came last in the heats and was in one of the far lanes in the final swim. I woke up at around 3 o'clock in the morning to put the TV on and watch the race. From that far lane he managed to overcome the illness he had suffered leading up to the race to win overwhelmingly. I think that provided a lot of inspiration to many young people, encouraging them to persevere, work through hardships and continue playing their sport.

Victoria has a great record of delivering and supporting sporting events and cultural events right around the state. Obviously we had the Commonwealth Games, which was one of our biggest events, but every year there are numerous events which are held right across the state. Today we heard members of the opposition say, 'You cannot have everything in Melbourne'. This government, through Tourism Victoria, has invested in events, and over 50 per cent of that investment actually goes into regional events, not metropolitan events. That is a huge change from the policies of the previous government.

There are examples of that in my own electorate. There is the Queenscliff music festival, which we have upgraded to a hallmark event. In Portarlington there is also the Celtic festival which is going from strength to strength. They are some of the events that we are supporting in my electorate alone.

In Geelong itself, as the member for South Barwon said, we significantly supported the Rescue 2006 World Lifesaving Championships, which again brought many people, both tourists and participants, to the city of Geelong and to the region. It also encouraged many young people to think about participating in lifesaving and swimming. Recently the Premier announced a substantial commitment of funds to Skandia. Under previous governments it never received funding. We have worked with Skandia, grown Skandia Geelong Week and actually put substantial funding into securing it for the future.

The other key focus of the government has been on supporting grassroots sport right across the state, including metropolitan, regional and rural areas. We have a strong commitment to investing in pools, tennis courts, bowling clubs and junior sport development, whether it is swimming, soccer or football.

The member for Sandringham said we do not have a commitment to teaching or encouraging people in our schools to participate in sport. I am not sure where he has been. I know from my experience with my son, who attends a local public school, that he runs every morning, plays soccer one afternoon per week and plays in and trains for the school table tennis team. He has just competed in school athletics, and every year he participates in the swimming program. That is just one student at one small public school. I know from visiting the schools in my electorate that that is a common feature of day-to-day life in schools. On the ground, and through community and school sport, we are encouraging children to participate, to be active and to be healthy.

This bill is an important step in ensuring that we are able to deliver the world swimming championships on time and as planned while protecting the safety of our venues and the participants in those championships. I am pleased to commend the bill to the house.

Mr LOCKWOOD (Bayswater) — I am also pleased to make a small contribution to the debate on the bill before the house. I look forward to the Melbourne 2007 12th FINA World Championships in March next year. As has been said, the championships will be held at the Rod Laver Arena in a temporary pool which will be shipped from Spain by Astralpool later this year and installed after the Australian Tennis Open at the end of January. It will be great to have that pool in that wonderful arena. There will also be diving and water polo at the Melbourne Sports and Aquatic Centre and open water swimming at the lovely St Kilda Beach.

My interest in swimming comes from my time as a child. My mother took a liking to Ilsa and John Konrads when they burst onto the scene. Because I lived in Sydney she took me along to the Bankstown pool to be taught to swim at the Don Talbot swimming school. Don Talbot was the coach of the Konrads.

One of the benefits of going down there was seeing them train. Ilsa and John were Latvian immigrants who came out here and made something of a splash. Ilsa at 13 years of age broke two women's world freestyle records, and her elder brother, John, not to be outdone, at 15 years of age later broke two men's freestyle records. They each went on to set a number of world records. It was a wonderful experience to mix with those people while learning to swim. Don Talbot had interesting teaching methods. I remember learning a little technique in the shallow end of the pool and then being tossed in at the 10-foot-deep end and told to put it into practice immediately, which I did in a suitable state

of panic. I am not sure that I learnt much about technique on that occasion, but I learnt not to go under water more than once.

The bill before the house is about ensuring that the world swimming championships will be delivered successfully in a safe and secure environment, so we have yet another successful event for Melbourne. We have obviously had a series of successful events, and this will ensure it continues. We want to strengthen the safety aspects and make sure that construction works are facilitated, road closures are carried out, management arrangements are outlined, crowds are looked after and disruptive crowd behaviour is prevented, along with all the usual things we do at big events. I am sure this event will be just as successful as all the other big events.

I am interested to see that the mascot is a penguin, an icon of Victoria. There is a competition to find a name for the mascot — 'Help the little penguin mascot find a name'! I have something of an interest in penguins, since local artists put a group of ceramic penguins in a local park. Based on their sense of humour, given that Bayswater is nowhere near the water, they thought they would put penguins there to look for the water in the bay, a play on the name. That was the thinking behind it — I am not sure I agree with it — and we ended up with some penguins in Bayswater. Perhaps we should make them a tourist attraction, but we may need to name them as well.

It will be great to see the stars from 175 countries competing in the five aquatic disciplines in Melbourne in March. I look forward to it, and I commend the bill to the house.

Mr LIM (Clayton) — I am delighted to support the World Swimming Championships (Amendment) Bill. It is now only seven months until the world swimming championships begin in March next year. The competition program has been announced, and excitement is growing in anticipation of this event, not only in Victoria and Australia but in a great many other countries.

I performed a Google search the other day and was astonished and pleased to find over 23 000 references to this Melbourne event from just about every country I could think of. That does not include references on the Net in languages other than English. I tried a French search, with my limited French, and was highly pleased to find a reference to our championship event as 'une piscine de calibre mondial pour les nageurs de calibre mondial' — a world-calibre swimming pool for world-calibre swimmers.

The Melbourne world championships will be a once-in-a-lifetime event for Victoria and will feature some of the greatest athletes from all over the world. As I said when supporting the World Swimming Championships Bill in 2004, the people of Victoria, with their well-known enthusiasm for sporting events of all kinds, will support these championships with enthusiasm. They are clearly going to be an unforgettable international sporting event for this state.

The purpose of the bill is to amend the 2004 act to make provision for the management and regulation of venues and areas to be used for the championships. The bill will also facilitate the necessary works required to stage the various events and will regulate the conduct of these events, including the management of the large crowds of spectators expected.

The bill does not make huge changes to the principal act. It is really about finetuning the act, as is often required when such large and complex events as the championships are being organised. The bill does such things as provide definitions of 'championships event', 'prohibited item' and 'restricted access area' and clarifies various matters as necessary. Other provisions will ensure that legislation such as the Health Act 1958, Local Government Act 1989 and the Major Events (Crowd Management) Act 2003, including the regulations and local laws empowered under those acts, does not in any way impede the operation of the championships.

The bill will also allow the minister to temporarily close roads in connection with activities associated with the championships while specifying the necessary consultation that must take place before closing a road. It will also enable the secretary to mark off part of the championships venue as a restricted access area should this be necessary. These minor but very necessary amendments to what is already a very fine act will help ensure that the championships are as successful and exciting an event as possible. I believe that the athletes and spectators who will come to the championships from overseas and the huge audiences in other countries who will see Victoria on display through this major event will be very favourably impressed, not just with the organisation and spectacle of the championships themselves but with the image of Victoria as a peaceful, prosperous and well-managed state. I commend the bill to the house.

Ms DELAHUNTY (Minister for the Arts) — It is with great pleasure that I rise to sum up the debate on the World Swimming Championships (Amendment) Bill. This is an important bill that will allow the government, on behalf of the people of Victoria, to

ensure the very safe, effective and timely delivery of the world swimming championships. Coming off the back of a very successful Commonwealth Games in Melbourne, and broadcast through live sites around regional Victoria, we certainly want to stay in the winners circle with an excellent world swimming championships.

If I am not mistaken I have an idea that once we hold the world swimming championships in March 2007 Melbourne will become the only city in the world to hold the trifecta of hosting Olympic swimming championships, Commonwealth Games swimming championships and world swimming championships. If that is the case, and I believe it to be so, it is a great feather in the cap of Melbourne and Victoria. I thank all members who have spoken in support of the bill for understanding the requirements for crowd control and the effective delivery of such an important event.

The Parliamentary Secretary for the Commonwealth Games, the member for Tarneit, understands more clearly than anyone else in the chamber just how important the various clauses of the bill are to the delivery of the championships. The member for Lowan, who I recall was a handy little swimmer in his youth — unlike his sister, who was a bit like a beached whale in the pool — also spoke about the importance of not only these championships but the culture of swimming to Victorians and Australians, as did the member for South Barwon and others.

I thank all those members of the house who contributed to the debate today. I thank the member for Geelong, and I have mentioned the member for South Barwon. I also thank the member for Bellarine, the member for Sandringham, the member for Bayswater and the member for Clayton, who shared with us an accolade in beautifully spoken French, and I thank him for that. I wish this bill a speedy passage.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

ENVIRONMENT PROTECTION (AMENDMENT) BILL

Second reading

**Debate resumed from 20 July; motion of
Mr THWAITES (Minister for Environment).**

Dr NAPHTHINE (South-West Coast) — The Environment Protection (Amendment) Bill is an important bill and covers a range of issues. In that sense it is an omnibus bill covering issues of waste management and environmental protection. I initially note in the second-reading speech a comment from the minister that the Environment Protection Authority is coming up for its 35th birthday, and I wish to place on record the thanks of all Victorians to the officers who work in the EPA and to those who have worked in the EPA over those 35 years. This was a great initiative of a former Liberal government, and it has served the community very well.

The bill covers a raft of different issues. I will cover them not necessarily in the order in which they are in the bill, but I will cover them in order of some of the issues that come up.

Part 5 of the bill covers regulation of the provision of plastic bags. Part 5 is fundamentally enabling legislation, if I can describe it best as that, because it provides a framework for further regulation. Indeed at page 77 the bill provides for design criteria for the purposes of the definition of ‘plastic bag’, and prohibits the provision of plastic bags by a retailer in the course of a retail transaction without an amount being charged for the provision of a plastic bag which is not less than the prescribed amount. It provides exemptions from this charge that will be applied to plastic bags in certain approved purposes, such as if a retailer has a certain turnover, which is less than a prescribed amount, or if the retailer has entered into a plastic bag management accreditation scheme, and it applies a number of other rules. But fundamentally, clause 45 in part 5, which refers to the use of plastic bags, provides a framework in which regulations will be written.

It is important to recognise that the minister says in the second-reading speech:

Under the regulations, retailers would be required to charge a minimum prescribed fee (such as a minimum of 10 cents) per plastic bag.

We do not know what the level of prescribed fee will be. We do not know the details of how this new charge on plastic bags will be applied. We do not know which retailers or which types of plastic bags it will be applied to, and how it will all work. It is really important that the government, in introducing this sort of legislation should provide greater information to the community and ensure that there is adequate consultation with industry, retailers and consumers on this issue.

I would also urge the government, as it drafts these regulations, to take account of the comments of the

Productivity Commission in its Draft Report on Waste Management where, on pages 143 and onwards, they say the following things on plastic bags:

To date, there appears to have been no cost-benefit analysis on the consequences of banning plastic bags, or the likely consequences in terms of consumer alternatives should such a ban be implemented.

I understand the same applies for a proposed charge on plastic bags.

It says further:

Research commissioned by the Australian government estimated that:

less than 1 per cent of plastic bags become litter, and hence even less would find their way into the marine environment.

plastic bags account for only 2 per cent of litter (by number); and

only 2 per cent (or \$4 million) of annual expenditure on cleaning up litter is attributable to plastic bags.

Plastic bags also account for a very small proportion of waste going to landfill ...

It says further:

... plastic bag disposal to landfill is estimated at ... roughly 0.2 per cent of total solid waste going to landfill each year in Australia —

by weight. A further report says that research for the Australian government has noted that:

The current plastic shopping bag is well suited to its task — it is cheap, lightweight, resource efficient, functional, moisture resistant, allows for quick packing at the supermarket and is reasonably strong for its weight.

... Plastic bags also currently perform an important task in product and food safety, keeping uncooked meat or cleaning products separate from our foods.

The report goes on at page 145, where it says:

Past research also indicates that a large proportion — possibly as high as 75 per cent — of householders reuse plastic shopping bags for purposes such as bin liners and general carry bags. Banning HDPE —

that is, the high density polyethylene bags —

would deny consumers this benefit. Instead, they are likely to purchase more plastic bags, at additional financial cost to themselves.

In conclusion, it is clear there would be costs that might well outweigh the claimed benefits associated with banning HDPE shopping bags, and such a ban would only address problems associated with the less than 1 per cent of plastic bags that become litter.

The draft recommendation 8.1 starts with:

Government and retailers should not proceed with their foreshadowed plan to eliminate plastic shopping bags by the end of 2008, unless it is supported by transparent cost benefits analysis.

That is what the Productivity Commission draft report says. I think those things should be taken into account by the government in considering the regulations it is proposing under part 5 of this bill. I think it should consult more widely and undertake some of the cost-benefit analysis that is proposed with regard to imposing a levy on plastic bags, because there are certainly some significant benefits from using plastic bags, and, while we all encourage the reduction of plastic bags — and there has been a significant reduction — there are opportunities where plastic bags can and should be used.

It is also important that the government indicates what it is about in terms of plastic bags. The traditional concept we are talking about is plastic bags at supermarkets, but they are only a small part of the total plastic bag usage in society. Plastic bags are widely used in retail shopping, whether they are the classic David Jones plastic bags or Myer plastic bags, bags from other retail stores or bags in take-away food situations — a whole range of things. Pot plants at the nursery are often provided in plastic bags. This issue needs to be considered widely, and I urge the government to hasten slowly with regard to imposing a new tax on plastic bags.

I am also advised that the money to come from the plastic bag levy will go to retailers. I think that needs to be reconsidered. If there is going to be a charge on plastic bags, it would seem extraordinary for pensioners, people with health care cards and families in need to be paying extra for their plastic bags and for that money to be handed over to Safeway, Coles, David Jones, Myer and other retailers. I believe some further work needs to be done about the proposal regarding plastic bags. Also I would certainly urge the government to make sure that biodegradable plastic bags are completely exempt from any such charges. If we are going to encourage the use of biodegradable plastic bags, which are available, they should be absolutely exempt from these charges so as to encourage their use. To catch them up in the charges levied on other plastic bags would be an anomaly.

Part 3 of the bill refers to the environment and resource efficiency plans. One of the comments made by the minister when introducing this bill was that it was about introducing smarter regulation to reduce regulation. When you read the legislation, I am not sure that that is

the actual case. When you read part 3 of the bill, what you can see there is more red tape, more paperwork and more costs being imposed on businesses, industry and individuals in Victoria. Part 3 of the bill requires that a person who undertakes a scheduled activity must register with the authority within the prescribed period in a form approved by the authority, and they must do it within the appropriate prescribed period, using the prescribed form. They must prepare an environmental resource efficiency plan.

The matters to be included in a plan include a description of the relevant environmental resource use and disposal of waste, a plan of actions to achieve environmental resource efficiency, time frames, a description of how the resource efficiency plan is to be monitored and any other matters prescribed. There is a power to require further information. We are creating a whole new reporting system for business and industry, and the purpose of that supposedly is to explore ways in which we can make businesses incorporate new waste opportunities and be more energy, water and waste efficient. The second-reading speech states:

... all large environmental resource consumers will be required to register with Environment Protection Authority and to report on their achievements.

It also states:

Only those resource efficiency actions which have a three-year or better payback period must be implemented ...

Industries, which are the experts in conducting their operations — and they may be large industries like Alcoa Australia which has a fantastic track record in terms of good resource management and environmental management — are going to have to fill in forms to report to the EPA, whose officers will then be checking whether they are water and fuel efficient. It is a nonsense that the EPA is going to be telling major industries how they can run their businesses more efficiently and effectively. When you include three-year payback periods I am sure that most of our industries would be absolutely champing at the bit to do that of their own volition and do not need the EPA demanding that they produce reams of paperwork and information to tell them to do what they are already seeking to do.

Midfield Meats is an absolutely fantastic business doing a great job employing 700 people in my electorate and achieving export dollars for Australia. I can imagine the owner of Midfield Meats, Colin McKenna, being told that he will have to have more staff to fill in these forms for the EPA so that EPA officers can tell him how to be more electricity and water efficient. He would say that he is doing an absolutely fantastic job, because in a

competitive business like the abattoir industry if he is not efficient in his use of water and power, he will not last in business. Keppel Prince Engineering, a major engineering firm, complains to me regularly about the rules and red tape imposed on it by this government. Telling that company that it is going to have another raft of reporting mechanisms, rules and red tape under this legislation will go down like the proverbial lead balloon.

I am also concerned that there is no dispute resolution process in this bill — for example, if a major business is told by the EPA that if it does a certain thing it will save water or power, and the business says, 'We have looked at that, and it is not cost effective or cost efficient and simply does not work', who is going to resolve the dispute? Is the EPA going to overrule the business and tell it what to do, irrespective of the business's expertise and clear understanding of how to run itself? There is no independent process to assess the three-year payback period, there is no independent process to assess whether what the EPA says about how the business should run is right and there is no appeal mechanism. There is no process where a dispute between the business and the EPA can be resolved. I have some real and serious concerns about the process.

I support and applaud clause 60 of the bill. It tightens the law to ensure that companies which pollute land can be held accountable for cleaning up those sites, and even if the company changes character or the corporation changes in some way, it can be tracked down. One only has to look at an example I can point to in a township like Euroa which has been bypassed under the Hume Highway developments. When Euroa was sited on the Hume Highway it had large petrol stations at either end of the town. Now that it has been bypassed those petrol stations have closed, the township of Euroa has ugly, contaminated sites at either end of town fenced off with high fences and there are disputes about who should be involved in cleaning up the sites. There are a number of these sites across country Victoria where petrol stations or other businesses have closed and because of changes in ownership or shifts in the corporate structure of the owners, cleaning up of the sites have been avoided. Clause 60 seeks to amend that. I trust it will, and I hope it is very effective.

Part 4 of the bill on page 47 refers to metropolitan waste management processes. Fundamentally under this part of the legislation the four existing regional waste management committees that service Melbourne as part of the 16 regional management groups that operate throughout Victoria will be abolished and there will be a new Metropolitan Waste Management Group

established. This group will have eight directors, four of whom will come from local government through a new organisation called the Metropolitan Local Governments' Waste Forum, which will have representatives from each of the councils in the metropolitan area and which will nominate four directors. The other four directors will be appointed directly by the minister, supposedly on their skills base. Let us hope that is the case.

Unfortunately this minister has a track record with water authorities and catchment management authorities throughout the state. Rather than people being appointed on a skills base they tend to be appointed on the basis of their political colour and flavour. There are jobs for mates throughout the length and breadth of country Victoria. They are appointed by the minister to water authorities and catchment management authorities. Metropolitan waste management should be above that sort of base political appointment. These are paid positions, and people should be appointed on the basis of their skill and expertise to be able to deal with the problem of waste management in the metropolitan area. It is a significant problem. People in Melbourne often face difficulties in disposing of their waste, whether industrial or household, and we need proper management of it on a metropolitan-wide basis.

We in the Liberal Party support the general thrust of part 4 of the legislation entitled 'Metropolitan Waste Management Group', but have some concerns about making sure the people appointed to this group are appointed on the basis of their skills and expertise, not on the political network, as has happened in the past under this government. We also want to make sure this does not become just another quango that consumes a lot of resources, employs a lot of people and delivers little or no benefit. I understand under this legislation local councils will still be responsible for their own contracts for waste and kerbside collection. They will be able to operate through the Metropolitan Waste Management Group or organise their own contracts for disposal of that waste to providers, because the waste management group will not itself operate tips or waste management facilities but will coordinate waste management operations in Victoria.

As I said, the bill covers a whole range of areas, many of which I will not be able to cover in my contribution, but there are some areas that I need to mention. It would be wrong and inadequate to deal with the issue of environmental protection and waste management — and the bill talks about increasing charges for various categories of waste — without making sound decisions on waste management and protection of our precious

environment with regard to hazardous waste. In that context it is appropriate to raise again, on behalf of the Victorian community, the very real concerns about this government's proposal for a toxic waste dump at Hattah-Nowingi.

The proposal to put a toxic waste dump at Hattah-Nowingi is wrong, wrong, wrong. I am pleased that the Liberal Party has clearly indicated that it would not proceed with putting a toxic waste dump at Hattah-Nowingi, just as it would not have put it at Pittong, Baddaginnie-Violet Town or Tiega, where the government originally wanted to put it. It is wrong to dump Melbourne's toxic waste in an environmentally sensitive area. It is wrong environmentally. Putting a toxic waste dump at Hattah-Nowingi threatens the endangered mallee emu-wren — —

Dr Sykes interjected.

The ACTING SPEAKER (Ms Lindell) — Order! The member for Benalla is not helping the debate.

Mr Pandazopoulos interjected.

The ACTING SPEAKER (Ms Lindell) — Order! The minister at the table!

Dr NAPTHINE — The minister at the table — —

The ACTING SPEAKER (Ms Lindell) — Order! The member for South-West Coast should ignore interjections.

Dr NAPTHINE — The Minister for Gaming is wanting to dump Melbourne's toxic waste in country Victoria because he does not care about country Victoria and the Labor Party does not care about country Victoria. The government does not listen to country Victoria, so it does not hear about country Victoria. It is a city-centric, uncaring government. By dumping toxic waste at Hattah-Nowingi it threatens the endangered mallee emu-wren and the mallee fowl and would devastate the unique Mallee vegetation which adjoins very significant national parks. I have walked over that area of Hattah-Nowingi. It is absolutely beautiful country which has wonderful vegetation. I saw mallee fowl nests and an echidna at that site, and yet this government wants to dig it up for a toxic waste dump. It is an absolute outrage; it is a disgrace.

It is also wrong economically. Fancy any Victorian government, of any political persuasion, threatening the greatest strength we have in this state. The greatest strength we have is our agricultural industry, and one of its greatest strengths is our clean and green image. That is vital for the market of our products throughout the

length and breadth of Australia and across the world, yet it is threatened by placing a toxic waste dump in the heart of our agricultural areas in Sunraysia. It threatens the image of Victorian agriculture and particularly threatens the multibillion dollar horticultural industries in Sunraysia. It is also wrong economically because it is stupid and illogical to cart toxic waste 500 kilometres from Melbourne to dump it at Hattah-Nowingi. Whether it is taken by train or by road, it poses a significant safety risk to all those along the route, whether it is along the Calder Highway or through Ballarat.

Mr Pandazopoulos interjected.

Dr NAPTHINE — The minister says it is just like petrol tankers. That shows that he does not care about the health and safety of the people in Ballarat and Bendigo. They are concerned about toxic waste going through their areas, but the minister does not care. The Bracks government does not care about the health and safety of the people along the route to Hattah-Nowingi. Now we find that the government is deliberately delaying the decision on this until after 25 November because it is scared of the political backlash. This is absolutely disgraceful behaviour from a government that is supposed to be honest, open and accountable. It is hiding because it knows it is wrong. It knows it is wrong socially, environmentally and economically to put Melbourne's toxic waste in Hattah-Nowingi. The Liberal Party completely and utterly rejects the idea that that is a sensible or reasonable decision. It is absolutely wrong.

Just as the government had to admit it was wrong when it tried to put toxic waste at Baddaginnie-Violet Town, at Tiega, near Ouyen, or at Pittong, it should now be big enough to admit that its decision to put toxic waste at Hattah-Nowingi is also wrong and should be reversed. The government should do two things. It should take a long, hard look at how it can reduce toxic waste — how it can reuse it. It should also take a good, hard look at where it could place toxic waste at much closer proximity to where it is generated.

In terms of the need to reduce waste and improve our environment this legislation misses an opportunity. One of those areas is the need to reconsider and introduce container deposit legislation. I think it is an important issue. It is addressed in the Productivity Commission's draft waste management report. I quote from pages 197, 198 and 199 of that report. It states:

Container deposit legislation ... has been operating in South Australia for around 30 years ... the WA government signalled its intention to introduce CDL ...

Under the heading 'Impact on recovery and recycling' the report says:

Most of the studies of existing CDL schemes agree that CDL significantly increases recovery rates of containers covered by the schemes. For example, Fullerton and Wolverton (1997) reported that container return rates in US states that ran CDL varied between 77 and 93 per cent. Beck (2001) found that the average recovery rate of containers in US states with CDL was 72 per cent, compared with 28 per cent in non-deposit states.

In Australia, the South Australian experience indicates that CDL leads to greater container recovery rates. KESAB Environmental Solutions stated:

Our beverage container return rates are: aluminium 85 per cent; PET [polyethylene terephthalate] 72 per cent; glass 82 per cent; liquid paperboard 38 per cent ... I would suggest that there would be no other state within 20 per cent of any of those figures.

Under the heading 'Impact on littering' the report states:

Most international studies conclude that CDL reduces the incidence of container litter. For example, Fullerton and Wolverton (1997) reported that CDL reduced container litter by 80 per cent in the US ...

There is a fair degree of evidence that container deposit legislation has a significant impact in improving recycling rates for those containers on which a deposit is paid, whether they be aluminium cans, plastic bottles or glass bottles. It also has a significant impact in reducing littering. My electorate borders South Australia, and when you drive from Victoria to South Australia it is like chalk and cheese. In Victoria the roadsides, unfortunately and tragically, are littered with bottles and cans. They are ugly and it is terrible. It is an embarrassment. For all the educational programs, for all the encouragement, it is still a major problem. You drive into South Australia and the roadsides are clean as a whistle. You go around the streets of the towns of Mount Gambier and Robe — towns I regularly visit in South Australia — and they are clean.

Another thing that is important — —

Honourable members interjecting.

Dr NAPHTHINE — I know Labor members do not want container deposit legislation — they are opposed to it — but I think it is a good idea. I think it should be reconsidered and introduced in Victoria. I think it would make a difference in terms of improving recycling rates and reducing the amount of littering. Another effect it would have is it would provide a real opportunity for many community groups, particularly scouts or football or netball clubs, to make a few dollars by picking up cans and bottles. I think this would have

an enormously positive impact across the whole community. I urge that it be reconsidered. I for one would put my hand up to support container deposit legislation. I think it is a very positive move, and one the government should take on board with regard to improving the environment of our community and improving the recycling rates of those containers.

In summation on this bill, the Liberal opposition will not oppose this legislation. It covers a range of topics. A number of these topics are areas where we support the government in the moves it is making. There are areas of the bill where we have some concerns about how it will be administered. We are particularly concerned about part 3 of the bill and whether the red tape, the new rules and the new requirements will be cost effective. I think they will be a significant imposition on industry.

In the section on plastic bags, while the government has put forward this enabling legislation, which we will not oppose, it needs to consult further and do further studies to make sure that any imposition of charges for plastic bags actually delivers the desired outcome in a cost-effective way and is of benefit to the community and the environment. Questions have been raised in the Productivity Commission's report about the processes proposed by the government. It is incumbent on the government, given that this report has been tabled only recently, to take account of those questions before it proceeds with the regulations enabled by this legislation.

In conclusion, the Liberal Party does not oppose this legislation. We want to try and work — —

The ACTING SPEAKER (Mr Delahunty) — Order! The member's time has expired.

Mr WALSH (Swan Hill) — I move:

That all words after 'That' be omitted with the view of inserting in their place the words 'this house refuses to read this bill a second time until the government decides on long-term plans to accommodate the disposal of all forms of industrial waste'.

The introduction of this bill continues an unfortunate pattern by the Minister for Environment — we have a second-reading speech which is very long on rhetoric and very short on detail about the bill. That is very disappointing, because the second-reading speech is an important part of the legislative process in this place. The second-reading speech is supposed to set out the intent of the bill and how the bill will function in the future. After reading the second-reading speech and the bill there are more questions than there are answers as to how this bill will function into the future.

As was discussed by the previous speaker, the management and disposal of waste in this state is a very vexed issue. It is one of those not-in-my-backyard-type issues. We heard in the adjournment debate yesterday and in the grievance debate this morning members from the government benches — the members for Hastings, Melton and Yan Yean — expressing alarm about the possibility of a toxic waste dump being situated in their electorates. It is interesting that last night on the adjournment the Minister for Education Services was at the table and she agreed that these members should be alarmed at the possibility of a toxic waste dump being sited in their electorates. It is a pity that those same members do not have the same concerns for the people of Mildura. As you well know, Acting Speaker, this government is proposing to site a toxic waste dump at Hattah-Nowingi — within a stone's throw of Mildura.

It is very interesting to look at the history of this waste dump saga. With the comments that have been made in this house in the past couple of days members have been trying to rewrite history. They have been trying to paint a picture of having had some very open and transparent process of doing this. It is useful to reflect on what went on. At the start of this process we had a government announcement that it was considering three sites — one at Violet Town, one at Pittong and one at Tiega — and the dump was going to be situated on private land.

Private land-holders at those three sites woke one morning to a knock at the door from a process server who issued them with notices saying their land was potentially going to be acquired for a toxic waste dump. This morning the member for Yan Yean was singing the praises of the government and saying how open and transparent it was in its process. To my mind being woken up in the morning by a process server saying your farm is going to be acquired for a toxic waste dump is not an open and transparent process at all. The saga continued until all of a sudden, out of the blue, there was a proposal to put the dump at Hattah-Nowingi near Mildura.

This site at Hattah-Nowingi is right next to the Hattah-Kulkyne National Park, right next to the Murray River and right next to one of the icon sites that we are going to protect under the living Murray process, the Hattah Lakes. They are putting it among a trifecta of great environmental icons. More importantly it is next to a major horticultural area. We have heard comments from the horticultural producers in that area about how perceptions become reality when it comes to marketing overseas, where you are competing with foreign countries. If we are marketing into Taiwan against Chile or South Africa, those countries will raise the fact that

the produce from Mildura has been grown near a toxic waste dump, and that will put our people at a major disadvantage. That is something that has never ever been considered by this government.

The panel hearings up there have been going on for something like 55 days. Members of the community were told, 'Don't worry, just come along and present your facts. You do not need a lawyer; you do not need to be really prepared. This is a simple process'. But the government took up senior counsel, spending a fortune on the legal team up there. Fortunately the community, through the Save the Food Bowl Alliance and the Rural City of Mildura, has also put in an effort to make sure it is well represented, but that has cost something like \$2 million. That is \$2 million of the community's money, and no doubt more than that is being spent by the government to argue through the panel process. I congratulate Peter Crisp in his role as chairman of the Save the Food Bowl Alliance for the work that he has personally put in. He has been at the hearings every day, probably to the detriment of his own business, but he has taken it upon himself on behalf of the community and as chairman of that group to make sure everything is done correctly there.

Lo and behold, what do we have now — and it is the reason for our reasoned amendment? We have heard that any decision is going to be postponed until after the election. We have a government that is not prepared to put its hand up and say what it is going to do before the election. It is going to put it off, like a whole range of other issues, in effect saying, 'We will tell you after the election. We are not honest enough to tell you before the election what are we going to do'. As you, Acting Speaker, would know, each day something like 15 truckloads of that waste will be carted some 500 kilometres up the Calder Highway to Mildura. It will be going through all those towns along the highway, and the Calder Highway will become known as the Toxic Highway.

I turn to some of the clauses of the bill. In part 2 of the bill the issue is effectively the reduction of red tape and administration around scheduled premises. Clause 3 cuts the number of scheduled premises from six to one. The minister in the second-reading speech said that this is about helping to deliver on the government's commitment to cutting red tape, supporting business innovation and achieving environmental sustainability. But if you read the rest of the bill, you will see that we are creating a lot more red tape than we are reducing in this small part of the bill — and given that the bill has been introduced by the Minister for Environment, I think he passes the net gain test! If this were a native vegetation bill, it would most certainly pass the test on

net gain, because a lot more red tape and regulation is being introduced than is being deleted.

Part 3 of the bill is to our minds one of the more substantive areas of this bill. I believe the Environment Protection Authority has a long-term aim to expand its role. There has been a concern expressed by the EPA that because it is the regulator or the policeman of environmental issues, it is not sexy and not attractive. It is concerned that it is not seen as doing anything positive because it is enforcing rules and regulations. It wants to have a greater role and to be a really nice organisation that can go out and work with industry.

The problem we have with that is that we believe you cannot have the regulator and the facilitator in the same department. There is a conflict of interest. The EPA wants to put a positive spin on what it does instead of getting on with doing its job. It is going to put in place environment and resource efficiency plans. As we read the legislation, again there are more questions than answers in deciding how these regulations are actually going to be set up. In the second-reading speech the minister said:

The government believes there is a strong nexus between environmental outcomes and economic outcomes. The Environment Protection Authority will be asked to find, and help businesses pursue, this nexus wherever it can.

As was said by the previous speaker, business is smart. Business understands its bottom line and knows that it will do this sort of thing to improve it in future. Business is not sitting around waiting for the EPA to come along and suggest how it might do this. Farmers have for decades understood the nexus between good environment and good business, and I believe secondary industry also understands that. But all of a sudden the government has woken up to this idea.

One of our concerns is that if you got government involved in projects to achieve this, it would be a disaster, given this government's history of project management and managing money. This government cannot manage money, and it cannot bring projects in on time and on budget. I would hate to think that we had a government department trying to tell industry how to do things in this state.

The second-reading speech talks about how the 250 largest consumers of energy and water will be forced to follow these plans. One of the questions that I think is unanswered is how these industries will actually be defined and who they will be. I will come back to that in a minute. It also talks about targeting industries with a three-year payback period. Any company, any management and the directors on any company board

will have already picked projects that have a three-year payback period, and they will be doing them because they fit into their capital criteria. They would be fools not to have done so. I do not see there is any major revelation in that sort of thing. Who is going to choose these projects? Will it be the EPA, or will it be the business itself?

I come back to this issue about the poacher and the gamekeeper. You cannot have the regulator and the facilitator being in the same government department. I believe it should be the role of one of the government departments to be working with industry to try and identify these projects, and the role of the Environment Protection Authority should be to regulate and monitor and to make sure they are done. If the EPA is going to do all this business, why do we need some of the government departments we now have? If we are talking about efficiency, let us cut out some of the government departments if they are not needed to do this.

One of my questions would be: is Melbourne Water going to be one of those top 250 businesses? You only have to look at some of the pollution Melbourne Water creates by tipping something like 300 gegalitres of sewerage into the ocean to see that it is a major polluter. Will Melbourne Water be one of the 250 businesses represented in this group, or will it get out of it by being able to send its sewerage to Gippsland, as is being proposed, and taking back good water in return?

Ms Lindell — Careful! That has gone through a few kidneys already.

Mr WALSH — Though not as much as the water that goes to Adelaide! If we are going to talk about polluters and the people who create pollution, I believe that water should be reused in Melbourne rather than being sent to Gippsland and good water returned in its stead. In England, for example, each water authority has an obligation to return something like 60 per cent of the water it takes in a useable form back into the streams. A caveat is that they have to return it above their own off-take to make sure that they are returning good water. Page 6 of the second-reading speech says:

The scheme will not apply to broadacre agricultural primary production, including irrigated primary production, as a significant amount of work is already being undertaken to encourage resource efficiency in this area.

It is pleasing that the government is finally recognising what a great job our rural industries have been doing over decades to make sure they are the most efficient in the world at doing that. But the concern that I and members of The Nationals have is that although this

statement is in the second-reading speech, it is not provided for in the legislation. Apparently it will be included in the regulations when they are composed, but that is our major concern.

As the member for South-West Coast says, this is a case of 'Trust me', but I am afraid the history is not good. You only have to look at the current Minister for Environment, and particularly in his role as Minister for Water. If you went to the people near Lake Mokoan and asked, 'Would you trust this minister to do what he says?', I am sure they would be apprehensive about whether what the minister says will happen.

The Nationals will not support the bill, unless that commitment to exclude agriculture and irrigation primary production from these plans is actually set in cast iron and written in the bill in black and white so that people know the provision cannot be changed unless it comes back to the house and is open to public scrutiny. In effect the regulations could be changed at the stroke of a pen and people will not know what is coming. All of a sudden we will find that after the election — another issue that will be dealt with after the election! — agricultural primary production and irrigated primary production will be included in these plans for the future.

The other part I would like to talk briefly about is part 5, which is about regulating the provision of plastic bags. I commend the work that the Central Murray Regional Waste Management Group in my area has been doing with the communities in my electorate in the promotion of the reduction of plastic bag use. In particular I commend the Loddon shire, which was the first shire in Australia to become plastic bag-free. In more recent times some work has been done in Buloke shire and in the rural city of Swan Hill. Some launches were held recently at Nyah and Ultima. There will be a launch at Manangatang this Thursday so those communities can become plastic bag-free as well.

I endorse the suggestion made by the member for South-West Coast — that is, that this bill probably does not go far enough. Reducing the use of plastic bags would have been an excellent opportunity to introduce a drink container deposit scheme. As the member for South-West Coast mentioned, such a scheme has been running successfully in South Australia for a long time. I think this legislation could have provided Victoria with an opportunity to go down the same path. I share the member's concerns about litter on the sides of the roads — things that are thrown away as we go forward.

I come back to the amendment moved by The Nationals, which is:

That this house refuses to read this bill a second time until the government decides on long-term plans to accommodate the disposal of all forms of industrial waste.

The Nationals would like to see this government come clean before the election on its intentions for Hattah-Nowingi, because if you go — —

Ms Lindell — Tullamarine and Lyndhurst!

Honourable members interjecting.

The ACTING SPEAKER (Mr Languiller) — Order! The member for Carrum!

Mr WALSH — I hear some shrill voices from behind me, from people who seem confused about what the government's intention is and how honest and transparent the government has been about its proposals for this toxic waste dump. It is amazing how it was a great idea when it was going to be put at Hattah-Nowingi, but now that the opposition parties are in unison about it being built closer to Melbourne, there is consternation. Government members are saying, 'It is all right to put it at Mildura, but we do not want it in our electorates. You can dump it on the member for Mildura, but you cannot put it in our electorates'.

It is interesting to look at the schedule of prices in the bill and to read the second-reading speech. There is a levy of \$130 per tonne to take category B waste to one of the landfill areas; for category C waste a levy of \$50 a tonne; and for asbestos a levy of \$30 a tonne. There is a lower charge for asbestos because the government wants to encourage the safe handling and disposal of asbestos. But the final point about this in the second-reading speech is the interesting bit. It says:

No levy will apply to the deposit of wastes to the long-term containment facility when it is built.

I believe that this is building in market mechanisms and penalties to make sure that people can afford to pay to cart waste 500 kilometres to Mildura. The government is saying, 'If you are going to charge them, charge them \$130 if they want to dump waste in Melbourne, but if they want to cart it all the way to Hattah-Nowingi, then they do not have to pay at all'. This is how the government is going to justify to the industry the cost of carting waste to Hattah-Nowingi.

Ms LINDELL (Carrum) — It gives me great pleasure to speak in support of the Environment Protection (Amendment) Bill 2006. What a great afternoon we have been having! Finally we have fleshed out The Nationals secret agenda of what they will do. They will expand the Tullamarine and Lyndhurst disposal facilities, and all the agricultural

waste and refrigerants — everything from country Victoria — can come to Melbourne. So at least we have The National's plan, but we do not have the Liberal Party's plan.

We do not know yet whether the Liberal Party wants to site the facility at Point Nepean, in Karkarook Park, in Braeside Park or perhaps somewhere in the Royal Botanic Gardens in the middle of Melbourne or at Cranbourne. We really do not know. At least this government is going through a process of identifying a site for the facility, ensuring the correct process is gone through. As I said, it really has been a very entertaining afternoon.

As members know, the Bracks government has taken enormous steps to ensure that Victoria is at the forefront of environmental sustainability. We know that that is a very important thing to do, because we know that we have to address climate change. The problem with both the opposition parties in Victoria is that they talk the talk about climate change — they beat their chests and say, 'Yes, we have to do something to address it' — but when it comes to walking the walk and doing something, they find every imaginable reason why we should not do that.

Today we have heard them say that we should introduce container deposit legislation (CDL). I accept that I am a bit of a supporter of CDL. The opposition says it will support it, and I will hold it to that. South Australia has had container deposit legislation since the late 1980s. We had a National-Liberal Party coalition government in this state for seven years, and we did not need it then. Obviously between 1992 and 1999 there was no litter on the roadsides in country Victoria — apparently it has only appeared in the last seven years!

They turned their backs and said, 'No, we do not need this now,' and then said, 'Heavens, look! All of sudden we have a litter problem'. It is a disgrace. They talk about not wanting more regulation, but then they want more regulation. They will oppose anything for the sake of opposition. They will say anything they think will get a headline. It does not matter whether it is true or false — they have no idea. They do not like the environment and resource efficiency plans that will be able to be enacted as part of this legislation.

The member for South-West Coast, in a disgraceful performance, carries on as though this is something that is going to be enacted holus-bolus on every industry and every company in Victoria. In his contribution he did not mention that this is actually directed at the state's 250 biggest energy and water users. They do not worry about that. They say every company is going to

have to do this, when it will only affect the state's 250 energy and water users.

The federal government runs a commonwealth energy efficiency opportunity scheme. Neither of the opposition parties wishes to talk about this. The commonwealth government, their own federal government, runs the energy efficiency opportunity scheme, but the problem with that scheme is that they make the companies go through the hoops, do the audits and make the companies identify where the savings can be met, and then they leave it. We have little trained dogs jumping through hoops to identify where they can save, but there is no mandate to make the changes happen.

At least this scheme will require action. It requires action to be taken if there is a three-year payback, or better. It is a much superior scheme to what the commonwealth government has because we do not go around and waste companies' time and money. We do not make them carry out the audits which then sit on the shelves. In the recent parliamentary committee inquiry into the energy efficiency services industry we looked at energy audits in quite some detail. The evidence we took from industry and government regulators, both commonwealth and state, was that there are energy and water audits sitting on shelves in all of the large companies. That is one of the things that they have had to do, but then there has been no mandate to actually enforce any action and no assistance to enforce that action at all.

The new scheme is introduced in conjunction with the regular offsets of at least \$3 million per year from other proposals in the bill, such as corporate licensing, which could lead to an estimated 30 per cent reduction in the number of EPA licences — another fact that has just been overlooked in the contributions by the members for Swan Hill and South-West Coast.

I will quote the chief executive officer of the Victorian Employers Chamber of Commerce and Industry (VECCI), Neil Coulson. He is often quoted in this chamber by the Liberal Party. When speaking about this new approach from the EPA he spoke about the interest in growing business, in making business economically sustainable and in ensuring that we respect the natural environment in delivering that outcome.

He says that this is sharing VECCI's approach. Organisations that are already taking the initiative to reduce their environmental resource consumption will have their efforts recognised. I would have thought that that is a commendable thing.

Dr Sykes — We agree.

Ms LINDELL — Of course The Nationals are agreeing, but they are opposing the bill.

The scheme will complement rather than duplicate existing resource energy efficiency programs and voluntary actions by business to improve environmental resource use efficiency. The member for Benalla continues to interject. He has already this afternoon let me in on their secret plan to put all hazardous waste in Tullamarine and Lyndhurst. The extension of Lyndhurst is non-negotiable. There have always been question marks over whether material leachates from Lyndhurst. The approximately million people in the south-east of Melbourne will object to having Lyndhurst expanded on their doorstep when the — —

Mr Walsh interjected.

Ms LINDELL — We will see. We have got Nowingi 50 kilometres from Mildura. That is something for The Nationals to actually come to grips with.

Mr Pandazopoulos interjected.

Ms LINDELL — Yes, you would think so. Certainly the support for this bill is absolutely necessary. Once this bill is passed, we can look forward to much greater and improved resource-use efficiency right across the state. I look forward to support in the future from The Nationals and the Liberal Party on issues addressing climate change. As I say, they talk the talk but they certainly do not walk the walk. If the member for Swan Hill cannot accept that the efficient use of energy and water goes a long way to effecting climate change, he should go back and do some basic reading.

The ACTING SPEAKER (Mr Languiller) — Order! The member's time has expired.

Mr HONEYWOOD (Warrandyte) — In rising to join the debate on the Environment Protection (Amendment) Bill today, I was going to limit my contribution to part 3 headed 'Environment and resource efficiency plans' and part 4 headed 'Metropolitan waste management', and I will get to those in a moment. However, there has been a fair bit of historical revisionism today in the debate so far from the government benches. I would remind the honourable member for Carrum, who spoke a moment ago, that seven years ago — seven long years ago — her government appointed the Hazardous Waste Siting Advisory Committee, absolutely full of Labor Party branch members.

What did that report show after the two years it took me as shadow minister to get a hold of that report under freedom of information? It showed that the 14-odd members on that committee — it was full of Labor Party branch members — were absolutely appalled that this government gagged them, including trade union leaders, from being allowed to nominate a single site for Victoria's toxic waste dump. They were gagged by their own government from even being allowed to investigate and report back to the government on where the toxic waste site should be.

So the Labour government does not come to this debate with clean hands. It instead preferred to keep the site selection within the minister's private office, and when it got burnt on the initial three sites — Baddaginnie, Pittong and Tiega — what did it do? It then went as far north-west as possible, as far away as possible from the Melbourne metropolitan media's grasp and attention span, and it picked on a site which is adjacent to a national park. The honourable member for Carrum should be ashamed for saying it is only 50 kilometres from Mildura. You go up to Mildura, honourable member — —

The ACTING SPEAKER (Mr Languiller) — Order! Through the Chair!

Mr HONEYWOOD — You tell the people up there, when they are trying to market Victoria's clean food reputation overseas, that the Sunraysia region should have a toxic waste dump.

The ACTING SPEAKER (Mr Languiller) — Order! The member for Warrandyte, through the Chair.

Mr HONEYWOOD — How do they market their products overseas? They cannot, because they are being told that they have had toxic waste imposed upon their Sunraysia region. Why not leave the last quote to Stefano di Pieri? Stefano was, of course, a Labor Party adviser to then Premier Joan Kirner. He runs a wonderful restaurant up there in Mildura promoting Sunraysia's clean food industry, and although he is a member of the Labor Party, he has turned on it publicly and said 'This is a totally inappropriate site for a hazardous waste dump in Victoria'. But we are not surprised to hear that in a last-ditch effort they have flick-passed the whole issue until after the election — after seven years of doing nothing, seven years of promise and seven years of indecision. For another example of that honourable members should look to government business order of the day 20 on the notice paper, the Channel Deepening (Facilitation) Bill. It has been there for two years. My name has been sitting there for two years.

Ms Lindell interjected.

Mr HONEYWOOD — We are talking about waste management. I advise the honourable member that there is a lot of waste coming out of channel deepening. This is another example of this government wanting to put off the hard decisions until after the election. We have been waiting in this Parliament for two years to debate this bill — two years — because the Blue Wedge Coalition did such a great job with volunteers in showing this government up for its lack of environmental credentials when it wanted to gouge rock from the seabed of Port Phillip Bay Heads.

I turn back to parts 3 and 4 of the bill. It does not hurt for a bit of historical fact to be brought into the debate, rather than the revisionism from the passionate member for Carrum, who was reading out the ministerial office briefing notes. We now come to the Environment Protection Authority. Under the chair of the late Brian Robinson, the EPA was a genuine independent body at arms length from government. Under this government the Environment Protection Authority is just the tail wagging the dog, because what we find is that whenever there is a politically embarrassing issue, the current chair of the EPA just runs out and supports whatever the ministerial office dictates.

We had the classic example where the minister decided that dog owners and dog droppings were the entire cause of Yarra River pollution. What did we see the so-called independent chair of the EPA come out and do? He said, 'I agree with the minister. It is these wicked dog owners who are entirely responsible for Yarra River pollution'. Tell that to my constituents in Warrandyte, who have just discovered 15 000 particles per whatever the reading is — the highest reading of human E. coli being flushed into the Yarra River on a daily basis because the EPA tried to cover up the real cause of Yarra River pollution. The real cause is not dog poo but, of course, human excreta.

Again, we have the so-called independent Environment Protection Authority just trotting out the government line and supporting whatever the minister's office says. The other example of the EPA now being the lap-dog rather than the voice of independence on the environmental debate was the Maribyrnong River. I recall that Melissa Fyffe won an award for a fantastic report in the *Age* about how a site owned by the Port of Melbourne Authority adjacent to the Maribyrnong River had been identified by the EPA over 18 months beforehand as leaching into the Maribyrnong River massive quantities of cadmium, lead, zinc and other appalling toxic waste. Of course under this government

the EPA turned a blind eye for over 18 months to doing anything about cleaning up that appalling site.

So when we hear from this government about what it is going to do about the EPA we start to worry, because there is just going to be more camouflage, more stymieing of any genuine attempt to have an Environment Protection Authority that is at arms length from government and that speaks for and on behalf of the people of Victoria rather than for and on behalf of whatever the minister's office at the time wants to dictate to it.

We on this side of the house take on board and do not oppose the fact that the so-called main objective of the bill is to amend the Environment Protection Act to ensure that Victoria can have these environment and resource energy plans in place, but given this government's predilection to taking forever to do anything, these plans will be some time in the Labor Party waiting room before they see the light of day. I predict they will well and truly still be being put together some months after the next election. Again, that allows the government to go to the people saying, 'Look what we are doing' rather than 'Look what we have done'. That is the whole theme of Labor in office. Labor members say, 'Do not look at what we have done, look at what we might be doing down the track'. We will not talk about regional fast rail today!

This bill is supposed to improve waste management, and the government has already begun work in this area with its Towards Zero Waste strategy. However, that zero waste strategy was delivered over two years late. Finally, in the dying days of its seventh year in government, we have another bit of legislation coming through to actually implement some of the rhetoric from that zero waste strategy. We had not 1, not 2, but 3 different working parties appointed by the government before we actually got that strategy published. We find that the working party for the strategy was comprised of local government, regional waste management groups, the Victorian Local Governance Association and state agencies. Apparently the working group recognised that while the current waste management schemes had been useful during the initial stages, the current arrangements are no longer adequate to meet the challenges of genuine zero waste in Victoria.

I ask honourable members to bear in mind that this bill will abolish four genuine local metropolitan and regional waste management groups. We are setting up one great big overarching quango, and we can guess who will be appointed to that body. But of course in that process we are abolishing four community-based

groups that are responsible for ensuring that groups of councils in a particular part of Melbourne do the right thing on regional waste management.

I have to tell members that in my electorate, the Manningham City Council has done a tremendous job of upping the ante, stopping the amount of green waste going to landfill and other genuine initiatives. I approached the establishment of a new quango with some caution, because it is going to take away the local community's ability to do what it does best — to find local solutions to waste management problems. However, in the last 30 seconds I have — because I am only allowed 10 minutes to speak under this government, when under the previous Liberal government I could have spoken for 20 minutes — I will ask: what has happened to the government's green waste strategy? Its current policy is that no green waste will go to landfill, yet if you go anywhere around Melbourne you will find that the average amount of green waste that goes to landfill, rubbish tips, is 85 per cent. If people go down to the local tip, they will see that green waste is going to landfill. This government had a policy of not making any green waste go to landfill.

Mr LUPTON (Pahran) — It gives me great pleasure to speak in support of the Environment Protection (Amendment) Bill. Since the Bracks government was elected to office, it has taken many steps to ensure that we are at the forefront of environmentally sustainable policies in Victoria. We have a very proud track record, but there is always more to be done. This government is determined to press on with our environmentally sustainable policies. Our plans which are contained in this legislation are further evidence of our commitment to an environmentally sustainable Victoria.

The particular issues in this legislation that I want to refer to in some detail are the environment and resource efficiency plan scheme and also the proposals to reduce the use of plastic bags in the community. It is important to remember that last year the government presented its vision for an environmentally sustainable Victoria in the framework Our Environment Our Future. The government's sustainability action statement, which was recently released by the Premier and the Deputy Premier, who is also the Minister for Environment, ensures the next phase of the framework's delivery and includes a number of initiatives to improve Victoria's environmental resource use efficiency. The environment and resource efficiency plans contained in this bill are a part of that process.

The government has policies in place to reduce pressure on our environment from the overuse of resources. Some of them have been particularly effective. There have been some good success stories in working in partnership with business, but we need to do more and improve the effectiveness of those programs. The industry greenhouse program which has been carried out in Victoria in recent years has delivered annual reductions of 1.1 million tonnes of greenhouse gas emissions and has reduced the energy bills of Victorian businesses by some \$34 million per annum. A couple of the success stories arising from that program include the identification of annual greenhouse gas reductions of 65 000 tonnes at the Murray Goulburn Cooperative and reductions of 36 000 tonnes at BlueScope Steel. These examples demonstrate that large-scale improvements in environmental resource use efficiency are highly achievable in Victoria.

The environment and resource efficiency plan scheme will introduce environment and resource efficiency plans for the biggest energy and water users in Victoria. The companies under these plans will be required to explore energy, waste, and water reduction opportunities and to prepare and implement plans which include financially beneficial reduction actions. It is important that they will be required to implement those plans once those audits are carried out. This program is predicted to save up to 2000 megalitres of water, which is enough water to service 8000 new homes, and it will also include substantial reductions in trade waste going to sewerage and solid waste going to landfill.

The actions that involve the environment and resource efficiency plans will be implemented in such a way that, as a part of the process, they will have to have a three-year, or better, payback period. This represents a new way of regulating waste management, because it will allow Victoria to be one of the first jurisdictions in the world that will only require a company to undertake actions under such a regulatory scheme where that company will make money from those actions. This is a major difference between our scheme in Victoria and the commonwealth's energy efficiency opportunity scheme. The commonwealth scheme requires companies to conduct audits and to spend the time and money that that involves, but it does not include any requirement that action be taken under those audits to reduce emissions. The commonwealth scheme leaves those actions totally up to the company involved, whereas our legislation in Victoria goes further. It requires businesses to implement actions which have a three year, or better, payback period.

As time goes on, we are learning that what is good for the environment is also good for business. Many businesses in Victoria are adopting that philosophy and we encourage it strongly. I noticed that recently the chief executive officer of the Victorian Employers Chamber of Commerce and Industry, Neil Coulson, said that under these sorts of programs the Environment Protection Authority is sharing its interest in growing business, in making business economically sustainable, and in ensuring that we respect the natural environment in delivering that outcome. These environment and resource efficiency plans are going to be of particular importance and help to businesses in Victoria and will make sure they are able to move competitively towards a more sustainable environment.

I will move on to talk about the reduction of plastic bag waste. I have an example of a business in my local community doing something about environmental sustainability and reducing plastic bag usage. I was at the launch of a program with the Minister for Environment at Collins Booksellers in South Yarra just recently. Throughout its franchises, Collins Booksellers has introduced a phase-out of plastic bags by September this year. It has come to realise that that is important not only because it is environmentally sound, but because it is good for business as well. In the recently released sustainability action statement the government made a commitment to reduce the impact of plastic bags in Victoria's streets, beaches, landfills, creeks and waterways. Plastic bags are a big community issue. I know many people in my electorate of Prahran talk to me about how we need to continue to reduce plastic bag usage. Environmentally friendly recycled shopping bags are popular.

This legislation has a target to phase out the use of plastic bags by the end of 2008 and will be enforced by a scheme to ensure that if the plastic bags are not phased out by that time, a price will be put on them to further encourage a reduction in their use. It is a big problem in the community. Plastic bags get into all sorts of waterways, creeks and landfill. We need to reduce their use in the community, and this bill will, in many ways, lead to a great reduction in plastic bag usage. I am very happy to support the legislation.

Dr SYKES (Benalla) — I rise to speak on the Environment Protection (Amendment) Bill and indicate my support for the reasoned amendment moved by the member for Swan Hill. I also indicate my support for some aspects of the bill. Clause 60 relates to the cleaning up and ongoing management of contaminated sites. That is an important and desired aspect of the bill.

One example in the electorate of Benalla is the township of Euroa, where we have approximately seven disused service stations that were closed as a result of the Hume Freeway now bypassing Euroa. Until recently, after a decade or more, those service station sites remained unused and to a large extent uncared for. Over the past three and a half years I have worked with the Strathbogie Shire Council in attempting to get clear guidance from the Environment Protection Authority on likely clean-up cost requirements for each of those sites.

I should say that the EPA has been reluctant to provide that clear guidance and in fairness to it, one of the problems is it is not clear how much it will cost. It is like renovating a house in that the costs do not become apparent until you get halfway through the job. The cost of cleaning up each site is likely to be of the order of \$200 000 to \$300 000. That creates a problem when the land values in those areas are far less than that.

Fortunately, one of the benefits of increasing land prices in north-eastern Victoria, because it is a great place to live, work and raise a family, is that it is a more cost-effective option for people to contemplate taking over and developing these sites. Strathbogie Shire Council, to its credit, has thought laterally and enabled some subdivision of sites and the selling off of some uncontaminated sections of those sites. I also indicate my support for moves to decrease plastic bag usage. The imposition of a fee is one strategy, but as mentioned earlier by the member for South-West Coast, consideration should be given to an exemption for biodegradable plastic bags and for the income generated by the fee on plastic bags.

I also support the overall principle of continuing to improve our environment. We have particular issues in north-east Victoria in relation to sewerage schemes in some of our smaller communities, in particular Glenrowan, the home of Ned Kelly, where the development of the community is being held back by the absence of a reticulated water system and a suitable sewerage scheme. The introduction of such schemes are on the drawing board, but it is critical that state government money be provided to enable it to happen sooner rather than later. Equally in Bright and Porepunkah we have a similar situation with sewerage schemes which have been the subject of intense community debate for over four years and as yet are unresolved.

The overall intent of the bill — to improve waste management and move towards zero waste — is admirable. It is claimed that the bill will reform metropolitan waste management. Why then is the

government still hell-bent on transporting the toxic waste generated in Melbourne for 500 kilometres? Transporting that waste up a highway through a number of small and major communities to Hattah-Nowingi is illogical. The history of choosing this site is a repeat of the process that was used to choose the three potential and original sites at Violet Town-Baddaginnie, Pittong and Tiega.

It is worth reflecting on the process to highlight the disgraceful conduct of the Bracks government. Some form of investigation was undertaken to shortlist the sites. Unfortunately that process and the shortlist was never made available to the public, even though we have an open and transparent government!

Then the five landowners in the electorate of Benalla were notified by the process server arriving on a Wednesday morning, Gestapo-style in a military-type operation, with landowners being told their properties would be taken if the further tests confirmed their properties to be suitable. They had no rights in this democratic country. Within three days of people being aware of the site being potentially chosen at Violet Town it became absolutely evident that the site was on a floodplain. Yes, the preferred site for a toxic dump was on a floodplain and the local people had photographs to prove it. However, the government did not just say, 'Okay, we got it wrong', but subjected the community to over six months of so-called consultation.

It coerced people and ignored their pleas. They proceeded with a blinkered approach of evaluating the environment effect statement. They ignored pleas to focus on the key issue of whether the site was on a floodplain. They drove, coerced and pressured people right through until the middle of May. On 19 May, a couple of days after the last meeting where people had been coerced to deliver information, the announcement was made that the government was not proceeding with the site at Violet Town and Baddaginnie. Since then it has been confirmed that the government made its decision not to proceed at Violet Town and Baddaginnie three months earlier — that is, in February.

The conduct of the Bracks government in subjecting individuals in the Violet Town-Baddaginnie community to a charade of consultation has been disgraceful. It has subjected individuals to enormous stress, thereby affecting relationships within the community. Many of those people are still emotionally scarred today. I have spoken with a couple of them in the last couple of months, and I can tell the house that their scars are visible. They are still hurting.

They suffered breakdowns because of the ill-conceived decision in the first place and secondly, because of the dishonesty of the government in proceeding with a charade of consultation when three months or 100 days earlier they had chosen to go to another location. Regrettably, Acting Speaker, this whole process is being repeated again at Hattah-Nowingi.

As the member for Swan Hill said, the process to decommission Lake Mokoan is being repeated. I will give three examples of what is going on. Firstly, the initial cost-benefit analysis, the basis upon which these major decisions are made, was fudged. The cost was lowered for the preferred option and the benefits were increased. Further work has shown that the costs will double.

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

Dr SYKES — I am highlighting the track record and form of the government in relation to this and saying that it has a record of poor performance in doing the sums before making decisions, that that is happening now with Hattah-Nowingi and Lake Mokoan.

The other issue that was touched on in the bill is the intention and claim that this will result in a reduction in red tape. That is a claim that is yet to be delivered on. I challenge the government to demonstrate any activity it has undertaken in its seven years in office which has not resulted in an overall net gain in red tape, as distinct from the situation with native vegetation, where there is a perceived claim of net environmental gain. The government will not deliver on a net reduction in red tape.

My other concern is the statement in the second-reading speech that the scheme outlined in the bill will not apply to broadacre agriculture production including irrigated primary production, as the government recognises that a significant amount of work has already been undertaken to encourage efficiencies in those areas. I know that the land-holders and agricultural producers in my electorate are very much working towards highly efficient production, particularly those in the Broken River system who are trying to move towards high efficiency and high-value agricultural production and who are doing an outstanding job. Their thought processes and futures are being challenged by the decision to proceed with the decommissioning of Lake Mokoan.

In conclusion, I wish to confirm my support for the reasoned amendment moved by the member for Swan

Hill, which puts to the house that it refuse to read this bill a second time until the government decides on long-term plans to accommodate the disposal of all forms of industrial waste. I highlight, just for the benefit of a previous speaker, that we believe there is no pressure of time on this issue and that there is unused capacity in storages that are currently being used. If the waste is not so toxic, as the ministers have assured us, what is the problem with continuing to use those facilities for a year or two longer?

Mr LOCKWOOD (Bayswater) — I too will make a short contribution to the debate on the Environment Protection (Amendment) Bill. I obviously support the bill but not the amendment. I thank the member for Benalla for speaking so lovingly of the government of Victoria. It truly is a great place to raise a family under the Bracks government.

Dr Sykes — ‘To live, work and raise a family’.

Mr LOCKWOOD — To live, work and raise a family — thank you!

Mr Walsh interjected.

The ACTING SPEAKER (Mr Ingram) — Order! Honourable members will assist the Chair by not interjecting against the member on his feet.

Mr LOCKWOOD — Thank you, Acting Speaker. They are just signifying their support for my remarks, I am sure!

Honourable members interjecting.

Mr LOCKWOOD — And of course protecting our environment is crucial to our future.

There are obviously many aspects to protecting our environment, from water conservation to forest protection. The management of waste is also a key part of protecting our environment. We have been reducing waste and increasing the recycling of materials for a number of years, but of course we have a way to go. We need to continuously encourage the creation of less waste, and we need to encourage more recycling. We need to pay the true price of accumulating waste, because we discovered a long time ago that it does not just go away, not even on a truck. We cannot just tip it into the rivers or the ocean or stick it at Lyndhurst. We cannot just dig another hole in the ground. All these actions have come back to haunt us if not bite us, so we need to put a significant effort into both reducing waste and disposing of the waste we generate responsibly.

This bill does a number of things. It promotes and encourages resource efficiency, produces smarter regulation and strengthens the user-pays responsibilities. Resource efficiency has been mentioned already. It includes the establishment of a new regulatory scheme to require the largest consumers of energy and water — not all consumers — to develop and implement plans to examine opportunities for improved environmental resource efficiency. Environmental plans will be extremely useful in managing waste. Some believe this should not be done — and some are misinterpreting or deliberately misconstruing it — but environmental plans will guide the use of resources and lead to better environmental outcomes.

Much has been said about the Metropolitan Waste Management Group. At the moment we have four waste management groups that are run by councils. This will be greatly different. There will be a waste management forum which will provide four council representatives to be members of the waste management group. The four waste management groups have been running for a number of years. The metropolitan group will take a broader view, no doubt, and at the metropolitan level will produce economies of scale that will ensure our ability to dispose of waste is managed effectively.

It has always been a vexed issue. Where do you put the waste? I know that in my local area of Knox we have for a number of years been putting it in holes down the road from Bayswater, but those holes have now filled up, so household waste is now trucked out to Lyndhurst. We cannot go on producing that level of waste, although we are obviously making great gains.

I will just mention briefly the plastic bag issue. I am sure many retailers will respond to this, as some of my local groups have. Placing a cost on consumers of plastic bags is designed to encourage them to think about alternatives. Locally the Bayswater traders have come up with free bags to give away to customers as an alternative to plastic bags. They are purple bags — purple ‘green’ bags, if you like — that promote the Bayswater centre.

Dr Sykes interjected.

Mr LOCKWOOD — No, it does not have Karak on it. That would be a good idea, though. Perhaps it needs a penguin.

Dr Sykes — You could put it in your ads.

Mr LOCKWOOD — I could indeed. Perhaps I will put it on a calendar one day. As I said, they use the bags

to promote their businesses or promote the centre, and they have been very successful. We see the purple bags emblazoned with the Bayswater name and logo all over the place — not just at the shops but at other shopping centres, railway stations and the footy. They are a great marketing tool. Now another group of traders at Studfield have seen the opportunity and are getting their own bags produced to market their centre. These will probably be black 'green' bags. They will be free as well. The Studfield traders are cheekily offering to accept the trade in of any purple bags or other bags that people have in order to promote their centre. I am sure they will be very successful. It is not just a matter of putting a levy on plastic bags; it is a matter of encouraging people to think more broadly about waste and about what the alternatives are and how they can best go about it. On that note, I commend the bill to the house.

Mr SAVAGE (Mildura) — I rise to indicate that I will be supporting the reasoned amendment by the member for Swan Hill. I see merit in some of the content of the bill, but there are some fundamental flaws in the whole process of dealing with toxic waste or B grade category waste in Victoria. It is something that I concede this government has inherited, but it is still a major problem in terms of what the government does and what the appropriate process is. I will come back to that later.

I want to make some observations about the levy on plastic bags, which is part of this bill. There was an interesting article in the *Herald Sun* written by the honourable Andrew Bolt — —

An honourable member — He is honourable?

Mr SAVAGE — Some would say he is honourable — I do — but some do not share that view. I like Andrew Bolt: I think he is a very good commentator, and I have said that before in this house, much to the disgust of some. I think that Andrew Bolt was on the money when he wrote an article in the *Herald Sun* saying:

... the Environment Protection and Heritage Council concluded: 'Plastic bags are popular with consumers and retailers as they are a functional, lightweight, strong, cheap, and hygienic way to transport food and other products.'

I agree with that process. I do not like seeing them in the environment, but I like plastic bags as a method of containment. I think using paper as an alternative is most inappropriate, and usually you get stuck without anything if you do not have one of those proper bags that people buy. The Productivity Commission found in May that plastic bags make up only 0.2 per cent of all

landfill, where they are probably doing some good, reducing toxic leakage and keeping the fill stable. Let us come back to a bit of reality about plastic bags. They are undesirable if they are flying around in the environment, but in terms of their impact on landfill, 0.2 per cent is very small.

I will go on and make the observation that I would accept a 10 cent levy on plastic bags if we had a 10 cent levy on every container that we see lying on the highways and in the environment. Last week I wanted to prove the failure of the current system to myself, so I did a little audit on the Sunraysia Highway at mile peg 435. Over 360 metres — this is 360 metres on one side of the road, in a place where there is no housing — I found 9 glass bottles, 40 stubbies, 63 cans, 26 plastic bottles, 1 plastic bag, 2 car tyres, 1 cardboard drink container, 4 items of cardboard, 1 chip packet and 14 pieces of nondescript rubbish. The containers made up 86.3 per cent — and I thank the Minister for Agriculture for helping me work out the percentages — of the litter stream on that stretch of highway. Let's get a grip: I found 1 plastic bag and 139 containers out there, yet you tell me the system is working!

I wish I knew which highway it is working on, because whenever I drive around I see rubbish piled up. In fact you will see archaeological digs on the side of the road. If you go into the bush and have a scratch around, you will find old steel cans you had to put the steel opener into. That is how long back this stuff — —

Mr Walsh — Did you pick them all up?

Mr SAVAGE — No, of course I did not pick them all up. The point I am trying to make is that you have to be consistent on this. Plastic bags may be a problem, but I think containers are a more significant problem.

The way in which the national litter index has been derived is clever. Keep Australia Beautiful is still captive to the beverage industry, and now the litter index is divided into 37 different categories. That is how you make it look as if there is no container rubbish on the side of the road. What a rubbish outcome that is! I thought that containers made up about 70 per cent of highway litter, but in my survey, admittedly of only 360 metres — but I did not pick it on purpose because there was a lot of litter there; I just stopped the car and had a look — they made up 86.3 per cent. That is a pretty disgusting outcome. Recycling works really well in South Australia. Why could it not work here?

Some members have mentioned the toxic waste containment facility today, and I have to say they are pretty misguided. In fact some comments were patently

stupid. Some people need to have a look at what has happened so far, because the reality is that the toxic waste containment facility has not yet been approved. It is before the panel, and the panel is in the process of deliberating — and I understand it will make a decision in December.

Dr Sykes — After the election.

Mr SAVAGE — After the election. This whole process has brought no credit to the government. As the member for Benalla mentioned, going around looking at people's land in secret was a most inappropriate way of making a site selection. We debated a charter of rights about a week ago. There was not much thought given to the rights of people in this state when people from the Department of Infrastructure were tramping around Victoria looking for a site — not getting the chequebook out but looking secretly so they could put a Valuer-General's price on a block of land that somebody owned under a freehold title. What a disgrace! I do not have to repeat the things that have been said about that, but I have to say that it brought no credit on this government.

I made a request of the government under freedom of information (FOI) for material that did not appear in the environment effects statement (EES), and it took seven months to get it. Not until I complained to the Ombudsman that I had not received anything did I get something. When we see what this government said it was going to do about FOI back in 1999 and 2002 —

Mr Walsh — This is your government!

Mr SAVAGE — The member for Swan Hill needs to be very careful. The people of Victoria changed the government, not the member for Mildura or the member for Gippsland East. He needs to reflect on those stupid comments, because he was not here then.

I received some information that a Dr Macumber had made a contribution to the EES process, yet it is very difficult to find any reference to Dr Macumber in the EES document. He is a leading expert on geological hydrology in Victoria. In fact he did his thesis on the Raak discharge zone, which is right next to the proposed toxic waste containment facility. His opinion, which came out of my FOI request, is that there are significant sand sheets above the sand which the proponents say is going to protect the environment from the toxic material. There is ground water above the Parilla sand, and there is another sand sheet which could, because it is very saline, dissolve any material that comes out of that toxic waste dump and send it straight across to the Raak, which is right next door.

Members in this place need to be very careful about what they say regarding whether or not this is an appropriate site. If they say this is appropriate at the moment — and some members have said that — they are very misguided. It is not good decision making to say that a site 50 kilometres from Mildura is a good place for a toxic waste dump. Members should reflect on the fact that this is affecting people's lives. There is land right next to this proposed toxic waste dump which has been reduced in price and is now valueless. There is no provision for compensation for any person who has land there, and that is a shame.

Another thing that came out of Dr Macumber's report is that when the major projects people rang him up before the toxic waste site was selected and asked him what he thought, he said, 'This is the wrong place'. So what do they do? They hired him and used him in the EES process so he became a government person. But when you talk to him and ask him questions, you find he is an honest man. He does not agree with it. The fundamental mistake this government has made in hiring companies like URS is that they are not objective. They are paid to get an outcome, and that is what they did with this. The track record of URS in the Northern Territory is disgraceful. You need people within government departments who are experts, who are not fearful of losing their jobs and who can make objective analyses and appropriate decisions. I will be supporting the reasoned amendment very strongly.

Ms BARKER (Oakleigh) — I want to make a few comments on the Environment Protection (Amendment) Bill. One of the aspects deals with improving waste management and recommends the replacement of the four regional waste management groups by a new statutory body called the Metropolitan Waste Management Group. I, along with the Towards Zero Waste working party, believe that is a good way forward. We had a system where local councils were responsible for local waste management, and then we moved to the regional waste management groups, which helped move waste management from a council-only operation to a regional effort. But it has been clearly recognised that if we are going to fully address the Towards Zero Waste strategy, we need to move to a metropolitan arrangement.

It could be said that the working party recommended it, but the member for Warrandyte seems to think it was not accepted. I refer to a media release issued by the Municipal Association of Victoria which welcomes the introduction of legislation into the Victorian Parliament to improve waste management arrangements for metropolitan local councils. The media release quotes

Municipal Association of Victoria president, Cr Geoff Lake, as saying:

... local government proposed the replacement of the four existing metropolitan RWMGs —

regional waste management groups —

with a single waste management group.

...

Councils will have improved capacity to negotiate longer-term contracts and invest in alternative technologies to landfill that can process greater volumes of material and extract more resources from waste.

It is a sensible way to go, and it has been recognised by the local metropolitan councils and advisory bodies such as the MAV and the Victorian Local Governance Association.

Other members have said — and I agree — that the issue of waste removal should not be left to councils and other bodies. All Victorians play a role in managing waste into the future. Packaging is an issue that needs to be further addressed. It is something that has been raised with me on a number of occasions. One of the ways we can address this issue is through education and promotions. One of the more successful promotions was the Sustainables Household Challenge, which relates very much to people in my electorate. Action 7 under the heading '10 things you can do to save the planet' is 'Look for products without unnecessary packaging'. Many of my local residents would like to do that, but industry needs to take a more proactive role in how it prepares goods for sale. The packaging of some products is outrageous.

I will briefly touch on another aspect of the bill — that is, reducing plastic bag waste. It has been well known for some time that as a government we are committed to reducing the impact of plastic shopping bags in Victoria. They cause great problems in beaches, landfills, creeks and waterways, and we must reduce their number. We are not suggesting that it will happen immediately. The bill will introduce a head of power to create regulations to establish controls over the free distribution of plastic bags by Victorian retailers. But there are certainly far more things that we can do, and should continue to do, to try to make that more of a voluntary program than it currently is.

There have been a lot of efforts to reduce the number of plastic bags. In my area it is very pleasing to see so many people of all ages going into shopping centres with their green bags. The community is adopting that approach, and adopting it very well, but voluntary initiatives are not achieving the desired reduction.

Therefore under the provisions of this bill there will be the opportunity to regulate that in the future if necessary. However, there will be further consultation.

In closing I will mention something about plastic bags. In my community the Monash City Council recently decided to close the Oakleigh swimming pool. One of our local community activists shaped a blue plastic bag into a bathers top. It was adopted as a bit of a campaign measure, which is perhaps not such a good idea.

Residents were encouraged to tie blue plastic bags on their fences — to show blue for the pool. As one of the people who oppose the closure of Oakleigh pool, I was very happy to tie something on my fence. However, I did not have a blue plastic bag — I try very hard not to have them — so I tied a blue ribbon on my fence. We have had a plethora of blue plastic bags displayed in the Oakleigh community — tied on fences, on bushes in front gardens and in a whole range of other places.

As I said, it is not such a good idea to have the blue bags out there, so we are now encouraging people to display a blue ribbon. Oakleigh is turning into a blue-ribbon area — not a blue-ribbon Liberal area! — to show our community's strength and say to Monash City Council, 'Do not close the Oakleigh pool. Make sure you keep it open and upgrade it'. With those comments I commend the bill to the house.

Mr INGRAM (Gippsland East) — I rise to make a brief contribution to the debate on the Environment Protection (Amendment) Bill. The bill, as has been outlined by other speakers, makes a number of changes. They include changes regarding scheduled premises, the introduction of environment and resource efficiency plans for large water and waste generators and the establishment of the Metropolitan Waste Management Group. One of the things I will discuss in a bit more detail is the plastic bag levy. It is an interesting concept. A number of countries around the world have introduced such levies. It is an issue that I raised in one of my constituent surveys in East Gippsland.

At the same time I raised the issue of container deposit legislation (CDL), which I passionately support. It is interesting that there has been broad discussion of CDL here today and that there appears to be more support for this across the chamber than there appears to be legislative drive for it. Governments seem to be reluctant to introduce CDL, but hopefully that has started to change. I like to think in the near future both sides of this place will make commitments to bring in a policy like that of South Australia. If Victoria goes down that path we will see major improvements in the recycling of beverage containers, a reduction in waste and an improvement of the quality of the recycled

product, as occurs in South Australia. Most importantly, there will be reduced waste on our roadsides, as other members have said.

I posed the question about a plastic bag levy in 2003, well before it was flagged by the government, so there had not been a lot of debate about it in Victoria. Interestingly 52 per cent of my constituents supported such a levy, about 40 per cent — a fairly high percentage — opposed it, and the remainder were either unsure or gave no response. There had not been that level of discussion so it is not surprising a number of people were unsure about the subject. If you compare that to CDL, 78 per cent of my constituents support CDL. That has increased to 80 per cent in the latest survey — in 2005 about 3 per cent more of the returned surveys supported it.

Dr Napthine interjected.

Mr INGRAM — Very high — we direct mail it. I should not respond to interjections but we survey 1 per cent of my constituency and usually get well over a 50 per cent return.

It is an important question. I think there is broad support for a levy on plastic bags. Places like Metung are plastic-bag-free areas. Metung is a smaller village but I know some councils have gone down that path. There is broad support out there. However I will say that I do not think single-use plastic bags is an appropriate term. I think most people use them for garbage bags or other functions. I do not necessarily think we should encourage that and I understand the reason the levy is being introduced but I think there is a use for them.

A number of years ago a proposal came to me in relation to the use of biodegradable bags, particularly for products which could end up in and around the waterways — bait bags in particular. While we should not encourage waste going into the system, if you could mandate the use of biodegradable bags in areas where they might go into the waterways, there would be some benefits in that.

I will touch on the reasoned amendment. It is probably drawing a bit of a long bow to bring that issue into this legislation. That said, I understand why the reasoned amendment has been moved and I will support the principle behind it. I think the bill should be supported. I know concerns have been raised by The Nationals in relation to the plans. I think the comment was made that there is an exemption for agriculture and maybe that should have been included in the legislation. I do not necessarily disagree with that concept. I believe this

debate will be adjourned, so maybe an amendment to that effect should be drafted. That is really what the house should do if that is the position and the reason for the opposition to the legislation. I note the comment made in the second-reading speech that it is not intended that agriculture come into this.

With those words, I commend the bill to the house. I fully support the levy on plastic bags and the other provisions. I understand the concerns raised but I think on the whole the bill should be supported. I would like to think that the next time we are debating legislation like this it will be to introduce container deposit legislation, which has much greater support and much higher need in our community. There is a broader view in this Parliament now that that should be supported.

Mr MERLINO (Monbulk) — I am very pleased to rise in support of the Environment Protection (Amendment) Bill. This is a significant piece of legislation. It contains a number of initiatives that follow on from the Bracks government's sustainability action statement and other action plans such as the Towards Zero Waste strategy.

The government's proud record on the environment is not simply a result of high-profile initiatives such as the Great Otway National Park, our marine national parks or Victoria being the nation's leading state in terms of commitment to alternative sources of energy such as wind farms. It is also a result of low-profile but no less significant initiatives and behind-the-scenes work, much of which is covered in this legislation.

At the risk of incurring the wrath of the member for Mildura I would like to talk about landfill levies, contaminated waste and containment facilities. The Bracks government is committed to eliminating hazardous waste from landfill, and the results have been encouraging. Production of hazardous manufacturing waste has decreased by 27 per cent since 2000 — from 122 000 tonnes in 2000 to 90 000 tonnes in 2005. The prescribed waste levies introduced by this government in 2002, which are currently at \$26 per tonne, are one reason for that reduction. The levies provide an incentive to not only decrease waste during the manufacturing process but also recycle any waste that is produced. However, we need to do more.

The bill proposes that from July 2007 the levy be split between category B waste and category C waste. Category B waste is prescribed waste and high-level contaminated soil and the levy for that will increase to \$130 per tonne. The levy for category C waste will be \$50 per tonne. When the long-term containment facility is built, category B waste will be prohibited from

landfill. The levy will not apply to the long-term containment facility. That is an important point to make — the \$130 levy is an interim measure to encourage industries which produce this waste to adjust quickly to reduce the need to dispose of this waste in the future.

I will talk about something that might upset the member for Mildura. I take on board the comments he made. It has been interesting to listen to radio recently. The member for Brighton was recently on ABC radio talking about the long-term containment facility.

Dr Napthine — The toxic waste dump — just come clean about it.

Mr MERLINO — ‘The toxic waste dump’, if that is what members opposite prefer to call it. The member for Brighton clearly implied that the Liberal Party already knows where it would prefer to build this long-term containment facility. The Bracks government has made the difficult decision of identifying Nowingi as a suitable site for a long-term containment facility. This is now subject to exhaustive environmental studies. For the benefit of the member for Mildura, it will only go ahead at this location if it passes those stringent tests. In response to the member for Mildura’s comments, I as the member for Monbulk am not saying that this is the most appropriate site. I will reserve my judgment until the environment effects statement process is finalised. Then I will make my final judgment as to whether it is an appropriate site.

The government has identified this site. The Liberal opposition, on the other hand, has said it will build a facility within a 100-kilometre radius of Melbourne but refuses to say where. I call on the opposition to come clean and say exactly where it proposes to build this facility. It refuses to do so and that can only lead to the conclusion that it may well be the Lysterfield tip. It could be any of a number of sites within a 100-kilometre radius of Melbourne but it may well be that the opposition has secretly identified the Lysterfield tip as the site for this hazardous waste facility. The opposition, in exactly the same way as applies to the government of the day, has a responsibility to be honest with residents and say where it proposes to build this facility. The opposition should say where and then we can have the debate. In case the Leader of The Nationals wants to misinterpret what I am saying when he follows me in the debate, I am not saying that I know that Nowingi is the most appropriate site in Victoria.

Dr Napthine — You are part of the government.

Mr MERLINO — The government is proposing that site subject to the most exhaustive environmental process that has ever been applied to any application in this state’s history.

There is a lot more I would like to say but I have to keep my comments brief. I commend the bill to the house. I look forward to hearing from the Leader of The Nationals.

Mr RYAN (Leader of The Nationals) — What a contribution! We have the member for Monbulk coming in here and having the hide to talk about the government being honest in its approach to this whole issue. What an absolutely extraordinary statement! I want to make a few observations with regard to this legislation which the member for Monbulk might like to contemplate before he gets up and says that sort of stupid thing again.

I will say for a start that The Nationals are opposed to this legislation for all the reasons the member for Swan Hill so eloquently described in his contribution. I want to address the issues of the bill and speak to the reasoned amendment moved by the member for Swan Hill. It is an imperative because it brings into proper focus for the purposes of this discussion the issues regarding the toxic waste dump proposed for Hattah-Nowingi.

Let us not worry about the fineries of ‘long-term containment facility’ — this would be a hazardous waste dump. Some 18 months ago I went to a public meeting at Red Cliffs, which was due to start at 8.00 p.m. At about a quarter to eight we had a couple of hundred people there and by a quarter past eight we had 1200 people there. One of the initial discussions was about this terminology. Without going into it all, the crowd made it perfectly clear that insofar as the people of Sunraysia were concerned, the discussion was about a toxic waste dump.

I want to address particularly this notion of honesty that the member for Monbulk spoke about. He raised a pertinent point but I want to give another aspect that may be of interest to him and certainly is relevant to this debate. In the saga which has surrounded the establishment of this toxic waste dump I lodged a freedom of information application, seeking from the government the details of what were said to be the 100-plus sites which the government had from time to time considered before eventually determining the three sites which at that moment it said were going to be the prospective hosts for this development. I am sure that the member for Monbulk will well recall the agony that was caused to the owners of the properties that were to

constitute those three sites. I raise that issue because the process is very important, firstly on the issue of honesty which the member for Monbulk referred to.

In the course of the submission that I made seeking details, I set out specifically what I wanted from the government — that is, the particulars of those 100 sites. I was refused access under the freedom of information legislation. I asked for an internal review. That review was undertaken, and I was refused access. I then lodged an application with the Victorian Civil and Administrative Tribunal, which eventually became the subject of a hearing before that tribunal. In the course of that hearing, what is termed a ‘witness statement’ of Rodney Charles McLellan was introduced into evidence. I have it with me tonight.

To put all this into context, members will remember that in previous days the government went through a holistic, inclusive process of trying to solve what everybody acknowledges is a difficult problem. Committees were formed with various members of the community on them, then disbanded; interest groups and whatever had the opportunity to have a voice, but eventually the government decided on a change of tack.

It decided to abandon any notion of telling the public what it was going to do and to abandon any notion of honesty, openness and accountability. All that went out the window. Instead it took the management of this project internally.

The witness statement by Mr McLellan sets out the process the government pursued. I think the member for Monbulk and other government members might find it interesting. Mr McLellan said in his witness statement that he was a project manager with Major Projects Victoria and that he had been employed there since November 2002. In his witness statement he described his particular tasks, which were basically to do all the investigation associated with prospective sites. In paragraph 7 of his witness statement he said:

I recall that, soon after my commencement as project manager, I was directed by the Minister for Major Projects ... and senior officers of MPV —

Major Projects Victoria —

to collect, and present to the minister, extensive information and expert opinion on siting issues.

He went on and said more about what that constituted. In paragraph 11, he said in a background report — which is appended to his witness statement:

... data was collected on a range of environmental, land ownership, land use and other siting characteristics by technical consultants and land agents engaged by MPV and

by MPV staff. MPV used agents to obtain information from other parts of government and from the private sector to keep its interest in land as potential sites for the LTCF —

as they like to term it —

confidential.

It was all to be kept confidential. This is all in the context of honesty, the member for Monbulk says. The man running the show for the government, for MPV, said:

Persons who owned the land in question were not made aware of MPV’s interest or inquiries in the course of these investigations.

He went on to say they were not told. His witness statement mentions the sorts of things that were done to collect all the information, which, I pause to say, must have cost hundreds upon hundreds of thousands of dollars to do when you have regard to the total of all this. In paragraph 21 he said that on 12 November 2003 the minister announced that three sites were to be the subject of the government’s consideration. All members would remember the disgraceful circumstances under which all of that happened. The people who owned those properties opened their door to a knock at 8 o’clock on that fateful day, to be greeted by either members of the bureaucracy or a process server, and handed a letter that said their properties were going to be taken from them if this honest government decreed that their particular properties were to be part of this particular site.

In another part of the affidavit he said at different stages he had to engage SKM — Sinclair Knight Merz — to do different things. In paragraph 25 he said:

On or about 14 July 2003, I met with Dr Richard Evans and ... staff of SKM ... At that meeting I stressed to those present that the work was to be done in a highly confidential manner. At that meeting I requested some of the members of the SKM team to sign deeds of confidentiality.

This is the story about this honest, open government telling everybody about it all. He said that on 16 March 2004 he received an SKM final report. He said that the final report prepared by SKM at the request of Major Projects Victoria was finally delivered for consideration by cabinet on 18 March 2004.

Ms Duncan interjected.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Macedon!

Mr RYAN — On 18 March 2004 cabinet had available to it an exhaustive document prepared over a period of about 12 months which must have involved

the expenditure of hundreds upon hundreds of thousands of dollars. What is the point of all this? In addition to the honesty issue, which we can consider as having crashed and burned — let's put that aside! — the government is now in possession of a report which it will not release. It has a report from Sinclair Knight Merz, which it says it will not release because it says it is cabinet in confidence under the freedom of information legislation.

When I put to the panel in Mildura that this document should be made available, of course the government squealed about it being cabinet in confidence. There is no reason why under the freedom of information legislation, if this government so chose, it could not make that document available. The document should be part of the deliberations of the panel. Why is that so? Because that document eventually concluded, as the background report that is referred to in Mr McLellan's witness statement says, that there is no Crown land in the state of Victoria appropriate for the purpose of the location of this facility. That is what the report ultimately concluded.

If the panel were to do its job properly, it should have available to it a document that is in the possession of the government, which says conclusively on the face of that document, as Mr McLellan would have it, that there is no Crown land in the state of Victoria upon which it would be appropriate to site this facility. If this government were honest, which the member for Monbulk maintains it is, it will own up to the fact of this report and produce it to the panel. Then we could all have a good look at what the true definition of 'honesty' really is.

Ms DUNCAN (Macedon) — I rise in support of the Environment Protection (Amendment) Bill 2006, although having listened to the debate this evening it is difficult to know what bill we are speaking on. It is interesting to listen to The Nationals. I have to commend them for at least coming clean on their support for the 10 cents levy on plastic bags, which are to be phased out of use by the end of 2008. Liberal Party members, as is their form, say nothing on anything other than to criticise. In fact the member for Warrandyte said earlier, 'It is all words'. Well, at least have some words because Liberal Party members say nothing. They do not give any policy or say what they would do; they just tell everybody what they would not do.

In a press release I think the shadow Minister for Environment described the tax on plastic bags as a mega tax. That is most extraordinary. It is not a tax and will not be collected by the government. A shadow

environment minister who stands up and makes statements like that really frightens me.

Also, to listen to the debate on the proposed location of the site at Nowingi shows how damned difficult it is to locate any of these facilities anywhere. I would love to hear what The Nationals, who are so smug and the holders of all information about rural Victoria, would say about what process they would follow and where they would locate it. They lie in bed with the Liberal Party, whose members refuse to say where they would put the facility, and they criticise us for at least telling people where it will go.

Some of the criticisms have been about the government picking three towns, abandoning them and then picking one town. So what? Are we supposed to tell 100 communities that we are looking at them and have 100 communities freaked out? We heard the member for Benalla say people are still traumatised. Should we traumatise another 100 towns? Fantastic! I would love to hear The Nationals say what they would do, because they know that they will never have to make the decision. They lie in bed with members of the Liberal Party. They can criticise everything because they will never be in a position where they will have to develop a process or give a location. The hypocrisy makes me almost speechless. I commend the bill to the house.

Ms BUCHANAN (Hastings) — What a hard act to follow! I support everything the member for Macedon has just said about hypocrisy. For the last three days I have dealt with constituents who want to know whether there will be such a facility in their area. They are calling on the opposition parties to have the guts to come up with a site.

The intent of this bill is very clear. The new regulatory framework in this bill will do three things — firstly, it will promote and encourage resource efficiency. Planet Earth has finite resources. As responsible governments, if we do nothing to redress this issue, we will leave for future generations a legacy which will be irreversible and irreparable.

Dr Napthine — What about smoking? What about cigarette butts?

Ms BUCHANAN — You are a mindless man sometimes.

Honourable members interjecting.

The ACTING SPEAKER (Mr Ingram) — Order! The honourable member must make her remarks through the Chair.

Ms BUCHANAN — Pardon me, Acting Speaker. The member for South-West Coast is a mindless man, okay? I thought I should specify that I was referring to the member for South-West Coast, and I certainly stick by that comment. The issue here is very clear. We are bringing in a framework that will further strengthen this legislation and create opportunities to change community behaviour. If we look at the historical context, when governments introduced such measures as the compulsory wearing of seatbelts, drink-driving regulations and such issues — —

Dr Napthine — ‘We’? It was the Liberal Party!

Ms BUCHANAN — What governments have done in the past has changed community behaviour around very important issues. We use plastic bags as a focal point for that. Everybody has seen how much people have taken up the use of canvas bags for their consumer activities. This is a very important focal point to start with in terms of changing consumer behaviour. This is a fantastic bill. I commend it to the house and wish it a speedy passage.

Ms MUNT (Mordialloc) — I would like to make a very brief contribution to the debate on the Environment Protection (Amendment) Bill 2006. I support the bill. Even kids in schools want to use canvas bags instead of plastic bags. Plastic bags are clogging up our rivers and landfills. As a member for a green wedge I am also concerned about where the proposed containment facility would be located if the Liberals were in government. In my green wedge we already have a lot of tip facilities, and I am sure we would not want to see it there, so I would like Mordialloc to be ruled out of any Liberal plans. I am particularly concerned about my green wedge area, but Lyndhurst is close to my electorate, too. The locals are not rapt about having the facility there.

The Bracks government has a wonderful record of environmental legislation, of which this is part. I commend the bill to the house.

Debate adjourned on motion of Mr KOTSIRAS (Bulleen).

Debate adjourned until later this day.

VICTORIAN RENEWABLE ENERGY BILL

Second reading

Debate resumed from 20 July; motion of Mr THWAITES (Minister for Environment).

Government amendments circulated by Ms DELAHUNTY (Minister for the Arts) pursuant to standing orders.

Mr CLARK (Box Hill) — The Victorian Renewable Energy Bill is a bill that will implement a regime to require a certain amount of renewable energy to be purchased by retailers and wholesale purchasers of electricity. It is designed to require the purchase of an amount of energy from renewable energy sources that is estimated to be 3274 gigawatt hours by 2016 and a total of 49 110 gigawatt hours over the period of operation of this scheme through to 2030. It will do that by establishing a scheme of renewable energy certificates. These certificates are to be produced by accredited generator units that produce renewable energy. It is intended that this renewable energy be energy created from sources such as wind, biomass, solar and hydro — and the full list is set out in clause 22 of the bill. The bill specifies a regime for determining a proportion of energy that has to be purchased from these renewable sources.

There is a specification for the Governor by order in council to set the proportion that must be purchased in any particular year. The intention is that the proportion that must be purchased, which is referred to in clause 65 as the renewable power percentage, will be determined by order of the Governor in Council. The Governor in Council is to determine that renewable power percentage, having regard to the total required gigawatt hours of electricity from eligible renewable energy sources, as specified in clause 66. The percentage is intended to be the total amount of required gigawatt hours of electricity divided by the expected total consumption of electricity in the relevant year, although that is not specified in the bill itself.

There is also provision for a penalty to be paid to the extent to which a retailer or a relevant wholesale purchaser of electricity fails to acquire a relevant amount of renewable energy. The certificate regime is such that one renewable energy certificate will be issued for each megawatt hour of electricity generated from a generator unit using a renewable energy source.

The Essential Services Commission is appointed as the body which is to administer the scheme created by the act. It will register persons who are going to create certificates; accredit power stations; monitor the registration, transfer and surrender of certificates; enforce penalties; and monitor compliance. There is also provision in the bill to make certain energy users exempt from complying with the bill. This scheme is expressed to be a scheme to reduce the amount of greenhouse gases that are generated by the

consumption of energy in Victoria. It is perhaps worth making the preliminary point that in fact what is being restricted is not the actual creation of greenhouse gases; what is being restricted are the sources from which electricity can be generated. It may well be that some of the renewable energy sources that are eligible for this scheme will themselves involve the generation of greenhouse gas. There is not a 100 per cent overlap between the use of renewable energy sources as contemplated by the bill and the use of sources that do not generate greenhouse gas.

The point should also be made that the regime qualifies only those units that come into operation after the commencement of the scheme as being eligible sources that can issue and sell these certificates — in other words, existing units that generate renewable energy will not be eligible to issue these certificates and therefore to benefit from the scheme. The scheme will apply only to those units that commence commercial operation from 1 January 2007. Units that were planned prior to the government's announcement which commence commercial operation after 1 January 2007 will, in effect, enjoy a windfall they were not anticipating by virtue of this legislation. An individual generator is only empowered to create certificates for 15 years from the time it starts commercial operation.

A further preliminary point I should make — it is a point that applies to other legislation that is coming before the house — is that there is no evidence that this bill complies with the government's policy on reduction of red tape which was announced by the Treasurer on 11 July and which is supposed to require that whenever new administrative burdens are created by legislation there will be an equivalent offsetting reduction in other administrative regulation. As with other legislation, in this case there is no such offsetting reduction in administrative burden or, if there is, it is being kept secret by the government.

However, the opposition's main concern about this legislation and the reason we will be opposing it is that on the one hand it is likely to be close to totally ineffective in reducing the level of greenhouse emissions from electricity generation for Victoria, and on the other hand it is likely to impose a very heavy cost burden on the Victorian economy, on businesses, on jobs, on investment and on consumers. The essence of the flaw in this scheme is that it focuses almost entirely in the way it will operate in practice on the establishment of extra wind-generating capacity in order to provide the certificates that will be required to be purchased by retailers and wholesale purchasers under this scheme.

There is nothing in this bill that directly addresses the issue of reduction of emissions from coal or from other sources of greenhouse gas, and there is nothing that encourages or rewards the use of other forms of generation of electricity that create less greenhouse gas than coal-fired stations. Although it is contemplated that other new forms of renewable energy generation may be introduced, in practice, as far as we know for the foreseeable future, almost all — if not the entirety — of the burden of this scheme is going to fall on wind generation to produce these certificates, and wind generation is just not going to be a substitute for coal, given the way the production of electricity works.

For a start, wind, because it is highly unreliable as a generating source, is going to go into the grid as and when the wind happens to blow from the right direction and at the right speed. What is likely to be phased out of the generating mix first when wind energy is created is gas and hydro generation. There will, of course, be some saving, in that hydro generation will not be used at that time. However, hydro generation and gas generation will be taken out first, so at that stage there will be no reduction in the use of coal. At other times of the day or, more likely, of the night — in other words, when there is a low level of overall electricity production and consumption — if the wind is blowing then wind, because it has priority to be taken into the electricity grid, may displace coal.

My understanding — and I will be interested to see if government members say anything to contradict this — is that in large part coal-generating plants need to be kept going. In other words, the coal needs to continue to be consumed and therefore the greenhouse gases continue to be emitted, even if that power station does not have the turbines spinning and feeding power into the grid, simply because it is not practical to make a dramatic reduction in coal consumption as the quantity of wind-generated electricity goes into and out of the grid. Thus the scheme contemplated by this legislation is a highly inefficient way of reducing greenhouse gases. The greenhouse gas reduction that it is likely to bring about will be very small indeed, and it will be achieved at a very high cost, which in turn will flow through to jobs.

A study was conducted by Access Economics for the Energy Users Association of Australia and a number of market participants, and its report dated 6 June 2006 titled 'Economic impacts of a renewables energy target on the Victorian economy' says something very clearly on this matter. It states:

The welfare cost of the policy is projected to be \$829 million in net present value terms over the simulation period 2006 to

2015, using a 7 per cent real discount rate. This is accompanied by a reduction in employment that is projected to peak at around 1140 full-time equivalent positions at 2010 ... The measured welfare impact does not include the economic costs associated with any direct subsidies provided to wind power.

This is going to be a very expensive way of achieving very little indeed, according to Access Economics. The question I would ask — and I would be very interested to hear what government speakers have to say on this score — is what is their reaction to Access Economics' assessment? Do they agree with it or disagree with it? Access Economics is a firm on which the government has placed considerable reliance in the past. Does the government dispute its findings in this instance? Conversely, what has been the government's own internal modelling and assessment of the cost and the employment, investment and other economic impacts of the regime it is proposing to roll out? Has it asked the Victorian Competition and Efficiency Commission to have a look at it, or is it aware that the VCEC has done any work on this of its own motion? What modelling has Treasury done on this score, and what figures can the government put before the house in order to refute the findings of Access Economics?

The Premier has been going around and saying, if I recall it properly, that this scheme is only going to add a dollar a month to the cost of power, not only for households but for businesses, whereas the Access Economics report states that this scheme is likely to push up the price of electricity in Victoria to the extent of a 5 per cent increase for both consumers and business. This regime is flawed at its core. On top of this core failure is a wide range of other issues which have been raised by the industry and others but which have not been adequately addressed by the government.

Previously I mentioned the lack of incentives for the use of lower greenhouse gas-generating techniques than coal — the obvious technique in that category is gas. Whereas brown coal is estimated to produce about 1.2 kilograms of greenhouse gas emissions per kilowatt hour, a combined gas cycle plant is estimated to produce only 0.4 kilograms per kilowatt hour. Arguably, if you were to have a regime that encouraged less greenhouse-gas-emitting sources as well as nil greenhouse-gas-emitting sources, you would get a far more efficient result by way of a far greater reduction in greenhouse gas at a far less cost.

Industry is also concerned that there are no projections available as to what the likely renewable power percentage is going to be in future years. It then makes it very difficult to plan ahead.

Mr Helper interjected.

Mr CLARK — Yes. The industry makes the point that there is provision for a so-called independent review to be held by 31 December 2011, but this is a scheme that runs to 2030. Why is it that there is only one review factored into it? The industry is also concerned about the failure of government to release the various reports that have been used to formulate this policy.

In the past this government has said it was not going to go along with a greenhouse gas reduction scheme. Now all of a sudden it has done a U-turn on its policy and is going it alone. What assessments and modelling has it got and what is it prepared to make public, or is it all going to remain a secret as is the government's usual habit? This is something far too important to be shrouded in secrecy and used for political posturing by the Deputy Premier.

If the government has the courage of its convictions, it needs to put out in the open all the modelling and costing it has done. If it is not prepared to do that, how can it justify this scheme and how can it expect the public to accept it? In particular what regional modelling has been done by the government — which industries and areas of the state are most likely to be affected by this regime? What will be the likely overall effect on the Victorian economy? How is a regime going to work when the government is allowing interstate power generating units which issue these certificates into the Victorian market?

Another aspect that has not been addressed is what this regime implies for the number of different wind farm facilities that are going to have to be built around the state. Will there be 1000 megawatts of wind capacity? How many turbines will there be? Where are they going to be put? What does the government say to communities in many parts of the state which have well-justified reservations about wind farms and wind turbines being imposed in inappropriate locations, particularly in regions of coastal Victoria?

How will the connection and network augmentation costs of this regime be allocated? How wind farms are to be connected to the network and how the costs are to be allocated have been controversial issues. What are the costs involved with this extension, on an enormous scale, of the number of wind turbines around the state that are to be connected to the network? Have those costs been taken into account in the government's modelling? What is the current state of the government's intentions about a carbon trading scheme? If the states combine to establish a carbon

trading scheme, or if some other carbon trading scheme comes into operation in the future, how is that scheme going to mesh in with this Victorian renewable energy target scheme? How are the costs of that going to be handled?

What measures is the government going to apply to monitor the effectiveness of the scheme that has been introduced by this legislation? After all, it is not a scheme that directly affects, measures or restricts greenhouse gases. As I have already said, it is a scheme that requires the use of a certain proportion of renewable energy and has various expectations that this might have benefits for greenhouse gas emissions. What are the targets that the scheme expects to achieve? How is the government going to measure its success or failure? If you do not have targets of what it hopes to achieve, there is no way anyone can tell whether a scheme has been a success.

What allowance has the government made for the intermittent nature of wind generation? As I said earlier, this is one of the difficulties of actually achieving a reduction in the emission of greenhouse gas from brown coal, because the brown coal generating plant needs to continue to operate almost as much as it does now, even if 10 per cent or so of energy is being drawn from wind power. Are there any technologies other than wind generation that are expected to be able to fill the 10 per cent targets? It is all very well to talk about geothermal, biomass or other sources. Does the government have any well-founded expectations that any of these additional sources will become available within the foreseeable future?

Last but not least in terms of the concerns that have been raised with the opposition are the shortfall penalties that are to be paid into government revenue. How is the amount of any shortfall payment to be used? Is this simply a backdoor way of garnering additional revenue for the government. Is it going to be dedicated to some objective that is designed to reduce greenhouse gas emissions. Indeed, what expectations or plans does the government have to ensure that these penalties are penalties rather than a de facto way in which retailers and wholesale purchasers of electricity actually comply with the legislation. It would be a total farce if the scheme were so convoluted, so cumbersome, so administratively difficult to comply with and so expensive that retailers simply paid the penalties. The scheme would fall flat on its face. It would provide a very lucrative source of revenue to government, but it would have no effect whatsoever on increasing the amount of wind or other renewable energy being generated in consequence.

These are all fundamental matters which the government has not addressed in relation to this legislation. It reinforces the opposition's conclusion that the regime is not going to work. It threatens to have very serious consequences for the Victorian economy, because it is going to impose enormous costs far beyond those that have been claimed by the Premier. That is going to put the state at an enormous competitive disadvantage, and at the same time it is not going to achieve a material reduction in greenhouse gas emissions.

We are suffering here from a deadly combination of blind fanaticism on the part of the Deputy Premier combined with his usual preference for political manipulation and finding ways in which he can position himself in front of the television cameras for political effect. This issue is just far too important to be allowed to be made the subject of this political posturing and ill-considered and blind ideological obsession. The legislation is bad for the economy, bad for consumers, bad for jobs and bad for business, and it will do little if anything to actually achieve an abatement in greenhouse gas emissions. For all of those reasons the opposition opposes the bill.

Mr RYAN (Leader of The Nationals) — At the outset I understand that it has now been confirmed that I will have an additional 10 minutes to speak on the legislation. I trust that that leave will be confirmed.

Leave granted.

Mr RYAN — This is important legislation in a variety of contexts. The Nationals are opposed to it for a number of reasons that I will explore. I must say that it is ironic that we are opposed to the bill. In many senses we as a party, and I in particular, are strong proponents of regional development and strong proponents of anything that will add mass to the economic structure of country Victoria. We are very strong on the issue of additional employment, and we love to see as much investment as possible coming to country Victoria. Accordingly, it begs the question as to why, given those circumstances, we would oppose this legislation.

A clue to that can be found in the definition of an expression I had my staff seek out today — and the expression I asked them to investigate for me was 'fraud'. In the *Australian Concise Oxford Dictionary* 'fraud' is defined, firstly, as deception or the use of false representation to gain an unjust advantage; secondly, as a dishonest artifice or trick; and thirdly, as a person or thing not fulfilling what is claimed or expected of it. A fraudster is defined as a person who

commits fraud, especially in business dealings. 'Fraudulent' is firstly defined as being characterised or achieved by fraud, and 'guilty of fraud' means 'intending to deceive'. When you consider a lot of the material surrounding the wind energy industry, I must say many of those definitions come to mind.

The numerous claims that are made and replicated in the minister's second-reading speech and the bill about the benefits of clean energy, the benefits of employment in country Victoria, the output capacity of wind farms, the extent of the investment and all the other aspects of the wind energy industry do not stand up to scrutiny when they are carefully considered.

An interesting article by Geoff Strong that was published in the *Age* last Saturday has, in the context of the decision at Bald Hills, caused a few feathers to fly. The article is headed 'Feathers fly again in the battle of the parrots as minister backs away from wind farm ban', and it appears in the news section at page 7. In the course of the article Mr Strong pointed out a number of features which are pertinent to the debate and which in a sense represent an accurate summary of a lot of material which brings The Nationals to oppose the legislation. Mr Strong said:

While a stick-figure army of windmills is set to invade the landscape thanks to the state government's new renewable energy policy, there is growing evidence that wind power will have little impact on the greenhouse crisis.

He went on to do some analysis of that statement. He then referred to a spokesman for NEMMCO, the National Electricity Market Management Company. The spokesman made some comments about wind farms and said:

... greenhouse-friendly power sources such as gas and hydro are likely to be the first to be shut down when wind energy enters the grid. The last to be displaced is brown coal, the worst for the environment but also the cheapest.

This and other revelations mean authorities both in Australia and overseas are questioning whether wind power is an effective source of reliable energy or largely environmental spin.

Mr Strong went on to make reference to the experience in Germany. He said:

Germany, for example, has one of the highest proportions of wind energy in the world and a report last year by grid operator EON Netz made the following warning: 'Wind energy is only able to replace traditional power stations to a limited extent ... traditional power stations with capacities equal to 90 per cent of the installed wind power must be permanently online to guarantee power supply at all times.'

He has opened up an issue which is significant in all of this. He went on to make the point that:

When a new wind farm is announced, claiming it can provide electricity to 50 000 homes, it only supplies that power in ideal conditions when the wind is neither too weak nor too strong. Overall, it can be relied on to produce power for 5000 homes, while backup power must be available for the remaining 45 000.

Critics argue that wind's attraction for politicians is its visible presence to a public worried about the environment but largely ignorant of electricity demand, how it is generated and distributed, and its impact on the economy.

He went on to make various other pertinent assertions about this.

Mr Thwaites interjected.

Mr RYAN — The minister says, 'Why can't I come up with these ideas myself?', to which I would say to the minister, 'Stay where you are and just keep listening. Even though you are pretending you are not listening, you just sit there and keep listening'.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member will make his remarks through the Chair.

Mr RYAN — Mr Strong says that because wind is erratic, as the Germans know, backup is needed to maintain the electricity grid supply. All in all he makes a commentary which is reflective of a lot of the factual situation with regard to what essentially is a position put by the wind energy industry which simply does not stand up to scrutiny. In country communities it is opposed in various places for various reasons. One of those reasons is the absolutely appalling inefficiency of the wind energy sector. You only need have regard to the material that is produced by the industry on its own web site, where it says in an article on wind farming and the Australian electricity system:

Currently the maximum efficiency ... obtainable with a modern, large-scale, wind turbine generator is roughly 47 per cent ... It is important to remember that a wind turbine generator does not always operate at this peak efficiency — nor would we want it to!

There is another quote from another industry source, and I have all the references from the web. It states:

The load factor of wind varies according to the site and the type of turbine, but it is generally around 30 per cent. It is higher during the winter than the summer. An average wind farm with an installed capacity of, say, 5 megawatts will produce an output of —

X megawatt hours per year —

i.e., 30 per cent of what it would produce if it were operating continually at maximum output.

What is an affront in country communities is that these communities are constantly being asked to be efficient, to be more productive, to be world best practice and to be able to operate without any subsidies. They are told that if they are going to be competing on global markets — which are the reasons why a lot of them have grown, and which are so essential to their future — they have to pare it down to the bone and make sure that they operate in a fashion which bears no capacity for any fat at all. They have to run efficiently. That applies to our dairy industry, horticultural enterprises, the manufacturing sector, particularly with the pressures that it is under, and retailing.

If you look at the provision of government services, even this mob opposite recognises that in providing government services you have to pare them down to the bone — in theory at least. You have to do it efficiently — for example, you have to have 1 per cent productivity cuts in the health sector. All those things apply. If you look at the coal generation industry, for example, before privatisation occurred, it ran at about 72 per cent efficiency. Now it runs at 96 per cent efficiency because the industry understands it has to be absolutely efficient.

Mr Jenkins interjected.

Mr RYAN — I hear the member for Morwell starting to arc up on the back benches, so I will be interested to hear what he has to say in the name of looking after the industry, which is the foundation of the electorate that he is supposed to represent in this place.

All of those industries and more run on the basis of being absolutely efficient. What have we got with this circus? What have we got with these so-called wind farms, which is a misnomer in itself? What we have is a 30 per cent efficiency rate in their overall operation. The problem is replicated, I might say, in the second-reading speech. We have the minister in his second-reading speech trotting it out again, saying that this is all intended to facilitate 1000 megawatts in wind power generation. What the government really means is 1000 megawatts of installed capacity of generation, and what that translates to is 300 megawatts of power generation. It is one of those things that exemplifies how this industry trades on the fact of presenting itself in one way when in fact the position is entirely different.

There are all sorts of complications that come with developing these wind farms, and, of course, for most of the government members, and given the limitation of the representation they have in country Victoria, this is

all just completely irrelevant. They could not give a continental. We have a couple of ministers sitting at the table here highly amused by it all because for them it is a case of getting in the car and going back to Melbourne. Who cares? Who gives a continental as to what effect these developments have in a country Victorian circumstance?

Those many effects are very significant in the communities where these things occur — for example, the issue of property values. The property values around the Toora wind farm, which is within my electorate, have plunged to the point where the valuations applied by the council for the purposes of rating are down about 25 per cent on the adjoining properties. So for all those on the government benches who say, 'That's all right, it is only a short-term thing. Don't worry about it', the people who are out there living next door to these things understand well and truly, because their rate notices are arriving, that their property values have been diminished.

There are the issues of noise and the judgments now that are being better understood about the fact that the capacity for measurement of noise can be done by the industry to suit its own purposes, as opposed to the way in which it ought properly be done. There was an excellent evening's entertainment down in Foster only recently by an independent expert in all of this making commentary about the issue of noise. There is also the so-called issue of jobs. The second-reading speech was talking about creating 2200 jobs. What an absolute and utter fiction!

Mr Helper interjected.

Mr RYAN — What if it is 500? At least the government should say it, and then we can have a conversation about it. But I had the interjection from the member for Ripon, 'What if it's 500?'. That, again, just neatly sums up the government's position. Just pick a figure. Who cares? It does not matter if it is right, wrong or indifferent — just pick a figure, put it in the second-reading speech and publish it to the world at large, because, as is the position with this whole discussion about the industry, who cares if it is right, wrong or indifferent?

What about the assertions that are made about the ongoing jobs that are associated with the operation of these turbines? I can assure the house that the facility at Toora might have been a tourist attraction, but I doubt it. The facility that was opened there as a tourist attraction for a while on behalf of the operator has closed, shut and gone long ago. The operator kept it open for as long as it needed to in order to satisfy these

dills who comprise the government, but in the end it pulled out. This notion of ongoing jobs is just another element of such a fiction, and this government is taken in by it.

As to the planning aspects, what an appalling and unmitigated disaster this has been. We now have the ridiculous position — and I think it was the fault of the previous planning minister, or it might have been the previous, previous planning minister, both of whom, by happy coincidence, are in the chamber and will be hearing this — where, if the wind farm represents an installed capacity of more than 30 megawatts, the government calls it in, in effect, and determines what is going to happen, whereas if it is less, local government is left to deal with it. You have this mishmash of planning arrangements that occur in relation to planning. Even then you see the circus further unfold.

At the Dollar wind farm — and for those members opposite who would not have any idea of where it is supposed to be, and that would be most of them, I will enlighten them: it is at Foster North, also in my electorate — it was intended to put 48 turbines on the site. The panel hearing was conducted last year, and it concluded in about May. I think my colleague in the other place, Peter Hall, and I were the last ones to make submissions to it. Can anybody realistically suggest to me that the government by now has not got the outcome of that panel hearing? Here we are in August, so we are 15 months after the event, and yet this government has not said boo about it. It has not said a word about it.

In question time only a few days ago I asked the Minister for Planning whether he was going to approve this. Of course I got the Deputy Premier looking indignantly at me over the table — just as he is trying not to at the moment! — telling me that that was an outrageous question and that I ought to be respecting the process that is being applied. And of course we had the bovver boy of the government, the chief head-kicker, the Minister for Planning, standing up and saying to me in response to the question, ‘Oh well, this is all subject to proper process, and determinations will be made’. This is 15 months after the event.

In the meantime, from the government’s point of view who cares about the people who are left dangling? Why would they worry about it? You do not worry about it. There were 1500 objections lodged against the proposal to develop that wind farm, while there are 126 houses within 2.5 kilometres of the wind farm, of which 16 are owned by the property owners; the remainder are owned and occupied by local residents, all of whom are concerned about this proposal. Yet here we are,

15 months later, and the government remains silent. Talk about planning proposals — what an absolute circus!

Regarding aesthetics, I would be willing to bet good money that most of the people on the Labor backbenches at least have never been near one of these so-called wind farms — they would never have been near a turbine.

Mr Helper — How much?

Mr RYAN — They would not know what they are talking about.

Mr Helper — How much do you want to put on it?

Mr RYAN — They would have no idea, because, Acting Speaker, these things are built in country Victoria; the only reason most of them would ever turn up in country Victoria would be if they were lost. The only reason they would ever get out there would be if they took a wrong turn at the top end of Bourke Street one day and somehow ended up down at Foster. They have no idea of the scale of these things.

I will give them some relativity. Visualise the Great Southern Stand at the Melbourne Cricket Ground; it is 45 metres high. Visualise the light towers at the MCG; each is 85 metres high. The wind turbines at the tip of the spin are just under 110 metres high; they are absolutely immense. Labor members would have absolutely no idea about that, let alone about the notion of what they do to the landscapes in the countryside where the government proposes to develop these things. The area at Bald Hills, which is also in my electorate, as it would happen — there is a certain pattern here — is utterly magnificent.

Mr Thwaites — Except for all those parrots that keep flying in.

Mr RYAN — I was there last week with Andrew Chapman and Don Fairbrother, two people who are very committed to environmental issues. The Minister for Environment, who is at the table, laughs about current matters, but they are two very decent men who have made a number of submissions to the Bald Hills process and who have an outstanding record —

Mr Thwaites interjected.

Mr RYAN — Andrew Chapman and Don Fairbrother, to answer the minister’s question. They have an outstanding record of community service and have been heavily involved in making sure that the magnificence of that area is protected. They hosted me

on a visit down there to have a look at the site and at what they propose as the extension to the existing wetlands. They have done some very careful planning that I am sure would be of great interest to the minister if it were not for the fact of the context of this current debate.

I would have thought the Minister for Environment, who is at the table, should be applauding the fact that these two wonderful men, together with the community that has supported them, are heavily intent on a project which would see the expansion of the existing Bald Hills wetlands. They have done a tremendous amount of work in a submission which I want to present to the government on their behalf. They can see that the preservation of the natural magnificence of the area adds much to the region. But would that be of any interest to the government let alone to the Minister for Environment? No, of course not.

The phenomenon of flicker, when you talk to those who have been affected by it, who know — —

Honourable members interjecting.

Mr RYAN — It draws a laugh. The Minister for Health is now in the chamber, and she would be a good person to speak to some of the people directly impacted upon, to listen to them talk about the effects on their health. They were involved in discussions recently at a forum in my electorate, and they would give the minister a good outline of what it means to know that at a particular time of the day, every day of the year, you are going to have the shadow flicker effect from a wind farm come through your property, and that that will happen every day for the rest of your days.

Ms Pike — You obviously don't live in North Melbourne.

Mr RYAN — No, I don't live in North Melbourne. The minister has just joined us and has not had the benefit of the previous exchange, and she highlights that a government minister has absolutely no idea. To the member for Ripon, I reckon my money is looking very good. There you are — I have just had my bet endorsed! The minister has absolutely no idea what we are talking about and even if she did, she would not care.

What about the issue of the tourism potential of the wind farms? What a joke! I have got material here, chapter and verse, particularly about the international experience of the way tourists regard these things as degrading the landscape, not adding anything to it, and one would not wonder why, if one had a knowledge of what they do to the local landscapes.

But the greatest cost is one that the government would have no knowledge of or regard for at all, and it is this: the cost to community. It means family members no longer talk to some other family members because of these developments. It is the notion of neighbours, who have had generations of association, no longer talking to each other because one of these developments is to take place. It is the principle of committees no longer meeting because the people who comprise them are not prepared to be in the same room together. It is about the notion that in an age when country Victoria in particular needs its communities working as one towards common goals, these things are calculated to achieve precisely and exactly the opposite. That is the tragedy of it.

You can measure it in all sorts of other senses. You can talk about it in the sense of the loss of the financial value of properties, and you can talk about the lousy aesthetics of the things. You can talk about all those things, but the ultimate and the worst cost is what it costs communities. It is no good for the member for Ripon to shake his head. I have the doubtful and dubious honour to be hosting about four or five of these proposals, the most recent of them at a place called Devon North, near Yarram, where they want to put up nine of these turbines. I have talked with people who built their homes on properties they acquired in a magnificent part of the landscape because this was going to be their thing — they could build something that really suited them at long last and enjoy it in all its forms — but now they are faced with one of these monstrosities parked at their back door. It is an awful state of affairs for these people, and it carries over to the communities where they live.

In my electorate the wind farm at Toora, which has about a dozen turbines, is the only one functioning at the moment. The proposal at Bald Hills is for 52 turbines; the proposal at Foster North or Dollar, as it is also known, is for 48 turbines; and the proposal at Devon North is for 9 turbines — and heaven knows how many others are proposed to be built! The thing that really annoys me about this is that the government is absolutely consumed by these things for sheer and utter political expediency. If it took the time to have a look at the reality of what these things involve, we would never see them develop. If this were a proposition or propositions advanced for metropolitan seats, the conversation would be over before it started.

It is interesting to look at the location of wind farms that are either currently operating or are proposed. I will look at wind farms in ALP seats in Victoria. Chalicum Hills near Ararat is a terrific set-up; it is strongly supported by the local community and council. The

council is to be congratulated because it has that community support and therefore wants to change its zoning to attract different elements of the industry. That is fine; if the community really wants them, it should go for them, and I see no problem with that. Waubra is in the second ALP seat with wind farms. In seats held by conservative parties there are about 15 of these facilities — I will not read through them all. You cannot help but wonder about the coincidence, such as it is, of that occurring.

Last year I travelled to New Zealand to look at Meridian Energy's operation. There are five wind farms in New Zealand, one of them operated by Meridian Energy at Te Apiti, near Manuatu Gorge, about 150 kilometres north of Wellington. There are about 48 turbines in that facility, with no houses within two and a half kilometres except for the two owned and occupied by the people who own the properties upon which those facilities are located. Under New Zealand's planning rules local government has the complete say as to whether these things are developed. The primary purpose of my going to New Zealand was to talk to various elements of the industry and interested parties there. When I described the position of the Dollar wind farms, they said there was no conceivable way such a facility would ever be approved under New Zealand rules.

This is an instance of the Victorian Labor government being blinded by the notions in the second-reading speech and in the legislation which that speech introduced. It is doing it because it loves the notion of the green vote. I do not mean the Greens vote; it is not a question of the vote of the Greens, because not even the Labor Party knows where it is at with the Greens. I am not condemning the Labor Party for that — who would know, anyhow? That is just the nature of the Greens.

However, the green vote is what the Labor Party wants from this. It sees the opportunity to sell this pup in the community in circumstances where, as Geoff Strong summarised so well, people do not for the main part understand the issues surrounding the principles underpinning power generation and distribution in this state, so at first blush it sounds terrific. Of course it sounds terrific, of course the principle of renewable energy is a great principle — there is no question about that, but we should put all that aside. What we are talking about are the pragmatics of this legislation.

There is no economic modelling to support the assertions that the government makes. It makes outrageous claims as to benefits on a number of fronts. There will inevitably be costs to consumers. In the end a marginal contribution will be made by a dodgy

contributor, which will be of doubtful benefit to the state of Victoria as a whole.

I return to this point: I do not care about the extent of any benefit of any form of enterprise that is undertaken, whatever it might be. If it involves a cost to the community of the nature of a wind farm development, it is simply not worth it. What wind farm development is doing to country communities is appalling, and this government is culpable for it. Come 25 November, it will not only be the people in my electorate who want to talk about it at the ballot box; across Victoria they will want to talk about it as well.

Mr HELPER (Ripon) — It genuinely gives me a great deal of pleasure to support the Victorian Renewable Energy Bill. At the outset I confess to being a one-eyed, unashamed supporter of the renewable energy sector. I particularly see opportunities for the wind energy sector in Victoria, as the state has world-class wind energy resources.

I must say I questioned the Minister for the Arts, who is at the table, about why she gave leave for the Leader of The Nationals to speak for 10 minutes longer than his allotted time. I had to wait 10 minutes longer to make my enthusiastic contribution to debate, but I was prepared to cop that in the ear, as I thought the compensation would be a well-reasoned contribution by the Leader of The Nationals — but, alas, I was sadly disappointed.

I will go through some of the issues raised by the Leader of The Nationals. I took particular offence at the point he made about the divisiveness of this issue to communities. Yes, it is divisive in some communities, but I wonder who is fuelling the divisiveness. I wonder whether it is external influences. If I look at my community of Challicum Hills, where the community itself began proposing the wind farm which is operating successfully there now, there is not the slightest bit of division. If I listen to my community around Waubra, there are those who oppose the recently announced and very soon to be commenced wind farm there but in my opinion the support of the community as a whole for the proposal to go ahead is very much evident.

I guess my communities are not that unique. They are not unique despite the fact that I am their local member; I am happy to acknowledge that. In other regards they are not that unique because 95 per cent of Victorians support renewable energy and see wind power as very much a worthwhile option to achieve renewable energy generation in this state.

The Leader of The Nationals also talked about efficiency. I do not know how you measure efficiency and what measure of efficiency the Leader of The Nationals applies. Given that wind is a free resource and relatively readily available in certain locations I would have thought it did not really matter whether you converted 30 per cent of the kinetic energy of wind — —

Dr Sykes interjected.

Mr HELPER — There is a wind farm on the opposition backbench. It is waving its arms around at roughly 18 revolutions per minute, which is roughly the speed of a wind farm. It is going counterclockwise, and I fear for the orange-bellied parrots in this chamber. The member is going to chop their heads off. It is a disgrace. The member for Benalla is falling somewhat short of being respectful of endangered species in this chamber.

Dr Sykes interjected.

The ACTING SPEAKER (Mr Jasper) — Order! The honourable member for Benalla will get his turn if he stands in his place at the appropriate time. The honourable member, without assistance.

Mr HELPER — What if he stands in his place and waves his arms about? Will that succeed — —

The ACTING SPEAKER (Mr Jasper) — Order! I would appreciate it if the member addressed the bill before the house.

Mr HELPER — Another point raised by the Leader of The Nationals which I thought was an astounding piece of hypocrisy was that of job generation. Frankly I am interested in generating 1, 2, 100, 200, 500, 1000 or 2000 jobs — I do not care as long as we generate them for regional Victoria. This industry has great potential to generate employment and economic activity for regional Victoria. Why the hell should we not exploit it? Similarly, why the hell should we not exploit the wind resource as a renewable energy resource for this state and for the environmental benefits that reach well beyond our borders?

I do not wish to spend all of my time talking about the contribution of the Leader of The Nationals but alas we foolishly gave him an extended period of time to make some nonsensical points. He suggested that no member of the government backbench would have been near a wind farm. I live in an electorate which has one operating wind farm and a number of significant proposals. Whether it is, as I mentioned before, Waubra, the potential development for Crowlands or a number of other smaller developments in the area, I am

happy to work with communities to see those proposals come to fruition and contribute to employment and economic opportunities in this state, and contribute to meeting the renewable energy targets this bill puts in place.

The contribution made by the shadow Treasurer — he was in the chamber but has left again — was an interesting one. He quoted from an Access Economics report dated June 2006 which made some negative predictions about the impact of the legislation and the renewable energy sector in Victoria — its impact on energy prices et cetera. The problem the shadow Treasurer has is he obviously has not read the report. He may well have seen reference to it in the *Age* where it was referred to in an article. That report was dated June 2006 and it was based on the Victorian renewable energy target being set for 2010. Our target, which was introduced in July — a month after the Access Economics report — is set for 2016. That clearly changes the entire model Access Economics used. It is a pity the shadow Treasurer did not bother to read the report he referred to. This accentuates the negative attitude, the lack of vision, the lack of policies and the lack of plans of the opposition in this state.

The Leader of The Nationals referred often to outlandish claims about the negative impact of wind farms — claims one hears from those shrill opponents of wind farms. I do not know if they oppose them for ideological reasons — their reasons are inexplicable to me. These are claims like wind farms sound like jet planes, that wind farms cause fires, that wind farms reduce property values, that wind farms probably cause birth defects in native fish. That is as outlandish a claim as any of the others that are made.

Honourable members interjecting.

Mr HELPER — I have undoubtedly spent more time walking around wind farms than the member for Benalla. At no time has a wind farm sound like a jet engine to me. At no time did the noise offend me and at no time did I find it an unpleasant environment to be in. As to the issue of the aesthetic value of wind farms, that is a totally subjective judgment. We cannot reach an objective judgment on what looks good and what does not. To me wind farms look graceful. They are a reflection of what humankind can achieve in an engineering sense. I reckon the fact that they produce non-polluting renewable energy is their crowning glory. The fact that other people see other values in them or do not see values in them is not really something we can objectively address. However, the issue remains that Victoria needs to be commended — —

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

Ms ASHER (Brighton) — I wish to make a few comments on the Victorian Renewable Energy Bill, which the Liberal Party opposes.

The bill requires electricity retailers to purchase an additional 3274 gigawatt hours of energy from renewable energy sources by 2016, and 49 110 gigawatt hours of renewable energy by 2030. It establishes a system of certificates which will be created for power generated by wind, biomass, solar and hydro. These certificates will be compensated for the requirements the government has imposed. If these certificates are not generated and met, the penalty rate will be \$43 per megawatt hour.

It is important for the house to note what power actually costs to generate, given that the penalty rate is \$43 per megawatt hour. Brown coal, on which Victoria's prosperity and economy is based and which forms 90 per cent of Victoria's electricity generation capacity, now costs between \$32 and \$40 per megawatt hour. Gas costs between \$42 and \$47 per megawatt hour. Hydro costs between \$45 and \$55 per megawatt hour and wind costs \$70 to \$80 per megawatt hour — that is, wind is a very expensive alternative source of power, albeit a renewable source of power. Basically the bill will increase the price of power.

The government's rationale is that it is doing good things for the environment. I would posit that rather than mandating the method by which it should be obtained, the government should have just worked out and stuck to the end resolution. The government has brought out its *Our Environment Our Future* — *Sustainability Action Statement 2006*, page 17 of which claims:

We will introduce legislation to lift Victoria's level of renewable energy from the current level of 4 per cent up to 10 per cent in 2016.

I do not have an issue with the government wishing to mandate alternative sources of power. In fact it would be preferable if it would maintain the level of emissions required. I also do not have an issue with the government's desire to look after the environment. What I do have an issue with, and it is where we oppose the bill, is that the government's method of choosing what it is going to enact in this bill is damaging to Victorian consumers, both business and householders, and potentially damaging to the Victorian economy.

I further refer to the government's statement at page 17, which says:

VRET will create up to 2200 new jobs in the renewable energy industry and up to \$2 billion in capital investment, mostly in provincial Victoria.

The statement also claims that:

VRET will cost the average Victorian household less than \$1 per month (starting in 2008) and will only increase an average household electricity bill by \$8 annually.

They are the government's claims. However, I also wish to refer to the Premier's statement in this house on 18 July 2006, when he said the renewable target would mean an extra \$1 a month on electricity bills for both business and domestic consumers. It is an absolute nonsense for the Premier to say that \$1 per month is going to be the increase for business, and I suspect the Premier knows that. We would dispute those costs.

There are a number of reasons to oppose this bill. The first is the level of cost and the level of subsidy. I have already indicated how tenuous the government claims are, using as an example the absurd claim by the Premier under pressure in this house that it would mean an extra \$1 a month per business. It was a ridiculous claim by the Premier of this state and one that I hope he retracts.

Secondly, consumers will be subsidising wind farm developers. It is the government's requirement of consumers, both business and households, that they, or we, will subsidise wind farm developers. I would refer to an article by Alan Moran in the *Age* on 20 July 2006, where he spells out the clear costs of the bill before the house:

At the \$43 per MWh penalty tax deemed necessary to bring this about, that means an annual cost of \$164 million, amounting to more than \$2 billion over the course of its life.

A second reason to oppose this bill is that it may not work as well as the government wishes it to. I am sure most members of this place read the *Age* on 5 August 2006. I wish to quote from an article in it:

A spokesman for the National Electricity Market Management Company —

that is, NEMMCO —

has confirmed that greenhouse-friendly power sources such as gas and hydro are likely to be the first to be shut down when wind energy enters the grid. The last to be displaced is brown coal, the worst for the environment but also the cheapest.

I again refer to the article, quoting Richard Elkington, general manager at Loy Yang Power:

Brown coal stations are at highest efficiency when they are running flat-out; that is also when they produce their least greenhouse gas.

Our station's output is 2000 megawatts maximum, and we can cut it to 1200 megawatts, but we produce more greenhouse gas per megawatt the lower we go. Anything lower than that and the cost of generation starts to rocket dramatically.

So we have a circumstance where the government's plan may not work.

The third reason to oppose this bill concerns the fact that Victoria's competitive advantage over many years has been based on having cheap electricity via brown coal generation. There is no doubt in my mind that this bill has the capacity, notwithstanding the government's claims about the jobs that will be created through wind energy, to reduce job numbers in Victoria, particularly in the manufacturing sector. Again I refer to the Access Economics report which has been referred to by a number of speakers, which estimates an economic loss to the state of \$829 million in net present value terms as well as a loss of 1100 jobs.

I am amazed that a Labor Party which constantly says it cares about people's jobs would simply barge into this particular reform based on a desire to do something right for the environment while mandating a method which could well result in the loss of jobs in Victoria. That is certainly the view of the Institute of Public Affairs and certainly the view of Access Economics, and that causes my side of the house some concern.

The fourth reason to oppose the bill is that there are other ways to achieve reductions in greenhouse gas emissions. The good thing about the sustainability action statement is that the government knows this. I refer to page 19 of that statement, where the government advises that it has set up a technology innovation strategy to:

... help commercialise coal-drying, coal gasification and geosequestration technologies to dramatically reduce greenhouse gas emissions from brown coal electricity plants.

One has to ask the government why it does not work with the brown coal generators to try to get the reduced greenhouse gas emissions which it wants and which we on this side of the house are concerned about in environmental terms as well. Victoria's economic strengths — that is, coal-fired cheap electricity generation — produces greenhouse gases. This is what we in the state have to deal with, particularly as it affects our long-term employment capacity.

The question is how we reduce greenhouse gas emissions while retaining our economic

competitiveness. My constant complaint about this Labor government is that it always seeks to mandate a method. Instead of simply saying, 'Our objective is to reduce greenhouse gas emissions, and we will work with those who emit them to try to get the result', what it has said is basically, 'All consumers, business or households will subsidise wind farm developments, we will jeopardise Victoria's competitive advantage in terms of jobs and we are going to do it by our method'. I do not accept that.

It is a reasonable thing for governments in this day and age to look at environmental matters and to look at the reduction of greenhouse gas emissions. To mandate the method — particularly this method, which can jeopardise jobs and which does not even guarantee any success, given NEMMCO's comments on this — is a wanton and frivolous way to proceed. The Liberal Party opposes the bill. We support a reduction in greenhouse gas emissions, but we oppose the method put forward in this bill.

Mr LUPTON (Pahran) — I am at pleased to speak in support of the Victorian Renewable Energy Bill and the important contribution that the Bracks government has made to making Victoria a sustainable state so it can deal effectively with the challenge of climate change. Recently the Premier launched the sustainability action statement, which contains a four-pronged approach to tackling climate change. It is important that we understand what those elements are: we need more renewable energy; we need to make fossil fuel use cleaner; we need to have greater energy efficiency; and we need an emissions trading scheme.

Those four elements make up the four prongs of the sustainability action statement which the Bracks government is putting in place in this state. The bill we are concerned about tonight, the Victorian Renewable Energy Bill, deals with a number of those matters, in particular increasing the amount of renewable energy as a proportion of the energy we use in Victoria, achieving greater energy efficiency and creating an emissions trading scheme. It means there will be less reliance on fossil fuels, so it will lead to cleaner energy use in this state.

It is clear that Victoria needs a renewable energy scheme, and the reasons for that are plain for all to see. The world is facing the challenge of climate change, and in Victoria, principally because of our historical reliance on coal resources and fossil fuels for energy generation, we are in a very precarious place as far as dealing with the challenges of greenhouse emissions and climate change are concerned. We have to take these matters seriously as a high producer of carbon

dioxide when comparing ourselves to other Australian states and other developed countries. We need to make sure we tackle the issue of climate change and greenhouse gas emissions front and centre, and the Victorian Renewable Energy Bill is a very important part of doing that.

The commonwealth government made a decision some time ago to cap its mandatory renewable energy target. That had the effect of stalling investment in and the growth of renewable energy generation in Victoria, so the Bracks government has stepped in and filled the breach and is determined to go ahead with its own Victorian renewable energy target (VRET) in the absence of any leadership on this issue from the federal coalition government.

We have a range of initiatives in place to support renewable energy development. The Victorian renewable energy target scheme is a market-based measure and a key component of the government's renewable energy strategy. The purpose of the VRET scheme is to encourage the additional generation of electricity from renewable energy sources. The proposal will establish the Victorian renewable energy target scheme. The bill gives effect to the Bracks government's commitment to meet its target to increase the share of Victoria's electricity consumption from renewable energy sources to 10 per cent and to facilitate 1000 megawatts of wind power generation.

As I said, the VRET scheme is a market-based scheme which takes a pragmatic approach to increasing the share of Victoria's electricity generation from renewable sources. That will be important in contributing to a balanced energy future for Victoria. The VRET scheme will deliver a range of benefits for Victoria, including more than 1000 megawatts of renewable energy by 2016; more than 27 million tonnes of greenhouse gas abatement by 2030, which is the equivalent of 540 billion black balloons filled with greenhouse gas; up to \$2 billion of new investment in renewable energy projects over the next 10 years; and the creation of up to 2200 new jobs in the renewable energy industry, most of which will be created in provincial Victoria.

The fact is that renewable energy — wind power and solar power — is vital for the future of Victoria, because if we do not look after our environment and do not tackle the challenge of climate change, there will be no prosperity, no jobs and no future. I think the majority of Victorians recognise that we cannot keep treating the planet as we have over the past few hundred years and that we have to make some changes if we are going to make things sustainable. It takes

leadership on important issues like this to make the necessary changes, and the Bracks government is doing that.

Climate change is driven by greenhouse gas emissions such as carbon dioxide. As I mentioned earlier, our gas emissions are high and most of them come from the use of fossil fuels in energy production. If governments were to bury their heads in the sand and ignore these sorts of issues, we would only be loading up future problems for our children, when future generations will have to deal with more and more of these problems — and they will become more difficult to tackle. We are determined here in Victoria to improve our performance in tackling climate change.

I must say there has been a considerable amount of misinformation about things such as wind farms over the years. I see the member for Ripon sitting in the chamber with us tonight and I remember being in his electorate with the Minister for Environment about 18 months ago when the Victorian wind atlas was launched. We had a terrific tour that day of the Challicum Hills wind farm not far from Ararat. It was an enlightening experience having a tour of that wind farm, being shown the turbines, seeing how they operated, and talking to members of the local community who were so supportive of that particular development. Victoria is a place that is blessed with a lot of wind resource. The Victorian wind atlas is a good example of how, with proper planning and the ability to make some hard decisions, governments are able to set a course for the future that will make Victoria sustainable.

When you look at the wind atlas you see that in fact most of the appropriate sites for wind generation are not on the coastline. They do not have to be in sensitive areas. Of course this government has made it clear that it will continue to protect sensitive coastline areas, national parks, the Great Ocean Road and so forth. But there are many places in inland Victoria where it is appropriate that we look at establishing wind farms and in many of those areas they have met with great community approval. Certainly many farmers are appreciative of the subsidy that comes with having a turbine on their land.

Establishing wind farms is certainly something that we need to do here in Victoria. The opponents of renewable energy and the opponents of moving toward wind and solar power in this state really have to address some questions. They need to say how they will make Victoria energy efficient in the future. They will have to come up with some answers about how they will generate power in the future. They will have to come up

with some answers, if they do not want wind farms in Victoria, about where they will put the coal-fired power stations. They are the questions that need to be answered by those who oppose renewable energy development in this state.

Renewable energy is good for the state. It is good for the environment, good for jobs and good for prosperity. It is the way that we can set up Victoria as a leader at the cutting edge of renewable energy, making sure that Victoria is a world leader in renewable energy and a showcase for the rest of Australia for making our future a sustainable one. I certainly commend the Victorian government for bringing in the Victorian Renewable Energy Bill, and for setting a Victorian renewable energy target and putting it in legislation so the Victorian people can be confident that under a Bracks Labor government we in Victoria will move to a sustainable future.

Dr NAPTHINE (South-West Coast) — Before I commence my remarks I just want to place on record on behalf of the Liberal Party and the shadow minister for energy and resources in the other place, the Honourable Philip Davis, our concern at the way this legislation has been handled by the government and the disrespect shown to the opposition and the Parliament. Eight quite significant amendments have been circulated to honourable members tonight, with no prior notice to the opposition and no prior discussion with the shadow minister. I think that shows that this government is not genuine about wanting effective consultation and effectively getting an agreed position on renewable energy. With those opening remarks I just express disappointment that the government is not more concerned about making sure that the community is embraced and that the opposition, as a representative of part of the community, is embraced in some of those changes.

I welcome the opportunity to speak on renewable energy, as the local member and a proud resident of Portland, which I believe can and should be the renewable energy capital of Victoria. I urge the government to declare Portland as Victoria's renewable energy capital and to work with the local community to promote and develop a range of renewable energy options which the rest of Australia and the world can come and see in and around the Portland district.

Portland is already the wind energy centre of Victoria, with wind towers being constructed at Keppel Prince and blades being manufactured at Vestas in Portland. I make it clear that I strongly support wind energy developments in areas where they have strong community support. For example, in Codrington and

Yambuk there are a number of towers that have been built with community support, and I support that project. I support the wind energy project proposed for Portland, which has broad community support. I support the wind energy project at Chalicum Hills, which again has broad community support. I support the proposed project at Crowlands, which has broad community support. In my own electorate I also endorse projects in the Macarthur area, which again have 80-plus per cent community support.

The Liberal Party policy is very clear on this issue. It supports wind energy developments in areas where there is broad community support — and that is also my position. There are a number of areas in my electorate where wind energy developments have been commenced and completed, and there are other projects on the table that have broad community support. However, I oppose wind energy projects where there is not that broad community support. I understand that in many areas in South Gippsland wind energy projects are not supported. I do not support any projects along the Great Ocean Road, where they can damage the beautiful vista. There are further projects proposed along the Great Ocean Road, and I do not support them.

I also note in terms of Portland being the alternative energy capital of Victoria and Australia that it is now the site for important work on the development of wave energy. There has been a significant project in Portland Bay, and there has been further investment in another wave energy project which has some real opportunities for growth and development. There are also opportunities in solar energy. I would seek government support to develop pilot programs in solar energy in order to demonstrate its effectiveness, even on the southern extremities of the mainland of Australia. There is a real opportunity for Portland to be the renewable energy capital of Australia.

In that context I am very disappointed by and want to highlight the hypocrisy of the Bracks Labor government in lauding its achievements in renewable energy while at the same time closing down one of the most significant renewable energy projects in this state. Portland's geothermal energy scheme was closed down only weeks ago by the Bracks Labor government, which is in absolute contrast to its stated position as a supporter of renewable energy. Geothermal energy had until recently been a cost-effective producer of energy. The Portland Henty Park bore and geothermal scheme had provided the community with a renewable natural energy source for the past 25 years. This bore took water from the Dilwyn aquifer at a depth of 1400 metres. The water emerged under pressure,

without pumping, at a temperature of 57°C to 60°C. This project offered a very significant opportunity.

The hot water from the geothermal bore was used over the 25 years to heat important local facilities including the Portland hospital; the aquatic centre, including the water for the pool; the maritime museum; the library; the civic hall; the Glenelg Shire Council municipal offices; the Fawthrop community centre; the police station; the State Emergency Service headquarters; the CEMA Arts Centre; and the Richmond Henty hotel-motel. It is interesting to note that since the government closed down the bore they have all had to install gas tanks in order to use natural gas to heat water to supply to the system. That is the effect of what this government has done. It talks in this chamber and in public about its commitment to renewable energy, but on the ground it is pulling the rug from under one of the most successful renewable energy schemes in Victoria.

The Portland geothermal scheme was co-managed by Wannon Water, which is an arm of government, and the Glenelg Shire Council. In February 2006 Sinclair Knight Merz published its study entitled *The Geothermal Resources of Victoria*, saying that the Portland geothermal scheme 'is a flagship for alternative energy use in Victoria' with 'huge potential for expanding and further using the geothermal resources in Portland'.

In its most recent consultancy report, *Portland Water Supply — Henty Park Bore* of November 2005, Sinclair Knight Merz estimated that a new bore, with a 50-year life span, would cost \$1.4 million. It estimated that the use of geothermal energy from Henty Park bore would produce annual savings of \$300 000 for the Portland community. A high-level financial analysis supports reinvestment in the geothermal bore with an annualised capital cost of \$28 000, which is much less than the annual savings of \$300 000.

I firmly believe, if it is really committed to alternative energy, the government needs to recommission the Henty Park bore, which could be used for geothermal energy. While 58°C is not hot enough to produce electrical energy augmented by gas-fired power, it would be able to produce cheap electrical energy on a sustainable basis at a much cheaper cost than wind energy or a gas-fired, stand-alone power station.

I urge the government to reconsider its decision to close the Henty bore, to reconsider its short-sighted decision to close down the geothermal energy system in Portland and to put its money where its mouth is in regard to giving a commitment to alternative and renewable energies, and reopen the geothermal bore. Also, in

western Victoria we have the gas-fired power station being built at Mortlake, and we wish that well. Midfield Meats has been involved in some biofuels work, which is absolutely excellent.

While renewable energies are important we must still remember that Victoria needs the brown coal fire-powered stations for its base load to ensure a continuous supply of relatively cheap electricity, which has been the mainstay of our economy and employment for generations and decades and still will be.

Portland Aluminium, which is the biggest single exporter in both Victoria and the rest of Australia, operates out of my electorate. It is very keen to develop a third pipeline and expand its operations. It is very keen to extend its current power contracts beyond 2014 and 2016. That requires some commitment from the government to ensure secure, low-cost power supplies. You will not deliver that through wind energy; you will not deliver it through alternative energy supplies.

The government needs to understand that while we need to encourage renewable energy, we still need to use brown coal as the most significant source of cheap electricity for Victorian industry and Victorian households. It is incumbent on government to make sure it works with the brown coal industry to improve the efficiency and performance of that industry with respect to the environment and reduce greenhouse emissions from brown coal.

The cost of power per megawatt hour from brown coal is \$32 to \$40, and the cost of wind energy is \$70 to \$80 — it is almost the cost of brown coal energy. For many, many decades to come, while we should encourage renewable energies, Victoria will still be absolutely dependent on that magnificent brown coal resource we have in the Latrobe Valley. The government needs to work with both sides of the coin — the renewable sector and the brown coal sector — to make sure we have an efficient and competitive energy industry in this state.

Mr JENKINS (Morwell) — It gives me a great deal of pleasure to support the Victorian Renewable Energy Bill. It is another demonstration of the Bracks government's looking forward and ensuring that it governs for all Victorians, not just for today but into the future.

I was interested to hear the member for South-West Coast talking about energy. I, more than anybody else in this chamber, know the dollar cost of electricity coming from that great brown coal resource compared to others, but we must not just talk about the dollar cost,

we must also talk about the cost to the environment and the cost to future generations; we have to talk about the real, whole-of-life cost of how we produce electricity. What this government is about is getting a balanced view and a balanced electricity industry, one that uses all the resources it can. We must rely on cheap brown coal when we can, but we must also make the most of natural resources and renewable energy.

As I said, it was very interesting to listen to the member for South-West Coast talking about how much he supports all the initiatives of the Bracks government, but why does he not support the sorts of schemes that enabled those initiatives to go ahead? If he really supported those initiatives, he would support this bill and be talking about it.

I would just like to let the house know that as soon as the announcement was made about the Victorian renewable energy target, which was exciting news for all Victorians for our future, probably like all of us here, I got correspondence about it. One of the items of correspondence I got says:

Could you please provide me with more detail on today's VRET announcement — i.e. 10 per cent by 2016 ...

In particular I am interested in whether the increase is phased in ...

If that is not the case, it would exacerbate the backward step on the previous commitment of 10 per cent by 2010, as what could have been at least 10 per cent in 2010 may still be 4 per cent right up until 2016 ...

It sounds as though one of the members of the environmental movement listened and dived straight in or one of my dark green constituents dived straight onto my web site to target the Victorian government. However, it did not come from those people. It came from Greg Hardy, the secretary of the Victorian district branch of the mining and energy division of the Construction, Forestry, Mining and Energy Union. The correspondence ends with this statement:

The CFMEU, mining and energy division, Victorian district, supports increases in the mandatory renewable energy targets ...

The union supports the Victorian government's efforts.

The people who are running the brown coal power stations in the Latrobe Valley, the people who are mining brown coal, the people who know a lot more about the available capacity factors and the efficiency of brown coal, say, 'We must have a renewable industry. We must support a renewable industry. We must have targets, and we must foster them'. They are not talking about themselves, their own jobs or their

own industry in isolation. They are prepared to think about the future of Victorians. They are prepared to talk about their children rather than just themselves. They are prepared to talk about making sure that this government and the decisions we in the government make today are the right decisions for Victorians today and well into the future.

Why can members of the Victorian opposition not support those people in the brown coal industry who support renewable energy? Why do they not have the forethought? Why can they not think beyond tomorrow and to the far future? Why can they not support the future of Victoria? I would like to know why they cannot do those things.

This is a great system. This is a market-based system. We have a market-based electricity system, and what it will deliver is renewable energy — 10 per cent by 2016. What will be the cost to Victorian households? Less than \$1 a month. I can tell the house that I have done the straw polls. I have talked to my constituents, and I have talked to those who care about their children's future. They say, 'A dollar a month to make a real difference — I am right behind the Victorian government'. They are right behind the government.

Dr Sykes interjected.

Mr JENKINS — I notice the member for Benalla — it does not really surprise me — is still dreaming about a hydro scheme on Lake Mokoan. He should be listening to his constituents and not flying blind.

The opposition has no policies and no plan, and importantly the people of Victoria know it. Members of the opposition have no big future in this state and no plan for the future of this state. They stand for nothing, and they are going nowhere. We heard about the amount of study done. They all referred to the *Age* — they read the *Age*! This is an important decision, and they all read one article in the *Age*. I congratulate them, but they got it wrong.

I used to run power station units. I was a power station operator. I will tell members opposite so they know — they should listen carefully — that when you run a power station, one of the modern units that we have in the Latrobe Valley, at 400 megawatts, you use four-fifths of the brown coal you use when you run it at 500 megawatts. You actually produce less greenhouse gas when you are running at 400 megawatts than if you are running at 500 megawatts. Members opposite should not worry about whether this is a big saving; it is a massive saving. We would not fit the black balloons

in the chamber. It is a massive saving, and we on this side want to do it, the people in the Latrobe Valley want to do it, and the people in the power stations want to do it. The power station operators wrote to me and said, 'We want to throttle down to 400 megawatts if it means that our children will have a future. We want to be responsible. We want to act responsibly'. Why can the opposition not act responsibly? It cannot act responsibly because it has no idea about the future.

We heard the leader of the third party, The Nationals, talk about the efficiency of brown coal. You have to be careful about these things. You have got to be careful. He mentioned 96 per cent efficiency in brown coal. In my wildest dreams would I love 96 per cent efficiency. It is 30 per cent efficient — 30 per cent efficient! I need to repeat it, and I will ask Hansard to pick it up as a repetition, not just a cast-aside — 30 per cent efficient. That is where it is. The reference to 96 per cent, as distinct from 86 per cent supposedly in the public sector, relates to the available capacity factor. For those who do not know what that means, it is how many hours a year your machine is going to be running, not its efficiency when it is running.

The member talked about the comparison and said therefore it was 96 per cent for a brown coal-operated unit, compared to 47 per cent for wind. The member has answered the question himself; he has supported our argument. It is 30 per cent for brown coal and 47 per cent for wind, thank you very much. I wish the member was still here so that he could listen and learn. This is an important issue for the future of Victoria, and the member should at least do a bit of homework and not just read the *Age*, which is a wonderful newspaper in the mornings, but go further than that. The Leader of The Nationals could at least, barring all else, talk to his own constituents in the Latrobe Valley who operate power stations, who know what they are talking about and know that we have a future in this state for renewables.

This is a good bill. It ensures that we all share a very small amount of the responsibility and we make sure we have a future for all Victorians. This bill needs to be supported by the opposition. The opposition needs to stop scaremongering about renewable energy. When we talk about supporting projects, as the member for South-West Coast does, we should support those projects at the start because they are a rational response to a real issue with greenhouse gas emissions. We should support projects then, and not wait until after the community has supported them. It is no wonder that the member for South-West Coast will never be part of a government leading the state, because he leads from behind. He waits until afterwards, does not utter a peep

and then supports things. The member leads from behind. He should show a bit of leadership, do a bit of study and support the bill. I commend the bill to the house.

Mr HONEYWOOD (Warrandyte) — There is one word that I have listened for from the other side, one word that has been missing totally from the debate from government members, and that is the word 'Hazelwood'. The member who has just spoken is embarrassed by the fact that the government is talking about having international leadership and national leadership on renewable energy, but when the chips are down what did the government do? It renewed the Hazelwood power station and it provided guidelines for so-called environmental mitigation and remediation that were so broad you could drive a truck through them. When the chips are down Minister Theophanous in the upper house runs the show. You can talk the talk on the environment, but at the end of the day Hazelwood is a blight on this government's environmental record if it continues all the rhetoric of putting the environment first and foremost.

In researching for this speech this evening I thought it would be appropriate to do some comparative analysis. If we look at the current breakdown of energy generation in the United States of America, we see that coal comprises 50 per cent, nuclear is 20 per cent, gas is 20 per cent, hydro electricity is 3 per cent, wind power is 3 per cent and oil is around 2 per cent. A national electric grid in the USA similar to the Australian model is embryonic, but there are some interesting situations between states. California is a state that generates only 20 per cent of its own power, but it dictates that it does not want any coal-fired power provided to it, so it lobbies its electricity-generating supplier states on what type of power they have to generate for California. This has become a massive issue of big states rights over smaller states in the USA, and of course theoretically this type of environmental dictate impacts upon the existing interstate trade anticompetitive regulations.

It is interesting to note that here Victoria is a big state dictating to Tasmania that it will take its hydro at certain prices. It is interesting to note that Tasmanian Hydro's recently released annual report shows a massive decrease in profit because of problems associated with the commitments that it is required to provide to a big state in the shape of Victoria.

In terms of alternative resources for the USA, liquid nitrogen gas plants and the supply of that gas are seen as problematic because the supply of gas is limited and price increases could be intolerable for power generators there. A big issue in the USA is that

manufacturers there continue to lose business to China partly because of the energy fuel and electricity utility price increases. Labour costs are obviously a major factor when China gains manufacturing market share over the USA, but it is worth pointing out that a number of manufacturers around the world are now making key decisions about the relocation and expansion of their manufacturing capacity based on the cost of energy.

That is why the current government is doing backflips for Alcoa at the moment. Just as it gave a rubberstamp to Hazelwood, we on this side of the house are in no doubt that it will bend over backwards for Alcoa and compromise its environmental credentials to ensure that Alcoa gets the sign-off for expansion. It is very interesting to notice some of the people who are involved in Alcoa and some of the people who have close relationships to the Labor government.

According to the latest research from the USA, many of the leading United States utility chief executive officers are not focused on promoting technology that reduces emissions. There are some important comparative issues here. Surely one of those issues is that in terms of alternative energy sources, if Victoria is in fact the manufacturing state of the nation, then here lies the rub for us, because unless we can provide a diversity of power sources, we are not going to be able to continue to provide surety to the traditional manufacturing base of our state's economy.

This evening I put it to members of the house that we have nothing like the potential to even meet the American situation, where, as I said, you have an incredible diversity of power sources, including nuclear power at 20 per cent, a much higher component of hydro, and gas which is already at 20 per cent. We have a long way to go. What I worry about is that this government is not providing the benchmarks in this legislation to ensure we are going to get that diversity in place in time.

Before any government imposes any new regime such as that contained in this legislation, should it not first commit to an annual state-of-the-state audit? Firstly, could it not ensure it lists the incentives which have been given in a genuine and meaningful way to any number of manufacturers and utility generators which is like what America is trying to achieve at the moment to ensure that financial incentives are given for retrofitting and the like? Again the government talks the talk about that, but when the chips are down it is not willing to put the money there at all. Secondly, by way of audit could this government not commit to providing an annual update of the many initiatives which we in this house have been prevailed upon to support?

It was over a year ago that I recall supporting this government's geothermal power generation legislation. What has happened since? We heard this morning from the member for South-West Coast that the only geothermal power generation plant that has been operation in Victoria for some years in Portland has been closed down by this government. Again, this government talks the talk, but when the chips are down it is not willing to put up the financial support or deliver the actual program.

I would be more comfortable supporting this legislation if the government came forward with a genuine proposal to audit manufacturers to ensure that they are assisted and provided with meaningful financial incentives, rather than being constantly provided with financial imposts, to ensure that there is an acknowledgment of the need for some diversity of power generation, whereas so far all we have is fine rhetoric and little action on the ground.

It is also worth noting the situation in Europe. It is now commonly believed that while the United Kingdom and Sweden may meet the targets of the Kyoto protocol, other Kyoto protocol signatory countries in Europe will fail. These countries are now rapidly changing the goalposts and compromising the Kyoto protocol as we speak. There is also an interesting and huge transfer of manufacturing occurring from the old European economies to the Eastern European nations without commensurate environmental safeguards. Ironically in Europe, as compared to America, we have a fascinating situation where the genuinely efficient manufacturers in Scandinavian countries — which put any number of bells, whistles and environmental safeguards into the expansion of their manufacturing capacities — are now ironically having to go off to Eastern Europe.

The former Soviet economies were forced to close down their factories, not because of environmental issues but because post the Kyoto protocol they were inefficient to run. What hypocrisy we have, where an environmentally efficient manufacturer in Sweden has to buy carbon credits from Eastern European nations simply because they can show on their books that they have reduced their manufacturing capacity post signing up to the Kyoto protocol. That, of course, is why Russia belatedly signed the Kyoto protocol — because the Russians knew that the country would be a winner in terms of being ahead with carbon credits compared to efficient, environmentally sound countries such as those that make up Scandinavia. The whole Kyoto protocol has become a nonsense in the European context as well.

Whether we compare ourselves to America or Europe, we have a long way to go. I genuinely believe we will

face the day when there will be a national renewable energy trading system. I do not believe it will occur on a state-by-state basis. I think that is a nonsense. It could occur in a nation like America, where at the moment seven north-eastern state economies have come together under a memorandum of understanding to try to ensure that across their borders they can achieve genuine carbon credit trading and renewable energy arrangements. In a small economy such as Australia's one state going it alone will not be able, without the support of the national government, to achieve that end.

Again, it is good window-dressing prior to a state election, just as the government has put channel deepening and the Nowingi toxic waste dump to one side. It is basically getting everything ready for the election. Congratulations to the government on its political strategy, but a comparative analysis with Europe and America will show the government that it is a long way short of achieving any practical outcome on where it should be going. A lot of window-dressing is contained in this legislation. The date is 2016, when I predict we will still be a long way short.

Mr INGRAM (Gippsland East) — It is a pleasure to follow the member for Warrandyte in this debate. From the outset, I would say that this has probably been one of the better debates that we have heard in this chamber for a while, because a wide diversity of views has been put by members, both supporting and opposing the legislation. I have considered the bill in some detail and have made the decision to support the legislation. I consider that to be the right decision, on balance.

A lot of the debate today has been on wind power. It is interesting that whilst my electorate does not have any wind farms established, its neighbour is Gippsland South, which has been right at the forefront of the wind energy debate. A large proportion of my constituents aggressively support wind energy. I would like to concentrate on the fact that the issue addressed by the bill is not just wind and other power. It relates to a number of other things, including wood waste and agricultural waste, which should be given a great deal of consideration as part of the debate. Many sawmills in my electorate create sawdust and other wood waste, the disposal of which is a problem. This type of legislation will give them the opportunity to generate power from the waste product of the sawmilling process. That is a good thing that would be an additional industry as part of a process that is there already.

There are enormous opportunities in some of the agricultural industries. While we do not have the heavy feedlot-type operations of other countries, there are opportunities for the use of manure from agricultural

production to generate electricity through methane. There are enormous opportunities also in tidal and other power. They are some of the sources of power that can be used.

We need a whole diverse range of energy, including coal and gas-fired turbines, but we also need to make sure that we use the alternative energies that we have and that we reduce the greenhouse gas emissions that most of our power users produce. We are an increasingly energy-hungry country.

Business interrupted pursuant to standing orders.

ADJOURNMENT

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

That the house do now adjourn.

Victorian Office of Multicultural Affairs: freedom of information

Mr KOTSIRAS (Bulleen) — I raise a matter for the attention of the Attorney-General. I ask the Attorney-General to investigate the actions of the Victorian Office of Multicultural Affairs in relation to a specific FOI (freedom of information) request and in particular to see if VOMA has breached the FOI act. Under this government it seems that FOI stands for 'fear of information'. On 13 January 2006 I placed a freedom of information request to the Department for Victorian Communities, requesting:

... all documents, including briefs, reports, memorandums, letters, invoices, emails and receipts, since 1 January 2005, from consultants and/or businesses engaged in writing and/or proofreading and/or editing of documents and/or brochures for the Victorian Office of Multicultural Affairs.

Having not received a response after 45 days, I made an application to the Victorian Civil and Administrative Tribunal on the grounds that the government had refused me access to the documents. As a result of the VCAT hearing, the government was forced to provide me with a schedule of documents. That identified eight documents that it claimed were relevant to my request. A date was set for a VCAT hearing to discuss these documents. In the meantime a copy of a speech and an invoice that was not included in the schedule of documents was received by my office.

While I have written to the Ombudsman to investigate the actions of the government, I believe it is important for the Attorney-General to investigate the actions of VOMA as well. I have been advised that the director of

VOMA, Barbara Mountjouris, allegedly hid the documents in a private office and neglected to advise the FOI officer of their existence. She allegedly did this to avoid any embarrassment for this government.

If these allegations are true, this senior public servant has breached the FOI act. This is a serious matter and I ask the Attorney-General to investigate to see whether this is a common practice in all government departments and whether Ms Mountjouris did this of her own accord or whether she was instructed to do so by the minister's office. Unless this is resolved, Victoria will be known as the secret state where access to public documents is restricted, a place where those who speak out are threatened and a place where spin is more important than substance.

It is important that the public have confidence in the FOI process. If public servants are hiding documents from the people who make requests, then the process is flawed and something has to be done. This is far too important and, if the senior public servant is responsible for hiding documents without the knowledge of the senior legal officer in the department, action should be taken. I urge the Attorney-General to investigate this matter urgently to see if the FOI act was indeed breached.

Environment: home building

Ms LOBATO (Gembrook) — I raise a matter for the Minister for Environment. The action I seek is for the minister to investigate an innovative and environmentally sustainable building method known as Novoram Build it Yourself Homes.

Some time ago I was approached by a constituent named John Novotny who provided me with information about a method of building that uses high-density compacted earth core. Houses built in this manner are not only incredibly inexpensive to construct, they are also extremely energy efficient to manufacture. The finished products are also houses that allow for huge energy savings in terms of heating and cooling due to the thermal mass walls.

John Novotny, together with family members, has constructed several homes using this concept, one of which I had the pleasure of inspecting just a few weeks ago. This building method is simple and appropriate for the unskilled to build their own homes. Therefore the concept addresses issues of housing affordability as well as reducing environmental impacts by limiting unnecessary resource use and thereby directly adding to social and environmental justice.

My constituent is pleased to have developed this model for his immediate family, who benefit enormously, but he is also keen to contribute to the wider community. The house of Mr Novotny's son was assessed by the Sustainable Energy Authority, which stated in its letter of September 2000:

The rating of this house is 5 stars; however, its performance far exceeds that of most 5-star homes, with a predicted energy use almost half of the maximum allowed for 5 stars. In addition, the performance of the house in summer is such that it is likely to need very little artificial cooling.

Of the 1200 homes assessed by the Sustainable Energy Authority since 1995, only 12 have achieved higher ratings, making this house one of the most energy efficient ever built in Victoria.

The lifespan of these buildings is many hundreds of years rather than the 50 or 60-year span of most buildings today. Given this assessment I am amazed that this concept has not been embraced previously. I take this opportunity to congratulate Mr Novotny and his family on their commitment and willingness for this method to be taken up by the community. Mr Novotny has been working for years on providing this information to authorities, incurring personal cost when it would have been easier for him to sit back and reap the benefits of his efficient building.

For all these positive reasons I have also brought this concept to the attention of the Minister for Housing in the other place, whose department has met with Mr Novotny and will be inspecting one of the homes in the next few weeks. In conclusion I request that the Minister for Environment investigate this building method with a possible view to incorporating this innovation into government building programs and endorsing the energy efficiency it provides as well as furthering our government's commitment to the reduction of climate change.

Bridges: Echuca-Moama

Mr MAUGHAN (Rodney) — I wish to raise for the Minister for Transport a matter concerning the long-running saga and current attempt to build a second Murray River crossing at Echuca-Moama. This was first mooted at a meeting in 1994 between the Shire of Murray in New South Wales and the Shire of Campaspe in Victoria, which I co-convened and chaired. Both Victoria and New South Wales have committed to their respective share of funding for the project, and \$15 million has been available from the commonwealth since 1998.

After exhaustive investigation and community consultation, VicRoads proposed the C1, or central

option which was successfully appealed by the two municipalities in favour of the W1, or western option. The independent planning panel unanimously supports the western option. Both municipalities also very strongly support the western option. The community says it wants the western option, with the two councils estimating that at least 75 per cent of the community supports that option.

The difficulty is that under section 21U of the commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act it is necessary to gain the consent of the relevant Aboriginal organisation for that area. In this case it is the Yorta Yorta, and that consent has not been secured. The minister consequently says that he is unable to build a bridge in the west without that consent, so we have a stalemate. The community wants the bridge in the west, and under the commonwealth legislation the minister is unable to build the bridge without the consent of the Yorta Yorta. This refusal of consent is unable to be appealed under the commonwealth legislation.

However, the new Victorian Aboriginal heritage legislation is likely to come into effect in the early part of 2007, when a fresh planning application could be made to build a bridge in the west where consent may be granted by the registered Aboriginal party for the Echuca area. It is yet to be appointed. If consent is not granted, that decision can be appealed to the Victorian Civil and Administrative Tribunal for objective consideration and adjudication.

I therefore seek from the minister a commitment that the Victorian government will instruct VicRoads to immediately commence work on preparing a fresh planning application to build a bridge on the western alignment, and if consent is not forthcoming from the registered Aboriginal party under the yet-to-be proclaimed Victorian legislation, to appeal the decision to VCAT.

The people of Echuca-Moama are determined to exhaust all possible options to build a bridge in the west before they are prepared to consider any other alternatives.

Police: Casey

Mr DONNELLAN (Narre Warren North) — I raise a matter for the Minister for Police and Emergency Services. The action I seek is for the minister to assure residents of the city of Casey that the government treats their concerns about crime seriously and that police numbers have not been reduced over recent years.

My reason for raising this matter is that I have recently knocked on many doors and spoken to many people, and the one issue that keeps appearing is crime. Specifically, people continually raise with me the issue of hoons driving late at night through the streets of Casey. These dimwits often feel the need to trespass on our parks and carry out circle work. I recently forced the local council to close off some of these hotspots with bollards, but my concern is that I simply cannot get every park cut off from these birdbrains.

Mr Mulder — Driving old Valiants?

Mr DONNELLAN — No, unfortunately. In that case, the circle work would be superb.

Also often raised with me by residents is the issue of home invasion. That is in addition to comments that cars are frequently nicked for joy-rides. Many in the community believe there are now less police on the streets of Casey than ever before. They say they do not see enough police patrolling the local streets. They believe the outer suburbs are being neglected while the inner suburbs are well protected.

Another issue which was raised with me recently was the visit by the shadow Minister for Police and Emergency Services to Casey police stations. He said that crime in the area was a hot topic, particularly as Victoria Police data shows that crime figures in Casey have jumped by 8.5 per cent. Clearly if that were true, it would be most concerning. While the shadow minister was there he said that there has to be a more efficient way of dealing with domestic violence. I found that a strange comment in light of his comments previously that it was not a front-line issue, even though it is responsible for at least 25 per cent of homicides.

I repeat that the action I seek from the minister is that he assure my residents that we have enough police numbers in Casey to meet the needs of our fast-growing area.

Graffiti: removal

Mr CLARK (Box Hill) — I raise with the Premier the need for action across government to tackle the growing problem of graffiti. I ask the Premier in particular to ensure that government authorities and franchisees take responsibility for promptly removing graffiti as part of their maintenance programs, that a statewide graffiti reporting hotline be established to link directly to the clean-up programs of councils and other bodies, and that children be taught about the antisocial nature of graffiti through a reinstated police in schools or other program. There are also legislative measures

that are required to combat graffiti such as restrictions on the availability and use of spray cans, but unfortunately it is not in order to request legislation as part of an adjournment debate.

Grffiti is a growing problem in suburbs across my electorate. Surrey Hills, Balwyn, Balwyn East and Mont Albert have been particularly badly effected. In Balwyn East vandals have spray-painted shopfronts and scored shop windows. Graffiti is not only unsightly and distressing itself, but if left unchecked it degrades the neighbourhood and invites further crime.

Local police working out of Camberwell, Box Hill and Boroondara police stations have done very good work in difficult circumstances to fight graffiti, but they are hampered by limited powers and the huge amounts of police time required to catch graffiti vandals in the act. Rapid and comprehensive clean-up is almost universally regarded as a key element of deterring graffiti. Boroondara City Council has adopted an anti-graffiti strategy which involves a zero tolerance approach to graffiti on council-owned property, free paint or removal kits for private property, a graffiti hotline and a tag and graffiti recording register. It is also installing surveillance cameras in high incidence areas and entering and funding clean-up program arrangements with trader associations. In the absence of state government action Boroondara council has also developed a local law to restrict the sale of spray-paint cans to minors and require that spray-paint cans in shops must be kept in areas not immediately accessible to the public.

Unfortunately Whitehorse City Council has not been as active in tackling graffiti, simply providing a leaflet and free paint or removal kits to residents.

The City of Casey has shown what can be done with determined and coordinated action against graffiti. Casey council's contractors actually clean graffiti off ratepayers property as well as council property. The council claims that its program has been so successful it costs council no more now to clean ratepayer property than it used to cost to clean council property only. It also has a widely advertised 24-hour graffiti reporting hotline and has had in force for some time a local law banning the sale of spray-paint cans to under 18-year-olds and restricting their accessibility in shops.

However, there is a lot more that the state government should be doing. There should be a common graffiti reporting hotline across the whole of Victoria that quickly and efficiently channels reports to police and to council or government clean-up programs or to relevant property owners. Statewide laws restricting spray can

availability would also be far better than a series of local laws. As well the state government needs to ensure that water authorities, railway operators and others responsible for public property play their part in ensuring that graffiti is quickly removed, regardless of whose property it appears on. Graffiti vandals also need to know that those caught graffitiing will be subject to serious and appropriate punishment, including being required to help clean up the graffiti that they and others have caused.

I ask the Premier to ensure that the state government no longer shirks its responsibilities in these regards.

Calder Highway: truck parking areas

Mr SAVAGE (Mildura) — I rise to raise an issue for the attention of the Minister for Transport. I have been contacted by a professional truck driver, Mr Mark Hall of Avocado Street, Mildura. He has raised with me the inadequacy of the number of truck parking areas on the Calder Highway. The first truck parking area on the Calder leaving the Tullamarine Freeway or the Western Ring Road is at Gisborne, and there is nothing southbound for trucks or heavy vehicles. The next all-weather, sealed truck parking area is at Ravenswood off the northbound lanes, and there is a significant gap between those two locations.

As the Calder Highway is now being duplicated in the area around Taradale and Malmsbury, I would ask that consideration be given by the Minister for Transport to ensure that these new sections have some all-weather truck parking facilities. The problem in wet weather is that you cannot take a truck off the road, especially if it is a large fuel vehicle or a heavy vehicle of similar proportions. There is also a significant lack of sealed truck parking areas north of Marong. I can only think of one, which is between Marong and Charlton and which is in a northbound area. When there is wet weather it becomes very difficult for trucks to get off the road.

Since the decline in the standard of the rail network north of Ballarat there has been an increasing number of large trucks on the Calder Highway. Being a regular traveller on that road I know the number of trucks I see on a daily basis coming south and going north. They are not like ordinary motor vehicles — they cannot be parked anywhere — and on the basis of safety requirements and crew rests significant consideration needs to be given to this issue. There may be some plans to facilitate these changes. There certainly needs to be a parking area either at Taradale or Kyneton or somewhere else on that section of the Calder Highway. The new one at Ravenswood is an excellent example of what can be done.

The driver also raised the fact that the Murray Valley Highway is also lacking in significant all-weather parking bays. There is one on the south side of Kerang and one at Bears Lagoon. With the increasing number of trucks on our highways this is an imperative that needs to be addressed.

Glenaire: tourism infrastructure

Mr MULDER (Polwarth) — The matter I wish to raise is for the Minister for Environment and concerns the lack of adequate toilet facilities and regular rubbish removal in the popular tourist area of Glenaire on the Great Ocean Road in south-west Victoria. The Otway Scenic Circle Association brought these matters to the department's attention and found its response sadly lacking, in that the department did not specifically address the needs of travellers on the Great Ocean Road. I therefore call on the minister to provide for the construction of a new toilet block and the implementation of an upgraded rubbish management plan at Glenaire.

Glenaire is situated 35 kilometres west of Apollo Bay on the Great Ocean Road. It is the only place for approximately 70 kilometres where the road meets the coast. It is the site of the Castle Cove scenic lookout and an intersection which gives access to the Aire River estuary and camping ground. It is not the ideal, but it would seem the natural place for travellers to stop, rest and dispose of their rubbish. The increasing number of tourists visiting the area is placing an enormous strain on the limited facilities currently available.

As the minister and the government continue to promote tourism as the no. 1 industry in this part of south-west Victoria, and whilst I wholeheartedly support this promotion as a proud resident and representative of this diverse and beautiful part of the state, given the increased visitation it is essential that adequate rest areas and rubbish bins be provided. A blanket response that Parks Victoria is not obliged to provide toilets at all of its facilities is not acceptable, and neither is the lack of a managed waste disposal program in an area that is being promoted by the government as a place to visit.

I am sure that media reports of the recent referendum held in Toowoomba, Queensland, on the use of recycled sewage for drinking water have not escaped the attention of members in this place. I have news for them: if extra facilities are not made available it is possible that we will have our own pilot scheme in full swing down at Glenaire, albeit without a treatment plant. Imagine mums, dads, kids and busloads of tourists being caught short while enjoying our

wonderful scenery. The elderly, the young and those not enjoying the best of health should be catered for.

It has been conveyed to me that, toilet or no toilet, the side of the road and the bush are being used by those in desperate need — hardly the image that Victoria wants to portray to visitors, and in addition to the visual impact one needs to think of the health of the catchment. The notion of bureaucrats sitting at their desks with calculators working out how long each tourist will stay at each spot and then applying some obscure formula that tells them the distance that will be required between each toilet is not working in this case — but what does work is nature. Tourists can plan ahead for just about everything but the random call of nature.

In relation to waste collection, surely it beggars belief that a few extra bins cannot be added to the current waste collection route. There is nothing more off-putting than bins overflowing with rotting garbage at popular tourist stops. We now have a national park which is bigger than ever and promoted more than ever before, yet the government is quibbling over a few extra rubbish bins. The equation is simple: more promotion and more tourists equals more rubbish — and a requirement for increased waste management and toilet facilities.

Cooperation between key stakeholders is required.

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

Footscray: Sudanese community centre

Mr MILDENHALL (Footscray) — I raise a matter for the attention of the Minister for Victorian Communities. I request that he seriously consider and agree to provide financial assistance for the restoration and redevelopment of St John's Anglican Church hall in Paisley Street, Footscray. This is not just a church hall restoration, but a plan for a thriving community hub, which the African communities in the Footscray area would actively use.

A couple of years ago we funded an open day centre affectionately known as the ACDC — the African community development centre — but its usage has outgrown its size. Recently, under the indefatigable leadership of Father Don Edgar from the local Anglican church, the River Nile learning centre was opened. It mainly served people from a Sudanese background, but many other groups are coming to use the facilities in what is a rather dilapidated church hall in Footscray.

Last night, on behalf of the Minister assisting the Premier on Multicultural Affairs, the Honourable John Pandazopoulos, I received a delegation from the Parliament of Southern Sudan. It was led by the Honourable General James Wani Igga, the Speaker of that country's Legislative Assembly. Some of the figures he gave us show the extraordinarily difficult circumstances that the wave upon wave of new settlers from the Sudan have experienced. After 22 years of war, with a peace agreement signed last year, the community has been left with literacy levels of 8 per cent, 2 million people killed and 4 million people displaced, a horrifying infant mortality rate and — to deal with that — 1 doctor per 100 000 people.

People who come from a community with that level of devastation and lack of resources will obviously need a hand. In settling in places like Footscray they have worked very energetically and have engaged with community leaders like those at the Anglican Church, Mission Australia and the Maribyrnong City Council to develop this exciting proposal for a community hub. The proposal is coming together, and I urge the minister's consideration of this need.

Seniors: driver licence assessments

Mr JASPER (Murray Valley) — I raise a matter for the attention of the Minister for Transport. It relates to the charges imposed on older people who need to undertake an occupational therapy driving assessment.

I raised this matter with the minister in Parliament some months ago because of the huge costs involved for people who need to have that assessment. I have had a number of representations from people in my electorate, expressing great concern at the charges imposed by occupational therapists for this assessment, with indications of charges between \$300 and \$500. In one case a lady had to undertake this assessment on two occasions but failed it. She spent over \$1000 but was not able to renew her drivers licence.

I raise this in Parliament because it has a massive effect on people in country Victoria, where there is not a range of occupational therapists to undertake the assessment at a reasonable cost. I wrote to the chief executive officer of VicRoads, David Anderson, on the basis there should be some input from VicRoads on this issue. In his response some months ago, Mr Anderson indicated that the parliamentary Road Safety Committee had considered the issue and recognised the problem but had not come up with a satisfactory solution. In the letter I received from David Anderson back in May he indicated that the charges imposed by occupational therapists are higher because they:

... operate as private practitioners or as part of hospital staff.

This huge cost is imposed on some older people who are required to have an occupational therapy driving assessment in order to renew their licence. In his letter Mr Anderson went on to say:

VicRoads has no discretion over the fees charged.

I have had further representations from an organisation in Wangaratta that is prepared to undertake these assessments at a much lower cost, but some financial support needs to be provided by the government so that the charges to older people can be reduced.

I seek an investigation of this issue by the Minister for Transport, and I ask him to consider providing subsidy arrangements so that there is a maximum cost to individuals who have to undertake these assessments, whether that be in Melbourne or anywhere in country Victoria. There could then be a reasonable charge, and the government would pick up the difference for people who need occupational therapy driving assessments.

The minister should investigate this issue to see what assistance can be provided, because it has a detrimental effect on older people, particularly those living in country Victoria, who seek to renew their drivers licence.

Cranbourne Road, Frankston: bicycle path

Dr HARKNESS (Frankston) — Tonight I raise an issue for the attention of the Minister for Transport. The action I seek is that he investigate the possibility of creating a bicycle path along Cranbourne Road, Frankston, between Beach Street and McClelland Drive. I also seek advice from the minister as to whether that bike path could be funded. I further ask that he investigate the various options for a bike lane combining both on-road and off-road components to improve safety for cyclists.

I am very much aware that as part of the recently launched \$10.5 billion transport action plan, Meeting Our Transport Challenges, the state government is injecting an extra \$72 million over 10 years into extending bicycle networks as well as enhancing pedestrian crossings and facilities across the state. I also know that this funding comes on top of the \$4 million the state government already spends on bicycle and pedestrian facilities each year.

I am particularly pleased to note that Bicycle Victoria is strongly supportive of the government's funding commitment. When I looked at the web site this evening I noticed it has launched a terrific postcard to

celebrate this new bike funding. Cycling as a mode of transport and a recreational activity is constantly growing in popularity. It is certainly becoming more attractive to people aiming to live a healthy lifestyle, and of course encouraging more people to take up cycling as an alternative to driving will also help to ease congestion on our roads.

According to information and research compiled by Bicycle Victoria, almost a quarter of the people living in outer Melbourne without easy access to a bike path said they would do more riding if there were safe and secure bike path facilities nearby. It is essential that safe cycling facilities and infrastructure are provided to ensure that people who are jumping onto a bike can do so safely. This is ideally provided through a combination of on-road and off-road lanes and paths where cyclists are separated from motor vehicles.

Many Frankston residents have approached me regarding the need for safer cycling facilities on Cranbourne Road. At present this stretch of Cranbourne Road forms part of the principal bike network and is generally a divided, two-way road, but speed limits vary between 70 and 80 kilometres per hour and no bicycle facilities exist. I believe that the road shoulders along this route could be sealed in order to provide exclusive bicycle paths of adequate width and that the installation of shared paths for cyclists and pedestrians could also be considered. These and other associated works would certainly better facilitate safe movement of cyclists in the area. An investment here will be an investment in safety for cyclists, it will reduce congestion and it will improve traffic flow and mobility.

Once again I draw this important issue to the attention of the Minister for Transport. I look forward to him taking action to provide safer cycling facilities for Frankston residents.

Responses

Mr PANDAZOPOULOS (Minister for Gaming) — I will reply on behalf of a range of ministers.

The member for Bulleen raised a matter for the Attorney-General in relation to a freedom of information processing arrangement at the Victorian Office of Multicultural Affairs. The only thing to say — and I do not think it is even worth a comment; I think the member is known for vilifying the head of the Office of Multicultural Affairs — is that he can have a go at politicians, but he should be very cautious about

having a go at senior public servants. The member has made his comments, and I will have a look at them.

The member for Gembrook raised a matter for the Minister for Environment about environmentally friendly building methods. I will pass that on to the minister.

The member for Rodney raised a matter for the Minister for Transport in relation to the second Murray River crossing at Echuca-Moama. I know it is an ongoing issue. I will pass it on to the minister.

The member for Narre Warren North raised a matter for the Minister for Police and Emergency Services about police numbers in Casey. I know the great job the police are doing in the city of Casey. They have more police than they have ever had, a new police station at Endeavour Hills and an upgraded police station under construction at Cranbourne. Obviously there is an election on and some people on the other side want to go out there and say things that are not factual. I will pass that on to the minister.

The member for Box Hill raised a matter for the Premier in relation to graffiti, particularly focusing on government agencies and franchisees. I think the government has good graffiti programs across the board. One of the problems with privatising public transport and having franchisees was quite clear when the member was Parliamentary Secretary to the Treasurer. Now he is in opposition he is concerned about the role and obligations of franchisees when it comes to cleaning up railway properties. He now wants us to fix up things the opposition did not fix up when it had the chance in government. I will pass that on to the Premier.

The member for Mildura raised a matter for the Minister for Transport about truck parking facilities on the Calder Freeway. He highlighted the need for additional facilities, particularly in the newly upgraded part. As a government we have been pleased to be a part of upgrading the Calder as it gets closer and closer to duplication right up to Bendigo. I will pass that on to the minister.

The member for Polwarth raised a matter for the Minister for Environment about toilet and rubbish facilities at Glenaire on the Great Ocean Road. He is absolutely right about the increase in the number of tourists in the area. I will pass that on to the Minister for Environment.

The member for Footscray raised a matter for the Minister for Victorian Communities about the St John's Anglican Church hall and its potential use by new

humanitarian refugee communities from Africa. One of the big problems in the inner city is that, as we get growth in communities, there are not enough community hall facilities. It is great to see that the St John's Anglican community is looking at making its hall available for these communities. I will pass that on to the minister.

The member for Murray Valley raised a matter for the Minister for Transport concerning the important issue of occupational therapy driving assessments and the charges imposed on applicants. I will pass that on to the minister.

The member for Frankston raised a matter for the Minister for Transport about the opportunity for bike path improvements on Cranbourne Road. This is obviously a great road, and some additional road improvements have occurred there in recent years. I will pass that on to the minister.

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

House adjourned 10.32 p.m.

