

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

Tuesday, 18 October 2005

(extract from Book 6)

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

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FIFTY-FIFTH PARLIAMENT — FIRST SESSION

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CONTENTS

TUESDAY, 18 OCTOBER 2005

CONDOLENCES	
<i>Hon. Alan Raymond Wood</i>	1399
<i>Hon. Bruce Anthony Chamberlain, AM</i>	1405
<i>Adjournment</i>	1424
QUESTIONS WITHOUT NOTICE	
<i>Hazardous waste: Nowingi</i>	1425, 1427, 1429
<i>Terrorism: Mercury 05</i>	1425
<i>Agriculture: genetically modified crops</i>	1426
<i>Apprentices: accelerated courses</i>	1426
<i>Industrial relations: federal changes</i>	1428, 1429
<i>VicForests: police services</i>	1430
<i>Economy: national reform initiatives</i>	1431
BUSINESS OF THE HOUSE	
<i>Notices of motion: removal</i>	1432
<i>Program</i>	1436
<i>Orders of the day</i>	1447
INVESTIGATIVE, ENFORCEMENT AND POLICE POWERS ACTS (AMENDMENT) BILL	
<i>Introduction and first reading</i>	1432
CRIMES (FAMILY VIOLENCE) (HOLDING POWERS) BILL	
<i>Introduction and first reading</i>	1433
TRANSPORT LEGISLATION (FURTHER MISCELLANEOUS AMENDMENTS) BILL	
<i>Introduction and first reading</i>	1433
GAMBLING REGULATION (MISCELLANEOUS AMENDMENTS) BILL	
<i>Introduction and first reading</i>	1433
PETITIONS	
<i>Racial and religious tolerance: legislation</i>	1433
<i>Schools: religious instruction</i>	1433, 1434
<i>Police: schools program</i>	1434
<i>Water: Horsham supply</i>	1434
SCRUTINY OF ACTS AND REGULATIONS COMMITTEE	
<i>Alert Digest No. 12</i>	1434
DOCUMENTS	1435
ROYAL ASSENT	1435
APPROPRIATION MESSAGES	1435
RACING AND GAMBLING ACTS (AMENDMENT) BILL	
<i>Royal assent</i>	1436
MINERAL RESOURCES DEVELOPMENT (BROWN COAL ROYALTIES) BILL and MINES (ALUMINIUM AGREEMENT) (BROWN COAL ROYALTIES) BILL	
<i>Concurrent debate</i>	1436
MEMBERS STATEMENTS	
<i>Roads: funding</i>	1440
<i>Police: database security</i>	1441
<i>Dr George Golding</i>	1441
<i>Water: irrigators</i>	1441
<i>Siemens VDO, Mill Park</i>	1441
<i>Old Peterborough Road, Terang: upgrade</i>	1442
<i>Schools: reading challenge</i>	1442
<i>Employment: rate</i>	1442
<i>Gladstone Park Secondary College: soccer team</i>	1443
<i>Hazardous waste: Nowingi</i>	1443
<i>Ganesh Festival</i>	1443
<i>Portland and District Hospital: emergency department</i>	1444
<i>Sunbury Agricultural Show</i>	1444
<i>Apprentices: employer incentives</i>	1444
<i>Mental Health Week: Fairfield festival</i>	1445
<i>Students: drugs and alcohol</i>	1445
<i>Rail: Ballarat line</i>	1445
<i>Flemington racecourse: flood protection wall</i>	1446
<i>Country Fire Authority: Hurstbridge and Epping brigades</i>	1446
<i>Bentleigh Guides</i>	1446
LAND TAX BILL	
<i>Second reading</i>	1448
<i>Consideration in detail</i>	1468
<i>Third reading</i>	1470
<i>Remaining stages</i>	1471
ADJOURNMENT	
<i>Rail: Surrey Hills fencing</i>	1471
<i>Rail: Lakeside station</i>	1471
<i>Caltex: Safeway customer discounts</i>	1472
<i>Cranbourne electorate: ministerial visit</i>	1472
<i>Police: Mornington</i>	1472
<i>Connex: graffiti</i>	1473
<i>Police: south-west Victoria</i>	1473
<i>Teachers: World Teachers Day</i>	1474
<i>Police: Mornington Peninsula</i>	1474
<i>Torquay Surf Life Saving Club: alternative energy</i>	1475
<i>Responses</i>	1475

Tuesday, 18 October 2005

The SPEAKER (Hon. Judy Maddigan) took the chair at 2.02 p.m. and read the prayer.

CONDOLENCES

Hon. Alan Raymond Wood

Mr BRACKS (Premier) — I move:

That this house expresses its sincere sorrow at the death of the Honourable Alan Raymond Wood, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as a member of the Legislative Assembly for the electoral district of Swan Hill from 1973 to 1983; Minister of Immigration and Ethnic Affairs from 1979 to 1981; Assistant Minister for State Development, Decentralisation and Tourism in 1980; and Minister of Public Works and Minister for Property and Services from 1980 to 1982.

The house is saddened by the passing of Alan Raymond Wood on Monday, 3 October 2005, aged 78. Alan Wood made a great contribution to community and political life in Victoria. He was passionate about Swan Hill and its people. He was a steadfast advocate for issues affecting regional Victorians, and he was a well-known and active member of his local community.

Alan Wood was born in Swan Hill on 18 June 1927. He was educated at Swan Hill State School and Swan Hill High School, and he went on to serve in the 2nd AIF, 22nd infantry battalion, in World War II. On his discharge from the army Alan joined the family real estate business, H. A. Wood and Co., which his grandfather founded in 1911.

In February 1954 he married Joyce Wilkinson. In 1959 he was elected to the Swan Hill borough council, and six years later, in 1965, he became Swan Hill's first mayor, taking up the position when it was proclaimed a city.

In 1973 Alan Wood stood as a Liberal candidate and was elected as the member for Swan Hill in the Legislative Assembly, a position he held for some 10 years. He had a distinguished parliamentary career, serving as Minister of Immigration and Ethnic Affairs and minister assisting the Premier — who at the time was the Honourable Rupert Hamer — on state development, decentralisation and tourism. He was also Minister of Public Works and Minister for Property and Services.

Alan Wood resigned from Parliament in 1983 on medical advice but continued on as a life member of the state executive council. Despite his retirement from

public office he continued to be an active member of the community.

In the 1970s he and his wife, Joyce, established an exchange program for Robinvale students with students in the French town of Villers-Bretonneux. In 1984 the Woods led a tour to Villers-Bretonneux to commemorate both Anzac Day and the wonderful union between the two towns, which of course has been acknowledged ever since that day. When the Olympic torch passed through Swan Hill in July 2000, Alan Wood lit the cauldron despite suffering the effects of a stroke.

Alan Wood will be remembered as a great family man and a fiercely proud resident of Swan Hill. On his retirement from Parliament in 1983 he said he could not have fulfilled his role without the support of and tremendous encouragement from his large electorate. He also had this to say:

There are cynics who knock parliamentarians and the system, but for my part I really learned what democracy and service to the community are all about.

On behalf of the Victorian government I offer sincere condolences to the family of Alan Wood — his wife, Joyce, his children, Bill, Karen, Marian, Stuart, Robert and Michael, and their 16 grandchildren.

Mr DOYLE (Leader of the Opposition) — Alan Wood was born on 18 June 1927 in Swan Hill, Victoria, and died aged 78 on 3 October 2005. His parents were Henry Raymond, a local real estate agent, and Irene Elizabeth Faulkner. Alan married Joyce Wilkinson in 1954. They had six children, Bill, Karen, Marian, Stuart, Robert and Michael. He is survived by Joyce, his 6 children and his 16 grandchildren.

Alan was educated at the Swan Hill state and high schools. He served in the 2nd AIF, 22nd infantry battalion, in Australia and overseas until 1945. Following his wartime service he joined the real estate family business established by his grandfather, Henry Ashford Wood. He became a director of and qualified valuer with that firm, H. A. Wood and Co., Swan Hill. There were a number of other branches in country Victoria, and he became the Melton branch director in 1969.

He was a great community champion, and that was reflected in his many memberships and interests. He was a member and chairman of the Swan Hill Sewerage Authority. He was also a member and chairman of the Swan Hill Waterworks Trust. He was a president and life member of the Swan Hill chapter of Jaycees, and he was a council member of the Victorian

Bush Nursing Association. He was awarded the Kerang Rotary service award in 1980, and he discharged his responsibilities as a justice of the peace from 1964. He was also a member and chairman of the Swan Hill Legacy group. As the Premier said, he was a Swan Hill borough and city councillor from 1959 to 1974, and he was the first mayor of Swan Hill when it was first declared a city 40 years ago.

Following his time as mayor it was fitting that he moved into state politics. He was elected to the Legislative Assembly seat of Swan Hill in May 1973. He later assumed, as the Premier said, a number of important ministerial positions, including Minister of Immigration and Ethnic Affairs from May 1979 to February 1981, Assistant Minister for State and Regional Development, Decentralisation and Tourism from February 1980 to December 1980, Minister of Public Works and Minister for Property and Services from December 1980 to April 1982. It was with much regret that Alan retired from Parliament in 1983 on medical advice. He served Parliament and his electorate for 10 years and described his time as a warm and wonderful experience. I reiterate the Premier's quotation of the comments Alan made when he left the Parliament:

There are cynics who knock parliamentarians and the system, but for my part I really learned what democracy and service to the community are all about.

It is remarkable that after 10 years of service in this place he left it without a trace of cynicism and was grateful for his opportunity to serve here.

In 1996 he had a stroke which left him disabled, but it certainly did not stop him pursuing his interests and his community life. When Alan Wood resigned, Jeff Kennett spoke of him as a splendid minister and an aggressive fighter in the interests of the people of his electorate. Jeff also described him as a genuine, dinky-di Aussie, and that was certainly true of Alan. He was a well-known and highly respected member of the community. He passionately represented the people of Swan Hill. He was quoted in a newspaper in 2000 as saying:

... Swan Hill ... has been so good to me and given me everything I have ever had in life. I have many truly wonderful friends here.

As the Premier noted, perhaps Alan Wood's proudest moment was lighting the Riverside Park cauldron when the Sydney Olympic flame came to Swan Hill in the year 2000. That task was made difficult for him by his stroke, but he was cheered on at that wonderful event by more than 10 000 locals.

The Premier also noted that Alan and Joyce shared a long association with the French town of Villers-Bretonneux and its people. Following World War I Villers-Bretonneux has often been described as a piece of Australia in France. In the 1970s Alan and Joyce established an exchange program for Robinvale students with Villers-Bretonneux.

Alan Wood filled his election promise to serve every person in the Swan Hill electorate. When he retired he paid great tribute to his own electorate, to Joyce and to his family, saying that with such a large electorate as Swan Hill, he did not know how he could have managed without the help and encouragement of his loved family. Alan's life was a life of service and a life of commitment to the Swan Hill community. I offer the condolences of the Liberal Party, which he served so well, to his family and friends.

Mr RYAN (Leader of The Nationals) — I join with the Premier and the Leader of the Opposition on the occasion of this condolence motion marking the passing of Alan Wood.

Alan Wood made his maiden speech in this place on 18 October 1973. He traced the background of his electorate and described in some detail its proud history in the provision of agriculture and horticulture. He remarked that even at that time, on the day that he made that maiden speech all those years ago, lettuce seed being produced in the electorate of Swan Hill was being exported to the United States. In the course of his speech he did the usual thing — if I might so term it — of making the rounds of his electorate, better known as the parish pump. I could not help but think that within that electorate there are some absolutely wonderful places: Ultima, Piangil, Wycheproof, Manangatang, Berriwillock, Nullawil, Culgoa, Koondrook, Quambatook. They are wonderful towns with wonderful people; and this was a man who knew all of them and knew them well. Of course, Alan Wood recognised that the electorate was in a state of transition even those 30-odd years ago. Already by then the tourism industry had started to develop.

In the course of that speech Alan also spoke at some length about the issue of water, though not from the perspective from which we tend to talk about it these days, because then it was a case of too much and not of too little. At that time there had been extensive floods through the electorate, particularly at Swan Hill and Kerang where they had produced problems. Alan Wood — as was his wont — had been on the committees established by the respective communities to manage the complications arising from those floods. At that time he was proposing the institution of an

innovative process which would see the future management of floods in the region better dealt with than on the ad hoc basis he had recently witnessed.

Alan Wood was elected to the council in Swan Hill in 1959. He became the first mayor of the city of Swan Hill in 1965. He was elected to this place in 1973 and served here until 1983. He held, as we have heard, various ministerial roles. He was a great supporter of the parliamentary system. The 'come and go' associated with views being put passionately — both within this place and beyond — was something that sat well with Alan Wood.

It is interesting that his background was similar to many of his era in that he had a proud history of service in the Second World War, when he served in the 2nd AIF. He then went into the family real estate business in 1945 and remained with it until the early 1970s.

At his passing on 3 October he was aged 78 years. Unfortunately he had been dogged by ill health in the years leading up to his death. He was a revered and respected member of his community, which was reflected in the fact that he was chosen to light the cauldron when the Olympic torch came through Swan Hill in 2000. He truly was renowned as a man of the people. He was known as being gritty and determined. On behalf of The Nationals I offer my condolences to Alan Wood's wife, Joyce, their six children and their 16 grandchildren.

Mr BATCHELOR (Minister for Transport) — The house is truly saddened by the passing of the Honourable Alan Wood on 3 October 2005. He was regarded as Mr Swan Hill because of his love of the town and his undying commitment to that community.

He was born in Swan Hill on 18 June 1927 and lived there all his life. He was a man who was committed to Swan Hill. He served in the 2nd AIF during the Second World War, until his discharge in 1945 when he joined H. A. Wood and Co., the family real estate business in Swan Hill. In 1959 he was elected to the Swan Hill borough council and served as Swan Hill's mayor when it was proclaimed a city in 1965.

In 1973 Alan Wood was elected to the Legislative Assembly and represented the people of Swan Hill here with distinction, until ill health forced him to resign from Parliament in 1983. At that time the seat was won by the National Party, an occurrence he had very strong views about. He was only too happy to tell you about those views if you were prepared to listen. During his time in Parliament he served as Minister of Immigration and Ethnic Affairs, the minister assisting

the Premier on state development, decentralisation and tourism, Minister of Public Works and Minister for Property and Services.

In the 1970s Alan Wood helped establish an exchange program for Robinvale students with the French town of Villers-Bretonneux. In 1985 he and his wife led a tour of the town to commemorate both Anzac Day and the ceremony that established Robinvale and Villers-Bretonneux as twin towns.

As shadow Minister for Transport, I came into contact with Alan Wood in the 1990s. He was very passionate about retaining the Swan Hill train service at a time when country train services were being closed down across country Victoria.

Alan Wood will be remembered as a man who was passionate about Swan Hill. He was a steadfast advocate for issues affecting regional Victoria, and Swan Hill in particular. More importantly he will be remembered as a good family man who loved his wife dearly. Alan Wood will be sadly missed by all Victorians, particularly those with any connection with Swan Hill. I offer my sincere condolences to his wife, his children and his grandchildren.

Mr HONEYWOOD (Warrandyte) — If you believe the saying that the only profession held in less regard than politics is the real estate profession, you would have to say that H. A. Wood and Co., the real estate agency, was very special in the high regard in which it must have been held by the Swan Hill community, particularly given Alan Wood's legendary status in our party for having won what was then a clear National Party stronghold.

I had the honour of attending Alan's packed funeral service recently. The entire community of Swan Hill was very well represented at that service. In the true ecumenical fashion of a rural town, while Alan was not of the Catholic faith, the Roman Catholic Church was willing and able to lend its church for his very important and large funeral service. Alan's four sons and two daughters did a superb job on the day in their respective eulogies to their late father, and it is pleasing to see members of the family in the gallery today.

One daughter's recollection was particularly poignant. She told the story of the family's four boys and two girls hopping into the family vehicle one weekend with Alan and their mother to head off to a function in Robinvale. Of course, as many members in this place will appreciate, you do not necessarily have the address of the function with you all the time, or you think you

know where you are going. The family of eight arrived at Robinvale.

Alan was not quite sure of the address of the function but he saw a large number of cars parked outside a family home. The family pulled up, they all hopped out and enjoyed the hospitality of that family for at least half an hour or so until Alan asked the question, 'What time are speeches on?', only to be told that his attendance was very much appreciated at the 21st birthday party but the function in question may have been down the road. I am sure some members in the chamber would relate to getting the occasional function details wrong.

Quite separately the youngest son made mention in his eulogy to his dad that, after he retired, Alan volunteered as a semi-professional film and television actor, even going so far as to join Actors Equity of Australia. Whilst I would not recommend such a career change to many colleagues in the chamber today, apparently Alan did a great job and was a superb film actor in his brief professional stint.

It was a wonderful celebration of Alan's life in Swan Hill. Alan was obviously highly regarded across all party lines and made a superb contribution to the Liberal Party in ensuring that rural interests were understood. His responsibilities in his various portfolios were very highly regarded. I give my condolences to his family.

Mr CAMERON (Minister for Agriculture) — I join honourable members in paying tribute to the life and service of Alan Wood. I joined the Deputy Leader of the Opposition and the honourable member for Swan Hill at the funeral service for Alan Wood at which Swan Hill farewelled one of its champions.

As a kid I grew up in Robinvale, which was in the electorate of Swan Hill, and I have kept in contact with Robinvale since those years. It was during that time that Alan Wood was elected to Parliament. Alan took a blue ribbon Country Party seat with the help of Labor preferences, and that — —

Honourable members interjecting.

Mr CAMERON — I had to get that in.

Mr Doyle interjected.

Mr CAMERON — 'Let us talk', says the Leader of the Opposition!

That was part of a long tradition along the river where people have tended to vote more for the individual than

the party, although I am sure the political academics will observe that that relates to non-Labor individuals. Certainly Alan was one of those people and he made personal politics very much his hallmark.

My dad knew Alan when they were both younger, when my father was a truck driver and Alan was a sales representative. Alan would never forget people's names. Later in life my father worked as a fruit-fly inspector at the road block over the river at Euston. He tells a story about Alan pulling up there one day and of speaking to him. Alan said, 'Who is working with you today?', and my father told him it was Peter Rollins. Alan asked, 'Do I know Peter Rollins?'. My father said, 'No'. Alan asked the man who was driving him to pull over and to take two bottles of Victoria Bitter from the esky in the boot. They went inside and drank the VB. It certainly may explain why, when Alan was first elected in Robinvale, his primary vote was 20 per cent but in the election before he left it was 55 per cent, and how his primary vote across the whole electorate went from 32 per cent to 59 per cent. All of us in this house appreciate how difficult a task that must have been and what a Herculean effort that was.

As we have heard, Robinvale has a twin town in France — Villers-Bretonneux. The graves of thousands of young Australians surround Villers-Bretonneux and are a constant reminder to the people of the town of the contribution of Australians during World War I. There are place names in Villers-Bretonneux which reflect the fact that Australians, and in particular Victorians, played a part during that battle. For example, an Australian flag flies at the Victoria College in Melbourne Place, and there are Australian paintings and photographs there.

Robinvale was named after Robin Cuttle, a young man of the district who was killed during the battle of Villers-Bretonneux in 1918. Alan and Joyce Wood played a vital role in fostering that link between Robinvale and Villers-Bretonneux, which culminated in those two towns becoming twin towns in 1984.

I last saw Alan around three to four years ago. He was physically disabled, but despite that he was determined and his mind was very sharp. Alan Wood was a great believer in Swan Hill and its Mallee surrounds and a great believer in its people. He served the district well and is remembered as a good Victorian. I join other members in offering condolences to Mrs Wood and her family.

Mr PERTON (Doncaster) — I am delighted to join this condolence debate. Many of the things I would have said have already been said by others. I met Alan

Wood as a young Liberal in my early days in the party, when he was a parliamentarian and minister. One of the things that has characterised each of the speeches today is that he cared about people; he cared enough to remember someone's name.

I as a 16-year-old remember him taking the care and attention to help young people entering politics, to encourage them in the political process and to say that politics and Parliament made a difference to people. That was one of the things that really characterised Alan Wood for me. He was a proud Liberal, and as in the Labor Party in the 1960s and 1970s, many of the people who served in this Parliament had served Australia under arms and in uniform, and Alan had done so with courage.

He was very strong in his belief in the freedom of the individual, the rights of people in business and the importance of business in supporting the social services that he worked so hard to deliver not only to the people of Swan Hill but to the people of Victoria in general. He was trusted by Premier Hamer with the important portfolio of immigration and ethnic affairs, which at that time was very much in its infancy; his work on that front is reflected in his later work together with his wife to establish a scholarship to send children to France and to allow student exchanges. He genuinely cared about multiculturalism in Victoria and Australia and was concerned to build the relationships of Australians with the countries in our region and in Europe with which we share a heritage.

As state development and decentralisation minister — in those days, very important portfolios — he worked hard to spread development across the state; and given his commitment to Swan Hill and country areas, as indicated by the Minister for Agriculture, he was very strong in that portfolio. Lastly, as the Minister for Transport said, Alan Wood was committed to good infrastructure in this state. He held the ministries of public works and property and services and understood the importance of building sound infrastructure to support a strong economy and strong social services. This was a man who served his community, his state and his country. For my part the service he gave the Liberal Party was fantastic, and I hold dear the encouragement he gave me as a very young man in the political process.

Mr SAVAGE (Mildura) — I add my condolences to this motion for the late Honourable Alan Raymond Wood, former member for Swan Hill.

Other members have detailed the significant contribution that Alan made to this place, to the Swan

Hill electorate and to his country as a member of the 2nd AIF. Alan was the first mayor of the newly formed City of Swan Hill back in 1965. I met Alan on a number of occasions, and he very kindly gave me quite a bit of information and advice about what to do in this role. Being an Independent there are not many people I can talk to, so it was appreciated at the time. He did not do it for the purposes of partisan politics but as a genuine person who wanted to give advice, like some other former members.

I found him to be a very genuine and humble man and a great defender and supporter of his community of Swan Hill. One of his lasting legacies, apart from his contribution here, was the forming of the twin towns relationship between Villers-Bretonneux and Robinvale, which is now in the Mildura electorate but was then in the Swan Hill electorate. The Minister for Agriculture mentioned the connection with Villers-Bretonneux. One of the great tragedies of 1918 was that 2500 Australians were killed at Villers-Bretonneux in the last year of the war. Whether they were killed in the first year or the last year makes little difference in terms of the eternal gratitude we owe them, but it is sad that they were killed right at the end of the war, after five years of that particular holocaust. Alan Wood saw and recognised the connection that needed to be perpetuated, and after he retired from politics he even led the tour of people who attended the twinning ceremony at Villers-Bretonneux.

The measure of any person's time in this place should be what they stood for and what they did rather than what they said. Alan Wood comes out of that particular equation very well. My condolences to his Alan's wife, Joyce, and his six children, Bill, Karen, Marian, Stuart, Robert and Michael.

Mr WALSH (Swan Hill) — As the current member for Swan Hill, I join the debate on the condolence motion to pay my respects to Alan Wood. As has already been said, Alan Wood was born in Swan Hill in 1927, a town he lived in and loved all his life. Alan Wood grew up in the Depression years, when hospital work bees, the annual hospital fete and the Swan Hill show were the highlights of the year. Alan was educated at Swan Hill Primary School and the Swan Hill High School, and he later recalled taking children from poor families home for lunch. The teacher would call the children of the unemployed out to the front of the classroom and nominate one of the students whose fathers had jobs to take them home for lunch. He did not realise until later how humiliating it must have been for those children, who had no shoes.

While holding down his first job as bank clerk at Moulamein, Alan would ride his pushbike back to Swan Hill on weekends to see his family, a round trip of 140 kilometres on roads that were nowhere near as good as they are today. Alan joined the 2nd AIF during World War II and served in New Britain. After he was discharged from the army in 1945 he went into the family real estate business, H. A. Wood and Co., established by his grandfather in 1911.

He decided Joyce Wilkinson was going to be his wife long before he even spoke to her. When they were courting, she would come up to Swan Hill to see him and would stay at the old Royal Hotel. When the Royal Hotel was demolished in 1970, Alan bought the door of the room she used to stay in, and that door is still in their house in Thurla Street in Swan Hill. In 1954 he married Joyce, and together they raised six children — four sons and two daughters — Bill, Karen, Marion, Stuart, Robert and Michael. Alan and Joyce were happily married for 51 years.

Alan's extensive community involvement included his work with Jaycees, which he was later made a life member of. He also worked for Legacy for over 30 years. In 1959 he was elected to the Swan Hill borough council, and later was the mayor when Swan Hill was proclaimed a city in 1965.

In 1973 he was elected as the member for Swan Hill, and he held that seat for 10 years. During his parliamentary career he served under two Liberal premiers, Dick Hamer and Lindsay Thompson, and held a number of portfolios. He was the Minister of Immigration and Ethnic Affairs between 1979 and 1981, and during that time he was also Assistant Minister for State Development, Decentralisation and Tourism. He was appointed Minister of Public Works and Minister for Property and Services in the Hamer reshuffle, replacing then minister Tom Austin. He occupied this demanding role between 1980 and 1982.

Public works was a huge portfolio with a heavy workload that almost certainly took its toll on his health. As minister he oversaw the then Public Works Department, which was the government's major design, construction and maintenance authority in control of all public buildings; the ports and harbour division was also under his jurisdiction. The property and services division, which was also within his domain, handled all purchases, leases of office accommodation and other properties needed for government departments. It was as public works minister that Alan Wood oversaw the state government's \$1.4 million restoration of the Shamrock Hotel in Bendigo — a legacy to all of us.

During the 1970s Alan and his wife, Joyce, established a lasting friendship with the people of Villers-Bretonneux, a small town in northern France. Robin Letts, editor of the *Buloke Times*, still speaks of the trip he took to France with Alan and Joyce. Villers-Bretonneux was recaptured by the Australian forces in 1918, thereby preventing the Germans from advancing towards and seizing the channel port. To honour that significant victory Alan and Joyce established an exchange program for school students from Villers-Bretonneux and Robinvale, which was then in the Swan Hill electorate. That bond between the two towns, culminating in a twin town relationship, continues today.

On 29 March 1983, at age 56, Alan Wood unexpectedly resigned from state Parliament on medical advice. His resignation followed two admissions to hospital in the previous year and three months leave from parliamentary duties. At the time the then Leader of the Liberal Party, Jeff Kennett, thanked him for his service and said he was a splendid minister and an aggressive fighter for the interests of the people of his electorate. Even after leaving Parliament Alan Wood remained strongly committed to political action in the Swan Hill community. In the early 1990s, when rumours were flying that the Kennett government was about to terminate the Swan Hill train service, he mobilised the community against the threat.

In 1996 he suffered a stroke which affected the right side of his body and left him in a wheelchair and severely handicapped. However, he continued to be active. As has already been said, in 2000 he carried the Sydney Olympic Games torch on behalf of his community to the cauldron in Riverside Park. Up to a few weeks before his death he was selling Anzac pins for Legacy in Swan Hill.

Alan Wood was a loved and respected MP; he was devoted to his electorate and community. He passed away on 3 October and was accorded a state funeral on 7 October. At his funeral his children said he was often at odds with his city counterparts and crossed the floor to vote against policies he felt would affect country people. He believed that civil society was sustained by people committed to serving the community.

We honour the memory of Alan Wood, who will long be remembered for his service to the Swan Hill community and electorate.

Mr THOMPSON (Sandringham) — Alan Wood was gutsy, gregarious, likeable and reflected the qualities of someone who had grown up in regional Australia and who also had served his nation in war. I

first met him some 30 years ago, and I would like to share a few brief thoughts as they relate to the eulogy that was delivered at his funeral by each member of his family.

Alan believed that a civil society could be sustained only by people who were prepared to commit to the greater good of the community. His family was proud that he lived a life of service and in doing so made a difference to the community and to each one of us. The family noted that no doubt family life is sacrificed, and theirs was no exception. There was little private time and some of their formative years were spent in what was in reality a single-parent home. But each of his children said he was their greatest champion. One said, 'He believed in us from our earliest years. He told us we could go anywhere and do anything, and for reasons we will never understand we believed in him. He always felt that everything was possible, that every challenge could be met and that the worst that could happen was to have failed while trying. "Have a go" was his favourite saying'.

He served the City of Swan Hill, the Swan Hill borough council and at the age of 38 he was elected mayor. When Swan Hill was declared a city he served as mayor. As a member of the local council he often felt disempowered by decisions made elsewhere. It was that experience which led rural and regional Victoria to elect advocates such as Alan who could champion their cause on multiple issues. Alan Wood was greatly loved by his family. I would like to honour the eulogy contributions made to him by Bill, Karen, Marian, Stuart, Robert, Michael and pay tribute also to his remarkable wife, Joyce, whom he made a decision to marry before he even knew her name.

The SPEAKER — In concluding this debate on behalf of all the members of the Legislative Assembly I would like to extend the sympathy of the house to Joyce Wood and Alan Wood's children and grandchildren.

Two facets of Alan Wood's life that have been made very clear today include, first, his community service. We have heard of his great involvement not only at the political level in local government and the Parliament but also in relation to the Jaycees, Legacy and the exchange program between Villers-Bretonneux and Robinvale. The other thing that came through very clearly was his great love for Swan Hill and the many years of service he gave to that region of Victoria.

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

Hon. Bruce Anthony Chamberlain, AM

Mr BRACKS (Premier) — I move:

That this house expresses its sincere sorrow at the death of the Honourable Bruce Anthony Chamberlain, AM, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as member of the Legislative Assembly for the electoral district of Dundas from 1973 to 1976, member of the Legislative Council for Western Province from 1976 to 2002, President of the Legislative Council from 1992 to 2003, and Leader of the Opposition in the Legislative Council from 1986 to 1988.

The house was saddened by the passing of Bruce Chamberlain on Saturday, 1 October. Mr Chamberlain made an outstanding contribution to public life in Victoria. He was a strong advocate for western Victoria, and he was a highly respected parliamentarian who upheld the great traditions and dignity of the chamber. He was a great ambassador for the democratic processes of this state.

Bruce Chamberlain was born in Brighton on 9 August 1939. He was captain of De La Salle College in Malvern and graduated with degrees in law and arts from Melbourne University. He practised law for two and a half years in Melbourne before deciding to shift his career and his life to regional Victoria. In 1965 Bruce Chamberlain settled in Hamilton with his wife, Paula. Once there he entered into the legal partnership of Melville, Orton and Lewis. Years later, in 1987, he told the *Law Institute Journal* that although politics was well and truly in his blood he considered himself first and foremost a member of the legal profession.

Bruce Chamberlain was also a tireless advocate for his local community. He served as a City of Hamilton councillor for four years before entering Parliament. He was chairman of the Glenelg regional library service for 18 years until 1988, and he was a former member of the Portland Development Committee. He lobbied hard for a local gas network in south-west Victoria, and he was instrumental in bringing tertiary education to Hamilton through RMIT.

Bruce Chamberlain entered Parliament in May 1973 after gaining preselection for the Legislative Assembly seat of Dundas. In 1975 Dundas was absorbed into the surrounding electorates. However, Bruce Chamberlain was able to continue his political career when he won the upper house seat of Western Province, which he held for 26 years. Bruce Chamberlain held a number of key positions during his long career in state politics. He assumed various shadow ministry responsibilities, including planning, local government and state development, and was also shadow Attorney-General. He was deputy chairman of the former Public Bodies

Review Committee. In 1986 he was elected Leader of the Opposition in the Legislative Council.

In 1992 Bruce Chamberlain was elected President of the Legislative Council, a position he held until his retirement. It was during this time that Bruce Chamberlain became what can only be described as a great ambassador for the Parliament itself. He vigorously promoted Parliament to the general public and made it more accessible through his great support of Youth Parliament, Children's Parliament and Students Parliament. He applied his passion for learning and education to our parliamentary library, greatly improving and modernising its services. He actively encouraged community members, business representatives and school students to attend the regional sittings of the Legislative Council.

On Australia Day this year Bruce Chamberlain was made a member of the Order of Australia in recognition of his service to the Victorian Parliament and to the community. He received this honour for fostering the democratic process in Victoria and for improving library and information technology services.

In an interview with the Warrnambool *Standard* Bruce Chamberlain is quoted as saying that the recognition was 'a terrific honour'. He also said:

I like to think it's not just because I occupied a certain position, but that I made a contribution to it.

When Bruce Chamberlain retired in 2003 he was the longest serving presiding officer in the Australasian and South Pacific region. I am told he continued his work as an historian by interviewing five former Premiers: Sir Rupert Hamer, Lindsay Thompson, John Cain, Joan Kirner and Jeff Kennett. He also remained a great supporter of Hamilton and a dedicated family man.

Bruce Chamberlain was also intensely proud of his heritage. His great-grandfather on his father's side arrived in Australia from England in 1852. However, his mother, with her parents, Alexander and Jamely Haddad, arrived in Melbourne from the village of Zahle in Lebanon in 1894. On a personal note, I think most members of this house would know that, in common with Bruce Chamberlain, my family came to Australia 110 years ago also from the village of Zahle in Lebanon.

Over the years Bruce Chamberlain and I attended various functions celebrating the achievements and contributions of the Lebanese community in Victoria. I was very pleased when he attended a state reception in 2002 in Queen's Hall here at Parliament House to mark

the 59th anniversary of Lebanon's independence. I was proud to share the platform with him.

It is fair to say that Bruce Chamberlain was well liked and admired on both sides of politics. In 1984 he was asked about his contribution to politics and he had this to say:

My ambition? To do a good job in whatever position I end up in.

On behalf of the Victorian government I offer sincere condolences to the family of Bruce Chamberlain — to his wife, Paula; his children, Jenny, Matthew, Peter and Louise, and their families, including his two grandchildren, Tim and Kate.

Mr DOYLE (Leader of the Opposition) — For more than 35 years the Honourable Bruce Anthony Chamberlain, AM, served the Victorian public and worked hard to represent the people of western Victoria, an area of our great state which he loved. When he retired he was the longest serving presiding officer in the Australasian and South Pacific region, an achievement of which I know he was proud, but not for himself; that was not Bruce's way. He was proud because of his respect for the office of the President of the Legislative Council.

On Australia Day this year he was awarded an Order of Australia for his service to the Victorian Parliament, for his fostering of the democratic process, for his work in improving library and information technology services and for promoting the public interest in Parliament and the community.

In recent days Bruce has been described to me as 'one of God's gentlemen', a sentiment with which we wholeheartedly agree. He had boundless energy, and he was industrious and incisive. I believe that Bruce saw himself as a parliamentarian rather than a politician, not in a dismissive way of our profession but out of reverence for this institution. I know it distressed him to see over time the erosion of respect for the Parliament and for our profession. Bruce worked hard and tirelessly in his own way to try to restore some of that respect for the institution of Parliament, which he loved.

He was born in Brighton on 9 August 1939, and he attended and was captain of De La Salle College in Malvern. He graduated from Melbourne University in 1957 with degrees in arts and law, and he was very proud to have been the secretary-manager of the University Blues football club for two years. He practised law in Melbourne for two and a half years before making what he considered to be the best move

of his life — that is, to Hamilton in 1965, marrying Paula Swan in the same year. In Hamilton he joined the law firm Melville, Orton and Lewis. The legal partnership expanded its practice to four towns.

He served as a Hamilton city councillor from 1969 to 1973 before entering Parliament. He had four children — Jenny, Matthew, Peter and Louise — and along with Paula they are with us today. When I talked to them today they told me they found it very hard to face such an unexpected funeral, followed by a memorial service and then a parliamentary condolence motion. I told them it would be an honour for Bruce's colleagues to farewell him in this way and that we all wanted to take the opportunity to say goodbye.

Bruce enjoyed his legal practice, but a combined services club dinner which was addressed by the then Deputy Clerk of the Legislative Council sparked an interest in politics and ignited a desire to contribute more directly to the development of legislation in the interests of ordinary citizens. In 1972 he won Liberal Party preselection for the Legislative Assembly seat of Dundas, going on to defeat the sitting ALP member in 1973. The 1975 redistribution abolished the seat of Dundas, but not long after Ken Gross, a member for Western Province in the Legislative Council, retired. Bruce won preselection for the upper house seat, which he won at the 1976 election. He held the seat of Western Province until he retired in 2002, serving Parliament for 30 years. Bruce was prepared to explain to anyone in some detail why he remained President of the Legislative Council — after retiring in 2002 — until February 2003.

After the change of government in 1982 Bruce assumed a number of shadow ministries, including the portfolio of conservation and planning. He was also shadow Attorney-General. He was elected Leader of the Opposition in the Legislative Council and was shadow minister for local government and major projects; industry, technology and resources; and planning and state growth. He was elected President of the Legislative Council in 1992 and was re-elected in 1996. As I said, after his retirement as a member for Western Province in 2002 he remained President until the new President was elected in 2003.

Bruce was a very modest man, despite his high achievements, and in that regard I recall a story told to me by one of his volunteers following the election win in 1992. Bruce represented a vast electorate, and as it became clear from the results on election night that there was to be a change of government, calls came in from all over the electorate not just to report progress at the polling booths but to congratulate and thank Bruce

and offer sentiments of respect. Given Bruce's history it was expected that he would play a very senior role in the new government, and many people wanted to telephone and congratulate him even before the event. One of the volunteers, amazed at the number of telephone calls and tributes that flooded in for Bruce on that election night, asked, 'How does it feel to be held in such high regard by so many people?'. There was a long pause, after which Bruce said, 'Good'. Again, it was typical of the modesty of the man.

Bruce Chamberlain was committed to the institution of Parliament and the impartial democratic process. His political speeches — and I encourage members to read some of his early and later speeches — were thoughtful, well researched and even handed. He was a particularly fierce advocate for the people of south-west Victoria and often used Parliament to push local issues. For instance, as noted by the Premier, he advocated for a local gas network in the south-west, and I believe he was instrumental in getting the area connected to the wider state grid.

As President of the Legislative Council Bruce's rulings were impartial and his conduct in debate always balanced. He was a committed mentor to other members and to parliamentary staff. It would be fair to describe Bruce as a quietly reformist President. He worked to make Parliament more accessible to people, and this was most reflected in his initiative to conduct sittings of the Council in regional areas. As the Premier noted, Bruce was a great friend of the YMCA Youth Parliament, and during the many Parliament House open days over which he presided he spoke personally to thousands of people.

His interest in parliamentary democracy spread further than just this Parliament. He was a public advocate for the need for independence and economic support for East Timor, and in 1999 and 2001 he was invited by the Washington-based National Democratic Institute for International Affairs to conduct workshops in Bangladesh and China on democratic procedures. He also visited Lebanon to explore family ties and to try to get an understanding of the region's complex political situation.

Bruce worked hard, as the Premier has also noted, to further develop ties with Victoria's sister states, Jiangsu Province in China and Aichi Prefecture in Japan. Because he had to give a welcoming speech, and to strengthen the relationship with Aichi, Bruce decided he would learn some Japanese. Cleverly he wrote out the entire Japanese speech by translating the Japanese phonetics into English. He then gave the speech in what appeared to be particularly fluent Japanese. I can assure

members that the ambassadors kept looking over Bruce's shoulder and checking his speech notes to see if he really was reading Japanese! That speech secret has gone with Bruce.

Bruce was also a member of the Commonwealth Parliamentary Association, the Australasian Study of Parliament Group and the Australian Region Management Committee of the CPA. In his position he came into contact with many leaders of communities — governors, archbishops, parliamentarians in other countries and captains of industry — but he was as equally at home talking to them as he was talking to the man in the street in Hamilton. He was always comfortable talking and listening to people, no matter who they were.

Bruce was as the longest serving presiding officer in the Australasian and South Pacific region. He retired from Parliament but not from work. He used his time in retirement to pursue his passions of photography, golf, movies, Chinese ceramics and new technology. He had an overwhelming interest in so many things. He never felt he was too old to learn or that it was too late to learn. He enjoyed using his digital video camera, and he styled himself on Michael Parkinson by interviewing ex-premiers to build and develop our civic culture and update archives. He conducted lengthy and very professional interviews with former Victorian premiers Lindsay Thompson, Dick Hamer, John Cain, Jeff Kennett and Joan Kirner. I suspect it was perhaps his secret wish that the videos would make it to prime-time television.

A visit to the United States with the former Usher of the Black Rod a few years ago sparked an interest in the US Civil War. That was typical of Bruce: he was alive to new experiences and prepared to take them on as passions. He thoroughly enjoyed that trip, although it highlighted one of his few weaknesses — his total inability to navigate or read maps. Throughout the trip Bruce managed to successfully get himself and the former usher lost on many occasions. He explained that that gave him the chance to visit many parts of America that he might not otherwise have visited. It was while he was off the beaten track that Bruce discovered bluegrass music, and he worked very hard to learn and enjoy it. Enjoying bluegrass demonstrates that he was not frightened of a challenge!

Bruce loved Hamilton and its districts. He and Paula were often to be found in Gray Street, at church and around the town. When asked if he would continue to live in Hamilton after his retirement he said, 'Of course, it is the most livable city in Australia'. His contribution to the gallery, the performing arts centre, the gardens

and Lake Hamilton will be a lasting legacy of Bruce Chamberlain.

When talking of Bruce over the last few days it has been interesting to hear the recollections of many of our colleagues. John Vogels, a member for Western Province in the other place, commented to me that at one stage Bruce was on over 50 committees.

He was proud of being a director of Greening Australia, a member of the Law Institute of Victoria since 1964, and honorary life member of Australian Lebanese Zahle Association of Victoria. In the Western District region he was a member of the Lions Club, the RACV Club, the Hamilton Golf Club and belonged to the Yarra Yarra Golf Club. By the way it is true, as has been said at some of the services we have attended, that his being on a 'pastoral inspection' was code in his office for 'Bruce is playing golf'. He was chairman of the Glenelg regional library service for 18 years, a member of the Portland Development Committee, chairman of the Royal Melbourne Institute of Technology community consultative committee in Hamilton and was particularly instrumental in bringing the RMIT to Hamilton.

When Bruce was awarded the Order of Australia he said he hoped it was not just because he occupied a certain position but because he had made a contribution to his community and particularly to the Parliament he loved. He need not have had any fears on that score.

Bruce passed away on Saturday, 1 October, as a result of a heart attack. He was 66. He is survived by Paula, Matthew and Peter, Jenny and Louise, and his two grandchildren, Tim and Kate. Those of us who were at Bruce's funeral will long remember on that sad occasion Kate's reading of a poem in memory of her grandfather.

Recently I was talking to Kaye and Marie who, between them, spent 25 years working with Bruce in his electoral office. I explained how the events of today would unfold. I explained to them that in a Parliamentary eulogy, while we document the service of an ex-member to this place, it is also often the case that we like to recall something warm or personal, often something amusing, perhaps an anecdote which gives us a window into the man or woman. I said it would be helpful if they could give me an amusing or humorous anecdote involving Bruce that I could relay today.

Both of them thought for a moment — and then thought for little bit longer. One of them said to me, 'Rob, he just was not funny'. I think that is right. But if he was not funny, let me tell the house what he was: he

was a serious-minded, measured man; he was dedicated in his service to Victoria; and he was a man of civility, a man of intellect and a man of very great warmth. He will be sadly missed, and we will be honouring him in our memory.

Mr RYAN (Leader of The Nationals) — I join with the Premier and the Leader of the Opposition on the occasion of this condolence motion for Bruce Chamberlain. This is too close to home. It is like having your life pass in front of your eyes when speaking of someone who many of us knew so very well, and who is now a lost to us.

I came into Parliament in 1992, and Bruce had originally come here in 1973. In 1976 he was elected as a member for Western Province in the Legislative Council. Bruce Chamberlain was a thoroughly decent bloke. His background, like my own, was in the law. He joined Cleary Ross and Hamilton in Melbourne and later Melville, Orton and Lewis in Hamilton. His interest in politics started, it is said, during the time he served on the Hamilton City Council. He was subsequently inspired to stand for Parliament, I further understand, after hearing a deputy clerk of the Parliament speak in 1972, a situation of which I am sure we can all readily identify.

In 1973 he was elected to Parliament and remained in the Parliament until 2002. He fulfilled various roles in the shadow ministry. He will always be remembered, I suspect, primarily for his time as President of the Legislative Council between 1992 and 2002. As has been commented upon at the time he finished his period of service, he was the longest serving presiding officer in Australasia and the South Pacific region. Above all of that and what the statistics would say in terms of a period of service, Bruce Chamberlain will be remembered in the role as being fair, just, measured, temperate and knowledgeable in what he did as the Presiding Officer in the Legislative Council.

It is testament to the man that he was highly respected by political representation from all sides of politics. He was a man of immense humility. He was a fierce defender of state rights and anybody wanting confirmation of the point need only refer to the speech he first made in this place at the time of his initial election.

He had a great interest in education. He took to technology with absolute gusto. He was a champion of decentralisation, particularly in his own electorate. He was concerned for the future of our young people, again particularly in a country Victorian context. He was a strong advocate for his own electorate.

He had a deep respect for the parliamentary system. As the Leader of the Opposition said, he had a strong and passionate view about the way in which matters of Parliament ought properly be conducted and did much to raise the profile of the Parliament in a way that will be part of the legacy of Bruce Chamberlain.

He had an outstanding record of community service. He is survived by Paula, whom he married in 1965, and by their four children Matthew, Peter, Jenny and Louise. As the Leader of the Opposition also said, I am sure everyone at his funeral will remember the eulogy contribution that Kate, one of his two grandchildren, the other being Tim, made on the occasion of his requiem mass. To see Kate stand at the podium and deliver the poem is something that I will long remember, just as I will remember the tribute made that day by his former legal partner, Mark Brian.

Bruce Chamberlain was only 66 years of age at the time of his passing, which is far too young to have lost him. On behalf of The Nationals I convey to Paula and their four children and two grandchildren the deep condolences of the party.

Mr BRUMBY (Treasurer) — I rise to support the condolence motion moved by the Premier and supported by the Leader of the Opposition and the Leader of The Nationals. I extend my deepest sympathy to Paula and all the members of the Chamberlain family, particularly to his children, Jenny, Matthew, Peter and Louise.

This morning with the Premier and Leader of the Opposition and many other members of this place I attended the state memorial service for the late Bruce Chamberlain. During the eulogy former Parliamentary Librarian Bruce Davidson said that ‘Bruce was generous in his work for others’. I think that is a very apt description of the Bruce Chamberlain that I knew.

I was first elected to the Legislative Council in February 1993 and was a member of that place until July 1993. During that time Bruce Chamberlain was the President of the Legislative Council, and I learnt a great deal from him. For the best part of a decade we served together as trustees of the Parliamentary superannuation fund and more recently in my role as Minister for State and Regional Development, while Bruce was a member for Western Province, there were many matters on which he made representations on behalf of his electorate.

I describe Bruce Chamberlain as a committed and passionate advocate and believer in the institution of Parliament and in parliamentary democracy itself. He

was a strong and effective local member. He was a great believer in education and a champion of libraries. With his wife, Paula, he was an outstanding ambassador for our state while representing the Parliament overseas or while meeting or hosting visiting parliamentary delegations to Victoria.

When I was elected in 1993, as I earlier said, he greeted me as a new member and was very courteous and welcoming. For all the time that I was there and right through his career Bruce was always impartial and even handed. I recall prior to my inaugural speech, as I had some previous experience in the federal Parliament, his inviting me to his rooms and telling me that in light of my previous experience, my inaugural speech might be a bit different. If I was going to deliver it in the traditional way, he would afford me the full protection of the Chair; but if it was to be more political or with more flourish, I could expect a little less protection. I have just refreshed my memory — and there was a bit of flourish. He pulled me up on one occasion when I referred to the former Premier. As I said, during the period I was there he was always fair and impartial.

Throughout his 30-year career he was an extraordinary supporter of the institution of Parliament — whether it be in the time he served as the President of the Legislative Council, in the parliamentary committees of which he was a member or in his support for things like parliamentary internships. Many of us will recall the interns we have had over the years and the occasions in the Parliament House gardens when awards were presented to them. He was a passionate supporter of the concept of parliamentary internships and of the Parliamentary Library, as well as of libraries in his electorate. He was a great supporter of Youth Parliament. I remember speaking as Leader of the Opposition at many of the youth parliaments when, of course, Bruce Chamberlain was always there.

At official functions, too, Bruce Chamberlain and his wife, Paula, on all occasions were courteous, non-political, and were outstanding and impartial hosts. This was back in the 1990s in a period — when I was Leader of the Opposition — that had times of quite fierce political contest and moments when the politics across the different sides of the house got heated.

My wife, Rosemary, attended the memorial service today. She remembers being at functions on many occasions and being seated beside Bruce Chamberlain. He would regale her with his passion for and belief in Parliamentary democracy, particularly amongst some of the Asia-Pacific areas, and of the liberating influence of parliamentary democracy. She remembers those discussions today.

There is an article to which I have to refer — this goes back to 1990, before I was a member of this place — regarding Bruce as a member of Parliament wanting to get first-hand experience of what it was like to work in the ambulance service. He went out one night as a volunteer. There was an accident, a knifing, and he found himself — in the midst of all this — being asked to hold up a drip bag. At Parliament House the next morning Bruce Chamberlain bumped into an MP colleague who said, ‘Geez, I was watching television last night. You wouldn’t believe it but there was an ambulance officer on it who looked just like you!’ . Such was the benefit of getting first-hand job experience.

Bruce Chamberlain was also a trustee of the parliamentary superannuation fund. I was a member of that fund for all of the years I was Leader of the Opposition and for the time I was Minister for Finance early on in the Bracks government. Of course under the law the job requirement of trustees of the parliamentary superannuation fund is to always act in the best interests of the fund’s beneficiaries. It is often a difficult job: often there is public comment about parliamentary superannuation. Regrettably there is sometimes political comment about who should or should not be receiving parliamentary benefits. Trustees are required from time to time to make delicate decisions.

I would always say of Bruce Chamberlain that irrespective of whatever side of politics a member came from, he was absolutely impartial in undertaking his responsibilities as a trustee. He was never swayed by public or political comment or advice; he was always swayed by the best and right interests of the beneficiary. He was also the chair of the investment fund and did an excellent job of overseeing the investments of the parliamentary superannuation fund.

In his electorate — and my parents and my sister and brother-in-law live in that part of the world — he was well regarded. The Speaker of the House of Representatives, David Hawker, said in the local newspaper:

He was widely respected by both sides of politics for his commitment to public life and the community.

I would certainly endorse that.

Shortly after we were elected to government Bruce approached me, wanting a meeting with a deputation about bringing back to life the old veterinary laboratories in Hamilton that had been closed down under the former Kennett government and were sitting vacant. He was impeccable in his approach and his organisation of the meeting at which I met with the

delegation. He was, as he always was, extraordinarily well prepared and thorough.

He committed not only to winning local support but also to raising \$1 million from local benefactors including Geoff Handbury and the late Helen Handbury — and he delivered on that commitment. As a result, through the Regional Infrastructure Development Fund and with the support, of course, of the education minister we were able to provide more than \$3.5 million towards establishing RMIT at Hamilton. That facility was opened in 2003, and Bruce was the chair of the community advisory network from 2000 until his untimely death. My sister, Sue, is the deputy chair of that committee, a strong body which is focused on the importance of education in Hamilton.

Bruce Chamberlain was an outstanding ambassador for Victoria, and he was a great believer in parliamentary democracy. He made many visits overseas, and he hosted and entertained many visiting delegations, particularly from our sister states of Aichi and Jiangsu. The Leader of the Opposition mentioned that Bruce made a speech in Japanese. My current driver, who has been with me for about a year, drove Bruce Chamberlain on a number of occasions. This morning he was telling me that one day he picked him up in Hamilton to take him to the airport to get on a plane to Japan, and Bruce practised his Japanese out loud for the entire 3½ hours they were in the car. Needless to say, that was when my driver decided to look for a change! Bruce was committed to that work.

Bruce was also an active member of Amnesty International, as many members of this place are. As has been remarked on in the debate, he was an early supporter of East Timor and the need for the Australian government to do more to support the East Timorese.

It is worth noting with regard to his commitment to the institution of Parliament that there were a number of issues over the years on which Bruce Chamberlain was outspoken and public in his comments. One of those was the introduction under certain circumstances of the right of reply for people who had been named in the chambers, which he certainly supported. Another was in 1997 during the fierce debate on the Auditor-General. I certainly remember that date, and other members who were there remember it. The then Speaker and the then President, Bruce Chamberlain, made a submission on that issue. It took some courage for them to do that, because the views in their submission were quite contrary to the views that had been expressed by the then Premier, Jeff Kennett. In his submission Bruce Chamberlain indicated that the then situation of the Auditor-General was not

anticompetitive and that it was in the interests of the state that it continue.

As I think the Leader of the Opposition and the Premier noted, in the years since his retirement Bruce Chamberlain had been very active overseas. I have a press clipping here headed 'Former MP attends China seminar'. It was about accountability and democracy and was conducted through the Washington-based National Democratic Institute for International Affairs.

Bruce Chamberlain was a good friend to many people in the Parliament and in this chamber. During the last 10 years of his time in Parliament he had the benefit of being the President of the Legislative Council. He will be remembered by many people more as a parliamentarian than as one involved in the cut and thrust of party politics. He was a great believer in parliamentary democracy and the institution of Parliament. He was a strong representative of his electorate, and he was an impartial and even-handed man. He will be sorely missed.

Mr HONEYWOOD (Warrandyte) — Much has and will be said about Bruce Chamberlain's role as a mentor to parliamentarians from across the party divide, to his local constituency work and to his high regard for the role of Parliament and the need to communicate this to the broadest possible cross-section of our community, particularly the young. However, I would like to focus on Bruce's contribution as a great communicator in two arenas that he and I often worked in together and in which we shared a mutual interest: firstly, multicultural affairs, and secondly, our state's relationship with overseas governments, particularly that of Japan.

On the issue of multicultural affairs, I was not aware of Bruce's Lebanese ancestry from his maternal grandparents until well into our period of government after 1992. Coming from a rural constituency, as Bruce did at the time, I would guess that it would not have been easy to have made a great deal of a background other than an Anglo-Celtic one. However, when we were in government Bruce came forward and suggested that if there were any Lebanese or Arab community functions requiring representation in the future he would be only too happy to lend a hand.

This coincided with the advent of Pauline Hanson, and I am sure, given Bruce's genuine concerns about the welfare of all Victorians, that this would have motivated his calling to get more involved in that very crucial multicultural affairs portfolio. Bruce did an outstanding job, as I know the Premier would attest to, ensuring that the Lebanese-Australian community felt

highly regarded by parliamentarians and felt included in our community. Importantly, Bruce did much thereafter for the relationship between the people of Lebanon and the people of Victoria in our nation, Australia.

Our state's relationship with Japan was also of particular interest to Bruce, and like everything else Bruce did, it had to be done properly and be thoroughly researched, with appropriate protocols observed. As has been noted, Bruce went so far as to study the Japanese language intensively, as a mature-aged learner — no small feat! Not content just to say a few words of greeting in Japanese to the many delegations which visited this Parliament, as the Leader of the Opposition has already noted, Bruce progressed to giving entire speeches in the language, an innovation that almost drove me to distraction in both proofreading and practising every syllable over and over again with Bruce on each and every occasion. Either he was no linguist or I was not a good language teacher!

In 1995 I had the pleasure of travelling with Bruce to Aichi Prefecture on the occasion of our 15th anniversary with our sister state. While Bruce could not join you and I, Speaker, on our recent official delegation to celebrate the 25th anniversary of our sister-state relationship with Aichi, we will both forever recall the high regard in which he was held by our Japanese hosts and the fact that he and Paula were official guests of the Aichi prefectural government at this year's World Expo in Nagoya — the capital of Aichi — a singular honour to any retired member of Parliament.

Bruce was a consummate parliamentarian. His life's work was representing his community and representing the state of Victoria, and across party lines he has established a great reputation for being a true gentleman. My condolences to Paula and the family.

Mr STENSHOLT (Burwood) — My statement on the condolence motion for Bruce Chamberlain is more one by way of a family friend. I have known Bruce Chamberlain for as long as I can remember. As a child I was a frequent visitor to the Chamberlain household, which consisted of Bruce's father, Peter, his mother, Eileen — formerly Eileen Haddad — and the children, Peter, Judith, Bruce, David and Anne. Bruce's father worked in the railways, and his mother and my mother were best friends. They once worked together, and they were both, I must admit, highly intelligent and sharp-witted women. We went around to their place pretty much every Sunday after mass at St Finbar's in East Brighton. My mother, Bruce's mother and his aunt used to talk for what seemed like hours while my brother and I played with Anne, the youngest

Chamberlain. I think I drank more cordial at the Chamberlain's place than I care to remember, having been there so often.

Bruce was somewhat older than us, doing well at school and working hard, and the comment was made that there was not much that was funny about Bruce, but there was a lot of serious and hard work. I remember my mother saying to us that we should follow in Bruce's footsteps and follow his example, that we should work hard and get to university. One should remember that at that time not many people went to university, and I think he might have been one of the first in his family to go to university. Certainly my brother and I were the first in our family who ever got to university. I am happy to record that I did follow in his footsteps eventually in being elected to Parliament, although, as one member has pointed out, as a member of a different party.

It is enjoyable to reflect on our childhood. Because their house was conveniently located between the church and the tram terminus, it was very handy to get to. Interestingly there are other links between our families, in that both of us had aunts who were nuns in the Mercy Order, and we would often visit the aunts together.

Bruce, as has been noted, worked hard, went to university, graduated and became a lawyer. I remember my mother being particularly pleased that he had graduated. Then Bruce left Melbourne and settled in Hamilton as a young lawyer with his wife, Paula. I recall I visited them both in Hamilton in their first house not long after they moved there. At the time I was a young student spending the Christmas holidays painting Monivae College. I was very much touched by their kindness and welcome on that occasion. I remember Bruce saying that he was interested in standing for the council at that stage. Obviously Bruce moved on to go into Parliament.

Time and circumstances meant we lost direct contact for many years, and in fact the next time I met him was in 1999, when I was elected to Parliament. We agreed when we met that our mothers would have been particularly proud to see us both in Parliament. By that time, of course, Bruce had had a very distinguished career as a member of Parliament and as President of the Legislative Council, which other members have extensively outlined. He welcomed me to Parliament, as he seems to have welcomed everybody, with courtesy, kindness and friendship, as other members have said. In the last analysis these are the qualities that count. These are what people should be remembered

for and what I believe Bruce should be remembered for as well.

It would, however, be remiss of me if I did not pay tribute to Bruce's support of Parliament as an institution. He was a very strong supporter and a fierce defender of Parliament. Even though we were in different parties, we had a number of discussions about Parliament being sovereign and that the legislature is an arm of government separate from the executive and the judiciary. He, as President of the Legislative Council, sought to maintain the status and role of Parliament and worked tirelessly to that end within the Victorian Parliament and with other parliaments in Australia, the Pacific and internationally. He and I shared a strong interest in things international and in good governance and the role of democracy in states.

There were a number of discussions about that in which I, with a number of visitors to the Victorian Parliament, was able to participate. Bruce was clearly a great supporter of Parliament and a great Victorian. On behalf of my fellow Victorians and particularly on behalf of my brother and our families, I offer condolences to Paula, Jenny, Matthew, Peter, Louise and families, to Peter and David and the extended Chamberlain family. It is very sad that Bruce has gone at such a young age. I was talking to his brother this morning, and he said, 'There are now only two of us, Robert' — only my mother and Bruce called me Robert. It is very sad to see his passing. My condolences to the family.

Dr NAPHTHINE (South-West Coast) — It is very difficult to speak on this sort of condolence motion because Bruce Chamberlain was a good friend and a very close colleague. His death was so sudden, premature and at a time of life when he still had a lot to give to his family and community. It is also very difficult to speak about somebody who has achieved so much in their contribution to the community and the Parliament, and no one speech is adequate in itself to cover all the things that Bruce has contributed to our community and our Parliament.

Bruce would say that it is the collective speeches of the whole of Parliament that are important. They will pay great tribute to him and his family, and his children and grandchildren will get great comfort and strength from them. It says a lot about Bruce that he recognised that it is the collective rather than the individual contributions that make Parliament work at its best, and that is a great tribute to what Bruce stood for as a parliamentarian. He strongly believed in the collective wisdom of Parliament. He genuinely believed in the quote which can be seen in Parliament House's vestibule and

believed that Parliament works well when people vigorously put their points of view, when Parliament listens to those points of view and comes to a decision.

I want to talk about some of the loves of Bruce's life. His first love was his family. Paula was not only his wife but his closest friend, his confidante and somebody who worked very well with him. Indeed in his time in Parliament I think most people saw Bruce and Paula as a great team because the many places Bruce went in the electorate and in his role as President, Paula was by his side.

Bruce was extremely proud of his four children, Jenny, Matthew, Peter and Louise, and they in turn were very proud of Bruce and his achievements. He had a unique and special relationship with each of his children, and he often spoke at length about their individual strengths and his relationships with them, particularly when he travelled overseas with them, saw films with them or had dinner with them. Each was special in Bruce's heart. He had a great love of his two grandchildren, Tim and Kate, and the Leader of the Opposition has already spoken about Kate's enormous contribution of her poetry at the requiem mass for Bruce.

That leads me to one of his other great loves — that is, the Catholic Church — and his involvement with the church of St Mary's in Hamilton. Bruce and Paula were both involved in the choir and Bruce was very actively involved with his family in the church. I reflected while sitting at the requiem mass that the church we were in was a great legacy of Bruce's. The Treasurer talked about Bruce being the chairman of the investment committee of the parliamentary superannuation fund, but Bruce had cut his teeth prior to that, one could say, when a priest died in Hamilton and left a modest legacy to the church. Bruce was part of the investment committee managing that sum, and with two other trustees he turned that modest legacy into a substantial fund which paid for the entire rebuilding of the church at Hamilton. Those who were at the church will understand what an enormous building project that was and how much Bruce had turned a modest legacy into.

His other great love was Parliament itself, and others have spoken about his great love for and championing of parliamentary democracy. He served Parliament as member for Dundas in the lower house from 1973 to 1976. Many may not know that he defeated a sitting Labor member in western Victoria in taking a marginal seat from the Labor Party. He used to tell the story about the electoral redistribution. Because his was a marginal seat, he asked Premier Hamer in the lead-up to the upcoming state election for special permission to have leave from Parliament to attend the Hamilton Cup

meeting, because there were many constituents there and it was a way to encourage voters to vote for him. While he was at the Hamilton Cup meeting there was a call for him to go to the secretary's office, where the Premier was on the line to tell him that his seat had been abolished. Bruce said it served him right for taking a day off Parliament to go to the Hamilton Cup meeting, and he would never do that again.

There was some controversy then about where he would see out his parliamentary career. William McDonald was keen to return to Parliament in the upper house and Ken Gross was thinking about continuing in Parliament, but arrangements were made and a hotly contested contest saw Bruce win preselection for Western Province, which he held successfully until 2002. Many members would not be aware that while that seat was seen as a strong one for the conservative side of politics, the contest for it, often between the Liberals and the then National Party, was fierce, and those dirty rats in the Labor Party kept changing their preferences just to disrupt the continuing representation of the seat.

Bruce was particularly worried in 1988, which was the first election I contested. Bruce was Leader of the Liberal Party in the upper house and his seat was being contested by a high-profile candidate from the National Party. The Labor Party deserted Bruce Chamberlain and decided to give their preferences to The Nationals — another disgraceful decision from the Labor Party at the time.

Bruce was very worried about holding his seat. He worked enormously hard during that time to win the seat, and he won it very comfortably. Many people who see seats such as that, where local electoral work is important, as being relatively easy to win, but they were hotly contested. Seats changed hands very often between the Liberal and National parties, as we heard during the condolence motion for Alan Wood. Often they were determined by Labor Party preferences. I am always nice to the Labor Party, and I always look after the Labor people in my electorate. I have always been happy for the Labor Party to get anywhere between 30 and 35 per cent of the vote in my electorate, and I am happy for it to continue to do so.

Bruce served for 11 years as President of the upper house, and it was in that role that he absolutely distinguished himself in terms of his contribution to the Parliament. Other members have spoken about the way he conducted himself in a fair and just manner. His contribution was also highlighted by his work overseas. His links to Lebanon have been mentioned, and I think it is a tribute to his work that he received an Australia

Day award from the United Australian Lebanese Movement in 2003 for his service to politics. His links to Japan and China have been noted, and he has also been actively involved in promoting democracy in East Timor and Bangladesh. Certainly Bangladesh is a country in which he took a particular interest.

His other great loves were the community and the law. He saw the law — and his role in it — as being about protecting individuals and their rights. He saw it as being very much about ensuring fairness and justice. In his community he was a city councillor at the age of 30. He served 18 years as the chairman of Glenelg regional library, and he was involved in the Lions Club. I think the greatest tributes to Bruce occurred when he and Paula wandered down Gray Street in Hamilton every Saturday morning. It took them a couple of hours to walk a couple of city blocks, because he spoke to everybody he met. Everybody knew them, and he always had a notebook in his pocket to deal with the issues raised with him, which he would follow up in his electorate office the next week. He was very much a community person.

I would like to put on the record some of the projects that Bruce had an integral role in delivering for western Victoria. They include the development of Lake Hamilton, which has been an enormous boon to Hamilton. Many people may not be aware of the significant role Bruce played both as a member of the Portland Development Commission and later as a local MP, along with Digby Crozier and Don McKellar, in delivering Portland Aluminium to Portland in western Victoria. That has been one of the most significant decentralisation moves in country Victoria and one of the most significant investments in the last 50 years.

He was instrumental in getting natural gas to towns in western Victoria such as Portland, Hamilton, Stawell, Ararat, Colac, Camperdown and Cobden. I well remember the fight we had to get natural gas to Hamilton. The numbers did not quite stack up to justify it, but Bruce used all his political nous and skill to persuade the then Kennett government to deliver it. He was heavily involved in supporting the Hamilton and Horsham art galleries, with both bequests and representations to government, and the redevelopment of the Hamilton Performing Arts Centre. Many have spoken about his leading role in getting RMIT University to Hamilton and in building on what was an interesting and unique RICE (RMIT international community exchange) project in Woodhouse-Nareeb, whereby a relationship was developed between local farmers and international students from RMIT. That link to RMIT delivered tertiary education to Hamilton. But that was not his only role in developing tertiary

education in Victoria. He was vitally involved in the establishment of the Deakin University campus in Warrnambool; the further development of South West TAFE, along with the former minister, the current Deputy Leader of the Opposition, and that included attracting funds for campuses in Portland and Hamilton; and developing the Wool and Rural Industries Skill Training (WRIST) Centre at Hamilton.

He was vitally involved in the schools throughout his electorate and of course in redeveloping a number of hospitals, including the Hamilton hospital, Horsham hospital, Portland hospital and many smaller hospitals from Willaura to Coleraine and Nhill, and of course bush nursing centres such as at Lake Bolac. He was heavily involved in a whole range of issues.

One of his other loves was the racing industry. He was a successful racehorse owner which is a rare feat in itself. He raised a number of very good horses with Kevin Lafferty, the legendary trainer in the south-west and Warrnambool. He had a wonderful horse called Burn 'Em Up, which I think won about 20 races around western Victoria, Adelaide and Melbourne. He raced a number of horses very successfully in a very successful partnership. He had a great love of golf, and he always carried the golf clubs in the boot of the car and often had to undertake an inspection of the golf course when he visited communities near Casterton. I am not a golfer myself, but I remember travelling with him at times when we had to go home via Ballarat: I read the paper for an hour while he hit off at the driving range to practise his swing for the weekend's golf tournaments.

Bruce had a love of technology. People have spoken about his film projects with former premiers, but I want to place on record another unique film project he became involved in on his retirement. He interviewed Ted Kenna, the only Victoria Cross winner remaining in Victoria, and one of two still alive in Australia. His lengthy interview with Ted Kenna is now archived at the Australian War Memorial. I think it is a great tribute to Bruce's skill and commitment. He has an enormous record of achievement in the community culminating in being made a member of the Order of Australia in January this year.

In summary, as people have said, Bruce was a decent, honest, community-minded person who worked hard and delivered results. He will certainly be missed by many people in western Victoria. I am sure he will be missed by the Parliament and particularly by his family and friends. I offer my personal condolences and those of the people of western Victoria to Paula and of course Bruce's children and grandchildren.

Mr BATCHELOR (Minister for Transport) — I join honourable members in this house in expressing our sadness on the passing of the Honourable Bruce Anthony Chamberlain on 1 October this year.

Bruce Chamberlain was born in Brighton on 9 August 1939. From his earliest days he had a connection to transport. His father, Peter Henry Chamberlain, was a railway paymaster. Bruce's grandparents and his mother, Eileen Haddad, had arrived in Melbourne from Zahle, Lebanon, in 1894. Bruce Chamberlain went to De La Salle College in Malvern, where he was the college captain in 1957, before going on to study arts and law at Melbourne University. After graduating he practised law in Melbourne with the city firm Cleary Ross and Hamilton where two of his colleagues were Mr Ron Castan and Mr Philip Cummins, who became a well-respected judge here in Victoria. You can see that he started in great company.

However, after two and a half years Bruce Chamberlain decided that he was better suited to country life. He moved to Hamilton, where he joined the law firm Melville, Orton and Lewis, first as an employee and later on as a partner. In Hamilton he was an active member of the community and became a local councillor in the late 1960s before entering Parliament in 1973, a path followed by a large number of community activists here in this Parliament now and during its life. While Bruce Chamberlain claimed that he came upon politics by accident, he remained a member of this Parliament for the next 29 years and was well respected and well known for his appetite for hard work as well as his commitment to fostering the democratic process.

He was always very proud of his maternal Lebanese heritage, and in 1988 he visited Beirut where he was a guest of the Lebanese Parliament and the third conference of parliamentarians of Lebanese origin. Between 1992 and 2002, across two governments of different political persuasions, Bruce Chamberlain served as President of the Legislative Council, gaining the respect of both sides of that chamber and both sides of the political divide here in Victoria. After his retirement in 2002 he continued his longstanding work with the community. In 2005 he was awarded the Order of Australia in recognition of his service and work for the broader community. The Honourable Bruce Chamberlain will be sorely missed by all Victorians, and I offer my sincere condolences to his wife and children.

Ms ASHER (Brighton) — I wish to contribute briefly to the condolence motion before the house. The Honourable Bruce Chamberlain was born in Brighton

in August 1939 and died in October 2005. To his very last days he still spoke fondly of his birthplace at Brighton and he often gave me advice on various things I should be doing in the electorate. His career has been well documented by others — his career as a solicitor, a councillor for the city of Hamilton, a member of the Legislative Assembly for Dundas, a member of the Legislative Council for Western Province, Leader of the Opposition in the Legislative Council from 1986 to 1988 and a whole raft of shadow ministerial positions held from 1982 to 1991. But the culmination of his political career was the role that he assumed as President of the Legislative Council from 1992 to 2003, a position in which he earned considerable respect from both sides of the house and from the community, as we have heard today. He was awarded membership of the Order of Australia in 2005.

In my contribution to this condolence motion I want to make a few observations about Bruce. First of all, he was a community contributor. I think many people, once they attain higher office in Parliament, forget about their electorate but that was never the case with Bruce. He was constantly arguing for upgrades for his own electorate. Whether it was an upgrade for the galleries or for education or for natural gas — which is an example that has been given — or for tourism opportunities, throughout his entire political he advocated for his electorate. The fact that he never forgot his grassroots was something for which he was very widely respected right across Victoria.

Secondly, as other speakers have touched on, he was a believer in the institution of Parliament. He believed it should be well run and that when it was well run it had the capacity to assist people. Whilst he was certainly a traditionalist, he also had a desire to make the institution better and he was a very active helper of new MPs in particular.

Thirdly, he was an incredibly fair person. I want to reflect on his method of controlling the members of the Legislative Council. A number of members in this place were members of the Legislative Council for some time while Bruce was President. Some presiding officers have problems with members of the opposition and others have problems with members of their own party. I think it is fair to say that, in Bruce's case — given that the then government had such large numbers in the first two terms of his presidency — probably those on his own side of politics gave him the most problems.

Speaker, you may be interested in this, because Bruce developed a set of visual cues for members on his own side. The first set was for members of the backbench.

We had a couple of very rowdy backbenchers — and the current member for Bass was, of course, one of them. He and his great mate, the Honourable Geoff Craige, were loud and active members of the backbench. Bruce developed a visual cue which meant, first of all, 'I've had enough', and secondly, as in those days there were no microphones in the house, 'Hansard can't hear'. It actually worked on the backbench. You could tell when Bruce had had quite enough. Rather than castigating individual members, the visual cue worked a treat.

He had another set of visual cues for ministers in the government, in case they decided to try it on a bit. I note the member for Melton is nodding. They were never sent in my direction, of course. When ministers were too long in their answers or getting a bit too smart, he directed a particular visual cue to them, basically saying, 'Terminate or I will sit you down'. He never sat a minister down; we always took note of those visual cues. He was, of course, particularly respected for the way he handled people without making too big a deal of it.

He also presided over what I would have thought was a very difficult session for a presiding officer — that is, in the early days of the Kennett government, when there was a number of all-night sittings. There was no guillotine in the upper house, and we had all-night sittings on WorkCover and industrial relations legislation, as members would remember. I do not want to go into the details, but Bruce handled a couple of very nasty and sensitive situations with a huge amount of skill. In those days everyone was focused on the changes, and members and very few other people thought about how hard it was for a presiding officer to handle those debates when there was no guillotine. Again, respect from members on both sides of the house emerged in his early days as President.

Bruce always conducted himself with dignity and grace. I think I speak for the whole Parliament when I say we will miss him very dearly. I, too, would like to pass on my condolences to Paula and his family.

Mr NARDELLA (Melton) — I wish to express my condolences to Paula and the Chamberlain family on the passing of the Honourable Bruce Chamberlain. I served with Bruce in the Legislative Council from 1992 to 1999, along with the honourable members for Bass, Brighton and Shepparton and the honourable member for Broadmeadows — the Treasurer — in his short stint there. In that time I found him to be a person who could be spoken to as a presiding officer. A couple of times I had need to talk to him in his chambers. On those occasions he gave me impartial advice and wise

counsel, and I still respect him for those sessions and that advice.

I found Bruce to be fair, certainly in debates. I concur with the honourable member for Brighton that Bruce took the chair during a number of very difficult debates. I remember that he presided in very difficult circumstances over the 26¹/₂-hour debate in late October 1992 on the WorkCover legislation and over other debates, especially in that early term, including debates with the Honourable Bill Landeryou, who was there until 1993, and later in 1995–96 with the Honourable David White. The debates in general business on Wednesday mornings were difficult in the sense that personal attacks were made on ministers and other members of the government. Bruce used his office to ensure that members of the opposition were fairly heard and that the debate was conducted in a measured way so that parliamentary traditions were upheld.

Honourable members have said that the Honourable Bruce Chamberlain was a mentor in many ways to many of them. He was also a great supporter of the parliamentary intern system, which still operates today. Through that process he encouraged young people to understand Parliament and the parliamentary process and to find their own way within that process. I think quite a number of young people, now that they are getting older, appreciate his work in and commitment to that area.

Just recently Bruce spoke to me — the Treasurer talked about this — about starting up an Amnesty International group with the Honourable Ken Coghill back in the early 1990s. He was pleased that it has started up in the Parliament once again. I know his commitment to people's rights was important to him.

Bruce was very personable. On a number of occasions he and I swapped seats at our tables in the dining room: I would go to the Liberal Party table and have lunch and he had lunch at the Labor Party table. Things can be a bit different in the upper house because of the way the chamber has operated in the past. Discussions and conversations could be had with people — and Bruce was certainly someone you could have discussions with — breaking down the barriers that I find extremely artificial sometimes because they do not really reflect the real personalities and relationships people have in Parliament.

I will miss Bruce Chamberlain. He was extremely young to pass away. I pass on my condolences to Paula and the family.

Mr WELLS (Scoresby) — Bruce Chamberlain was a very decent man. Sometimes in the cut and thrust of politics decency flies out the window, voices are raised and sometimes objectives are forgotten, but that was not the way Bruce Chamberlain worked. I observed Bruce closely in the Liberal Party room for the 10 years from 1992 to 2002.

Sometimes debates and discussions in the party room would reach a stalemate. On a number of occasions Bruce would rise and in a calm and diplomatic way suggest a sensible solution. At times not all would agree, but his suggestion meant that debate could be concluded. When Bruce became Leader of the Opposition in the Legislative Council in October 1986 it was interesting to read his comments in the *Age* about his plans for the upper house and to compare them with my observations of him in the Liberal Party room. The *Age* of 22 October 1986 states:

Bruce Chamberlain, the Liberal Party's new leader in the upper house, says the party's recent turmoil will produce one constructive result — more consultation and closer cooperation between party leaders.

It goes on to say:

But hours after the decision Mr Chamberlain was predicting big changes in upper house strategy, such as increased backbench participation and greater use of private members' bills.

And further:

Mr Chamberlain said there would be a new level of 'corporate decision-making' as a result of the leadership challenge.

'I think it will be more a corporate thing and I think the key to overcoming any differences we have had is greater consultation from leadership down to membership,' he said.

'It doesn't matter whether you are a journalist, politician or lawyer, the major problems that come up arise out of lack of communication.'

The article concludes:

Mr Chamberlain aims to forge a better working relationship with his backbenchers, many of whom he believes are not adequately utilised, and will be encouraging members to introduce private bills in their areas of interest.

Bruce Chamberlain entered Parliament in 1973, and when his lower house seat was abolished he stood for preselection for the upper house electorate of Western Province, which he won in 1976. He became the 17th President of the Legislative Council in 1992 and held that position until early 2003. In his retirement we often saw Bruce around Parliament House, and I really enjoyed discussions with him. As expected, he remained very close to the Western District community,

and he knew every single police issue in the Western District. He continued to offer great wisdom and advice. I offer my condolences to Paula and his family.

Mr HELPER (Ripon) — I join leaders of all parties and other members in rising to speak on this condolence motion, a motion which provides this house with the opportunity to recognise the service of the Honourable Bruce Chamberlain. It is also a time for us to pass on our condolences to Bruce's family — his wife of 40 years, Paula; his children, Jenny, Matthew, Peter and Louise; and of course, his grandchildren.

Bruce Chamberlain was first elected in 1973 to represent the electorate of Dundas in the Legislative Assembly. That electorate encompassed the communities of Edenhope, Natimuk, Murtoa, Rupanyup, Hamilton and Stawell. Thirty-two years later I am fortunate to represent the community of Stawell, which is in my electorate of Ripon. As the member for South-West Coast said, it should be noted that Bruce defeated the Labor member for Dundas in 1973. Whilst the 1973 election was not exactly a high point in Labor politics, Bruce's win is testimony to his political fighting spirit. With the abolition of the Dundas electorate in 1976, Bruce Chamberlain was elected to represent the upper house seat of Western Province.

Other members have said much about Bruce Chamberlain's distinguished career, and I do not wish to belabour those points. However, I will reflect on the personable and warm manner in which Bruce interacted with me in the area our electorates shared — he as an upper house member for Western Province, and I as the member for Ripon from 1999. I remember attending many events and functions with Bruce, not only in my electorate but many further afield in the Western District.

Without fail Bruce would take the considerable trouble to make sure he introduced me to the large number of community members with whom he was acquainted. As a new member of Parliament, I found this quite disarming. Keen to avenge the defeat in 1973 of Labor's Edward Lewis, the member for Dundas, I was confronted with the villain who had defeated him all those years ago — a villain who was dedicated to decency, even if it crossed political boundaries, but one who was prepared to give a helping hand to a fellow MP, even if he had to extend that helping hand across political demarcations. I learnt a lot from those occasions, and I will remain grateful to Bruce. I take this opportunity to extend my sympathies to his wife, Paula, as well as to his children, Jenny, Matthew, Peter and Louise.

Mr COOPER (Mornington) — I got to know Bruce Chamberlain very well in 1985 when I was elected to this Parliament, and I worked with him closely in the period from 1985 through to 1992. We were shadow ministers together during that time. In fact we swapped portfolios a couple of times — I was shadow Minister for Local Government on two occasions, and so was he. However, the time I worked closest with Bruce was during my time as shadow Minister for Police and Emergency Services, when he was shadow Attorney-General. As everybody would be well aware, the people in those two positions have to work very closely together, and Bruce was a fantastic help to me, with his knowledge of the law and trying to keep me under control with his calm and reasoned advice, which was a very difficult task to be given, but he managed to do so.

It is a measure of a man if, after serving with him in a hothouse like this Parliament, you can say at the end of it all, as we are saying today, that Bruce was a thorough gentlemen, which he indeed was. I never saw Bruce lose his temper or his cool; he was always calm and reasoned. He always put the interests of others well in the forefront, and that was remarkable given the pressures that members of Parliament are under almost on a daily basis.

I also got to know Bruce very well outside this building and away from our jobs as members of Parliament, because I played golf with him on quite a number of occasions. He was not a bad golfer, and I related very much to the story told by the member for South-West Coast, when he said he had to sit in the car and wait while Bruce hit golf balls for an hour on the driving range in Ballarat in preparation for the weekend's round of golf down at Hamilton.

That showed in his swing, but he approached his golf in pretty much exactly the same way that he approached life: he enjoyed it and did it to the full, but he was also pretty serious about it. Our golf games were always very pleasant occasions, and unlike the times I played with the late minister, Vin Heffernan, when I used to get a lot of advice on my swing, Bruce was always very measured in anything that he would say about my game. I know that some of the things I did on the golf course when I played with Bruce would have tempted him enormously to give me some advice.

I had the highest regard for Bruce Chamberlain as a man, as a member of this Parliament and as a servant of Victoria. I regret his passing at the very young age of 66 years and in such sudden circumstances. Bruce was one of the unlucky ones. When they have heart attacks so many people get warnings and survive. Bruce did

not get that: he got the one hit and he died. It is so tragic for him to have died at the age of 66.

Bruce leaves behind a very loving wife and great family, and I think the tributes that were paid to him this morning, both outside the church and inside during the memorial service, showed the family just how highly he was regarded, not only by members of this Parliament but by the community in general. To Paula, Matthew, Peter, Jenny and Louise and Bruce's two grandchildren go my sincere condolences.

Mr DELAHUNTY (Lowan) — I rise to pay my condolences to the family of Bruce Anthony Chamberlain, AM, and do so on behalf of my family and on behalf of the Lowan electorate. Bruce Chamberlain was a passionate and dedicated advocate of the parliamentary process. He set high standards not only for himself but for all parliamentarians, particularly those in the Legislative Council. Bruce Chamberlain and his wife, Paula, were highly regarded not only in this Parliament but also in various countries around the world, and importantly in the Hamilton area, for which he was an enthusiastic advocate.

Bruce was a law-arts graduate. He moved to Hamilton, where he joined the legal practice of Melville, Orton and Lewis. The same year he moved to Hamilton he married Paula Swan. In 1969 he was elected to the Hamilton council, on which he served for four years. In 1973 he was elected to this house as the member for Dundas. The Dundas district covered towns such as Hamilton, Stawell, Edenhope, Natimuk, Rupanyup and my old home town of Murtoa. It would have taken at least 3 hours to drive from one side of his electorate to the other — and there were no speed cameras around in those days.

In 1975 an electoral redistribution changed Bruce's life forever when the seat of Dundas was abolished. He went on to win an upper house seat as a member for Western Province and thus began a 26-year career in the Legislative Council in a number of roles. They included the shadow ministries of local government, planning and state development, and also a period as shadow Attorney-General. From 1986 to 1988 he was the Leader of the Opposition in the Legislative Council. He served as the President of the Council from 1992 until his retirement. Although he retired as a member of the upper house at the 2002 election, he remained President until early 2003, when the new Legislative Council President was elected.

Bruce Chamberlain had a long and highly respected career in Parliament. He believed in high standards and in the principles of democracy. Other members of this

house have reflected on his parliamentary duties, but I will focus on his work in the Hamilton area. Bruce was the chairman of the Glenelg regional library for 18 years until 1988, and he would have been terribly disappointed about the dissolving of the library service in the last 12 months. He was also a member of the Portland Development Committee. He was a charter member of the Lions Club of Hamilton, as well as its president from 1967 to 1968. While working with the Lions Club he was involved in bringing Colombo Plan students to the Hamilton area. He was a strong advocate for the establishment of the RMIT University campus in Hamilton, and at the time of his death he was chairman of the RMIT Hamilton community advisory network. I receive the *RMIT Hamilton E-news*, because the campus is located in my electorate. I would like to read an article from the 17 October issue. Under the subheading 'Farewell Bruce Anthony Chamberlain, AM' it reads:

It is with great sadness that RMIT Hamilton mourns the passing of Bruce Chamberlain, one of our great friends and supporters. Bruce was the chairperson of the RMIT Hamilton community advisory network. He was a principal supporter in moves to bring RMIT University to Hamilton.

Bruce's support and enthusiasm will be greatly missed by the RMIT Hamilton staff and those who worked closely with him.

Staff express their deepest sympathy to Bruce's family and acknowledge the loss of one of nature's true gentleman.

Bruce also had a wide interest and involvement in many community activities, including the arts and his beloved Hamilton botanical gardens.

I had contact with Bruce and his wife, Paula, on many occasions during my time in local government, but I will focus on a brief meeting we had and his personal contact with my family. Bruce and I had one thing in common — our children attended Monivae College in Hamilton. When our first child, Jarrod, attended Monivae, Bruce made himself known to me. As I lived an hour and a half away he said that if Jarrod wanted any support — if he wanted to stay at Bruce's place or if he even wanted assistance with finance — he would help out. It was a very generous offer.

I contacted the current principal of Monivae College, Bernard Neal, to ask for a few comments from the college. He noted that Bruce and Paula's four children, Matthew, Jenny, Peter and Louise, all attended Monivae. Louise was drum major in the cadet band, which is a highly regarded cadet unit throughout Victoria. Louise was also sergeant of the cadets, and Bruce was a reviewing officer of the cadets at ceremonial parades. The Chamberlains were also well

known at Monivae College for their musical and artistic talents. It is interesting that, according to my notes, Bruce donated his copies of *Hansard* to the Monivae College library during his 30 years in Parliament — a fair bit of paperwork there!

In his retirement from Parliament he was still very busy. He filmed interviews with significant people, not only in country Victoria but across a wider area. The 2 September 2004 edition of the local Hamilton newspaper, the *Spectator*, carried an article about his filming an interview with Mr Bob Barclay as part of a permanent collection that would be housed at the Australian War Memorial in Canberra. The article mentions that Bruce had been interviewing other noted ex-servicemen such as Edward Kenna, VC, Sir Rupert Hamer and Basil Robinson, of Benalla. It quotes him as saying:

It is important that these recollections of those who risked their lives for Australia be preserved in an accessible way for future generations.

We can see from this that Bruce was heavily involved in the community even after his retirement.

I want to finish my contribution by congratulating the community of western Victoria on the support it has given to the Chamberlain family, firstly at the requiem mass lead by Fr Patrick — or as he is commonly known, ‘Paddy’ — Mugavin in Hamilton on 7 October and today at the state memorial service at St Mary’s Catholic Church in St Kilda East, which was lead by Fr Barry Moran. Both services were highlighted by the input from Bruce’s family, particularly his grand-daughter, Kate Strahan. The eulogy delivered today by our former Parliamentary Librarian, Bruce Davidson, gave a tremendous account of Bruce Chamberlain’s life, particularly his work in Parliament. At the Hamilton service his work was outlined by his former legal partner, Mark Brian, and I know you, Speaker, were at that service. The eulogy was a great summary of Bruce’s life, particularly in the Hamilton area.

On behalf of the Lowan electorate my condolences go to Bruce’s wife, Paula, and to his children, Matthew, Jenny, Peter, and Louise and their families, and particularly to the grandchildren, Tim and Kate. Bruce Chamberlain was a fair, just and decent man who left this life too early.

Mr SEITZ (Keilor) — I rise to support the condolence motion for Bruce Chamberlain and to extend my condolences to his wife, Paula, and his children and grandchildren.

Bruce Chamberlain and I met after I was elected to Parliament in 1982. I did not know much about the upper house, because we did not meet people from the other place a lot in those days. Some detractors of mine were printing stuff and planting stories about me in the newspapers, and I looked a bit forlorn and lost sitting on the government side. We had another character here who has since passed away, Morrie Williams, a former member for Doncaster. He came over and said, ‘What’s the matter with you, George?’. I said, ‘I need some legal advice on these issues appearing in the paper’. He said, ‘I’ll introduce you to Bruce Chamberlain. He is a lawyer; he’ll give you some advice’. From then I developed an understanding and a friendship with Bruce, and I turned to him for advice on many issues, particularly on how to operate as a newcomer to this place, particularly as Labor was new to government in 1982.

The development of that is, as other members have said in this place, that Bruce did not look at party issues but at how Parliament itself should function or operate. That was his commitment. He gave me advice from time to time. We talked in the parliamentary library and as a member of the Library Committee. Later, when I was chairman of the Natural Resources and Environment Committee, he called me to his office on many occasions for discussions about how the meetings were going and how I was going as chairman, how I was going as an individual and how I was handling the job as chairman. He had a caring attitude for everyone in this house. I am sure that would reflect, from what I have heard in the house today, in his children and his grandchildren. If the parents are caring, that care often carries forward with the children.

With those few words, again I offer my deepest condolences to the family of Bruce Chamberlain. It is sad that he has left us at such a young age and after such a short retirement period.

Mr BAILLIEU (Hawthorn) — To serve the better part of 30 years in any Parliament is an extraordinary achievement and to be held in regard by both sides is a glowing tribute to Bruce Chamberlain. I have listened carefully to the tributes today, and there is nothing with which I disagree.

As a former president of the Liberal Party in Victoria I want to add some remarks about the role Bruce played in the Liberal Party organisation. Bruce was a fixture in western Victoria for the Liberal Party. He was always available; he listened, he understood, he cared and he provided very good advice to Liberals right across Victoria, not just in his patch. He was a great friend of the Liberal Party and will be sorely missed. There are

those who anticipated that Bruce would be playing a greater and more substantial role in the Liberal Party for many years to come. He will be very much missed and on behalf of the organisation and the 10 presidents with whom Bruce served, I say to Bruce and his family ‘Thank you for your time, courtesy, advice and decency’.

On a personal note may I say that I received a letter from Bruce just a few weeks ago. As others have mentioned, Bruce spent some time preparing archival material. He wrote to me and noted that he had come across an item:

... which appeared on ABC TV *7.30 Report* in early 1990 which discussed planning issues in rapidly growing areas such as Berwick, Pakenham and Werribee and the government’s paper *Urban Development Options for Victoria*.

He went on to say:

It finishes with a debate between planning minister Andrew McCutcheon and me as the shadow minister. The film is 23 minutes long.

The issues have not changed much in 15 years.

It came with a CD beautifully packaged and printed, and very professionally done. I know that Bruce was passionate about his archival exercise. I am very grateful for that little cameo he sent me; and I simply note that when he says things have not changed much in 15 years, I am not sure that there are many such exchanges on television that last for 23 minutes, particularly when there are debates involved.

Bruce Chamberlain had a great impact on this place, on western Victoria and on Victoria. He was a lot of fun to be with, a cheerful and decent character and will be sorely missed. My deepest condolences to Paula and his family.

Mr MULDER (Polwarth) — I rise to join in this condolence motion for the late Bruce Chamberlain. I pass on my sympathies to his wife, Paula, and his four children, Jenny, Matthew, Peter and Louise, together with his grandchildren, Tim and Kate, all of whom will miss Bruce greatly.

In my eyes Bruce Chamberlain was the consummate statesman, a true leader and a mentor to new members of Parliament with an open door policy for anyone seeking advice and guidance. He took both me and a member for Western Province in the other place, the Honourable John Vogels, under his wing when we were elected in 1999. Bruce ensured that we kept ourselves out of trouble while finding our feet in our new-found profession. We could not have been in

better hands. It was in every sense a case of the true professional with the raw and inexperienced recruits.

Bruce undertook his 29-year role as a member of Parliament with dignity and integrity — attributes which were displayed over many years, culminating in his being the longest serving presiding officer in the Australasian–South Pacific region. The awarding of the Order of Australia medal to Bruce earlier this year was a fitting tribute for the contributions he made to our parliamentary system and in serving his electorate.

I first met Bruce when I stood for the seat of Polwarth in 1999 and was impressed with his genuine warmth and willingness to be of assistance to a new boy on the block. He regularly visited my electorate office in Colac for a cup of tea and a chat with my staff on his way to or from Parliament. There was always sound advice and a good story or two on offer. He was always looking to help to improve the performance of the local member. During these chats I came to know of his love of horse racing and his strong support of country racing in this state. He was a proud member of the Hamilton, Coleraine, Casterton and Mortlake racing clubs.

In 2000 I put together a syndicate to raise a horse, and quite a bit of pressure comes with taking on the responsibility of being a syndicate manager, selecting the horse and getting together the group of people as owners. I knocked on the President’s door and asked him if he wanted to be a member of the syndicate and Bruce obliged by taking a share in the racehorse Poltergeist. I recall our working our way through getting the horse to race and hoping that it would go well, because Bruce was always used to everything running on time, to everything being in order and nothing going wrong.

I can still remember the first day when we arrived at the Warrnambool races and Bruce arrived with his binoculars in tow — a sense of presence that he always had whenever he arrived at a function or occasion. He looked at the horse and saw it was in good order. It went around to the barriers where there was a lot of flurry. As a manager of a syndicate the worst possible sounds you can hear are the siren and being told over the loudspeaker that there has been a late scratching. Our horse had been involved in a tussle with the barrier attendants and refused to be loaded. Bruce remained very composed about the whole issue. I was looking for a hole to crawl into.

We were fortunate a couple of weeks later that the horse ran second. It then had a number of inglorious starts and in what was to be its swansong in Hamilton, Bruce’s home racetrack, the horse greeted the judges

and won the race at the great odds of 25 to 1. I was redeemed. I can tell you there was a fair bit of pressure on up until that point but we, including Bruce, all collected from the bookies. He was a great horse person and loved the races.

I was amazed and amused at his funeral in Hamilton when a long-term friend said that one of Bruce's best horses was a horse called Burn 'Em Up. I know that when we went through the selection process for a name for our horse I could not imagine Bruce selecting that name. I thought he would have selected Diplomat, Governance or Statesman, but Burn 'Em Up did not ring true to what Bruce was about with his great grasp of the Queen's English.

As a member of Parliament it is easy to become concerned with politics and sometimes forget that there are other things in life that require our attention. Bruce Chamberlain never forgot those other things — the important things. He spent quality time with his family, enjoyed a round of golf and, as I mentioned, his horse racing yet still found the time to pursue his interests in international politics, justice and groups such as Amnesty International.

Bruce also played his part fostering multiculturalism in Australia in that he was an honorary life member of the Australian Lebanese Zahle Association of Victoria. In fact, in cricketing terms Bruce was what is known as an all-rounder. He had a wonderful innings and his family have every reason to be proud of his achievements both in the Victorian Parliament and in his life itself. A statesman, a professional, a leader and a good bloke, Bruce will be sadly missed by us all.

Mr CLARK (Box Hill) — I rise to pay tribute to Bruce Chamberlain and extend my condolences to Paula and all the Chamberlain family.

I first came to know Bruce when I was a candidate for Parliament in 1985, and I worked with him on various issues before my election to Parliament in 1988. On my entering Parliament Bruce gave me much very valuable advice and encouragement — as he did, of course, to many others. Over the following years I worked with Bruce on various bills relating to the Attorney-General's portfolio and other portfolios. Our paths also crossed in relation to information technology when I was parliamentary secretary to Alan Stockdale, the then Minister for Multimedia. Bruce was enthusiastically promoting the use of information technology by the Parliament, the parliamentary library, and individual MPs. Not only did Bruce support the use of information technology to improve the Parliament, but he also personally relished and grasped with zeal

the opportunities that information technology opened up for better communication between individuals and for better knowledge and understanding of the world around us.

In all my dealings with Bruce he was sincere, dedicated, honourable and decent. He always sought to serve the interests of the community and to live up to the standards expected of a member of Parliament. He was a parliamentarian in the true sense of the word — not as a synonym for 'member of Parliament' but in the sense of one versed in the rules and usages of the Parliament and who values and seeks to sustain the traditions of Parliament.

Bruce was also a traditional Christian, and he sought to uphold the standards and values of our Judaeo-Christian inheritance, which have brought so many benefits over the centuries. He recognised the inherent worth of every human life, and he sought to do whatever he could to protect people's lives and wellbeing from the various attacks to which they are subject in modern times in our own society and around the world.

At Bruce's memorial service today there was a very fitting reading from the Book of Wisdom, of which I will quote only parts:

The virtuous man, though he die before his time, will find rest. Length of days is not what makes age honourable, nor numbers of years the true measure of life.

...

Coming to perfection in so short a while, he achieved long life; his soul being pleasing to the Lord.

Let us pray that this is true wisdom and that Bruce may be in eternal happiness with God.

Mr PERTON (Doncaster) — It gives me great pleasure to join this debate to honour the memory of Bruce Chamberlain. Bruce was a great man — as has been set out in all the speeches from all sides of the house. I shared with him — as did the member for Box Hill — a great love of new technology. It was a joy working with Bruce to look at the ways in which we could harness new technologies to make the lives of MPs — and obviously those of parliamentary staff as well — more productive and to improve the quality of our democracy through the use of those tools.

His strong support and his international reputation in that field were evident at every conference I went to. The fact that the Victorian Parliament could in his days of leadership look with some pride at its achievements in this area is a great source of satisfaction to me and to the member for Box Hill, and it is obviously a great

tribute to the man. That legacy continues on with the work being done on both sides of the house. Just the other evening I was with the member for Preston, who is also dedicated to that work.

Bruce was also dedicated to Parliament as an institution holding the executive to account. His work in promoting regulatory review and extending the principles of regulatory review to legislation, and his support for the concept of legislative impact statements — which are still yet to make an appearance in this Parliament or the federal Parliament — are things which I hope will come to fruition at some time in the future. His strong work for the Parliament as an institution — not only on the practical aspects of the way we work, the way this building is structured and the way the staff interact with MPs but also on trying to build better mechanisms for the scrutiny of legislation and the executive — is again something I joined with him in.

The member for Melton mentioned Bruce's strong non-partisan commitment to Amnesty International and human rights. I know the member for Melton is now very actively promoting the parliamentary Amnesty branch. With Bruce's memory in mind, and along with those who established the tripartisan structure for the Amnesty branch, I look forward to that work being continued.

Most of all Bruce was a man of extraordinarily strong convictions. He blended so many aspects of the parliamentarian. On issues where his Catholic beliefs conflicted with his party beliefs, he believed very strongly that his personal conscience should rule, even when that created difficulties. He was very strong in his convictions; he tried to persuade the party and the Parliament to his position, but when he could not he stood firm to his personal convictions. That is what constituents want in a representative; that is what Australians want in their MPs. On behalf of my constituents and my Liberal Party branches, it gives me great honour to pay tribute to Bruce Chamberlain and wish our best to Paula and the family in this time of grief.

Mrs SHARDEY (Caulfield) — I rise to add my support to this condolence motion for the Honourable Bruce Chamberlain, AM. All speakers have recognised his nearly 29 years of service to this Parliament. He was a man who made an enormous and varied contribution to Victoria as a lawyer, a politician and a fierce defender of this Parliament and the Westminster system of parliamentary democracy. As previous shadow minister for multicultural affairs I had the great pleasure of attending with Bruce Chamberlain many functions in

support of the Lebanese community of Victoria, which demonstrated his very genuine love of and interest in his mother's homeland.

Professor Brian Costar, who is professor of Victorian parliamentary democracy at Swinburne University's Institute for Social Research, expressed to me over the last day or two his enormous admiration for Bruce Chamberlain. In particular he mentioned Bruce's decade of commitment to and support of the parliamentary internship program. This unique program gives politics students the opportunity to work on specific projects with members of Parliament. I have enjoyed having a number of very talented young people come through my office. They have shown that they have first-class capacities in terms of research skills. I was delighted when an intern who worked in my office won the President's prize. I would like to recognise Bruce Chamberlain's enormous support of this program.

Brian Costar also talked about Bruce's innovative chairmanship of the Library Committee. In that role he saw enormous changes to the role of the library and the promotion of information technology — very important changes to a library which gives us as members of Parliament a great deal of support. Brian Costar also said Bruce was committed to bringing the Parliament to the people and the people to the Parliament. In support of that are the country sittings, which we will see in Geelong next month.

Bruce Chamberlain was also a very good representative who would help constituents regardless of their political persuasion. I have been told about one particular constituent who regularly handed out how-to-vote cards for the Labor Party but came to Bruce seeking his help to raise some funding for a social problem that she had identified in the electorate. Bruce worked on her issue with great energy and apparently solved the problem very well.

Bruce loved the traditions of the Victorian Parliament, but always sought to improve and progress its operation, and we have seen that occur. The bipartisan admiration of his colleagues was evident today at the memorial service, which was attended by both past Liberal and past Labor members of Parliament and which was very nice to see. It demonstrates that some very decent people have passed through this place. Bruce Chamberlain was in essence a very decent, civil and highly principled man. My condolences go to his wife, Paula, and family.

Mr THOMPSON (Sandringham) — Bruce Chamberlain was a great parliamentarian and a great

friend to his Liberal Party colleagues. He was a man who was able to dispense wise guidance in relation to the forms and procedures of the Parliament, and he was able to dispense wise advice in some of the extracurricular issues relating to parliamentary service. If wise counsel were required on a range of matters in relation to the party processes or the processes of the Parliament — where a keen mind was required and ethical judgment valued — Bruce was always able to provide that contribution.

During the last Parliament I was due to travel through western Victoria. As a matter of courtesy I advised Bruce that I would be travelling to a number of towns including Edenhope, Harrow and Balmoral. Bruce made a point to accompany a delegation of Liberal Party members so that they might become better acquainted with the local issues. Bruce, having formerly served as the member for Dundas, had covered that area town by town, family by family.

The member for Burwood earlier alluded to the influence of St Finbar's in Bruce's life. Bruce carried his Christian faith into the Parliament, and it was reflected in a number of different domains. Between the years 1992 and 2002 there were a number of breakfasts held in the Parliament that Bruce had an important role in convening. The speakers invited to those functions included Sir James Gobbo, former Governor of Victoria; Professor Graeme Clark, Australian of the Year in 2004; Father Michael Tate, former Labor Party Senator, Australian Ambassador to the Hague and to the Vatican and the Holy See; and David Bussau from Opportunity International Australia who exerted extraordinary influence over the lives of many thousands of people in South-East Asia in particular through the role of micro enterprise development.

Bruce was a very strong supporter of those functions. The invitations went out in his name and he provided a level of protocol and support that underpinned the success of those activities. Another speaker at the Parliament breakfasts during that time was General Eva Burrows from the Salvation Army who spent decades in a school in Africa as well as time in Ireland and who pioneered the leadership of the Salvation Army in the move into Eastern Europe following the fall of the Iron Curtain. Each of the speakers I have alluded to gave outstanding addresses and the influence of Bruce through the Parliament was not only in the formal processes but also in a very quiet way.

Bruce, as has been mentioned in other contributions, undertook a number of interviews with various people; and bearing in mind the understanding of family and Bruce's life's journey, and the journey of the human

soul, I am sure that Bruce at this stage is already preparing further interviews with a number of illustrious people through the ages, including Thomas More, William Wilberforce and Abraham Lincoln, as well as planning longer distance journeys to serve his fellow man.

The SPEAKER — In concluding this debate on behalf of all members of the Legislative Assembly I would like to express the sympathy of this house to Bruce Chamberlain's wife, Paula, his four children and two grandchildren.

Bruce had a strong love for the institution of Parliament and very much enjoyed his role as President of the Legislative Council. He liked the ceremony of Parliament and indeed may be the last President of the Legislative Council to wear the wig. However, whilst he took the role of Parliament seriously, he did not necessarily take himself seriously. On one occasion when he was having some recalcitrant people removed from the public gallery one of them yelled out, 'What would you know, Goldilocks?'. As this man was being removed Bruce laughingly informed the chamber, 'Little does he know that I am follicly challenged!'.

At Bruce's funeral in Hamilton his strong faith in the Catholic Church was highlighted and perhaps the lesser known fact that he had a share in horses that won over 50 races over the years. At Parliament, the library was one of Bruce's strong interests; and he supported it strongly during his role as President and in his time as a chair of the Library Committee. He was very proud of his Lebanese heritage, as has been mentioned today, and he established close links with that country in the latter part of his parliamentary life. He was also very active in promoting parliamentary democracy in such places as China and Bangladesh.

Bruce led a very active life in his retirement. He was very fit, and his death was therefore very unexpected. Bruce's retirement project, an oral history of the last five Premiers, was unfortunately incomplete at his death, but I have no doubt that the work he has undertaken will not be wasted and will be completed by another person.

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

ADJOURNMENT

Mr BRACKS (Premier) — I move:

That, as a further mark of respect to the memory of the late Honourable Alan Raymond Wood and the late Honourable

Bruce Anthony Chamberlain, AM, the house now adjourns until 8.00 p.m. this day.

Motion agreed to.

House adjourned 4.38 p.m.

The SPEAKER took the chair at 8.03 p.m.

QUESTIONS WITHOUT NOTICE

Hazardous waste: Nowingi

Mr DOYLE (Leader of the Opposition) — My question is to the Premier. I refer the Premier to the government's environment effects statement social impact report, which says:

... the Mildura and Mallee communities may be vulnerable to external shocks from the Nowingi toxic waste dump.

I ask: what compensation will the government offer for the external shocks of lost value in the region's exports, loss of jobs and reduction in tourism to the national park?

Mr BRACKS (Premier) — The project to locate the long-term containment facility, as the Leader of the Opposition would know, is subject to a full environment effects statement. The EES has been submitted. The submissions on that were to be open until the middle of November. Following strong and active representations from the member from Mildura I have decided to extend that further until 16 December, so it is a further four-week extension, because we are committed to a full and open EES process as part of the long-term containment facility, to make sure not only that it is the right location but that it is environmentally sound for the future.

Terrorism: Mercury 05

Mr MILDENHALL (Footscray) — My question is to the Premier. Would the Premier advise the house on the progress of the Mercury counter-terrorism exercise currently being undertaken in Victoria and other states and the role it is playing in helping to protect Victoria?

Mr BRACKS (Premier) — First of all I thank the member for Footscray for his question. I think most members of this house would know that we are undertaking a major exercise — probably the largest simulation exercise — in a counter-terrorism activity across jurisdictions in Australia since our capacity and ability to do so has been enhanced.

Mercury 05 is about practising Australia's national counter-terrorism arrangements, particularly in the context of the Melbourne 2006 Commonwealth Games. It is not exclusively about the games; other jurisdictions are also involved, including Western Australia, South Australia, New South Wales and the Australian Capital Territory. Obviously it may be extended to other areas, but that will be one of the key parts which will be focused on as part of this exercise.

The deployment phase of the exercise has commenced, with a scenario involving notional terrorist activities in a number of jurisdictions. As a consequence of the activities in Victoria, Victoria's emergency management arrangements have been activated as they would be for a real terrorist event. Most members of this house would know that we have in place a new state crisis centre, new counter-terrorism arrangements and new protocols for security ratings and security classifications which will occur, and therefore the lines of command are clear as part of that.

I can indicate that over 4000 personnel across Australia, including police and defence force personnel, have been involved in this exercise, the biggest logistical exercise taking place in the trial of these counter-terrorism measures. Members would be aware also that this exercise in Victoria has involved several locations, and in particular it has involved a simulated hijacking of a bus by terrorists in the Bendigo area. The resolution and investigation of a hostage situation has been trialled, and the treatment of casualties for an emergency assault has also been trialled as part of that. I can report to the house that it has been undertaken successfully.

Our government has committed significant Victorian resources to participate in this exercise, which is estimated to be over \$1 million, and that is being replicated across other states and territories and the commonwealth. As I mentioned, whole-of-government coordination arrangements have been activated, including the state crisis centre, which we indicated 12 months ago would be established. It has now been established and is operational as part of this exercise. The crisis centre was created after the 2002 Bali bombings, and this is its first tryout. Exercises of this type are very important. Mercury 05 is a crucial opportunity to test and practise the arrangements that we have in place, including how the commonwealth and the states and territories work together and communicate with each other.

Of course the need to continually practise these arrangements was brought home to all of us by the recent London bombings, when it was noted that

several weeks before those bombings a major counter-terrorism simulation exercise had been undertaken which assisted and supported the response to the bombings, including the chain of command, the messages given out to the public, which were second to none, and the way it was all calmly dealt with by the people of London and of Great Britain. We place on the record our gratitude for the way that that was undertaken.

Can I assure all Victorians that we will continue to improve our capacity to prevent and respond to an attack, although of course we hope that no terrorism event occurs. But if it does, this is part of the preparation and part of the preparedness for such an event.

Agriculture: genetically modified crops

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Agriculture. Will the government allow Victorian farmers to harvest and sell existing canola crops which may inadvertently contain small traces of genetically modified material?

Mr CAMERON (Minister for Agriculture) — I thank the Leader of The Nationals for his question relating to the matter of traces of genetically modified (GM) canola. Members may be aware that a couple of months ago — certainly in the middle of the year — the Australian Barley Board reported that there were traces of GM canola as part of a shipment to Japan. What happened was that a Japanese customer queried or asked about the GM content. Full tests were undertaken and there were in fact traces of GM canola.

The standard around the world over the years as to whether something has been non-GM has been 0.1 per cent. However, modern testing enables a result to be as low as 0.01 per cent. What happened was there were traces that were slightly more than 0.01 per cent but lower than the previous standard test used in the world, which got to 0.1 per cent. What the Department of Primary Industries has said in relation to farmers in Victoria is that we are not going to be prosecuting any farmers, and certainly it would be wrong to proceed with any prosecutions for levels that are now detectable but were previously not detectable regarding the standard that has been used around the world.

I can advise the house that there is testing under way across Australia because small traces have been detected across Australia. I hope to receive the results and certainly agriculture ministers around the nation hope to be able to receive those results soon. To date we are unaware of any result that comes in above the

0.1 per cent, but obviously we will have to wait and see the results of that testing. Certainly it is something that is frustrating for a great many people because the testing takes so long now as there has to be growing-out done in relation to the canola.

I hope that assists the Leader of The Nationals. When the results become known, I am sure he will read about them. I express, however, that Victoria has a moratorium on GM canola. We have put that in place for good and sensible marketing reasons. It is certainly supported by the dairy industry — Victoria's largest exporting industry — and also supported by the United Dairyfarmers of Victoria.

Apprentices: accelerated courses

Ms CAMPBELL (Pascoe Vale) — My question is to the Minister for Education and Training, and I ask: will the minister advise the house of recent initiatives to support the development of skilled workers for Victoria?

Ms KOSKY (Minister for Education and Training) — I thank the member for Pascoe Vale for her question. I think everyone in this house would understand the need to have a highly skilled work force. There is a lot of debate at the moment around skill shortages and a concern to do the very best we can to ensure that young people are taking up the skills that are on offer, and that that is done in the most flexible way so that it helps employers and helps the economy, but also deals with issues of quality.

The Bracks government is very committed to making sure we have a highly skilled work force and that we can address Victoria's skill needs. We want to encourage more people to take up training, particularly in key areas, as this is absolutely essential for our economy. I am very pleased to let the house know — if members are interested in listening — that today with the Premier we announced what I believe is a major reform in the automotive industry where we now have a new arrangement for the credit recognition of pre-apprenticeship training in the automotive industry. It is one of the very first industry deals of its type where young people will now gain credit recognition for pre-apprenticeships.

In the past a young person would have done a pre-apprenticeship course of either 16 weeks within a technical and further education institute, or a year within a VET in Schools program as part of the Victorian certificate of education. They would then have had to do the full four years of their automotive apprenticeship. The deal that has been brokered,

announced by the Premier and me today, means that students who do either the 16 weeks of pre-apprenticeship training in a TAFE institute or the 12 months pre-apprenticeship training within a VET in Schools program will receive recognition for that by having a year taken off their apprenticeship. Those students will now do a three-year apprenticeship. They will move into the second-year salary level, rather than the first-year level and they will obviously complete their apprenticeship more quickly, but it is still based on the same level of quality.

This deal, brokered by the state government, has been struck between the Victorian Automobile Chamber of Commerce (VACC), whose members were at the announcement today, and the Australian Manufacturing Workers Union (AMWU). They were very pleased with this outcome. It is a deal between employers and unions, it is a great way for them to work together, and it is unique in Australia. In fact I was speaking with someone today who was part of the brokering of this deal. They are now working with the New South Wales government and — surprise, surprise — they are going to recommend our model to that government.

It is the first of its kind in Australia, and we are very pleased that it has been brokered. It is a sensible arrangement that makes sure the quality of apprenticeships is preserved, while at the same time being quicker for students. It means that students will be fully qualified more quickly, they will enter the labour market earlier and they will commence work at a second-year salary when they move into an apprenticeship. For employers it means they will be taking on apprentices who have a certain level of skill when they commence their apprenticeships. This will benefit employers, and it means we will have a more highly skilled work force. It will also mean job growth, because we will have more people who are prepared to take up those jobs, and this will be good for the economy.

The motor trade is one of the areas where there is a skill shortage in Victoria, and this is a simple but innovative approach. It has taken quite a while to broker, but it will get more qualified workers into jobs as quickly as possible. At present 3500 young Victorians undertake training in the automotive trade so it will have a big impact on them. It will mean they are more likely to complete that training. Now that we have brokered this arrangement with the AMWU and the VACC we are looking at extending that to other areas of the industry.

Mr Plowman — On a point of order, Speaker, the minister is required to be succinct in her answer. I ask you to ask her to conclude her answer.

The SPEAKER — Order! The minister has been speaking for some time, and I ask her to conclude her answer.

Ms KOSKY — This is a very important announcement. We will look at expanding the program to other industries across Victoria.

Mr Smith interjected.

Ms KOSKY — I would have thought that members on the other side would have been pleased with this announcement rather than whingeing.

Mr Smith interjected.

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

Ms KOSKY — It is a great win. It is a win for students; it is a win for employers; it is a win for the economy; and it is an example of what you can do when industry, unions and employers get together. It is about raising the level of participation in the work force and raising the skill levels which we know are an important economic driver — far more important than the industrial relations reforms the commonwealth government is trying to drive through, which will just reduce wages and benefits for workers.

Hazardous waste: Nowingi

Mr HONEYWOOD (Warrandyte) — My question is to the Premier: I refer the Premier to the same government environment effects statement social impact report, which says:

The government has not undertaken much constructive discussion with the wider community ... its approach can be typified as one of informing or placation rather than real community involvement.

Given this further evidence of the government's failure to consult, will the Premier agree that the environment effects statement process has been flawed from beginning to end?

Mr BRACKS (Premier) — I thank the Deputy Leader of the Opposition for his question and say that nothing could be further from the truth. This is an extensive and full environment effects statement (EES). Not only was there initially a 6-week EES exhibition period, but that has now been extended for another 4 weeks to 10 weeks. The documents on exhibition for public comment include the EES main report, 24 specialist studies and the Environment Protection Authority works approval application. Hard and CD copies of the EES are available from distribution points

in Mildura, Bendigo, Melbourne, and copies will be mailed by Information Victoria.

You could not get a more extensive EES process than what is occurring here. As we have said from the start, we want to get the right solution; that is why we are going for a full EES.

Industrial relations: federal changes

Mr ANDREWS (Mulgrave) — My question is directed to the Minister for Industrial Relations. Can the minister outline what steps the Victorian government is taking to minimise the federal government’s proposals in relation to the rights of Victorian workers and their families?

Mr HULLS (Minister for Industrial Relations) — I thank the honourable member for his question. I am sure that everyone in this house shares the concerns of the Salvation Army when it said on ABC radio this morning that the commonwealth government’s proposed industrial relations changes were unethical. They are unethical, because they mean that the most vulnerable in our community will be exploited.

I am sure equally that everyone in this place shares the comments made by the Salvation Army today about the adverse impact of the commonwealth’s proposals on family time. The commonwealth government’s proposals will wreck family time, they will end weekends with family and friends, and they will wreck public holidays.

Honourable members interjecting.

Mr HULLS — We on this side of the house care about families. If one were to follow the glitzy, multimillion dollar advertising campaign of the federal government, one would believe that workers were being promised a 38-hour week.

Mr Plowman — On a point of order, Speaker, the minister is required to relate his answer to state government business. So far there has not been a mention of that in the answer, and I ask you to bring him back to state government requirements and not to federal government requirements.

The SPEAKER — Order! The member for Benambra should be able to raise his point of order without constant interruption from members on my right, including the member for Richmond. The Minister for Industrial Relations is to relate his answer to Victorian government business.

Mr HULLS — The question asked of me is about the federal government’s proposals and how the Victorian government is going to deal with them. I am talking about the federal government proposals including the alleged guarantee of a 38-hour week. That so-called guarantee of a 38-hour week is actually averaged over 12 months. That means that a worker can work 76 hours a week for six months and be entitled to no overtime whatsoever. So much for the 38-hour week!

Honourable members interjecting.

Mr HULLS — I have been asked what the Victorian government intends to do.

Honourable members interjecting.

The SPEAKER — Order! I ask members, particularly the Leader of the Opposition, to be quiet and allow the minister to answer, and I remind the member for Yan Yean that members are required to be quiet when the Speaker is on her feet.

Mr HULLS — I have been asked what the Victorian government intends to do. We intend to take a different attitude to that of the Prime Minister who has actually said that if workers do not like what is being offered, they can go and look for another job. He actually said — —

Mr Honeywood — On a point of order, Speaker, on the issue of relevance, given that Victoria’s entire industrial relations powers are vested in the commonwealth, and the state government supports that, the minister needs to be relevant to state government business, but he is yet to prove that having that attitude — we know he is very good at attitudes! — is in any way commensurate with state government legislation.

The SPEAKER — Order! The Minister for Industrial Relations, to continue answering the question, relating his answer to Victorian government business.

Mr HULLS — It is certainly not the view of the Victorian government that low-skilled, long-term unemployed workers who are desperate to hold onto their jobs can simply, if they do not like the conditions that have been put to them, find another job.

Honourable members interjecting.

The SPEAKER — Order!

Mr Doyle interjected.

The SPEAKER — Order! I remind the Leader of the Opposition that he is required to be quiet when the Speaker is on her feet. I ask the Leader of the Opposition and other members to cease interjecting in that continual manner and allow the minister to answer the question.

Mr HULLS — The Victorian government will not stand by and watch Victorian workers being tossed — —

Honourable members interjecting

The SPEAKER — Order!

Honourable members interjecting.

The SPEAKER — Order! I will not remind members again. They know quite well, particularly the member for Warrandyte, that they are required to cease speaking when the Speaker is on her feet. I ask members to cease their continual interjection, particularly the member for Doncaster and the member for Scoresby.

Mr HULLS — Thanks very much for your protection, Speaker! We will not stand by and watch Victorian workers being tossed onto a low-wage scrap heap. The Victorian government has made it quite clear — —

An honourable member — What are you going to do?

Mr HULLS — Unclog your ears and you will hear. We have made it quite clear that we do not want an American-style system where workers have to dip into the tip jar to pay their mortgage, because that is what is being proposed. As well as legislating to protect the award safety net of those 255 000 hardworking Victorian public sector workers, the Victorian government will also — —

Mr Smith interjected.

The SPEAKER — Order! The member for Bass should restrain himself.

Mr HULLS — The Victorian government will also be creating a workplace rights advocate, because as workers — —

Honourable members interjecting.

The SPEAKER — Order! The minister, to continue.

Mr HULLS — They do not like this, Speaker; they do not like this at all! As workers are being stripped of

their legal protections, the workplace rights advocate will attempt to fill the void by providing not just frank advice but also support to workers. The advocate will promote good employment practices and also hold up publicly those employment practices that exploit workers.

Can I conclude by saying that there is a simple choice. Those opposite can stand up for Victorian workers by standing up to John Howard's draconian attack on Victorian families, or they can abandon Victorian families and groups like the Salvation Army and church groups right across the country. There is a clear choice: they either support us or abandon Victorian workers and their families.

Hazardous waste: Nowingi

Mr MULDER (Polwarth) — My question is to the Premier. I refer to the government's environment effects statement transport report that highlights two rail options for moving toxic waste to and from Nowingi, and I ask: what rail upgrades, including rail standardisation, will be required to make the Melbourne–Mildura rail line viable and safe to transport toxic waste on?

Mr BRACKS (Premier) — I am grateful for the question from the member for Polwarth, because it gives me a great opportunity to highlight the difference between this side of the house and the other side. The difference is this: we are investing in public transport, reopening rail lines and making sure that we invest in a rail system. The other side spent seven years closing rail lines and bringing our rail system into disrepute. We will work through the environment effects statement (EES), as I have mentioned, on the long-term containment facility, to find the best solution for the future. We have said this will go ahead, subject to an EES.

Industrial relations: federal changes

Ms LINDELL (Carrum) — My question is to the Minister for Employment and Youth Affairs. Will the minister outline to the house what threats the commonwealth government's proposed industrial relations changes pose for young Victorians?

Ms ALLAN (Minister for Employment and Youth Affairs) — I thank the member for Carrum for her question. We understand her deep concern about this issue, because it is young Victorians who are particularly vulnerable under the draconian industrial relations changes that are being proposed by the federal government.

Over the past six years the Bracks government has been working hard to ensure every possible opportunity has been made available for young Victorians to enter the work force. We have done this through the creation of around 280 000 new jobs since we have been in office and through our own government employment programs where the Bracks government has created over 2000 apprenticeship and traineeship opportunities for young people — young Victorians getting the chance to kick-start their career through support from the Bracks government.

We believe every young person has the right to a fair and reasonable working environment and to be informed about the legal conditions that govern their workplace. This is in stark contrast to the Liberals and Nationals up in Canberra, who are slashing those vital protections that young workers need and are stripping away their rights. When you look at the proposed changes — —

Mr Perton — On a point of order, Speaker, I refer to your previous ruling in respect of the Minister for Industrial Relations. The minister is restricted to answering her question in relation to state government administration. The Victorian government has referred its industrial relations powers to the federal government, and the minister is not entitled to engage in the sort of rhetorical flow she would be able to engage in at a Labor Party branch meeting.

The SPEAKER — Order! The member for Doncaster appears to be debating the issue.

Mr Thwaites — On the point of order, Speaker, the minister has responsibility for youth affairs in this state. If there are matters such as the federal government's industrial relations legislation that have a major effect on the administration of that portfolio, it is appropriate for the minister to outline them and outline to the house how they will affect the management of her portfolio.

The SPEAKER — Order! I do not uphold the point of order. It has been a tradition of this house that the governments of Victoria are able to discuss commonwealth policy, how it may affect Victoria and how it may affect the administration of various departments and ministerial responsibilities in Victoria.

Ms ALLAN — I am certainly proud to be someone who is sticking up for the rights of young Victorians and young workers. Under the proposed changes young workers will see changes that will have employers being able to offer contracts that will see job seekers have their holidays removed, penalty rates stripped and rights removed. These reforms will force many young

people to sign away their basic entitlements to secure a job. That is concerning, particularly when young people in the workplace are at a disadvantage.

Many young people are not equipped with the knowledge, experience or confidence to stand toe to toe with their employer and negotiate for their basic rights and conditions. If they try to have these negotiations they will risk seeing their jobs disappear. And if this is something the opposition defends, shame on the opposition that it is risking seeing these jobs disappear. Young people will be left with no unfair dismissal laws to protect them. The federal government calls this policy WorkChoices. Young people will get a choice all right: they get a choice to be exploited or to be unemployed!

Governments need to support young people. It is the role of government to support young people, not to punish them. The situation for young Victorians, and indeed young Australians, is made even worse by the abolition of the youth portfolio from the federal ministry. No-one at the federal cabinet table will stick up for the rights of young Victorians and young workers.

Mr Plowman — On a point of order, Speaker, the minister is now debating the question and not relating her answer to state government businesses. I ask you to bring her back to state government businesses.

The SPEAKER — Order! The minister is entitled to relate how commonwealth government decisions may affect Victorian administration.

Ms ALLAN — It is the Bracks government that will stick up for young workers and young people. We will continue to take up the fight against the archaic and deplorable changes that are being proposed. Oliver Twist's old boss, Fagin, would be proud of these laws. We are not proud of these laws. We want to stick up for young Victorians. We want to see these proposals scrapped so that young people are protected, not punished.

VicForests: police services

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Agriculture. I refer to the cost of flying police search and rescue personnel to East Gippsland to deal with illegal forest protest activity. I ask: can the minister advise the house of the particulars of the cost that VicForests is passing on to the timber industry for the provision of these police services?

Mr CAMERON (Minister for Agriculture) — No. I can tell you this, Speaker: I do not know every line item of the statutory authority, VicForests.

Economy: national reform initiatives

Mr STENSHOLT (Burwood) — My question is to the Treasurer — and a very good Treasurer he is too! Can the Treasurer outline the measures the Victorian government is advocating to raise productivity and labour force participation?

Mr BRUMBY (Treasurer) — I want to thank the member for Burwood for his question — and he is a very good parliamentary secretary. Since the election of the Bracks government we have seen 280 000 new jobs created, the labour force participation rate increase from 62.6 per cent to 64.1 per cent and the unemployment rate come down significantly. However, it is true for Victoria, as it is for Australia, that we will face economic challenges in the years ahead. This is because of what we call the BRIC economies — Brazil, Russia, India and China. We also face challenges because of the ageing of our population. Over the next 10 years, as the baby boomers move through the age distribution, the labour force participation rate will decline by 5 percentage points, and over the next 20 years it will decline by close to 10 percentage points. All other things being equal, that will mean a decline in gross domestic product (GDP) of 5 percentage points and then 10 percentage points.

In order to tackle these things the Victorian government has developed the national reform initiative (NRI). The Premier released this just under two months ago. It is fair to say that this was exceptionally well received across Victoria and Australia, and well received by the national government as well. It is a good example of visionary policy leadership developed in Victoria and released by the Premier. The NRI is all about saying, ‘We have these challenges, Australia cannot be complacent and we need to tackle the issues of productivity and labour force participation’.

What the NRI is saying is that we need to put in place across Australia measures to improve health, measures to improve skills and measures such as improved child-care and work incentives — for example, reform of the personal income tax system, particularly at the lower levels, to encourage people to come back into the labour market. The modelling we have done shows that over a decade the national reform initiative will lift GDP by more than \$6 billion — in other words, it will work in addressing productivity and participation.

Speaker, you have to ask in terms of the challenges going forward whether the right answer for Australia’s challenges is the so-called industrial relations reform. The answer is that that is probably the last thing you would do if you were serious about tackling issues of productivity growth and labour force participation. The biggest issue across the work force at the moment is skills. Nine months ago the federal Treasurer, Peter Costello, was saying that the cockatoo in every corner milk bar was talking about skills. It is still hard to get people to fill all the jobs that are being generated. The last thing you would want to do as a government is put in place industrial relations measures which would deter people from entering the labour force, but that is exactly what the federal government is doing. We do not think the federal government’s —

Mr Doyle interjected.

Mr BRUMBY — We do not know what you think. Tell us!

The SPEAKER — Order! Through the Chair!

Mr BRUMBY — I suspect it is a half-baked policy. I have had a look on the Internet, and I cannot find what you have said about industrial relations.

Honourable members interjecting.

The SPEAKER — Order! I remind the Treasurer that he is required to address his answer through the Chair.

Mr BRUMBY — The view of the Bracks government about this is supported by most of Australia’s leading economists. I have here an article from the *Australian Financial Review* of 10 October.

An honourable member interjected.

Mr BRUMBY — Am I kidding? I am not, actually. I will read you the story. It is headed ‘Workplace overhaul won’t boost productivity’ and it goes through a whole lot of economists who all say that the federal government’s response is wrong. I will quote a couple of them to give you a good mix. John Edwards, HSBC chief economist, said:

... the work force’s productivity should be continually enhanced by more education —

Mr Plowman — On a point of order, Speaker, the Treasurer is now debating the question. He is relating his answer to newspaper reports referring to the federal government’s position, not to state government policy or state government business. Therefore I ask you to bring him back to state government business.

Mr BRUMBY — On the point of order, Speaker, I was asked a question about labour force participation and productivity. I have been explaining to the house the measures we are putting in place to boost labour force participation and productivity. I am saying that there is a threat to labour force participation and productivity growth in Victoria. It is a very clear threat. It is a threat to our economy, and it is a threat which is posed by the federal government's IR reforms. I am answering the question.

The SPEAKER — Order! In relation to the point of order, in answering the question the Treasurer is allowed to discuss issues that may affect Victorian government administration and relate those to answering the question.

Mr BRUMBY — John Edwards says it will not work. Saul Eslake said, in support of our position:

... productivity gains arising from workplace changes would be marginal compared with increasing investment in upgrading work force skills, new infrastructure and reviving other microeconomic reforms.

Saul Eslake is dead right. I am concerned —

Mr Plowman — On a point of order, Speaker, I repeat my point of order: I believe the answer does not relate to state government administration. I ask you to bring the Treasurer back to state government administration.

The SPEAKER — Order! The Treasurer is relating these matters to the way they affect the policy he has put forward. However, I ask the Treasurer to conclude his answer, as he has been speaking for some time now.

Mr BRUMBY — I will conclude. An economist with RBC Capital Markets, Michael Every, said:

An ageing population will not be addressed by this legislation —

that is, the IR legislation —

Reforms could ironically coincide with a global economic slowdown, exacerbating consumer fears of being laid off just when confidence needs to be boosted.

The position we have put forward as a government, released by the Premier just under two months ago, aims at boosting productivity and driving improved labour force participation. It is a carefully developed strategy, which we are putting up in a bipartisan way to tackle those issues which face Australia. In the big picture of measures going forward to drive productivity and labour force participation, you can be sure that the one measure which will have exactly the wrong and

opposite effect is the so-called WorkChoices industrial relations reform.

BUSINESS OF THE HOUSE

Notices of motion: removal

The SPEAKER — Order! I advise the house that under standing order 144 notices of motion 216 to 217 and 370 to 376 will be removed from the notice paper on the next sitting day. A member who requires a notice standing in his or her name to be continued must advise the Clerk in writing before 10.00 p.m. today.

INVESTIGATIVE, ENFORCEMENT AND POLICE POWERS ACTS (AMENDMENT) BILL

Introduction and first reading

Mr HULLS (Attorney-General) — I move:

That I have leave to bring in a bill to amend the Crimes (Assumed Identities) Act 2004, the Crimes (Controlled Operations) Act 2004, the Fisheries Act 1995, the Major Crime Legislation (Office of Police Integrity) Act 2004, the Major Crime (Investigative Powers) Act 2004, the Police Regulation Act 1958, the Surveillance Devices (Amendment) Act 2004, the Telecommunications (Interception) (State Provisions) Act 1988 and the Magistrates' Court Act 1989 and for other purposes.

Mr McINTOSH (Kew) — I ask the minister for a brief explanation of the bill.

Mr HULLS (Attorney-General) — This bill does a number of things. As the honourable member would be aware, for some time we have been urging the federal government to ensure that the Office of Police Integrity has appropriate powers to use telecommunications intercepts in relation to the investigation of major crime and alleged police corruption. Finally the federal government has agreed, and this bill will facilitate the appropriate oversight of those telecommunications powers.

Further to that the bill will also allow for the payment by instalment of infringement notices in certain circumstances. Disadvantaged members of our community will have the option or the ability to pay by instalments at a much earlier stage before they actually get into the court system.

Motion agreed to.

Read first time.

CRIMES (FAMILY VIOLENCE) (HOLDING POWERS) BILL*Introduction and first reading*

Mr HULLS (Attorney-General) — I move:

That I have leave to bring in a bill to amend the Crimes (Family Violence) Act 1987 to provide police with holding powers in family violence situations and for other purposes.

Mr McINTOSH (Kew) — I ask the Attorney-General to provide a brief explanation to the house.

Mr HULLS (Attorney-General) — This is a very important bill that will amend the Crimes (Family Violence) Act to create a holding power for police where a person has allegedly used violence towards family members. That holding power will allow the police to direct a person to remain in or go to a particular place stated by that police officer to enable an appropriate intervention order to be applied for and to ensure that victims of domestic violence are able to make adequate arrangements for their safety.

Motion agreed to.

Read first time.

TRANSPORT LEGISLATION (FURTHER MISCELLANEOUS AMENDMENTS) BILL*Introduction and first reading*

Mr BATCHELOR (Minister for Transport) — I move:

That I have leave to bring in a bill to amend the Melbourne City Link Act 1995, the Mitcham-Frankston Project Act 2004, the Public Transport Competition Act 1995, the Rail Corporations Act 1996, the Road Management Act 2004, the Road Safety Act 1986, the Tobacco (Amendment) Act 2005 and the Transport Act 1983 and for other purposes.

Mr MULDER (Polwarth) — I ask the minister to provide a brief description of the bill.

Mr BATCHELOR (Minister for Transport) — The overall objectives of this bill are to upgrade the ticketing provisions in order to reduce fare evasion and support ticketing practices. The other overall objective is to make a number of improvements to road transport legislation.

Motion agreed to.

Read first time.

GAMBLING REGULATION (MISCELLANEOUS AMENDMENTS) BILL*Introduction and first reading*

Mr PANDAZOPOULOS (Minister for Gaming) introduced a bill to amend the **Gambling Regulation Act 2003, the Gambling Regulation (Further Amendment) Act 2004 and the Casino Control Act 1991 to enhance the regulatory role of the Victorian Commission for Gambling Regulation and for other purposes.**

Read first time.

PETITIONS**Following petitions presented to house:****Racial and religious tolerance: legislation**

To the Legislative Assembly of Victoria:

The petition of the undersigned residents of Victoria draws the attention of the house to the decision of the Victorian Civil and Administrative Tribunal in the complaint against Catch the Fire ministries by the Islamic Council of Victoria, dated 17 December 2004. The decision has highlighted serious flaws in the Racial and Religious Tolerance Act 2001 which restrict the basic rights of freedom of religious discussion.

The petitioners therefore request that the Legislative Assembly of Victoria remove the references to religious vilification in the Racial and Religious Tolerance Act 2001 to allow unencumbered discussion and freedom of speech regarding religion and theology.

By Dr SYKES (Benalla) (193 signatures)

Schools: religious instruction

To the Legislative Assembly of Victoria:

The petition of citizens of Victoria concerned to ensure the continuation of religious instruction in Victorian government schools draws out to the house that under the Bracks Labor government review of education and training legislation the future of religious instruction in Victorian schools is in question and risks becoming subject to the discretion of local school councils.

The petitioners therefore request that the Legislative Assembly of Victoria take steps to ensure that there is no change to legislation and the Victorian government schools reference guide that would diminish the status of religious instruction in Victorian government schools and, in addition, urge the government to provide additional funding for chaplaincy services in Victorian government schools.

The petition of citizens of Victoria [is] concerned to ensure the continuation of religious instruction in Victorian

government schools, and to provide additional funding for school chaplains.

**By Mr STENSHOLT (Burwood) (25 signatures)
Mr PERTON (Doncaster) (208 signatures)
Mr RYAN (Gippsland South) (24 signatures)
Ms GREEN (Yan Yean) (94 signatures)**

Schools: religious instruction

To the Legislative Assembly of Victoria:

The petition of citizens of Victoria concerned to ensure the continuation of religious education in Victorian schools draws out to the house that under the Bracks Labor government review of education legislation the future of religious education in Victorian schools is in question, and the petitioners therefore request that the Legislative Assembly of Victoria take steps to ensure that there is no change to legislation which would diminish the status of religious education in Victorian schools and, on the contrary, require the government to provide additional funding for chaplaincy services in Victorian state schools.

The petition of citizens of Victoria [is] concerned to ensure the continuation of religious education in Victorian schools.

By Mr PERTON (Doncaster) (19 signatures)

Police: schools program

To the Legislative Assembly of Victoria:

The petition of citizens of Victoria concerned about the abolition of the police schools involvement program (PSIP) draws to the attention of the house that the Bracks Labor government has blatantly ignored the safety of children in its move to abolish PSIP. The government has disregarded research and expert advice by Monash University which showed the program to be extremely effective.

The petitioners therefore request that the Legislative Assembly of Victoria support the reinstatement of the police schools involvement program to build a secure environment for the children of Victoria.

By Mr PERTON (Doncaster) (890 signatures)

Water: Horsham supply

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws the attention of the house to the opposition of fluoride being added to the Horsham water supply.

The petitioners therefore request the Legislative Assembly of Victoria to prohibit fluoride being added to the Horsham water supply.

By Mr DELAHUNTY (Lowan) (1267 signatures)

Tabled.

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

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

Ordered that petition presented by honourable member for Yan Yean be considered next day on motion of Ms GREEN (Yan Yean).

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

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 12

Ms D'AMBROSIO (Mill Park) presented *Alert Digest No. 12* of 2005 on:

- Child Wellbeing and Safety Bill**
- Children, Youth and Families Bill**
- Congestion Levy Bill**
- Crimes (Homicide) Bill**
- Environment Effects (Amendment) Bill**
- Firearms (Further Amendment) Bill**
- Major Events (Crowd Management) and Commonwealth Games Arrangements Acts (Crowd Safety Amendment) Bill**
- Mineral Resources Development (Brown Coal Royalties) Bill**
- Mines (Aluminium Agreement) (Brown Coal Royalties) Bill**
- Motor Car Traders and Fair Trading Acts (Amendment) Bill**
- Prisoners (Interstate Transfer) (Amendment) Bill**
- Rail Safety Bill**
- Retail Leases (Amendment) Bill**
- Transport Legislation (Safety Investigations) Bill**
- Veterans Bill**
- Water (Resource Management) Bill**

together with appendices.

Tabled.

Ordered to be printed.

DOCUMENTS**Tabled by Clerk:**

Falls Creek Alpine Resort Management Board — Report for the year ended 31 October 2004

Financial Management Act 1994:

Reports from the Minister for Agriculture that he had received the 2004–05 annual reports of the:

Dairy Food Safety Victoria

Murray Valley Wine Grape Industry Development Committee

Veterinary Practitioners Registration Board

Victorian Broiler Industry Negotiation Committee

Victorian Strawberry Industry Development Committee

Report from the Minister for Sport and Recreation that he had not received the 2004–05 report of the Melbourne Cricket Ground Trust together with an explanation for the delay in tabling

Fisheries Co-Management Council — Report for the year 2004–05

Interpretation of Legislation Act 1984 — Notice under section 32(3)(a)(iii) in relation to Statutory Rule No. 92

Melbourne Market Authority — Report for the year 2004–05

Mount Baw Baw Alpine Resort Management Board — Report for the year ended 31 October 2004

Mount Buller Alpine Resort Management Board — Report for the year ended 31 October 2004 (two documents)

Mount Hotham Alpine Resort Management Board — Report for the year ended 31 October 2004

Mount Stirling Alpine Resort Management Board — Report for the year ended 31 October 2004 (two documents)

National Parks Advisory Council — Report for the year 2004–05

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

Ballarat Planning Scheme — No. C75

Bass Coast Planning Scheme — No. C23

Brimbank Planning Scheme — No. C78

Campaspe Planning Scheme — No. C33

Cardinia Planning Scheme — No. C65

Glen Eira Planning Scheme — No. C46

Mildura Planning Scheme — No. C31

Wellington Planning Scheme — No. C27

Whitehorse Planning Scheme — No. C52 Part 1

Recreational Fishing Licence Trust Account — Report on Revenue and Disbursements for the year 2004–05

Statutory Rules under the following Acts:

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 — SR No. 122

Firearms Act 1966 — SR No. 124

Fisheries Act 1995 — SR No. 123

Supreme Court Act 1986 — SR No. 125

Subordinate Legislation Act 1994:

Minister's exception certificate in relation to Statutory Rule No. 125

Ministers' exemption certificates in relation to Statutory Rule Nos 123, 124

Terrorism (Community Protection) Act 2003 — Report by the Chief Commissioner for the year 2004–05

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the house dated 26 February 2003:

Melbourne College of Divinity (Amendment) Act 2005 — Whole Act on 20 October 2005 (*Gazette G41*, 13 October 2005).

ROYAL ASSENT

Message read advising royal assent on 11 October to:

Crimes (Contamination of Goods) Bill
Melbourne Lands (Yarra River North Bank)
(Amendment) Bill
Sentencing and Mental Health Acts
(Amendment) Bill
Sports Anti-doping Bill.

APPROPRIATION MESSAGES

Message read recommending appropriations for:

Child Wellbeing and Safety Bill
Children, Youth and Families Bill
Congestion Levy Bill
Environment Effects (Amendment) Bill
Major Events (Crowd Management) and
Commonwealth Games Arrangements Acts
(Crowd Safety Amendment) Bill
Prisoners (Interstate Transfer) (Amendment) Bill
Rail Safety Bill
Retail Leases (Amendment) Bill
Transport Legislation (Safety Investigations) Bill

Veterans Bill
Water (Resource Management) Bill.

Prisoners (Interstate Transfer) (Amendment) Bill
 Veterans Bill.

RACING AND GAMBLING ACTS
(AMENDMENT) BILL

Royal assent

The SPEAKER — Order! On 11 October 2005, the Clerk of the Parliaments presented the Racing and Gambling Acts (Amendment) Bill for Royal Assent. The Governor, acting on advice from the government, declined to assent to that bill. The Clerk of the Parliaments has been informed that assent of this bill will be delayed for a six-week period.

This motion signals to the house the government's intention for the legislative program for this week. In effect, it will provide for seven second-reading debates, when one takes into account the concurrent debate motion passed just a few minutes ago in relation to the brown coal legislation, to be held over these three sitting days. Given the condolence motions dealt with by the house earlier today, it is the government's intention to deal with the land tax legislation today.

An honourable member interjected.

MINERAL RESOURCES DEVELOPMENT
(BROWN COAL ROYALTIES) BILL and
MINES (ALUMINIUM AGREEMENT)
(BROWN COAL ROYALTIES) BILL

Mr BATCHELOR — That's right. It is highly likely we will move to extend the sitting past 10 o'clock, and depending on the requirements of members to contribute to various debates, that may happen again on Wednesday. As the house will notice from my motion, it is intended that the house adjourn at 10 o'clock on Thursday.

Concurrent debate

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

We have taken these steps in order to continue the smooth passage of bills through this chamber. Over recent parliamentary sitting weeks we have had, from memory, on average about six bills being dealt with in a parliamentary week. As I said earlier, given that we are having a concurrent debate about the two brown coal royalty bills, there are in effect seven bills to be dealt with this week.

That this house authorises and requires the Speaker to permit the second-reading and subsequent stages of the Mineral Resources Development (Brown Coal Royalties) Bill and the Mines (Aluminium Agreement) (Brown Coal Royalties) Bill to be moved and debated concurrently.

Motion agreed to.

We believe that providing additional time on each of the three sitting days this week should be sufficient to achieve the legislative program, at the same time providing the requisite time for parliamentary debate for those members who wish to join in. I commend the motion to the house.

BUSINESS OF THE HOUSE

Program

Mr BATCHELOR (Minister for Transport) — I move:

Mr PLOWMAN (Benambra) — The opposition opposes the government business program on the basis that, clearly, this is just a rush towards the finish. We were initially faced with 10 bills for this week. I appreciate the fact that two of those bills have been withdrawn, but equally I notice that one of them, the ground water bill, is still on the notice paper and could be introduced at any stage. Even with the eight bills that are to be debated, we have had a great deal of time off today as a result of the condolence motions, which means that we are probably going to have to sit until midnight tonight on the basis that we have at least seven members in the Liberal Party opposition who wish to speak on the land tax legislation.

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 10.00 p.m. on Thursday, 20 October 2005:

- Congestion Levy Bill
- Firearms (Further Amendment) Bill
- Land Tax Bill
- Mineral Resources Development (Brown Coal Royalties) Bill
- Mines (Aluminium Agreement) (Brown Coal Royalties) Bill
- Motor Car Traders and Fair Trading Acts (Amendment) Bill

The indication has been quite clear that the Land Tax Bill is required to be completed before we adjourn

tonight. If that is the case, we will go probably to about midnight. I would have thought that this is certainly not an acceptable procedure from the members of the government who have always sought to have hours that are more family friendly, as they put it.

Ms Asher — It's a joke.

Mr PLOWMAN — It is a complete joke, actually. When you consider that on Wednesday night we are likely to adjourn at 11.30 p.m., maybe 12 midnight, and on Thursday night, when those of us who are country members wish to go home, we will probably be going till at least 10.30 p.m., maybe closer to 11 o'clock. That is hardly what I would call family friendly hours.

There is real concern, too, that what we are actually being denied is an extra sitting week. I ask the Leader of the House to consider having an extra sitting week in order to get his program through these sittings. It could easily be accommodated. We have very few sitting weeks left; including this week there are only three weeks. We are actually concluding early in November, which leaves a lot of time for that additional week to be utilised to get through the business program. I ask the minister, rather than going through the charade of having family friendly hours, to actually consider scheduling an additional sitting week to get through the legislative program in a reasonable time frame.

There are two major bills which I think need additional consideration. One is the water bill and the other one is the Children, Youth and Families Bill. Both of these bills are very complex. Certainly the Children, Youth and Families Bill is a rewrite of the existing legislation in its entirety, and the water bill is the first and most major revamp of the Water Act since 1989. It will be a significant change to the water industry. Both of these bills require substantial consultation and then debate. In the rush to get through this program in the time allowed we will not be given due opportunity for those two bills to be given the consideration they deserve.

I would ask that the government consider one of two things: having an additional sitting week to do justice to this legislation, which I think is most significant, or allowing both those bills to lie over from the end of the spring sitting in early November to the autumn sitting. If that were to occur, the opposition would certainly support the government business program inasmuch as we would be giving sufficient time to those two items of significance on the government business program.

Can I also say that, if you are talking about a consultation program, the opportunity we have had for consultation during this sitting has averaged 43 days from the time bills are introduced to the time the

legislation is finalised in this chamber. In this case for both of these bills we will probably be restricted to less than two weeks. Frankly, I do not think that is good enough for this sort of legislation.

Mr MAUGHAN (Rodney) — Like the opposition, on this occasion The Nationals will also be opposing the government business program. There have been some changes for the better; I acknowledge that, but these are still anything but family-friendly hours. We will be sitting probably until midnight before we finish tonight. We will finish at midnight tomorrow night — —

Honourable members interjecting.

Mr MAUGHAN — Order!

The ACTING SPEAKER (Mr Delahunty) — Order! The member is to speak through the Chair!

Mr MAUGHAN — On Thursday night it will be 10.30 or 11.00 p.m. before we are able to leave. As I have said many times before, many country members have got trips of 2 to 4 hours, as you do, Mr Acting Speaker, to get home — —

Mr Ingram — Six hours!

Mr Savage — Six hours!

Mr MAUGHAN — The two Independents, the members for Mildura and Gippsland East, have 6-hour journeys to get home. It really makes it very difficult for country members.

Mr Walsh — They could get the train.

Mr MAUGHAN — Both of them could get the train home!

The ACTING SPEAKER (Mr Delahunty) — Order! The member for Rodney is to speak through the Chair!

Mr MAUGHAN — What happened to the family-friendly hours this government used to speak about a lot when in opposition? What has happened to those? We are getting back to the bad old days again. We are sitting until late at night. This week is not so bad. I thank the Leader of the House for putting the Mineral Resources Development (Brown Coal Royalties) Bill and the Mines (Aluminium Agreement) (Brown Coal Royalties) Bill together and dealing with them concurrently, which will save some time. Nonetheless there are essentially seven pieces of legislation to be debated this week. We have the matter of public importance tomorrow. It is going to be a very busy week.

I support the member Benambra in his comments about those two massive changes to, firstly, the water industry, through the Water (Resource Management) Bill, and the community, through the Children, Youth and Families Bill, both of which are very significant pieces of legislation and neither of which —

Mr Stensholt — They are not being debated this week.

Mr MAUGHAN — I think it is all about having the time to do these things properly, rather than just ramming them through the house. That is what this government wants to do. I am arguing for —

Mr Stensholt — They are not on this week.

The ACTING SPEAKER (Mr Delahunty) — Order! The member for Burwood will have his turn.

Mr MAUGHAN — They are not on this week, but they will be jammed up next week. We will be talking about —

Mr Stensholt — You have had two weeks

Mr MAUGHAN — We can talk about that next week, if that is what you would rather do. We are jamming up legislation towards the end of the session. We could easily sit for a further week — the last week of November or the first week of December. Why do we have to finish in this house early in November? We have not done it previously.

Mr Andrews interjected.

The ACTING SPEAKER (Mr Delahunty) — Order! The member for Mulgrave will have the call later.

Mr MAUGHAN — I see no need to do it on this occasion. I express the view that from a country member's perspective these late hours are not something we encourage. While the late hours will enable us to get through this business program — there is no question about that — there is a price we all pay. Therefore on this occasion we in The Nationals will be opposing the government's business program.

Mr LANGDON (Ivanhoe) — As a government member I know that you can never make the opposition and The Nationals happy. As the Government Whip I have worked tirelessly with the whips of the other two parties to actually get through the business programs in the last couple of weeks. In actual fact the hours we have been sitting are exceptionally family friendly, and

on several occasions on Thursdays we have gone home early.

I have listened to some of the debate and members opposite have mentioned the Water (Resource Management) Bill and the Child Wellbeing and Safety Bill. I can recall the last Thursday night that we sat late. At about six o'clock a division was called by the member for Gippsland East. The Nationals were well represented by the Acting Speaker, the honourable member for Lowan, and the Liberal Party was down to six members, so certainly if there is an urgent need to go home as there was the other day they could do the same thing this time. We will still carry the vote. If they want to go home early I encourage them to do so, and let us get on with the business program. We will get through the business program.

The other bill mentioned was the Groundwater (Border Agreement) (Amendment) Bill, and we had to adjourn debate on that by agreement across all the parties the other week. It is not on the business program this week. If members were to sit down now and get on with the business program, we would get it done.

Ms ASHER (Brighton) — The Liberal Party opposes the government business program. What we are seeing this week is symptomatic of the government's fundamental inability to manage its parliamentary program properly. The Minister for Transport, who is at the table, was removed from one of his portfolios because he could not manage major projects, and he certainly cannot manage the parliamentary business program. At the beginning of the session we saw a filibuster where government member after government member spoke on bills to elongate the weeks' hours and fill them up. Now this week we are seeing heavily extended hours with the possibility of sitting to midnight Tuesday and Wednesday and until about 10.30 p.m. on Thursday. Frankly that is an unsatisfactory number of night hours for this Parliament to be working.

As an example of this government's incompetence, two weeks ago the six bills the government put forward were on the face of it a reasonable program. But the opposition did not have much opportunity at all to debate the six bills. I am indebted to the Deputy Clerk for providing me with some information about the conduct of that week's program, which makes my general point about the government's incompetence in management that has been emerging throughout the session. Last sitting week there was 4 hours and 7 minutes of debating time for second-reading speeches alone. Given that the bulk of that time was taken up before 4 o'clock on Thursday, the end result is that,

excluding lead speakers, the Liberal Party had an opportunity to put up only 15 speakers, which is not even all of us. The Nationals had an opportunity to put up only 5. In terms of one particular Treasury bill, other than for lead speakers there was no time for debate at all.

I also want to make the point that I think the opposition has been reasonable throughout the course of the session in terms of its requests for speaking slots. There has not been one occasion when we have been silly in the sense that all of us wanted to speak, other than on the budget, which is reasonable. Basically we have put up reasonable requests for reasonable speaking time on bills of interest to us. With this week's program the government is saying we can either have it like the last sitting week, when we had minimal speaking opportunities on bills, or we can have it like this week, when we will sit particularly long hours at night — 1½ hours extra on Tuesday and Wednesday, and some 6 hours extra on Thursday.

I am reminded of Labor's policy before it was elected to government, called 'Making Parliament work — Labor's plan for a harder working and more democratic Parliament'. Labor's recommendation at that time was:

Labor will make the Parliament more family friendly by:

... changing the sitting hours to ensure that the Parliament adjourns at a reasonable hour each evening, except in extraordinary circumstances'.

The fact that the government cannot get its program right is not an extraordinary circumstance. Again, I completely understand that the government can run the Parliament the way it likes and put the bills through the way it likes. But simply having a program at the beginning of the session where mainly government members filibuster to fill up the program and then getting to the end of the session and members — and staff even more so — being expected to stay back very late in the night is a nonsensical way to run a government program. I accept the government policy that only under exceptional circumstances should the Parliament be sitting late like that, but the fact that the government cannot run its business is not an exceptional circumstance, because this happens constantly.

I just note in conclusion that this is how the Labor Party wants to run Parliament — like the last sitting week, when the opposition scarcely got a crack at making a comment on a bill, or like this week, when we will sit well past midnight. This is not the way to run a Parliament. To call this a family-friendly Parliament is a joke. It is a grossly inefficient Parliament run by an

inefficient manager of government business who does not have the wherewithal to structure a government business program with an even flow of work throughout the sitting to allow members of Parliament decent sitting hours. The Liberal Party opposes the government business program.

Mr ANDREWS (Mulgrave) — The member for Brighton talked about having it like the last sitting week, but if we have it like last week, Acting Speaker, come the end of the parliamentary week we will be the only ones here. There will be seven Liberals over there and your good self representing The Nationals. All this about the program and how interested those opposite are in the efficient running of this Parliament is nonsense. When last week we sat down to debate for how long the critically important children's bills would be adjourned, almost all of those opposite had gone home. It was a question of, 'Where's Wally?'. These matters of process were so important that half of them had gone home. There were only seven Liberals and one Nationals member in the chamber. It was an absolute disgrace.

This afternoon we had a condolence motion followed by an appropriate adjournment to recognise the distinguished service two former members of this place had given to this Parliament and the people of Victoria. We will make up that time by sitting later tonight. We will then deal with an appropriate workload of seven bills over the course of this week by sitting extra hours on Thursday. If I heard the member for Benambra correctly, he said that was an appalling set of circumstances. Extra hours are no good, but we should entertain an extra week. So a few extra hours are no good, but an extra week is just great.

The question is who would be here for that extra week. I know we would be here if an extra week were on or if there were extra hours, but those opposite would have all gone home, just like they did last week. This is a reasonable program of seven bills across the week, with extra hours to make up for the time used in having an appropriate adjournment this afternoon to recognise the distinguished service of two former members. It is a reasonable program, and we will move through it.

As I understand it, despite this notion that people have missed out, in the last sitting week no member of the Liberal Party or The Nationals who sought to speak was denied an opportunity to do that.

Honourable members interjecting.

Mr ANDREWS — That is what I am told. When it counted none of them were here.

Dr Naphthine — Stop lying!

Mr ANDREWS — Were you here for the vote?

This is an absolute disgrace. You were not even here! It is a reasonable program, and one that we will move through — —

Dr Naphthine interjected.

Mr ANDREWS — It is a proper and appropriate program of seven bills. I commend it to the house.

The ACTING SPEAKER (Mr Delahunty) — Order! I call the member for Mildura.

Mr SAVAGE (Mildura) — I do not often make a contribution to the debate on the government business program — —

The ACTING SPEAKER (Mr Delahunty) — Order! I apologise to the member for Mildura, but we have had six speakers.

Mr SAVAGE — On a point of order, Acting Speaker, you gave me the call. Once you have given me the call you are in a bit of a dilemma.

The ACTING SPEAKER (Mr Delahunty) — Order! According to the Clerk there have been six speakers.

House divided on motion:

<i>Ayes, 54</i>	
Allan, Ms	Kosky, Ms
Andrews, Mr	Langdon, Mr
Barker, Ms	Languiller, Mr
Batchelor, Mr	Leighton, Mr
Beard, Ms	Lim, Mr
Beattie, Ms	Lindell, Ms
Brumby, Mr	Lobato, Ms
Cameron, Mr	Lockwood, Mr
Campbell, Ms	Loney, Mr
Carli, Mr	Lupton, Mr
Crutchfield, Mr	McTaggart, Ms
D'Ambrosio, Ms	Maxfield, Mr
Donnellan, Mr	Mildenhall, Mr
Duncan, Ms	Morand, Ms
Eckstein, Ms	Munt, Ms
Garbutt, Ms	Nardella, Mr
Gillett, Ms	Neville, Ms
Green, Ms	Overington, Ms
Haermeyer, Mr	Pandazopoulos, Mr
Hardman, Mr	Perera, Mr
Harkness, Dr	Pike, Ms
Helper, Mr	Seitz, Mr
Holding, Mr	Stensholt, Mr
Howard, Mr	Thwaites, Mr
Hudson, Mr	Trezise, Mr
Hulls, Mr	Wilson, Mr
Jenkins, Mr	Wynne, Mr

Noes, 25

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

Motion agreed to.

MEMBERS STATEMENTS

Roads: funding

Ms ALLAN (Minister for Education Services) — The Nationals have let the cat out of the bag on the Calder Highway funding. Last week, a member for North Western Province, Damian Drum, made comments about what the federal Liberal Party wanted to do with the \$542 million of Victorian road funding that was left in limbo for 12 months while it waited for the release of the half-baked tolls policy of the Victorian branch of the Liberal Party on EastLink. I quote what the member for North Western Province said on ABC radio last week:

... because that money was put in limbo while the Liberals sorted out what they were going to do with the buyback policy for the Scoresby.

So we sat there for about 6 months, 12 months not doing anything while we waited for the Libs to come up with their plan.

So for 12 months central Victorian motorists were held to ransom while the Liberals in Canberra tried to find a way to bail out their mates here in Victoria from their half-baked tolls policy. It is an absolute outrage.

We have been waiting far too long for the Calder Highway to Bendigo to be completed. The Bracks government has put its money on the table. We have been waiting for the federal government to match it. It is fantastic that this member for North Western Province, Mr Damian Drum, has had the courage to tell the truth on this matter: that the money was held up, tied up in Canberra, while the Liberal Party scrambled around for a solution to help its mates here in Victoria. It is very pleasing also to note that the federal government will buckle to the pressure that has been put on it by central Victoria and will cave in to match the Bracks government's funding.

Police: database security

Mr WELLS (Scoresby) — This statement condemns the Minister for Police and Emergency Services in respect of the so-called ‘I didn’t read the memo’ affair. The minister admitted on 15 August that he did receive a memo with regard to one of this state’s largest security breaches from the law enforcement assistance program (LEAP) system. With respect to the memo the minister claimed that he did not read past the first paragraph due to inaccuracies. However, when we look at the memo, which the Liberal Party obtained under freedom of information, this is what it says in bold capital letters under ‘Subject’:

UNAUTHORISED RELEASE OF LEAP DATA

It then says that the purpose under point 1 is:

To brief you on the unauthorised release of LEAP data to a Corrections Victoria officer.

Under point 5 it says:

Corrections Victoria and Victoria Police agreed that a serious breach of privacy and LEAP management protocol had occurred by the IBM action.

If the minister did not read the memo, which he received on 22 July, then he has acted with incompetence and should be sacked. If the minister did read the memo and misled the people of Victoria and Parliament, then he should be sacked for dishonesty.

The Liberal Party stated from the beginning that the Minister for Police and Emergency Services had read the memo. Now we have seen the memo we are even more resolute that he did read the memo and again call on the Premier to sack him. Until this is done Victorians will not have confidence in the security of their personal details that are in the LEAP system. For the minister to suggest that he did not read the memo undermines his own credibility and that of the Bracks government.

Dr George Golding

Mr LONEY (Lara) — I wish to pay tribute to Dr George Golding, who died suddenly about a fortnight ago and who will be greatly missed by the many friends that he made throughout his life. George served the Geelong community as a family doctor for many years. He was the archetypal GP, with his warm, friendly, wonderful manner and caring disposition. His caring was not confined to his own patients. It extended to the health of his entire community and his profession. In 1992 George called a number of colleagues to a meeting in his kitchen where he

explained his idea of a professional association for GPs, and so the General Practitioners Association of Geelong came into being. It was a first for Australia and has since been replicated throughout the country. George, of course, became the first executive director at the inaugural general meeting in August 1993 and held the position until his death.

George Golding was passionate about improving the health of his community and improving the way in which health services were delivered and accessed. He was also strongly committed to continual training and professional development of general practitioners. George was not just a good doctor, he was a good man who cared about many things and strived to make his community a better place. My sincere condolences go to his family, friends and colleagues. George Golding will be sadly missed throughout the entire Geelong community.

Water: irrigators

Mr WALSH (Swan Hill) — I was extremely concerned to read Peter Cullen’s article in the *Weekly Times* last week. This article was promoting the concept of government entering into the market to buy water for environmental flows, which in turn was supporting what I believe to be the misguided approach by the South Australian Minister for the River Murray to actually enter the market and buy water. I do not believe the South Australian minister will be satisfied until she has destroyed the Victorian and New South Wales communities that rely on the irrigation industries. I must congratulate the federal Minister for Agriculture, Fisheries and Forestry, Peter McGauran, for being the only minister at the ministerial table with any commonsense and for actually putting a hold on this misguided idea and making sure that it is used as an issue of last resort.

Peter Cullen and the other members of the Wentworth group may be intelligent people, but I do not believe they are smart. In their indecent haste to buy water they have lost sight of what the true socioeconomic cost will be. The cash cost of \$1200 per megalitre is not the full cost that society will bear in buying this water. Towns will lose jobs and then shrink. This is an ideological bent that will see northern Victoria destroyed.

Siemens VDO, Mill Park

Ms D’AMBROSIO (Mill Park) — I am pleased to inform the house of a visit by the Premier of Victoria to the electorate of Mill Park last week to announce the site of the new headquarters of automotive components manufacturer Siemens VDO. The University Hill

precinct along Plenty Road, Bundoora, will be home to the new facility. It will provide employment opportunities for 320 skilled workers in addition to Siemens VDO's existing work force, which is currently based at the company's ageing Heidelberg plant.

The Victorian government has secured this major investment for the state after working with the company's Victorian headquarters and its parent company in Germany. There will be significant flow-on benefits to local suppliers and service providers, with up to 1200 indirect jobs being created. The company will invest more than \$25 million in constructing the new buildings and a further \$70 million in capital equipment over the next six years. The automotive industry is vital to this state's economy. The industry provides direct employment to over 27 000 people and generates \$10 billion in economic activity each year.

As an added example of this government's commitment to job creation in manufacturing, today we heard the Premier and the Minister for Education and Training announce that 3500 young people will be given the opportunity to enter an innovative pre-apprenticeship program, the first in Australia. This program will deliver highly skilled motor tradespeople faster than at present to help meet the country's shortage of skills in this area, which the federal government refuses to do anything about.

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

Old Peterborough Road, Terang: upgrade

Mr MULDER (Polwarth) — The Terang Road Safety Council and businesses in the town of Terang in south-west Victoria are anxiously awaiting the outcome of an application to VicRoads for funding of \$280 000 to repair the Old Peterborough Road. Limited repair work has been done on the road in the past; however, it is far too narrow, full of potholes and not capable of handling the volume of traffic that uses it. A major upgrade is long overdue.

With the opening of the industrial estate and the Ridley AgriProducts business the volume has built up gradually, with 60 to 70 truck movements each day in addition to local traffic. It is also very important to the economy of the town that the road infrastructure between Terang and the coast is maintained at the highest standard. Having cars and trucks skidding off the road, hitting potholes and contending with dust in the summer and mud in the winter is not conducive to attracting further business to the town.

Along with the residents and business community of Terang I trust that the application will be successful and that the government will support this country Victorian town by way of ensuring that the funding is approved and the upgrade is carried out in the near future so that the town can continue to prosper and attract new development.

Schools: reading challenge

Ms BARKER (Oakleigh) — I want to share with members the fantastic time I had last week as the member for Oakleigh. I always have a fantastic time as the local member, but last week I had a particularly wonderful time. While I visit my schools often, I had a further opportunity last week to go to all the schools in my electorate to present the Premier's reading challenge certificates to the many hundreds of students who participated in this new and exciting initiative.

I congratulate the many students of the Oakleigh, Sussex Heights, Amsleigh Park, Murrumbeena, Glenhuntly, Carnegie, Sacred Heart, St Anthony's, St Patrick's and Christ Our Holy Redeemer primary schools, the Saints Anargiri Oakleigh Greek Orthodox College and Kilvington Girls Grammar, who completed the challenge. I also thank the teachers and coordinators who patiently assisted these students by entering the data online.

Each school is unique, and there is no doubt that education is being provided in the schools in the Oakleigh electorate with excellence, innovation, patience and enthusiasm. Each school provided me with a different opportunity to present the certificates — in a classroom, in a library or at a school assembly — and at each school I saw children and young people who are active, articulate, confident, happy, achieving, challenged and learning to the very best of their abilities. I am very pleased to be able to continue my work with those schools to ensure that as many opportunities as possible are available to children and young people.

Employment: rate

Ms ASHER (Brighton) — I wish to draw the house's attention to the unemployment statistics released by the Australian Bureau of Statistics (ABS). The house should also note that prior to gaining office the then employment shadow minister, now the Minister for Education and Training, made much commentary about Victoria's underperformance, as she saw it, which she defined as having an unemployment rate above the national rate.

The latest ABS figures show that Australia's unemployment rate is 5.1 per cent and Victoria's unemployment rate is 5.6 per cent. Victoria has now been above the national rate for 17 of the past 18 months, and consistently so for the past 16 months. Other states' unemployment rates are below Victoria's, with New South Wales at 5.3 per cent, Queensland at 4.9 per cent, South Australia at 5 per cent and Western Australia at 4.1 per cent. In fact Tasmania, at 6.1 per cent, is the only state with a higher unemployment rate than Victoria.

Given that the Minister for Education and Training, when the shadow minister for employment, made consistent reference to this being a benchmark, I call on the ALP to use its own benchmark. The government therefore needs to address the reasons why Victoria's unemployment rate is above the national rate and why this has been so for 17 of the past 18 months.

Gladstone Park Secondary College: soccer team

Ms BEATTIE (Yuroke) — Last week I had the great pleasure of spending time with the year 8 2005 state soccer championship team at Gladstone Park Secondary College and hearing all the details of its fantastic victory. The boys have done their school and the local community proud.

I take this opportunity to congratulate the team of Diren Erpolat, Simon Allos, Cagri Erdogan, Yusuf Adiguzel, Tahsin Kaya, Soner Akkus, Jan Denkha, Ugur Keles, Jacob Farah, Ridvan Saglam, Kemal Irdem, Cuneyt Guney, Hasan Kockaya, Erman Senin and Anil Arslan; the officials, Onur Ozouzenciler, Sahin Kacer and John Kasalas; and finally the coach, Con Zanetidis, and the assistant coach, Stefan De Loof. Those boys did a fantastic job. The captain, Ridvan Saglam, was telling me all about the goal scored in extra time. The result after full time was 1 all. Then they went into 10 minutes of extra time. No more goals had been scored at the 9-minute mark, and then Gladstone Park Secondary College caught the goalkeeper out of position and put it through for a goal. I congratulate the boys. They did really well, and the whole of Yuroke is proud of them.

Hazardous waste: Nowingi

The ACTING SPEAKER (Mr Delahunty) — Order! I call the member for Mildura.

Mr SAVAGE (Mildura) — Thank you, Acting Speaker; it is good to get the call this time! I point out for the information of the house that on the Friday of the parliamentary week just gone we had the release of

the environment effects statement (EES) on the proposed Hattah-Nowingi toxic waste containment facility. I have to say once again in this place that the community I represent and I are implacably opposed to this concept.

Included in last Saturday's *Sunraysia Daily* was a copy of the executive summary of the EES, which was placed in the mail box of everybody who got a copy of the paper. It has on the bottom the logo 'Victoria — the place to be'. I can assure members that that is a very misplaced logo as far as my community is concerned, because it is no place to be when a toxic waste containment facility is being proposed. This document does not acknowledge the realities of the social and economic impacts this will have if it goes ahead. The one thing that members in this place have to realise and understand is that the end does not justify the means.

My last comment will be to quote what John F. Kennedy said in 1961:

This administration intends to be candid about its errors; for as a wise man once said: 'An error doesn't become a mistake until you refuse to correct it'. We intend to accept full responsibility for our errors.

I hope this government takes note.

Ganesh Festival

Mr WILSON (Narre Warren South) — I rise to inform the house of the recent Ganesh Festival held in the south-eastern suburbs of Melbourne, which I had the honour and pleasure of attending. The festival was organised by the Melbourne Friends Association and saw a gathering of many hundreds of our Indian and Hindu community to mark the extremely popular festival celebrating the birth of Lord Ganesh. The Ganesh Festival is among the most celebrated of all the festivals in India.

I note that support in the south-eastern suburbs for the festival has grown substantially in recent years. The festival was not celebrated until the times of the Lokamanya Bal Gangadhar Tilak, who used it to unite Hindus all over India and educate them on the evils of colonisation. The story of India's struggle for freedom remains a guiding light for resolving various conflicts around the globe, particularly those in troubled times.

Victoria is blessed in being home to about a third of all Indian-born people living in Australia — more than 30 000 people — and our Indian and Hindu communities continue to grow. Particularly in the last 10 years we have seen many people arrive, bringing with them skills that benefit all Victorians. The Indian

community includes people from Fiji, Singapore, South Africa and, of course, India. They make a significant contribution to the social and economic life of Victoria. Mutual respect and understanding are integral to the Victorian community, and one way in which we can continue building this respect and understanding is through the sharing of cultural and religious traditions. The Ganesh Festival was a great success and testimony to the dedication of the organisers.

Portland and District Hospital: emergency department

Dr NAPHTHINE (South-West Coast) — I wish to raise further concerns about the state government's lack of commitment to maintaining services at Portland and District Hospital. The case I wish to bring to the attention of the house tonight is that of a 76-year-old diabetic who visited his doctor in late September suffering from dizzy spells. Later that night he collapsed. An ambulance was called and he was rushed to Portland and District Hospital. On arrival he was told there were no beds available and nobody available to provide him with any assistance. He then had to be taken to Warrnambool and his condition was so serious that within a day or two he was transferred to St Vincent's Hospital in Melbourne via air ambulance.

The front page of the *Portland Observer* of Friday, 14 October, carries the headline 'Nurses may strike'. The paper quotes the Australian Nurses Federation (ANF) industrial officer as having said:

Our members are extremely frustrated with how the hospital is running ...

He is also reported to have said:

... that nurses felt their concerns had been ignored and service levels were dwindling and no longer sufficient for the community.

I agree with the ANF on that issue. In Portland the population is going up, tourism is increasing, industrial activity is increasing, activity at the port of Portland is increasing, but at the hospital we are seeing beds closed, services cut and staff rationalised. The doctors are unhappy, the nurses are threatening to strike, and patients are being turned away. There is something terribly wrong with the lack of government support for health services in Portland. It is time the government took action to remedy the situation. It is time the minister invested in improving health services in Portland, rather than continuing to run services down.

Sunbury Agricultural Show

Ms DUNCAN (Macedon) — On Saturday, 8 October, I had the pleasure of opening the Sunbury Agricultural Show, along with the mayor of Hume City Council, Kevin Sheahan. This year's show was the 85th since it started from very humble beginnings, which makes it the longest running and largest community festival in the area. Country shows have been part of Australian life since the middle of the last century.

Originally their purpose was to educate the population about farming innovation and to demonstrate useful skills. Gradually they became central to the life of rural communities. Every town, large or small, had its agricultural show. Sadly, many of these shows no longer exist and it is important that governments do what they can to support those remaining. To this end the Bracks government has provided \$320 000 this year through 60 grants to agricultural and pastoral societies throughout Victoria. I was pleased to announce that the Sunbury show had received a grant of \$7686 to purchase new display cabinets for primary produce and art and craft displays.

I congratulate members of the Sunbury Agricultural Society and its president, Anthony McMahon, for all their hard work and commitment in bringing this show together. Congratulations should also go to the exhibitors, competitors and judges for their pride and dedication to their craft. Whether it be horseriding, cooking, raising livestock or just having fun owning a pet, I thank all of them for their efforts. I hope the Sunbury Agricultural Show continues for a long time to come and celebrates another 85 years of operation.

Apprentices: employer incentives

Mr JASPER (Murray Valley) — I am concerned by the lack of incentives offered to employers by the state government to employ apprentices. This is particularly disastrous for small business operators. I have been receiving many complaints from employers who are now becoming aware of the changes and cannot understand why the state government is discouraging apprentice training when business and industry are crying out for trained trade staff, despite the announcements made today by the government.

The house would be aware that the Treasurer changed the rules last year so that there is now only one payment made to an employer at the completion of the training period. It is now a requirement that employers must have at least three apprentices or trainees within their business. As well as that, Treasury changed the rules for the calculation of payroll tax to include apprentice

training wages. An additional blow to employers is the fact that the 9 per cent superannuation payments are also included for calculation purposes.

The Treasurer indicated to the Parliament that this brings Victoria into line with the other states. This statement is absolutely untrue as these deductions continue to apply in New South Wales. He trumpeted the small reduction in payroll tax in the budget as being significant, yet it is clear that the deception to include apprentices' salaries and superannuation payments is yielding even more revenue to the government with this iniquitous before-any-profits tax. I call on the Treasurer to immediately review the apprentice incentive scheme and payroll tax implications to encourage all employers to extend apprentice training opportunities to as many as possible.

Mental Health Week: Fairfield festival

Mr ANDREWS (Mulgrave) — Last Sunday I was very pleased to attend an important community event to mark the official end of Mental Health Week 2005. The event was the Open Mind Day Station Street Fiesta in Fairfield. This important event attracted more than 30 000 people; it had great food and activities for families including kids, and information stalls extended the length of Station Street. The event is a partnership between the Mental Illness Fellowship and the Fairfield Traders Association. I acknowledge the good work of the Honourable Rob Knowles, who serves as chair, and the chief executive officer, Liz Crowther, of the Mental Illness Fellowship. I also acknowledge the great leadership and hard work of Mr Dominic Biviano and all the members of the traders group.

Sponsors such as the AMP Foundation, which generously donated \$10 000, are also an important part of this event; that foundation was represented on the day by Mr Steve Trahair, who lent support to the fiesta. It is a great community event at the end of a very successful Mental Health Week which featured more than 100 events right across Victoria.

I want to acknowledge Professor Graham Burrows and his team at the Mental Health Foundation of Victoria who coordinated the week's program. Mental Health Week is all about breaking down barriers, removing stigma and highlighting the fact that mental health is everybody's business. There is no health without mental health; it has been a great and very important week in bringing these issues into the open and making sure that people understand that mental health is everybody's business. One in five of us will suffer mental illness but five in five of us can play a role in

breaking down barriers. I am proud to have been involved in the week.

Students: drugs and alcohol

Mr KOTSIRAS (Bulleen) — With traditional school leavers celebrations fast approaching, the Bracks government must do more to ensure that our youth are well informed about the dangers of drug-taking and excessive alcohol consumption. As I said last year, an advertising campaign aimed at preventing the use of drugs like speed and excessive alcohol during the holiday period will have an impact on those leaving for schoolies week or end-of-year holidays. It is also vital that young Victorians be aware of the drug pushers, the stalkers and the drink spikers who surface during the period. Our children are tricked into buying drugs with promise of experiencing enjoyable effects.

Our youth should be reminded that there is no safe or legally acceptable quantity of recreational drugs despite myths to the contrary. Alcohol or drug-affected young people have a much greater chance of finding themselves in undesirable situations. They are putting their lives at risk every time they take drugs or binge-drink. While Labor's recent announcement that all year 12 students will receive a checklist that offers tips and suggestions is a step in the right direction, it is simply not enough. We need an extensive advertising campaign that would be seen at the movies and on television, heard on the radio and read in newspapers and magazines. Here is a real opportunity for this government to make a difference — a chance to do something more than offer hollow rhetoric, glossy brochures and checklists. Let us protect our children.

Rail: Ballarat line

Mr HOWARD (Ballarat East) — Recently I shared with the house an editorial from the Ballarat *Courier* which described the negativity of the opposition towards the Bracks government's fast rail project as 'lamentable to say the least'. This related particularly to comments made by the member for Polwarth regarding the present shut-down of the Ballarat–Melbourne rail service to allow for a signalling upgrade. Despite the criticism by the member for Polwarth he has not been able to help himself.

Since that editorial appeared, he has again criticised the government for not providing millions of dollars extra to create grade separation at all existing level crossings. I note that he even had the details of his release significantly wrong when he said there are 24 level crossings when there are in fact over 74. This comment comes on top of previous criticisms that the

government was spending too much on this project. This latest lamentable media grab has caused the mayor of Ballarat, David Vendy, to come out and say that these knockers of the multimillion dollar fast rail project should 'shut up'. He further said that:

... critics should let communities along the Ballarat rail corridor get on with the job of reaping the rewards of the major project

...

Let's get on with something that we all believe in ...

He went on to say:

There's a lot of knockers around Victoria hell-bent on criticising the project.

Whether it's political or whether it's just the tall poppy syndrome —

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

Flemington racecourse: flood protection wall

Mr MILDENHALL (Footscray) — The Maribyrnong Floodplain Committee, in liaison with the member for Hawthorn, continues to attack the considered technical assessments of Melbourne Water and its managing director, Mr Rob Skinner. Exhaustive examinations and reviews by Melbourne Water of the flood modelling in the Maribyrnong River have confirmed that the Flemington racecourse flood wall will not have an adverse impact on flood levels provided mitigation actions are taken.

Despite the committee having received a comprehensive response to the issues it raised earlier this year, and despite my invitation made also during this year for the committee to raise any unresolved matters, the only response has been a petition received yesterday by the member for Hawthorn. It is Spring Racing Carnival time, and the member for Hawthorn is backing the wrong horses. He supports unsubstantiated and unsustainable attacks on Melbourne Water. In the last sitting week he made attacks on my electorate officer which have already been rejected by the Victorian Electoral Commission, and he has previously attacked Maribyrnong council for wanting to close the worst financial basket-case indoor public swimming pool in the state.

Not every criticism of government has equal value or validity. The member needs to do the homework to sort out the wheat from the chaff. At the moment he is up to his neck in chaff. The Liberal preselections are on, and

for the member for Hawthorn it is not too late to get out of here and do something he is good at.

Country Fire Authority: Hurstbridge and Epping brigades

Ms GREEN (Yan Yean) — Tonight I want to pay tribute to two of my most valued Country Fire Authority (CFA) brigades, the Hurstbridge and Epping brigades. The Sunday before last I was privileged to accompany the Minister for Police and Emergency Services when he opened a wonderful new \$658 000 fire station servicing the Hurstbridge and district community. The new station provides much-improved facilities, including a breathing apparatus room, a meeting room, a kitchen, a workshop and room for the brigade's three operational vehicles and staging area trailer. As well as being a very functional building, it looks good and fits in well with the character of the natural beauty of Hurstbridge — just like its neighbour, the recently rebuilt Hurstbridge Primary School.

I extend particular congratulations to past CFA captain Jim Dusting, who was awarded brigade and CFA life memberships, as well as a national medal, first class, for his outstanding contributions to Hurstbridge CFA over many decades. Other awards presented on the day were national medal, first class, to John Cowlin and national medal awards to Garry Norris, Russell Adams, David Cooper, Peter Hickling, Rodney Foster, Terry Clement and Geoff Nink. I would like to commend past captain Tim Smith and current captain Brendan Keasts for all their work on the new station.

Last weekend I attended the Epping CFA annual awards. This brigade responded to 321 calls in the past 12 months. Adam Shawyer was named firefighter of the year. Lieutenants Heath Kenzia and Andrew Dalla Via received 12-year service awards. Single mum Deb James responded to a massive 214 calls last year. Well done to these fantastic brigades.

Bentleigh Guides

Mr HUDSON (Bentleigh) — Last night I had the pleasure of attending the annual meeting and presentations of the Bentleigh Guides. The Bentleigh Guides have provided a wonderfully varied program of activities for the girls during the year that has developed their confidence, skills and leadership abilities. This program has included a camp at Tynong, a horseriding camp and an international night with an Indian theme. The girls also visited the Ormond fire station as part of their emergency badge requirements. The Bentleigh Guides have worked hard on their badges and undertaken some very interesting activities associated

LAND TAX BILL*Second reading***Order read for resumption of debate.****Business interrupted pursuant to standing orders.****Mr PANDAZOPOULOS** (Minister for Gaming) — I move:

That the sitting be continued.

House divided on motion:*Ayes, 51*

Allan, Ms	Langdon, Mr
Andrews, Mr	Languiller, Mr
Barker, Ms	Leighton, Mr
Batchelor, Mr	Lim, Mr
Beard, Ms	Lindell, Ms
Beattie, Ms	Lobato, Ms
Brumby, Mr	Lockwood, Mr
Cameron, Mr	Loney, Mr
Campbell, Ms	Lupton, Mr
Carli, Mr	McTaggart, Ms
Crutchfield, Mr	Mildenhall, Mr
D'Ambrosio, Ms	Morand, Ms
Donnellan, Mr	Munt, Ms
Duncan, Ms	Nardella, Mr
Eckstein, Ms	Neville, Ms
Garbutt, Ms	Overington, Ms
Green, Ms	Pandazopoulos, Mr
Haermeyer, Mr	Perera, Mr
Hardman, Mr	Pike, Ms
Harkness, Dr	Seitz, Mr
Helper, Mr	Stensholt, Mr
Holding, Mr	Thwaites, Mr
Howard, Mr	Treize, Mr
Hudson, Mr	Wilson, Mr
Jenkins, Mr	Wynne, Mr
Kosky, Ms	

Noes, 25

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

Motion agreed to.**LAND TAX BILL***Second reading***Debate resumed from 8 September; motion of Mr BRUMBY (Treasurer).**

Mr CLARK (Box Hill) — The Land Tax Bill is a bill that purports to rewrite and update the administration of the law relating to land tax, but in fact it is a bill that raises serious concerns that a number of changes to the substantive law on land tax are being made by stealth and in a way that is contrary to the interests of taxpayers. This bill is being brought on in a rushed manner by the government. When the Treasurer gave the second-reading speech for the bill to this house he said:

It is not intended that the bill be debated and passed by the Parliament until the end of the 2005 session.

Even allowing for the gap in sitting weeks that is to occur in the early part of November, bringing on the bill at this stage would hardly seem to be honouring that commitment. It appears to have taken a number of interested parties by surprise. One has to ask why the government is rushing to bring the bill on for debate this week rather than next week. Is it because it has gone a bit shy with its notion of consultation and wants to get this bill through before attention can home in on the changes that are being made to the substantive law of land tax by this bill?

I commend the Law Institute of Victoria for its detailed submission to the government critiquing this bill, which it has published on its web site. The law institute draws attention in that submission to the Treasurer dated 12 October to the fact that the first opportunity it had to comment on the bill was after it was introduced into Parliament. The institute makes the point that it considers that the bill does not only deal with policy-neutral issues. It urges the government to involve it in consultation in relation to similar issues early in the process.

It is strange that the government never seems to learn from its mistakes in this regard. On those rare occasions when it consults, it gets intelligent input from a range of industry bodies, including the law institute, and its legislation is made better by that process. When it determines to proceed ahead without taking wise counsel first it inevitably ends up with difficulties and then seeks to steamroller its legislation through ignoring the feedback it does receive. One has to ask why it is that the government is devoting so much attention to this rewrite of the law of land tax and to pushing this bill through Parliament with limited

opportunity for public input when there are really far higher priorities that ought to be on the government's agenda as far as land tax is concerned.

The Treasurer seems to be fiddling with these peripheral issues while land tax payers are burning with the dramatic increase in land tax rates that has occurred. They have also been badly burnt by the fact that the government has still not declared what its position is on its intended changes to land tax on trusts, despite the time that has now elapsed since it first foreshadowed these measures in the May budget and then released its proposals, which were approved by cabinet, in late June, only to have to back-pedal subsequently.

There are many critical issues that ought to be addressed in relation to land tax, and not the least of those is the massive increase in the burden that has been imposed on Victorian taxpayers as a result of deliberate Bracks government policy. That policy has been to make no changes to the land tax scale for as long as possible and then to make only minimal changes to the scale at a time when property values have been rising rapidly. The consequence of that strategy by the government has been to reap ever-increasing amounts of land tax into government coffers to help pay for its uncontrolled and unbudgeted spending blow-outs. One need only look at the record of land tax receipts to see that point demonstrated.

In the last year of the Kennett government, the 1998–1999 financial year, land tax revenue was \$378 million. It was lower when the Kennett government left office than when it came to office. Land tax revenue in 1999–2000 was \$411 million, in 2004–05 it was expected at the time of the May budget to come in at \$855 million, and from 2005–06 it was expected to come in at \$824 million — more than a doubling of land tax revenue over that period. That increase in revenue is not a painless gain to the government. It comes at the expense of enormous pain for small to medium-sized businesses in particular, many of which have been forced to close their doors, and for many self-funded retirees and other investors who have had to put their properties on the market in order to obtain some relief from the huge and uneconomic burdens of land tax being imposed on them.

For two years in a row we have had the government come into this chamber and try to con this house and the Victorian public into accepting that the government has actually done something to reduce land tax. On the first occasion the government trumpeted \$1 billion dollars of alleged land tax cuts and on the second occasion it trumpeted some \$800 million or more of land tax cuts. These so-called cuts have proved to be illusory, a bit like some of the dishonest and

underhanded claims of 10 or 20 per cent off which used to be engaged in by the private sector in its advertising and which were stomped on by the Trade Practices Commission.

The government has continued to trumpet these deceptive claims of various percentages off the land tax bill. What it has not admitted to is the fact that these claimed reductions are on the basis of unchanged property values, whereas we all know that property values have been rising rapidly and that, with changes to the land tax scale that have by no means made up for those increases in property values, land tax bills have continued to rise and will continue to rise again next year for most taxpayers.

I just want to briefly mention some examples based on the government's numbers. If you take a property that is going to be valued for land tax in 2006 at \$1 million and you allow for a change in property values averaging 20 per cent per annum over the last two years, then a property that followed that price path would have been valued for land tax purposes at \$694 000 in 2004 and the owner would have paid \$1749 in land tax. This year, even after the government's trumpeted rebate, at a value of \$833 000 the owner would have paid \$2655 in land tax; and next year at a value of \$1 million they will pay \$3680 in land tax — an increase of 110.4 per cent over that two-year period. There have been large increases also for higher valued properties. The owner of a property worth \$2 million for land tax in 2006 that has increased in value by an average 20 per cent per annum over the past two years will be paying land tax in 2006 of \$20 580 — a 27.6 per cent increase on what was paid in 2004.

I can confidently predict that when taxpayers start getting their land tax assessments early in 2006 they will be absolutely outraged at having been deceived by the government two years in a row into expecting that their land tax bills were going to fall. The reality for the vast majority of taxpayers is going to be completely to the contrary. They are going to find that they are paying far more in land tax in 2006 than they are paying in 2005 and than they paid in 2004.

As if this were not enough, and as if the government were not extracting enough extra revenue by its strategy of not adequately adjusting the land tax scales to reflect changing property values, on top of that we have had the government's announcement of its new land tax rules for trusts. In the budget it did not have the nerve to spell out exactly what was going to happen at a time when it comes under full and intense public scrutiny. It simply said it was going to introduce a more equitable

measure of land tax, if I recall the turn of phrase correctly, which was going to raise an additional \$20 million.

It then quietly published on the State Revenue Office web site further details of the arrangements, including the proposed new scale. The extent of its grab for extra revenue from trusts then became obvious. It is proposing a fivefold increase in the land tax scale for many taxpayers from 0.2 per cent up to 1 per cent land tax rate. That flat 1 per cent land tax rate is going to apply to all properties valued between \$20 000 and \$1.19 million. That is going to mean increases of up to \$6320 for land tax held through trusts compared with ordinary land tax; and of course compared with the normal land tax that commences at the \$200 000 property valuation, this new scale is going to kick in at a mere \$20 000 land value. If somebody owns an apartment or other property with a land value of \$150 000, for example, they are going to be hit with \$1500 in land tax under this government's proposal, compared with zero at present, if they happen to hold that property through a trust.

Under the government's proposals, which were publicly released in June, this is going to hit pensioners and other retirees with massive bills. I highlighted the case of Bill and Margaret Snelling, who are likely to face a land tax bill of \$7610 a year on their fibrocement family cottage in Hall Street, Lorne, an increase from \$843.40 this year. This is what the government was proposing to do with these measures that it had quietly snuck up onto the State Revenue Office web site. The document was initially described simply as tax arrangements that had been approved by cabinet and were being released for public comment. There were references to cabinet having approved the following special rates for trusts and to this proposal being legislated in the spring sitting, to come into operation from 1 January 2006.

When the government was sprung on what it was plotting and it received some unfavourable media attention it made a few subtle changes to the paper that was posted on the State Revenue Office web site, adding references to it being a discussion paper and proposals for new measures and adding an additional paragraph at the end inviting people to make submissions which closed on 8 July 2005. I am reliably told by people who kept a close eye on the SRO web site that that amended document inviting submissions by 8 July was not in fact posted on the web site until after 8 July.

We also had the unedifying spectacle of the Premier ducking and weaving on the Mitchell program trying to

explain exactly what was going on and trying to back-pedal furiously on the measures that his own cabinet had approved. Then there was a deadly silence for weeks, and we now have the bizarre situation of the government bringing into Parliament a bill which purports to be just a technical rewrite of the law relating to land tax and the Treasurer giving priority to it rather than coming out with what the government is going to do about land tax on trusts.

This shows the government's total lack of real world understanding of the significance of this measure for thousands of taxpayers across the state, because many of them are going to be in a position where they will no longer be able to afford to keep their properties if they are going to have to pay land tax at a rate five times higher than at present. Many of them are going to be faced with the unenviable alternatives of having to wind up their trusts, distribute or sell their property or pay an absolutely crushing burden of land tax. But how are they going to be able to respond to what the government is going to do? How are they going to be able to arrange their affairs so they can afford to pay this tax or continue to have a reasonable amount of income in retirement when the clock is ticking away rapidly?

There are now barely two and a half months before this new tax kicks in. If taxpayers want to rearrange their affairs they are going to have to go through very extensive and complicated processes and call on legal, accounting and other advice. The government seems to have no understanding whatsoever of these real-world practicalities. It is blithely taking its time meandering around the really important, time-critical issues, whereas the issues that are less time critical, such as redrafting the land tax legislation and changing the administrative structures, are what it gives priority to and is now seeking to rush through this house. For that reason I move:

That all the 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 makes clear its intentions in relation to the proposed new land tax regime for trusts announced as part of the 2005–06 budget'.

That is the priority issue that this house should be addressing at the moment. It is a disgrace that the government is pressing on with this bill and has not got the decency to tell the taxpayers of this state or to tell this house what its intentions are in relation to land tax on trusts.

There is a further good reason why this bill should not be dealt with by this house until the government's intention in relation to land tax on trusts is made clear.

Certainly this side of the house would hope that the government would abandon altogether the proposals contained in the paper that it released in June on the State Revenue Office web site and that if it has genuine issues in relation to trusts which it believes need to be addressed that it go back to the drawing board and put any proposed measures together carefully and not try to rush them into operation for 1 January next year.

If the government is intent on introducing changes in relation to land tax on trusts from 1 January this year, it is going to have to introduce those measures into the house. We will have the absurd situation in which this house and the other place will have passed the Land Tax Bill and the government will then be moving a series of what I expect will be complicated and convoluted amendments to a bill that is only a few weeks old and has not yet fully come into operation. That is the very good, practical and procedural reason not to proceed with this bill, as well as the fact that the government should be getting its priorities right and telling the taxpayers of Victoria exactly what its intentions are in relation to land tax on trusts.

The government has made a complete hash of its handling of land tax in terms of fairness to taxpayers. In its drive for extra revenue it has inflicted enormous burdens that have crippled the many taxpayers around the state whose cases have been featured in the media over the years since the Bracks government came to office. In contrast to what the Bracks government has been doing with land tax, the Liberal Party believes the correct approach to end the land tax crisis and to introduce a fairer and more affordable land tax system is clear.

What needs to be done is to genuinely unwind the massive increases in land tax that have been caused by the bungled measures to date; to commit to return to the past practice of frequent adjustments to the land tax scale in order to prevent properties being rapidly pushed into ever higher land tax brackets; to scrap the use of indexation factors and base tax bills on individual property evaluations; to ensure that land evaluations are based on genuine assessments of the market value of sites and not on highly artificial assumptions about possible alternative uses; and last, but certainly not least, to allow taxpayers to object to their land valuations at the time they get their land tax bills, rather than the highly artificial requirement to object at the time they get their council rate notices. These measures are clear and straightforward. The Liberal Party believes they can and should be implemented. They would restore fairness and stability and bring an end to the crisis that has been caused by the Bracks government's actions.

As I said at the outset, while this bill purports simply to redraft the existing law and to make changes to its administration, when one looks at it closely one can see there are in fact a number of changes that are apparently being made to the substantive law by this bill, and which appear to operate in a way that is adverse to the interests of taxpayers. I want in particular to commend the Law Institute of Victoria for its diligent work in flagging a number of these issues, and I also want to thank Clubs Victoria Inc., which has provided a detailed submission to the opposition, raising a number of other concerns about the legislation.

I turn first to the concerns raised by the law institute. As I alluded to earlier, the law institute questions whether this bill is genuinely policy neutral. At the top of its list of concerns is clause 18 of the bill, which it says:

... causes a major shift from the current legislation. It would result in each person having an equitable interest in land being liable for the land tax payable with respect to the land. The clause does not reflect the current position and, in addition, it would operate to expand dramatically the range of persons liable for the tax. This is because a myriad of persons might be considered to have an equitable interest in land, including:

- (a) mortgagees (whether or not in possession — cf. clause 17 of the bill),
- (b) land vendors (whether or not more than 15 per cent of the purchase money has been paid — cf. clause 16 of the bill),
- (c) land purchasers (whether or not they have taken possession — cf. clause 15 of the bill),
- (d) lessees (whether or not the land leased is Crown land — cf. clause 10(b) of the bill),
- (e) all beneficiaries of a trust (cf. the recent High Court decision on this issue in *CPT Custodian Pty Ltd v. Commissioner of State Revenue* —

et cetera. It is a pretty serious concern that has been raised by the Law Institute of Victoria. As far as I am aware, it has not been responded to adequately by the government. That is not the only concern the law institute raises. Later on in its submission the point is made that this bill does not achieve a common application of the Taxation Administration Act to land tax in parallel with other acts. It refers to the fact that:

... clause 111(2) of the bill provides for the insertion of additional subsections of section 97 of TAA, namely:

- “(3) A taxpayer cannot object to an assessment of land tax on any ground relating to the value of the land if the assessment is based on an valuation made by rating authority under the Valuation of Land Act 1960.

Later on the law institute said:

The bill therefore excludes part III of the Valuation of Land Act 1960 from the TAA and therefore operates outside the TAA. This contradicts the intent of the bill as stated in your second-reading speech.

This, of course, is a provision inserted by the government that is intended to prevent the otherwise logical consequence of its move to administration under the Taxation Administration Act, which is that people would be able to object on grounds relating to the value of land even if the assessment were based on a valuation made by a rating authority under the Valuation of Land Act 1960. In other words, the government deliberately wants to preserve the inequitable status quo that I referred to earlier. It is the inequitable catch-22 situation where you cannot object to your land valuation at the time you get your tax bill. You need to have objected when you received your council rates notice. The government wants to preserve this current illogical and inequitable position even though the logic of the move to the Taxation Administration Act would require that there be more a general right to objection.

The law institute also raises concerns about the amendments to the primary production land exemption. This was an exemption that the Treasurer highlighted in his second-reading speech when he claimed that this was a proposal that was beneficial to the taxpayer. He described it as:

... a proposal that the primary production land exemption will be extended to land owned by a corporate trustee in certain circumstances ...

The relevant provision is in clause 67 of the bill. It purports to parallel what is currently in section 9(1)(ha) of the Land Tax Act 1958. It relates to land that is wholly or partly in greater Melbourne, is wholly or partly in an urban zone and is used solely or primarily for the business of primary production. What the clause purports to do is to insert a new provision which will be contained in proposed section 67(2)(c) to allow the owner of land which attracts the exemption to be a trustee of a trust that meets certain criteria.

On the face of it, that may be seen as being an extension of the current provision, but what the law institute argues is that in fact it is a backdoor way of overturning a recent court decision which was unfavourable to the State Revenue Office and therefore restricts the law as it currently stands. The relevant decision is cited by the law institute as *Di Dio Nominees Pty Ltd v. Commissioner of State Revenue*, which was a Victorian Civil and Administrative Tribunal decision of 25 August 2005.

The upshot is that at present, according to the law institute, any corporate trustee can hold this land and the land can still qualify for exemption if it meets the other criteria, but under the bill the qualifications needed for a corporate trustee to be able to attract this exemption are much more tightly specified. Accordingly, it is a restriction of the current law. This very serious matter has been raised by the law institute.

The law institute points out that the bill alters the definition of the way special land tax provisions operate — that is, special land tax of 5 per cent that applies in certain circumstances. The institute believes some principal places of residence may now be caught because of the way the bill has been drafted. The law institute points out that under the bill a number of provisions that currently grant exemptions:

... are now made subject to a favourable determination of the duty authorities, rather than being entitlements ...

In other words, you have to go cap in hand to the commissioner and get the commissioner's agreement rather than being able to have these entitlements as a matter of law. It also says at item 6 of its submission:

There are many aspects of the bill that depend upon the commissioner's 'decisions' as to categorisation. These discretions should be open to objection and appear as assessments consequent upon them —

in other words, with more discretionary power to the bureaucracy. Clubs Victoria has raised concerns about the drafting of the extension of the criteria for exemption for sporting and recreational activities. It points out that various recreational activities can be exempt if they are held outdoors but only a narrow subset of recreational activities being sporting activities can be exempt if they take place indoors. Clubs Victoria argues, I think with some merit, that that does not seem a very logical distinction. It also questions whether the insertion of the words 'primarily' or 'substantially' in proposed section 72 narrows the scope of the existing provision.

Last but not least there is a provision currently in section 9(2B) of the Land Tax Act 1958 relating to market stalls on council and other land not being deemed to be for business purposes. I question whether or not that should be included in the bill.

Overall the opposition believes this bill should not proceed unless and until the government declares its intentions in relation to land tax on trusts, and furthermore that the government should not force this bill through the house without having properly addressed the very legitimate and well-reasoned concerns raised by the Law Institute of Victoria. These

are not simply concerns being put forward by the opposition. They are being put forward by a well regarded and expert body, and they substantially question whether the government is being candid with the public and this house in saying that this bill is policy neutral. Certainly until those concerns of the Law Institute of Victoria have been resolved, this bill should not proceed.

Mr RYAN (Leader of The Nationals) — The Nationals are opposed to this legislation. We are opposed to it as a matter of first principles. The first principles arise from the opening statement in the second-reading speech of the Treasurer. In the first of those paragraphs he said:

The bill is not intended to alter any of the fundamental concepts as to how land tax is assessed, calculated or collected. The bill does not alter land tax rates or exemptions.

The practical fact is that the bill does all these things. It is not at all as the Treasurer would have us believe and the commentary by the Treasurer in that regard is wrong. The same paragraph goes on:

The bill does not remove any existing taxpayer rights ...

Again the simple fact is that the Treasurer is wrong. These matters appear in the second-reading speech as bald statements of fact when the contrary is the case if the terms of the legislation are subjected to close scrutiny.

The other issue about this whole discussion on land tax is that the topic is used by the government depending on the day of the week as either a carrot or a stick. When it suits the government it uses land tax as a carrot. It does so, for example, in the circumstances that prevailed in the budget of May 2004 when the Treasurer came into the chamber and announced supposedly \$1 billion worth of tax cuts. I am sure all members will recall that that happened only a year — almost to the day — after the infamous announcement by the Premier when he broke his promise in relation to tolls. That action on his part was said to be justified by the need to put \$1 billion into the transport network. And yet a year and a week later the Treasurer was in this chamber delivering a budget in which \$1 billion worth of tax cuts were announced on the back of land tax.

It just goes to show that, if it suits, the government is quite prepared to use this issue of land tax, depending on where it wants to be placed on any given day of the week, to curry favour with the constituency on the basis of an announcement of that order. Of course the announcement is a fiction anyway, because there are no

land tax cuts. The best that one can say is that the government has undertaken a course of forgoing \$1 billion in income that it would otherwise have received from land tax had it not taken certain steps to prevent that occurring. Certainly, though, in real financial terms it cannot be regarded as a tax cut.

On the other hand the government is very happy to use land tax as a stick. It belts the constituency of Victoria at will with a tax that has taken on a form entirely different from that for which it was originally designed. As I have said in other forums, land tax was originally designed to take from the rich and give to the poor. The Bracks government has made an art form of applying land tax so that it is about taking from almost everybody and giving to the government. It has taken on a different hue throughout the period of this government, and that situation continues to this day, for all the rhetoric about the so-called land tax cuts.

The forward estimates reveal the massive amounts of money the government is going to continue to draw from this particular source. That situation will of course continue to be exacerbated by bracket creep. There is also the outstanding issue of what the government intends to do about the taxing of trusts. As is its wont, it floated this kite back in July. It managed to scare the markets and the populace generally by putting a bit of a feeler out into the community to see the reaction to it. I suppose that reaction is probably best exemplified by an article in the *Weekend Australian Financial Review* of 16–17 July headed ‘Land tax plan draws heavy fire’:

The Law Institute of Victoria, which expected to help frame the Victorian government’s tax changes targeting property held in trusts, on Friday savaged the new proposals, saying they would hurt small businesses, health professionals and lawyers.

Last year, the institute joined the property council and the Taxation Institute of Australia in submitting a proposal intended to guide the government’s changes to land tax.

Lovely words they are — ‘to guide the government’s changes to land tax’. The article then goes on to say:

But in a second submission to the government on Friday, the institute said the joint effort had apparently been ‘ignored’ and that it now had ‘serious concerns’ about plans to catch owners who avoided paying full land tax by placing property holdings in a number of trusts.

That issue remains unresolved. People are worried about it, and business is worried about it. There is no worse circumstance for individuals or businesses to be expected to operate in than a state of uncertainty, yet the government has done nothing to clarify this critically important issue. Although we have before us a bill devoted to issues pertaining to land tax, there is a

terrible gap in the whole debate and conversation about this issue while this matter hangs in a vacuum somewhere pending what the government decides to do about it. It is doing no-one any good. It is certainly not doing the community or business any good. I might also say that it is not doing the government any good, although that troubles me less than the former issue. These are matters that the government needs to take hold of and deal with on their merits. It is unfair to people for the government to float these sorts of concepts and allow them to do the damage they do and then leave this uncertain situation prevailing for three months.

Insofar as this bill is concerned there are aspects of it, apart from the chicanery which has been entered into by the Treasurer, which draw The Nationals to the conclusion that it should be opposed. Those matters are reflected in the correspondence to which the shadow Treasurer has referred, that being a letter of 12 October from the Law Institute of Victoria. I also wish to have regard to the content of some aspects of that correspondence, because it is well written, incisive in the comments it makes and illustrates in a very appropriate fashion the way the Treasurer has indulged in a process of saying one thing when in fact the legislation to which his second-reading speech relates does things of another kind altogether.

The first matter considered by the institute was the content of clause 18. It ropes in a range of persons potentially liable to pay land tax on a particular parcel of land simply because they have an equitable interest in it — for example, as mortgagees even though they are not mortgagees in possession — or indeed because they are in any one of the other situations set out in the legislation and more particularly in the commentary by the institute.

The institute in its correspondence said that it objects to the content of the clause. It set out its objections in a paragraph headed ‘Policy neutrality’, where it was at pains to say that there is nothing at all neutral about this legislation. On the contrary, it said that substantive changes are being made which are being cloaked in a supposed element of secrecy. In fact what the Treasurer is presenting is just simply not the case; it does not stand up to scrutiny. The institute, having welcomed the opportunity to have the chance to review the bill, said to the Treasurer:

You indicated in your letter that the intent is that the bill rewrites the act on a policy-neutral basis and that there be essentially no change in the impact on taxpayers.

I emphasise ‘policy-neutral basis and that there be ... no change’. The institute’s letter then says:

This purpose has not been achieved with clause 18.

Indeed, it could well say that ‘these purposes have not been achieved’ with that particular clause. The letter says that in fact:

Clause 18 causes a major shift from the current legislation. It would result in each person having an equitable interest in land being liable for the land tax payable with respect to the land. The clause does not reflect the current position and, in addition, it would operate to expand dramatically the range of persons liable for the tax. This is because a myriad of persons might be considered to have an equitable interest in land, including —

and it sets out different categories: mortgagees, land vendors, land purchasers, lessees, and all beneficiaries of a trust. Insofar as that latter category is concerned, the letter refers to a recent High Court decision which will effectively be overturned by the provisions of clause 18. That clause is unashamedly headed ‘Equitable owners’ and recites:

- (1) A person who has an equitable interest in land (the “equitable owner”) is deemed to be the owner of the land (but not to the exclusion of any other person).

On the basis, therefore, that it is intended to mean one in, all in, subclause (2) says:

There is to be deducted from any land tax payable on land by the equitable owner any land tax paid on the land by the legal owner.

Some might say that that at least is a fair thing. Even this Treasurer does not have the hide to double dip, at least if there is the prospect that he will be caught. Subclause (2) provides that a payment by one is mutually exclusive of a payment by the other. That is a substantive change.

This is not a question of policy neutrality. This is not an issue where no fundamental changes are being made to this legislation and the way it is given effect to. On the contrary, there patently is an instance where the operation of clause 18 will effect major change from the way in which the land tax legislation now makes provision.

The second area of opposition by the Law Institute of Victoria (LIV) is under a paragraph headed ‘Improving the clarity and understanding for taxpayers by ensuring that the language is modernised and written in plain English’. In this instance the institute goes through an analysis of the legislation in the context of attempting to have this bill written in plain English, and it concludes:

Under the bill, however, division 2 of part 2 maintains all the complexities of the present legislation: indeed arguably adds greater complexities. For example, where a trustee of a unit

trust is registered as proprietor, both the trustee and every unit holder are deemed to be the owner of the land.

Again, albeit not to the same degree, this is an instance where the government has simply failed to achieve the purposes which the Treasurer set out in the course of the second-reading speech.

The third element that has drawn comment is under a paragraph headed 'Bringing the Land Tax Act 1958 (the act) within the coverage of the Taxation Administration Act 1997 (TAA)'. Without reciting it in totality, the paragraph concludes:

The bill therefore excludes part III of the Valuation of Land Act 1960 from the TAA and therefore operates outside the TAA.

It goes on to say:

This contradicts the intent of the bill as stated in your —

meaning the Treasurer's —

second-reading speech.

That is a third instance where the government has departed from the stated aim and the commentary within the second-reading speech.

The fourth area of contention is with regard to primary production land exemptions. This is particularly an area of significant concern from the perspective of The Nationals. There are two elements to it. Under a fourth numbered paragraph, headed 'Primary production land exemption', the LIV letter states in part:

The proposed change to the bill will restrict the operation of the exemption to corporate trustees where each beneficiary is a natural person who is entitled on the trust deed to an annual distribution of income. This is a much more limited class of persons than would have been able to benefit under the trust deed in the court decision.

In that context the institute is referring to the decision of *Di Dio Nominees Pty Ltd v. Commissioner of State Revenue*, a Victorian Civil and Administrative Tribunal decision of 25 August 2005. In that case the trust was a normal discretionary trust with wide classes of beneficiaries. The institute said that it:

considers that it is an unrealistic response as well as a change of policy. This is particularly the case if the aim of the policy is to seek to benefit genuine farmers operating under a trust. The experience of our members is that the vast majority of farmers —

and I emphasise those words because I believe them to be so —

that operate under corporate trust do so using normal discretionary trusts, not such limited trusts as are proposed in

the exemption. Therefore, the exemption should apply to all —

I emphasise 'all' —

discretionary trusts not just those where each beneficiary is a natural person who is entitled under the trust deed to an annual distribution of the trust income.

It said:

The current exemption relates to land which is 'used solely or primarily' for the business of primary production. The change would limit land to situations where the sole business of the trust is primary production of the type carried out in the land.

That is a substantial change from what has gone before. The second element of this area which is concerning the institute is also set out in its letter where it says:

Associated with this concern is a further concern relating to the rewording of the special land tax provisions. Currently, special land tax might be imposed in relation to lands exempt 'by reason' of the operation of certain provisions (relating to, amongst other things, primary production land in an urban zone). Hence, currently, those provisions might not apply to primary production land that is also a principal place of residence. This is not the case under the bill. It applies to land of a certain type if, simply, that land ceases to be exempt (irrespective, presumably, of the basis for that exemption).

On this point the institute concluded:

In addition the —

institute —

notes as a change inconsistent with the announced intention not to effect policy changes the alteration of exemption provisions. Several —

I emphasise that word —

are now made subject to a favourable determination of the duty authorities, rather than being entitlements ...

That commentary is intended to reflect a term that is used repeatedly throughout this bill. If you look at clause 66, you will see that it says:

Land is exempt land if the Commissioner determines ...

Clauses 67, 71 and 72 use the same words — 'if the commissioner determines'. You can read those words on page after page. The basic proposition advanced by the institute is that whereas under the existing law these exemptions would have applied, as of right, that is now being shifted into the notion that the commissioner has to wake up of a morning feeling that this sounds like a good idea at the time, otherwise the discretion is not going to be exercised in favour of the long-suffering taxpayer — and again the Treasurer will slam the bag on this group of people, with even more money being taken from them.

I say again that as a matter of first principles the government should not be allowed to conduct itself in this way. This is absolute chicanery at its worst. The Treasurer has presented a case that this bill is an apparently innocuous piece of legislation that can simply sail through here and that everybody ought turn the other way and feel safe because no harm is being done, no rights are being affected and no losses are going to be suffered. When the bill is subjected to the scrutiny to which the institute has referred — and Clubs Victoria has also made a contribution to this — we see that the reality is to the contrary.

I will be interested to hear the member for Burwood, who is warming up in the traces, speak on this point. I do not mind his going through what some might say is the boring rhetoric of belting up the opposition parties for opposing the bill and all that sort of stuff — let us just take all that as read — but I am interested in whether we are going to have from him a proper intellectual assessment of this legislation matched against the commentary in the law institute's letter. I will be very interested to hear what the member for Burwood has to say by way of rebuttal of the points that have been raised by the law institute. No doubt the member for Burwood has the letter, because it was directed to the Treasurer, and the Treasurer and the member for Burwood are joined at the hip. I have no doubt that it is in his briefing papers and that we should therefore make sure that the government does deal with this law institute letter. The letter raises many vital issues, and they are the basis of our objection to this bill.

Mr STENSHOLT (Burwood) — I am delighted to support the Land Tax Bill, which is another step in the process of modernising our taxation legislation in Victoria. The government's aim is to make such important legislation accessible and understandable, even if The Nationals cannot understand it. The bill updates the Land Tax Act 1958, which was introduced nearly 50 years ago. I might add that there have been more than 110 amendments made to it since then. They are in the table of amendments to the act, which is item 2 of the notes at the end of the bill. I might add that 27 of those amendments were made during the time in office of the Kennett government, which seemed to change the act every second year or almost every year. Of course we have made some changes too, and that is what you do when you are in government — you make significant changes. We have made significant changes as well.

Mr Clark interjected.

Mr STENSHOLT — I hear the bleating of the member for Box Hill, the shadow Treasurer, about all this. In his reasoned amendment he is trying to introduce something that is completely foreign to this act. This is the man who as a parliamentary secretary assisted in doubling land tax for people in the middle areas, people in small and medium businesses. His government doubled land tax from 1.5 per cent to 3 per cent and increased it from 3 per cent to 5 per cent for people with higher land values. Opposition members are hypocrites, and they have no credibility on this issue.

I notice that the member for Brighton is here. As a former Minister for Small Business she sat around the cabinet table when the Kennett government made another change. What did the previous government do? It lowered the threshold to \$85 000. That virtually took in every person who owned land because there are very few properties worth below \$85 000.

We have done many things in this regard in terms of land tax. As the member for Box Hill has even admitted himself, we have made large cuts to land tax. We have made nearly \$2 billion worth of cuts. Victoria now is the lowest taxing state. In 1999–2000 we had 22 taxes. What do we have now? We have 16 taxes today. What did the coalition do to abolish taxes? It abolished one tax — a grand total of \$1 million for mortgage stamp duty on loan refinancing.

What have we done? Payroll tax has been cut by 9 per cent, which makes it the second lowest in Australia; land tax — \$823 million out of the last budget, \$1 billion out of the previous one; duty on non-residential leases has been abolished; duties on quoted marketable securities have been abolished; duties on unquoted marketable securities have been abolished; duties on mortgages have been abolished; bank account debits tax has been abolished; business rental duty will be abolished at the beginning of 2007; the rate for stamp duty on property is unchanged; payroll tax on maternity leave has been exempted; and of course the largest tax relief in history has been on land tax. In addition, included in the new bill members will see exemptions for aged care facilities, rooming houses and caravan parks. Our record is a good record.

I notice the member for Box Hill said that there is going to be weeping and gnashing of teeth when people get their land tax bills next year. He represents part of the city of Boroondara, as indeed I do. I note that for a Boroondara business of \$1.9 million, the rate under Kennett would have been \$32 000-odd. What is the rate under the Bracks Labor government going to be? It is going to be \$19 000.

I had a landowner come into my office the other day. He does not actually live in the city of Boroondara, but he has all his properties in the city of Boroondara. Coincidentally the value of all those properties is \$1.9 million. He said, 'Bob, what is going to be my land tax next year? I am really concerned'. I said, 'Okay, sit down and bring out all the papers. Let's look at your rates notices'. We went through the rate notices. They show that this year, instead of paying \$32 000 he will get a 50 per cent rebate. The value of his properties will drop by about \$50 000 next year and he will be paying even less land tax than he paid last year. If he had been paying under the Stockdale-Clark rates, he would have been paying \$32 000. Next year he will be paying \$19 000 — a saving of nearly \$13 000.

What will this bill do? It will clarify and improve the legislation and take out obsolete provisions. Some of them go back to 1910 and some go back even before then. One section in the current act, of which I am sure the member for Box Hill has a copy, is 111 words long. There is even a 1910 provision which has probably never been used. There is a reference which has not been used for the last 30 years. As I said, this will update the act and it is very appropriate that it does so.

Both the member for Box Hill and the Leader of The Nationals referred to a range of responses received during the consultation period. We said to the industry, 'Rather than being out there for the normal two weeks, we will give you at least a month'. In fact we have given them nearly six weeks. We have put up all sorts of things on the web site in regard to providing that consultation.

The member for Box Hill mentioned the Law Institute of Victoria. It is the view of the State Revenue Office that clause 18 re-enacts section 51 of the current act. I refer the member for Box Hill and the Leader of The Nationals to section 51 of the Land Tax Act 1958. In terms of some of the specifics, the mortgagees have a legal interest and are dealt with in clause 17. The vendor is already the legal owner, so clause 18 has no application. Purchasers are covered by clauses 14 and 15, and leases are treated as in the current act. Beneficiaries under discretionary trusts do not have an equitable interest, and given the High Court decision referred to, neither could this be said of unit holders in a unit trust.

The Leader of The Nationals talked about improving clarity. I say to him that we believe the significant change to the concept surrounding ownership might actually lead to unintended risks. It is not our role or our intention with this particular bill to make policy changes. The suggestions he put forward would

possibly create unintended risks. That is not our intention, and I am sure it is not the intention of the Leader of The Nationals.

The member for Box Hill talked about bringing the Land Tax Act within the coverage of the Taxation Administration Act. A taxpayer cannot object to a land tax assessment under the TAA on the ground that a valuation made by a council is incorrect. This is because an objection to a valuation must be made under the Valuation of Land Act 1960. This ensures that the taxpayer does not have further valuation objection rights other than those that already exist. We are not changing policy here, we are just preserving the current arrangements.

The situation is similar in respect of the primary production land exemption, which has been restricted to natural person beneficiaries in line with recent Victorian Civil and Administrative Tribunal decisions and to ensure that the exemption is not cast widely.

The Leader of The Nationals suggested that there might be some impacts in the bill on special land tax. Let me assure him that there is no change in policy or intent in that regard. Both members referred to the Clubs Victoria submission. They were looking for a further concession than is provided for in the current act. As we said before, it is not the intention to change policy with this bill. The idea is to simplify things and provide clarity and understanding for taxpayers and to overcome structural weaknesses. Is there any structural weakness?

If we look at section 9 of the current act, for example, we see that section 1AA is followed by 1AB, followed by 1AD, followed by 1A. When you turn to another section a little further on you find section 2A, followed by section 2AAA, followed by 2AA. No wonder the government believes the act needs restructuring and clarification. This is exactly what this particular bill is doing. It is sensible, good legislation, and I am really surprised that The Nationals are opposing it.

I have already given some examples of the comments made by the Law Institute of Victoria and our responses. These are very small things overall, and of course we have statements by other stakeholders saying that they are perfectly happy with the changes in this bill. I commend this bill to the house as being, once again, good, sensible legislation that is updated and modernised from 1910.

Ms ASHER (Brighton) — The government would have us believe that this is a simple rewrite of the Land Tax Act, that it is a simple removal of obsolete

provisions, that it has some structural change and there would be a change to the structure of the act and that it would introduce the application of the Taxation Administration Act. The government's rationale is that this bill rewrites the act in plain English and is a modernisation. The government also makes the somewhat absurd claim that it may well lead to a reduction in compliance costs, which is something this side of politics doubts very much.

The government also says the bill is a response to the Harvey report, where there was a suggestion that simpler legislation could be brought before the house. I am amazed that the government would ever want to refer to the Harvey report again, given the fact that it recommended a flat rate of land tax with no threshold at all, which would hit every investor, including the very, very smallest of investors. The government had that idea in the political marketplace for some time before political pressure forced it to remove that suggestion from the table. The government also claims that there is minimal policy change in this bill, and again the letter from the Law Institute of Victoria, which has been referred to extensively by the member for Box Hill and the Leader of The Nationals, gives the lie to that claim.

I want to make reference to and support the opposition's reasoned amendment which requires the government to simply divulge to the house and the community what its land tax changes in relation to trusts as announced in this year's budget actually are. The government announced without much fanfare in this year's budget that there would be a differential land tax rate on trusts, yielding it an extra \$20 million per annum, and the details of that plan were revealed on the State Revenue Office web site some time ago. The government is yet to make an announcement about that.

I am glad the Treasurer is in the house. He should have taken some of the phone calls that I have received in my electorate from many of these distressed people. These are not people with huge wealth but people who have legally organised their affairs — their land ownership in a trust — and who now have no idea what levels of tax they will be required to pay next year if the government continues to adhere to its original timetable.

I strongly support the member for Box Hill. I would prefer the government to abandon the announcement it made in the budget on the taxation of trusts, but if it is going to pursue it, it should at least have the decency to indicate to people what that tax regime will be. Of interest is that this additional tax was to fund in part the small land tax cuts that the government announced also in the budget.

In the second-reading speech the Treasurer made the point that this bill will not be debated or passed until the end of the 2005 session, which would in fact give the Treasurer another month to consider some of the amendments put forward by the law institute. The government also quite falsely claimed in the second-reading speech that it would welcome comments on the draft bill from interested parties. I do not know what sort of welcome it gave to the extensive comments made by the Law Institute of Victoria. They are not opposition comments; they are comments from the law institute. The government has simply decided, according to the Leader of the House, that it will have this bill go through the Parliament tonight, no matter what, and it will not give consideration to the law institute's very valid suggestions.

However, for me the main issue is that this bill does nothing to reduce the land tax burden. It is a crippling tax. The budget offered minor cuts. We have been deluged by examples of land tax increases in our offices and similarly we will be deluged again when land tax assessments come round. I note that the government's projection for its land tax revenue for 2005–06 is \$824 million; when we left office it was \$411 million. What the government should be doing is adjusting its land tax scales in line with property values, and it should cease to rely on land tax to fund its excessive expenditure.

I note also the Treasurer's standard letter on this issue — which he has no doubt sent out to a range of MPs — claiming that his so-called initiatives provide 'permanent relief from higher land tax bills'. He should just wait until these people get their bills next year. Small investors and self-funded retirees will be at the government again. They will be complaining about the voracious level of taxation, particularly in regard to land tax. The government may well have needed a legislative clean-up, but of greater significance is the need for land and tax cuts that are meaningful.

In deference to what I understand is an agreement between the parties, because we are now debating this vitally important issue at 11.15 p.m. and there are a range of people who wish to speak, I will conclude my comments.

Mr CARLI (Brunswick) — That was an extraordinary speech by the member for Brighton. She was part of a government which increased the top rate from 3 per cent to 5 per cent. She is now talking about land tax cuts when she was part of a government that increased land tax and the burden on Victorian businesses and Victorians.

The Bracks government is about cutting land taxes. We are cutting \$823 billion in land tax over the next five years, which is on top of what we announced in 2004 — that is, a \$1 billion land tax cut. Our government is about lowering the land tax burden. Not only has Victoria been outperforming the other states, but it has seen years of boom, and land prices have gone up. Clearly that explains why the revenues have gone up. But the overall burden of land tax, which is the percentage of land tax on Victorians, has been dropping because this government is committed to making businesses thrive in Victoria.

This bill is essentially a rewrite of the Land Tax Act. As the member for Burwood explained earlier, the existing act is cumbersome. It needed modernising and to be written in plain English. It had structural deficiencies, it lacked clarity and there were redundant provisions that had not been used for many years. This is about modernising that piece of legislation. This is a good bill, and I wish it a swift passage.

Dr NAPTHINE (South-West Coast) — It is always interesting to follow the honourable member for Brunswick, because his lack of logic is astounding. He talks about this government lowering land tax. For the benefit of the member and the house I remind him that in 1999–2000 the Bracks Labor government collected \$411 million in land tax. In the 2005–06 budget the government proposes to collect \$855 million in land tax — that is, an increase of 108 per cent in revenue from land tax. There has been a 108 per cent increase, yet the honourable member said the government is reducing land tax!

I contrast that with the actions of the Kennett government, to which the member referred. If you look at the figures, you see that the Kennett government collected less in land tax in 1999 than it collected in 1992. The Kennett government cut land tax revenue; it cut the land tax take from the taxpayers of Victoria. The Kennett government removed the principal place of residence from being subject to land tax. The Kennett government fundamentally reformed land tax, and collected less land tax from the pockets of Victorians. The Bracks Labor government has put its hand in deeper and deeper, and taken more and more money through land tax from investors and business people in Victoria.

The bottom line is very clear. The track record of the previous Liberal government was one of taxpayers paying less tax. The track record of the Bracks Labor government is that taxpayers are paying more land tax — and I repeat that there has been a 108 per cent increase from 1999–2000 to 2005–06. The track record

is clear; the contrast is astounding. If you want lower taxes and if you want a lower tax take from taxpayers, the Liberal Party's track record shows that it delivers on that issue. If you want a government that is the king of taxation, if you want a government that is continually ripping more and more taxes off the people of Victoria, then you will support the approach of the Labor Party as it is the taxation king of Victoria. This is the highest taxing government in Victoria's history. It is collecting record levels of land tax, stamp duty and payroll tax. It is inventing a whole raft of new taxes to hit the people of Victoria with.

Mr Brumby interjected.

Dr NAPTHINE — When the Treasurer puts his hands deeper and deeper into the pockets of Victorians he is hurting the Victorian economy. We only have to look at unemployment figures. Take, for example, the unemployment figure for Broadmeadows. It is 13.4 per cent — that is, nearly three times the national average. This has happened under the Treasurer, who purports to represent the electorate of Broadmeadows. The rate has gone up 31 per cent in the last 12 months, as people in this state have had to deal with record levels of taxation, of land tax and of stamp duty under the avaricious, greedy Bracks Labor government.

It is not just the people of Broadmeadows who are suffering. Country Victoria is hurting. Businesses, investors and the economy are hurting. Earlier tonight the member for Brighton spoke about the fact that for 17 out of the last 18 months, the Victorian unemployment rate has been higher than the national average. Indeed, at the moment the only state that is worse than Victoria is Tasmania. We are bracketed with Tasmania in terms of unemployment, and that is a disgrace. It should be an embarrassment to the Treasurer and the Bracks Labor government.

Let us look at some figures from towns across regional and rural Victoria that are hurting under the high levels of taxation under this government. I am looking at unemployment figures for June 2005 from the small area labour market survey and comparing them to what has happened in the last 12 months: in Eaglehawk it is 10.7 per cent, having gone up by 15 per cent; in central Bendigo it is 9.2 per cent, having increased by 14 per cent; in Castlemaine it is 11.2 per cent, having gone up by 22 per cent; and in Maryborough it is 13.8 per cent, having gone up by 27 per cent. Those figures are before the extra 100 jobs — —

Ms Campbell — On a point of order, Acting Speaker, I draw your attention to the bill we are

discussing, which is land tax. I ask that you bring the member back to the bill before us.

The ACTING SPEAKER (Mr Nardella) — Order! There is no point of order. The reasoned amendment widens the scope of the debate, and the honourable member is keeping to the debate.

Dr NAPHTHINE — The figure in Ballarat Central as at last June was 9.2 per cent unemployment, up 16 per cent in the last 12 months; Moe, 12.4 per cent, up 15 per cent; Morwell, 12.7 per cent, up 15 per cent; and Corio, 11.5 per cent, up 8 per cent. While unemployment is going down in the rest of Australia, across regional and rural Victoria, under the high-taxing Bracks Labor government, it is going in the wrong direction; it is going up. The government is crippling the economy through high taxes, and this land tax is another example of a high-taxing Bracks Labor government. On top of that, it wants to introduce a new higher level of land tax — a super land tax — on trusts, and that is totally unacceptable.

In conclusion, the high-taxing policies of the Bracks Labor government are not good for the Victorian economy and they are not good for employment in Victoria. It is about time the Bracks Labor government genuinely listened to what is happening in regional and rural Victoria and responded with a better, lower taxing approach to deal with the Victorian economy and Victorian taxpayers.

Ms CAMPBELL (Pascoe Vale) — The Bracks government has cut land tax rates and has put money back into the pockets of Victorians. This government, under the leadership of the Treasurer, will be able to cut \$823 billion in land tax over the next five years. This is in addition to —

Honourable members interjecting.

Ms CAMPBELL — Eight hundred and twenty-three million. This is in addition to the \$1 billion of tax cuts announced in 2004. The member for Brighton says, 'Just you wait'. Let us tell Eliza Doolittle a bit about interstate land tax on \$1 million for 2006.

In Victoria you would pay \$3680; in New South Wales, \$11 490; in Queensland, \$12 375; and in Tasmania, \$16 088. Under the Bracks government and under this Treasurer the land tax on \$1 million is the envy of other states. Also, as part of what we have put in place in the past few years Victorians have benefited from strong growth in the property market, and that has been driven by the government's responsible economic

management. As a result of our government's policy there has been an upward adjustment of the middle thresholds of land tax brackets from \$675 000 to \$1 080 000. We have also provided targeted tax relief to 21 000 taxpayers by increasing the tax-free threshold. That is a record of which we are very proud.

I want to go briefly to the reference made by the Leader of The Nationals to the Law Institute of Victoria's letter about primary production land exemption. He suggested that the law institute was commenting on the alteration of special land tax. In fact there is no change in policy or intent. He also suggested that the law institute argues there is a change in the policy in relation to the general eligibility for exemptions. In fact the bill makes it very clear that a landowner should make application for and provide relevant details in respect of an exemption. This reflects the longstanding administration of the tax. All those who are huffing and puffing on the other side of the house and who claim to understand this should be reminded of that fact.

In the interest of trying to be brief I will make just a couple of comments on the fact that this bill ensures that provisions of the Land Tax Act that are obsolete or cast in language that harks back to the past are put in the trash basket of history. Section 39 of the existing legislation refers to land tax as a debt to Her Majesty. Those days have gone in Victoria and Australia. This is good legislation. It puts in place modern provisions, provides for obsolete sections of law to be cast into the trash basket of history and makes absolutely clear that the law institute's suggestions are fallacious.

Mr BAILLIEU (Hawthorn) — Even the Treasurer sitting here at the table is sucking in his breath at that last contribution from the member for Pascoe Vale. I think he was also sucking in his breath at the contribution of the member for Burwood. The people of Victoria do not trust this government when it comes to land tax, and they have every reason not to. The fact that the government's performance on land tax has been abysmal has been drawn to the attention of this house on many occasions over recent years, and the public of Victoria has been very outspoken about it. In that context I very much support the reasoned amendment of the member for Box Hill. The games the government has played on land tax have been extraordinary, and we have heard the government do it again tonight. It is simply a joke that the member for Pascoe Vale could stand up here and tell this Parliament that the Bracks government has put money back in the pockets of Victorian land tax payers. It is a game perpetrated by the Treasurer and his assistant, the member for Burwood.

Ms Campbell — It is a fact.

Mr BAILLIEU — ‘It is a fact’, said the member for Pascoe Vale. I invite her to have a chat to Jim Ryan at the Whitehorse Inn or to the proprietors of the D. J. Evans hardware shop or Rowan Woolcock — —

Ms Campbell — We were the ones who cut land tax; you increased it.

Mr BAILLIEU — Goodness me! If the people of Victoria were here to witness the idiocy being demonstrated on the government benches, they would be staggered. The Treasurer and the Bracks government continue to play games on land tax. They have simply been kidding Victorian taxpayers along, whether on rates, valuations, total take, or responsibility for land tax or reductions — and we have heard the ridiculous comments on this matter from the member for Burwood tonight. They have played games on caravan parks, on retail tenancies and now they are playing games on trusts.

It was summed up classically, in my view, by the Treasurer’s media adviser, Alison Crowweller. Under the pressure of a community which was outraged by the government’s failure to act on land tax she was quoted in the *Progress Leader* earlier this year as saying, ‘The state government has nothing to do with how land tax is calculated.’. The Treasurer’s own media officer! The Treasurer is sucking in his breath again.

The reality is that, as has already been mentioned many times in this house and on many occasions elsewhere, when the Kennett government came to office there was a \$500 million-odd land tax bill. When the Kennett government left it was more like \$400 million and now it is approaching \$1 billion. The reality is increased valuations will more than eat up any rate reductions in next year’s land tax take. The closures are there for everyone to see.

Mr Stensholt interjected.

Mr BAILLIEU — The member for Burwood continues his dumb diatribe and conning of the people of Victoria. I invite the member for Burwood to go to Hawthorn. The Treasurer and the Premier ridiculed Jim Ryan, the proprietor of the Whitehorse Inn. They said he was not closing his business for land tax reasons but because it was part of a development opportunity. That business closed and that building is lying there derelict, graffitied and broken for all to see at the gateway to an otherwise prosperous community. It is a reminder of the nonsense perpetrated in land tax by this government. When it comes to the New South Wales comparison, God help us and the member for Pascoe Vale. The

reality is that the comparison with New South Wales is just a nonsense.

I want to make a point about Melbourne 2030. One of the consequences of Melbourne 2030 — the government’s metropolitan planning strategy — is to increase land values in activity centres and so increase the land tax take. That is a harsh reality. Many of the landowners and business owners in those areas are suffering as a consequence.

There is one other item I want to pick up. It is a matter I have raised in this house before. The government has still not clarified the issue of land tax take in regard to wind farms. The exemptions under the existing act and the exemptions such as they exist in the proposed act are explicit in the sense that wind farms are not a primary production under the act and land tax should be applicable. However, we now have a new exemption under proposed section 65 of the bill which states under the heading of ‘Exemption of primary production land outside greater Melbourne’:

Land outside greater Melbourne that is used primarily for primary production is exempt land.

The definition of ‘primarily’ has shifted and is now explicit. However, the clarification of what ‘primarily’ means has not been reflected in this change. One would have thought that if the bill was going to be a plain English simplification of the act, this clarification would have been made. It has not been made and the government has refused to spell out its treatment of wind farms in this regard. The games go on. The law institute has picked up the government on the games. The people of Victoria have picked up the government on the games. The nonsense we have heard from the government benches should be seen for what it is — complete and errant nonsense. I fully support the member for Box Hill’s reasoned amendment.

Ms D’AMBROSIO (Mill Park) — Unlike some speakers from the opposition benches I choose to speak on the bill before the house. The fact is that we have before us a bill that essentially deals with the objective of modernising the legislation by rewriting it in modern, plain terms that are less confusing for the general public. That is what is before us, nothing more and nothing less, apart from some minor policy amendments to which previous speakers from the government side have referred.

The Land Tax Bill will take effect from the 2006 tax year. The rewrite of the act comes on the heels of a couple of inquiries over the past 10 years into the need to modernise the act. This is not unlike many other modernisations of acts that this government has

undertaken since 1999. The bill brings the Land Tax Act into line with other taxation acts which have already undergone reviews.

I wish to touch on a couple of the minor policy amendments introduced by the bill. One of those is expanding the tax exemption so that charitable trusts are treated in the same way as charitable institutions in certain circumstances. This is a change of a minor policy nature, but it is an anomaly or difference that was never intended by the original act to exist between those two areas. In another minor policy area in certain instances extending the primary production land exemption to land owned by a corporate trustee will also occur. There will also be the extension of the exemption for land owned and used for outdoor sporting activities to indoor sporting clubs while ensuring that the land is primarily used for the primary purpose of the owner at the time the exemption is being claimed.

There is not a lot more that can be said if we wish to be true to what are the policy objectives of this bill. They are very simple, pure and very clear for all to see, despite the rhetoric and hyperbole of members of the opposition this evening. The clock has certainly ticked away on the Land Tax Act as it has existed since 1958 and, dare I say, it is not dissimilar to the clock having ticked away on the opposition benches for a number of years. Opposition members now face a position of needing to modernise themselves and what they stand for. Unlike the government which chooses to go ahead and make changes and employ modern responses to modern problems, the opposition benches remain floundering, the clock having ticked away on them a long time ago, and they have nowhere to go. I commend the bill to the house.

Mr COOPER (Mornington) — I join this debate to support very strongly the reasoned amendment moved by the member for Box Hill. That amendment directs itself at the issue of land tax on trusts. It must be said — and it is going to be said over and over because the government obviously needs to have it repeated over and over — that the government needs to come clean about what it is going to do, because the people who have arranged their affairs through the placement of properties in a trust are going to be taxed at a new land tax rate up to five times higher than the tax rate on other property. That is going to happen as from the beginning of next year, according to the government's own timetable. It is a matter of simple justice for this government to come out and make clear just what is going to happen. The government has had that opportunity, and it has simply walked away from it,

leaving these people in a situation in which they should not be left.

It is worthwhile pointing out just what this new tax regime on trusts is going to do because on the basis of the figures that the opposition has been able to obtain, a family that owns land worth \$900 000 held through a family trust is going to be liable for land tax of \$9000 compared to \$2680 if the land was owned by an individual or a company. That is a \$6320 extra burden. This is from a government that has had people standing up tonight and telling this house that this government is in fact cutting land tax, that it is not increasing the land tax burden. The reality is completely the opposite and this example shows exactly why it is completely the opposite.

The government does not seem to understand that this damages the affairs of individuals. It needs to do something about dealing with that issue to create a situation where it actually understands where it is going to be next year so it can arrange its affairs and hopefully understand the injustice of the regime it is bringing in. A regime that raises land tax revenue to that extent is in fact very unfair, and it is a situation that this government needs to address.

I have listened to the member for Burwood and the member for Pascoe Vale and their claims, particularly the member for Pascoe Vale's, that somehow or another this government has cut land tax and that it is in fact reaping less money now than it did when it first came into office. I think that is the basis of the claim that was made by the member for Pascoe Vale. She and other members of the government side need to have a look at the official figures their own government has issued.

Those figures were provided earlier this year by the State Revenue Office, and they show, for example, that in my part of the world, based on the official indexation factor of 1.27 per cent for the Mornington Peninsula, land tax on properties valued at \$200 000 will increase by 108 per cent between 2004 and 2006 — a 108 per cent increase over a two-year period. On properties valued at \$500 000 the increase over that same two-year period will be 166.3 per cent. Where is there any validity in the claim that has been made by members on the other side that somehow or another land tax is dropping under this government? Where is the validity in that? The answer is that there is no validity.

People are being hit hard by this government. As the member for South-West Coast said earlier, this is a high-taxing government, a government that has

invented new taxes and is certainly ripping into people under the existing regime with imposts like land tax. It has no shame; there is no end to its greediness. It is attacking people viciously. This bill is a disgrace.

The reasoned amendment deserves to be supported because it brings fairness and justice to people who are going to be hit by land tax on trusts. That is why we are asking the government to come clean on its plans for those people, so they can at least make some arrangements and get their affairs in order in time for the implementation of that new tax in only a few months.

Mr HUDSON (Bentleigh) — It is a great pleasure to speak in relation to this bill. My goodness, have we heard a lot of nonsense from the opposition tonight! We have heard that this is the highest taxing government in Victoria's history. We have heard claims that somehow this government is driving the Victorian economy into the ground with its taxation, and we have heard ludicrous claims being put around by the opposition to suggest that somehow because land tax has gone from \$400 million to \$800 million to \$1 billion the government is actually rapidly increasing the rate of land tax.

The fact of the matter is that the Victorian economy has increased by 53 per cent since this government came into office and general revenue has increased by 46 per cent. What has actually happened is that Victoria has gone from having a tax regime above the interstate average in terms of total taxation take to a tax regime where we are below the average of the other states. There is nothing the opposition has said tonight in this debate that has in any way debunked that fundamental fact. The overall burden as a percentage of the economy has in fact declined, not increased.

This government has cut the rate of land tax. We have cut the rate from 5 per cent, which existed under the Kennett government, to 4 per cent, and over the next couple of years we are reducing it to 3 per cent. If you have a look at the 2005 state budget, it is very clear that as a result of the cuts in the budget Victoria will have the most generous land tax threshold in Australia for companies and trustees and the second most generous tax-free threshold for individuals.

If you look at the overall land tax burden for people in the \$500 000 to \$1.6 million bracket, guess what you see? We have the lowest burden for aggregated land-holdings in that bracket in Australia. While the opposition says that we have a crushing tax burden, the fact of the matter is that 98 per cent of taxpayers and businesses are paying less in Victoria than they are in

any other state. We have 21 000 taxpayers who no longer will be paying land tax as a result of the changes that we made in the latest budget. We have another 23 000 taxpayers who will be paying less land tax than they were paying as a result of the changes we made in the budget.

There is a lot of rhetoric being spoken here tonight by the opposition, but let us have a look at the nature of this tax. There are only about 120 000 taxpayers in the whole of Victoria paying land tax, and less than 3000 of those are paying 50 per cent of the tax. It is a very well-targeted and very progressive tax. It is a tax that I support. I commend the bill to the house.

Mrs SHARDEY (Caulfield) — This bill is supposed to be a rewrite of the Land Tax Act in modern drafting language, but whether it is in modern drafting language or so-called old-fashioned language, some of the provisions are still what I call odious. I wish to raise in particular the special land tax on properties whose owners cease to utilise their exemptions, such as retirement villages, nursing homes, aged care facilities, rooming houses and caravan parks. Under division 5 of this bill these properties will be hit if they cease to operate as retirement villages, nursing homes, aged care facilities, rooming houses or caravan parks.

Previously special land tax was only applied to a property which had ceased being exempt as primary production land. The changes made in this last sitting perpetuate something which we think is very odious, because special land tax will now apply to a caravan park owner who sells the caravan park when the use of it changes within 60 days. In that case the owner will have to pay 5 per cent of the property value at sale. I believe this will have a dreadful effect on, for instance, people who own nursing homes, who under the provisions laid down by the federal government are unable to make changes, and people who wish to retire and not continue their business.

The rationale behind levying special land tax on primary production land was to ensure that developers did not claim the special exemption and then sit on the land until such time as they wished to develop it, effectively dodging land tax by owning a few sheep. However, this rationale should not apply to retirement villages, aged care facilities, nursing homes, caravan parks or rooming houses. The owners of all of these institutions put large amounts of infrastructure and money into running these businesses and providing the services on which they claim their land tax exemption. It would indeed be a rarity if property developers were to buy a property to develop at a later stage but use it as

an aged care facility in the meantime, merely to be exempt from land tax.

Worse still, this legislative instrument is so blunt that it will catch property owners and entities who claim their exemptions for bona fide purposes. If after the property is sold the purchaser has different ideas and uses it for something different, the previous owner will be hit with this 5 per cent tax on the value at sale. There will be many instances of this. If for instance farming land on the outskirts of an expanding township is sold and the new owners use it as a weekend getaway, the previous owner will also be hit with this 5 per cent tax on the property value merely because the purchasers do not wish to continue using the land as a farm. I will give an example: if a farmer sells his land for \$750 000 and it is, say, a property which is on the edge of a township and which the new owner wishes to use as a weekender, the previous owner, because the land is no longer going to be used as a farm, will pay \$37 500 land tax at the special rate of 5 per cent.

This sneaky provision can and will hit a lot of people or businesses who are forced, or decide because they wish to retire, to end their businesses. What is the government's real reason? One needs to ask this question. Is it some sort of ransom to ensure that these going concerns will continue, and not be sold for other purposes? In my view it cannot be interpreted as an incentive mechanism to keep these businesses operating, because the previous owner is burdened with the tax and not the new owner. The real reason is that this government was dragged kicking and screaming to providing an exemption of land tax to those who own aged care facilities, caravan parks or supported residential services. They are just looking for a mechanism to recoup their losses. This is an outrageous provision, and it has been repeated in this legislation.

I support the member for Box Hill's reasoned amendment, because I believe this issue, as well as the other issues in relation to land tax on trusts, needs to be examined. It certainly needs to be able to be looked at by the community in assessing this government's performance in relation to land tax.

Mr PERTON (Doncaster) — I rise to oppose the bill and support the reasoned amendment of the member for Box Hill. My constituents will be hit as a result of this legislation. Many constituents have protested to me. I shall not name them in the course of the debate, because each and every one of them would feel they would be subject to some action by the government.

Ms Beattie interjected.

Mr PERTON — The member for Yuroke laughs, but I suspect a number of her constituents are very angry about this bill as well.

People have invested in property over many years to provide for their own retirement and to provide for the security of their family. They have entered into arrangements to protect those family interests, and this piece of legislation will ensure that they are taxed in new ways. The burden of land tax has doubled. The burden of tax in Victoria overall has almost doubled, and this government is spending more money than ever before. When the Kennett government lost government, the rough budget spend was \$19 billion — this year it will exceed \$31 billion.

Mr Stensholt interjected.

Mr PERTON — The member for Burwood says it is well spent. I suspect if the taxpayers of Victoria had the choice of having the \$12 billion in their pockets and in the control of their household budgets, they would be very much happier than having the government blow \$800 million on a slightly faster train to Bendigo. They would be very happy indeed not to see that level of waste. They do not feel well served by the ever longer ambulance bypasses to hospitals and I do not think they feel well served by the ever longer waits in emergency wards. They do not feel well served by a state school system that is producing one in five students who are unable to read. I do not think that they think the money is being well spent.

As the member for Hawthorn said, it would have been very good had this debate not taken place at night, because people could have heard the chairman of the Public Accounts and Estimates Committee make the extraordinary claim that taxpayers were going to save \$850 billion. The chairman of the Public Accounts and Estimates Committee cannot get her zeros right! If we thought that numeracy was a problem in this state, we only have to go to the top of the tree of the Public Accounts and Estimates Committee to know what the problem is.

This is a bad piece of legislation. It is badly drafted because it was not given the light of day so organisations like the Law Institute of Victoria and the bar council could examine it properly to ensure it was not going to impact in unexpected ways. The member for Box Hill has referred to the concerns of the LIV. I hope the government takes those concerns into account in the event that the reasoned amendment is not adopted. I also hope the government takes those criticisms into account and redrafts the legislation in

line with the well-reasoned criticisms of the legal profession.

As I have said, my electorate opposes this legislation. It will impact adversely on many of my constituents who have been thrifty, good investors and who have saved for their futures and those of their families. They would very much support what the member for Box Hill is trying to achieve tonight.

Mr THOMPSON (Sandringham) — The opposition opposes the bill before the house this evening. It does not include the government's foreshadowed new land tax on trusts. It is being brought forward for debate despite the promises of the Treasurer in his second-reading speech, when he said it is not intended that the bill be debated and passed by Parliament at the end of the 2005 session.

The Law Institute of Victoria noted in correspondence to the Treasurer in relation to the consultation process:

The LIV is concerned that the first opportunity it had to comment on the bill was after it was introduced into Parliament. Whilst we understand that the bill was only to deal with policy-neutral issues, as you can see from the above comments we consider that this was not the case ...

I would also like to raise some concerns on behalf of constituents who have been seriously impacted by land tax legislation. One Sandringham couple have written:

We sincerely hope, Mr Thompson, that you will raise your voice loud and clear against these changes. We feel that we are invaded by a hostile government which has almost a communistic ideology by wanting to strip us of our nest egg for which we have worked hard. If we cannot make a decent living from our life's investment, we might as well hand them over to the government and live off the pension.

The letter also says:

We can only see demise for the future of Victoria. Everyone will try to sell their properties, the market will be flooded, values will fall, residential rental properties will be rare and too expensive for people who do not own, or cannot afford their own house. In other words, we can see that if these changes in land tax will take place, nobody in his right mind will invest in real estate property which will cost jobs in the building and associated industries, and Victoria will be once more flat broke. Like in the good old Labor times.

Those comments of reference are more in relation to the property taxation on family trusts. They relate to a couple that has worked long and hard over many years. Now they have come to the end their productivity, and they had hoped to enjoy the fruits of their labour. But they say:

... we are frightened out of our wits with the intended changes.

What we cannot understand is that we have had for so many years two legal entities but now we are going to be discriminated against, because we have them.

Other concerns have been aired through my office as well. One lady from Black Rock wrote:

We have worked very hard over the years to purchase an investment property and a holiday home. Land tax on these two properties has increased well over \$1000 each year for the past three years. This year we had to pay \$3500 in land tax.

It is at this stage whereby at that time we pay rates, maintenance, agents fees, the bank loan et cetera the properties are not worth the long wait for appreciation. This is obviously a tax on people who are considered to be wealthy enough to own property, however no consideration is taken into account of the fact that a large loan is outstanding on these properties.

I feel this is a very unjust, unfair tax ...

This person would like her complaint registered in the Parliament. The member for Bentleigh noted that it is a well-targeted tax. I have good news for him: many of the 120 000 people it has been directed towards are totally incensed about the changes imposed upon them. Those people are trying to conduct a business and provide for their retirement.

The opposition does not support the bill and has moved a reasoned amendment, which, I trust, will receive the fair consideration of the house. I note that this bill is being debated as the time approaches midnight.

Mr BRUMBY (Treasurer) — I want to thank honourable members for their contributions to the debate tonight. You always get a lively debate on taxation bills, and tonight was no exception. I particularly thank the member for Burwood, the Parliamentary Secretary for Treasury and Finance, for leading the debate. I had the opportunity to listen to many of the contributions that were made tonight.

I make the point in summing up that this is a rewrite of the Land Tax Act, which has been in place since 1910. The old act is full of convoluted language, a lot of contradictions and a lot of complexities. Over the last year the State Revenue Office, with the support of external advice and the Department of Treasury and Finance, has engaged in an exercise to modernise and rewrite the act. We did that because the old act is outmoded and complex. It is important to modernise legislation in the context of what I would describe as good housekeeping. Governments need to review legislation and regulations and wherever possible should aim to minimise the regulatory burden on families and businesses. I am personally proud that this rewrite of the act takes nearly 50 pages — —

An honourable member — How many?

Mr BRUMBY — It takes nearly 50 pages off the old Land Tax Act and keeps the new Land Tax Act to under 100 pages. If you go around the world and talk to people in business and government you find that everyone is focused on the quantity of legislation and the growth in the number of pages in regulations and acts. I saw in the press in the last few days a submission, I think from the Business Council of Australia to the federal government, with a graph showing the increase in the number of federal acts and the increase in the total number of pages of legislation. From time to time governments need to review legislation to modernise it, to rewrite it, to simplify it and, if it is possible within the context of no policy change, to substantially reduce the quantum of that legislation. That is what we have done with this legislation.

I congratulate the State Revenue Office and all of those who worked on this project. I reiterate that this act has been rewritten on a no-policy-change basis. I am aware that it has been submitted by some organisations — in part by the Law Institute of Victoria and in part the Property Council of Australia — that there are potentially some policy changes in this legislation. The best advice I have from the State Revenue Office, from the Department of Treasury and Finance and from other sources is that there is no policy change.

This rewrite is policy neutral, and I can assure the house and the shadow minister, the member for Box Hill, that the basis on which this exercise has been undertaken is policy neutral. Where there has been any minor departure from that I have indicated it in the second-reading speech. Since this has been undertaken on a no-policy-change basis obviously the government does not accept the reasoned amendment that was moved by the opposition tonight and will be voting against it.

I will briefly comment on the overall incidence of taxation in Victoria, because a number of speakers raised that issue. It is true that in the last year of the former government the budget was about \$19 billion. It is true that the budget I brought down this year was close enough to \$31 billion. The fact is that from 1998–99, the last year of the former Kennett government, to the budget I brought down this year, the economy has grown by 53 per cent. I am happy to let the member for Box Hill or anyone else go through the Australian Bureau of Statistics data to confirm that. He will find that the numbers are accurate.

Nominal gross domestic product (GDP) — the size of the economy — has increased by 53 per cent. In turn the total revenue of the state of Victoria in the budget I brought down this year compared to 1998–99 — so including all the taxes we raised and all the fees, all the fines and all the money we get from the federal government — has increased by 46.5 per cent. In other words, taxes fees, fines and revenue have grown less rapidly than the growth of the economy. And that is why, when the Bracks government was elected, taxation or the state budget revenue as a share of GDP was above the national average. Today as I speak it is below the national average. As a share of GDP it has gone from being above the national average to below the national average.

In terms of the taxes which the state itself levies, total state taxation revenue has actually only grown by 16.7 per cent, due in large part to the number of taxes that have been abolished as part of the GST agreement but also due to the substantial reductions that we have made to taxation rates. For example, when the Bracks government was elected the payroll tax was 5.75 per cent; the rate today is 5.25 per cent. It is the second-lowest rate of payroll tax in Australia.

When we were re-elected Victoria had 22 business taxes; today there are 16. When we were elected we had the second-highest number of business taxes; today we have the lowest number of state taxes. The record shows that payroll tax has been cut by 9 per cent; the top rate of land tax — I will come to land tax in a moment — has been cut from 5 per cent to 3.5 per cent; duty on non-residential leases has been abolished, financial institutions duty has been abolished as has duty on quoted marketable securities, duty on unquoted marketable securities, duty on mortgages and bank accounts debits tax. Business rental duty is to be abolished on 1 January 2007; stamp duty on property rates is unchanged and payroll tax and maternity leave exemption was effective from 1 January 2003.

That is a pretty good record. I can remember the 1990s when in the whole of the time under the former Kennett government only one tax was abolished — and it was worth \$1 million — so the Bracks government has a good record on taxes. We have been commended by many organisations for our record on tax.

Let me come to the issue of land taxes. This bill was rewritten on a basis of no policy change. Let us be clear: we inherited a land tax system with a top rate of 5 per cent. We have cut that to 3.5 per cent and over the next two years we will cut it to 3 per cent. We will have taken it from 5 per cent to 3 per cent and up to a level of

\$2.8 million. We have essentially the lowest rate of land tax in Australia.

As many members have pointed out tonight, if you have a medium-sized business with property between \$1 million and \$2 million, as many small businesses have, you have the lowest level of land tax of any of the major states in Australia. That is a good position to be in. It is where we want Victoria to be because small and medium-sized businesses drive investment and jobs growth in this state, so our tax system is structured to provide benefits and relief for them.

Finally, the only other comment I will make is that government and politics is about making choices. Tonight we have heard a lot of rhetoric from the opposition about land tax. A few weeks ago the opposition had an opportunity: had it wanted to cut land tax, it could have proposed doing so. Instead it came up with a half-baked, half-witted policy to pay half-tolls out on the Mitcham–Frankston freeway — at \$700 million! If land tax were such a big issue, the opposition would have put \$700 million into cutting land tax, but it did not because it has not had a single new policy in the three years since the last election. It has had nothing on stamp duty, on payroll tax or on land tax — not one policy bone in its body!

The only thing I have on the record from the shadow minister, the member for Box Hill, goes back to when he was the parliamentary secretary and he said this about land tax:

A flat land tax scale would avoid many of the problems we are facing at the moment, and I hope we move further in that direction.

That was the view of the member for Box Hill, and I assume it is still his view until he repudiates it. The government rejects the reasoned amendment. This is a good piece of legislation; it is modernisation of legislation; it is a policy-neutral rewrite of the legislation that knocks 50 pages out of the Land Tax Act, and I commend the bill to the house.

House divided on omission (members in favour vote no):

Ayes, 50

Allan, Ms	Kosky, Ms
Andrews, Mr	Langdon, Mr
Barker, Ms	Languiller, Mr
Batchelor, Mr	Leighton, Mr
Beard, Ms	Lim, Mr
Beattie, Ms	Lindell, Ms
Brumby, Mr	Lobato, Ms
Cameron, Mr	Lockwood, Mr
Campbell, Ms	Loney, Mr
Carli, Mr	Lupton, Mr

Crutchfield, Mr
D'Ambrosio, Ms
Donnellan, Mr
Duncan, Ms
Eckstein, Ms
Garbutt, Ms
Green, Ms
Haermeyer, Mr
Hardman, Mr
Harkness, Dr
Helper, Mr
Holding, Mr
Howard, Mr
Hudson, Mr
Jenkins, Mr

McTaggart, Ms
Mildenhall, Mr
Morand, Ms
Munt, Ms
Nardella, Mr
Neville, Ms
Overington, Ms
Perera, Mr
Pike, Ms
Seitz, Mr
Stensholt, Mr
Thwaites, Mr
Trezise, Mr
Wilson, Mr
Wynne, Mr

Noes, 25

Asher, Ms
Baillieu, Mr
Clark, Mr
Cooper, Mr
Delahunty, Mr
Dixon, Mr
Doyle, Mr
Honeywood, Mr
Ingram, Mr
Jasper, Mr
Kotsiras, Mr
McIntosh, Mr
Maughan, Mr

Mulder, Mr
Naphine, Dr
Perton, Mr
Plowman, Mr
Powell, Mrs
Ryan, Mr
Shardey, Mrs
Smith, Mr
Sykes, Dr
Thompson, Mr
Walsh, Mr
Wells, Mr

Amendment defeated.

House divided on motion:

Ayes, 50

Allan, Ms
Andrews, Mr
Barker, Ms
Batchelor, Mr
Beard, Ms
Beattie, Ms
Brumby, Mr
Cameron, Mr
Campbell, Ms
Carli, Mr
Crutchfield, Mr
D'Ambrosio, Ms
Donnellan, Mr
Duncan, Ms
Eckstein, Ms
Garbutt, Ms
Green, Ms
Haermeyer, Mr
Hardman, Mr
Harkness, Dr
Helper, Mr
Holding, Mr
Howard, Mr
Hudson, Mr
Jenkins, Mr

Kosky, Ms
Langdon, Mr
Languiller, Mr
Leighton, Mr
Lim, Mr
Lindell, Ms
Lobato, Ms
Lockwood, Mr
Loney, Mr
Lupton, Mr
McTaggart, Ms
Mildenhall, Mr
Morand, Ms
Munt, Ms
Nardella, Mr
Neville, Ms
Overington, Ms
Perera, Mr
Pike, Ms
Seitz, Mr
Stensholt, Mr
Thwaites, Mr
Trezise, Mr
Wilson, Mr
Wynne, Mr

Noes, 25

Asher, Ms
Baillieu, Mr
Clark, Mr

Mulder, Mr
Naphine, Dr
Perton, Mr

Cooper, Mr
Delahunty, Mr
Dixon, Mr
Doyle, Mr
Honeywood, Mr
Ingram, Mr
Jasper, Mr
Kotsiras, Mr
McIntosh, Mr
Maughan, Mr

Plowman, Mr
Powell, Mrs
Ryan, Mr
Shardey, Mrs
Smith, Mr
Sykes, Dr
Thompson, Mr
Walsh, Mr
Wells, Mr

Motion agreed to.

Read second time.

Consideration in detail

Clause 1

Mr CLARK (Box Hill) — There is one burning question relating to this bill that remains unanswered following the Treasurer's closing of the second-reading debate. We on this side of the house listened intently, waiting for the moment when the Treasurer was going to tell the house what it was that the government intends to do about land tax on trusts, but not one word on that subject has passed the Treasurer's lips.

Given that this is the major unresolved land tax policy initiative from the budget and that this bill is a major piece of land tax legislation that the government claims to be simple and clear going into the future, you would have thought that this bill would have contained whatever it is the government intends to do in relation to land tax on trusts — but the second-reading speech was silent. The member for Burwood also was silent on the subject when he spoke and the Treasurer was silent on the subject when he closed the second-reading debate.

How on earth can the government expect to be introducing legislation which provides a simpler and redrafted regime for land tax when hanging over the heads of people in this house and people in the community is an as-yet-unresolved proposal to impose a complex set of new provisions relating to land tax on trusts, provisions that will dramatically increase the land tax burden on those citizens of Victoria who happen to hold properties through trusts. Increases in the scale of land tax under the government's proposals as released so far are up to five times the standard rate of land tax and will cut in at the level of \$20 000. All of these questions remain unresolved. How can the purposes of this bill be complete without that issue being addressed?

If the Treasurer were to stand up and tell the house that the government is having second thoughts about its

proposals for land tax on trusts and that it does not intend to proceed with what it foreshadowed in the budget for commencement from 1 January 2006, that certainly would lay to rest the concerns on this side of house on that score. More importantly it would lay to rest the concerns of thousands of Victorian taxpayers who have this threatened new regime hanging over their heads as 1 January 2006 draws ever closer. I put it to the house that it is in the interests of not only the house in its deliberations on this bill but certainly all taxpayers in Victoria who may be affected by these measures that the government foreshadow where they stand so they can prepare for the worst, if it is to come to that, so they no longer have this burden hanging over their heads, if there is good news pending, or so they can at least try to adjust their own positions to respond to what it is that the government might do.

There has been absolute silence from the government on this point. In closing the second-reading debate the Treasurer had the opportunity to at least give some guidance to the community as to what was happening — perhaps to give them the good news that the government was not going to proceed with changes to take effect for the 2006 tax year, but there has been nothing. I believe the Treasurer owes to this house and to the Victorian community before this bill proceeds further to declare exactly what the government intends in relation to its foreshadowed changes to land tax on trusts.

Mr RYAN (Leader of The Nationals) — Land tax is an iniquitous tax, which had its origins at a time long ago in circumstances when the principle behind it was, as I said during my contribution to the second-reading debate, to take from the wealthy and to spread the funds that were recovered accordingly amongst the more needy. This government has made an art form of taking money from a far wider range of people in the community and using it to bolster in a manner which is absolutely disgraceful the amount of funds the government already has available to it in a variety of forms and to a degree that the state of Victoria has never, ever seen in all of its history. Five years ago the budget in the state of Victoria was \$20 000 million, or \$20 billion. This year it is \$30 billion. Amongst all that, this year land tax will take about \$1 billion out of the pockets of Victorians. A billion dollars! It is a disgrace; it is absolutely disgraceful.

Clause 1 of the bill states that the first purpose of the bill is:

... to re-enact and modernise the law relating to land tax ...

This bill has nothing about re-enacting and modernising the law in relation to land tax. It is all about a government that is absolutely intent on ripping money out of people holus-bolus. It has been one of the most talked about topics in the state of Victoria over the past couple of years, without a doubt. We have seen again and again examples replete with the fact that this government cannot help itself. Small business in particular has been made the victim of this.

Of all the instances where you ever wanted to see evidence of the truism that Labor cannot manage money, it is best displayed in the way in which the government has treated this issue of land tax. It is an absolutely perfect case in point to illustrate that. In July the government did what it does often with these things: it floated the notion of imposing 1 per cent land tax on trusts just to see how it would be received — and of course it was universally condemned. People justifiably were very concerned about the fact that they might sell their houses and lose financially because of the extra impost imposed upon them by the government.

Here we have the rewrite of the legislation and an opportunity for the government to set this out in black letter law, to clear up this issue and put to rest once and for all the concerns of people — many of them elderly — about what the government proposed. During this debate the government has the chance to finally settle what it intends to do about the issue from the perspective of small business. The government has flown the kite, and everybody accepts that it has flown the kite.

Coincidentally the Treasurer is in the chamber sitting opposite as I speak; it is great to have him here, because I really hope he can clear this up. Here is the chance for the Treasurer to get up tonight and tell the people of Victoria that the government has decided that it will abandon this harebrained, half-baked proposition of the 1 per cent application of land tax in relation to trusts. Here is the chance for the Treasurer to finally put this issue to rest, because among Victorian communities — particularly the elderly, who have already been pillaged by this government in various ways, and among the small business sector — people want to know if the government is going to persist in thieving even more money from these sectors, which it can easily do if it goes ahead with what it has proposed. Alternately, is the Treasurer now going to stand up tonight and say, 'It is off. Forget it.'?

Honourable members interjecting.

The DEPUTY SPEAKER — Order! It would assist the Chair if the chamber would come to order.

Mr CLARK (Box Hill) — Let it be recorded that there was a long interval of silence between the Leader of The Nationals concluding his remarks and my rising to speak. Let it be recorded further that the consideration-in-detail stage of legislation — when a government has any regard for parliamentary accountability — is an opportunity for the Treasurer to tell this house and tell the community where his government stands on the issue of land tax on trusts. Yet the Treasurer sat there mute. He sat there with a smug and contemptuous look on his face towards not only this house but the Victorian community.

He sat there mute, refusing in his arrogant way to give any account of where his government stands. He refused to live up to his own Premier's long-recited and long-gone mantra of open, honest and accountable government. He has treated this Parliament with contempt and treated the community with contempt. He sat there mute and gave no account whatsoever of where his government stood. It may simply be that he does not care what the community thinks on this issue. It may also reflect the fact that there is an intense debate raging within his own party at this stage as to what to do about land tax on trusts.

We know from past experience that there have been a series of occasions on which the Treasurer and the Premier have been at odds on this issue. In fact the Premier has gone on to the Neil Mitchell program on 3AW and made statements backing down on some of the things that the Treasurer has tried to ram through. I suppose this again may be an instance where a life-and-death struggle is raging within the government between the Premier and the Treasurer, with a divided cabinet and internal dissent. Who knows? We certainly got no indication from either the Treasurer or his parliamentary secretary as to what is going on. We can only draw our own conclusions, and we can only speculate.

Whatever the reason may be, the bottom line is that the government has given no explanation whatsoever about this critical issue. It is reneging on anything it has said to date about its openness, honesty and accountability. I again call on the Treasurer to take this opportunity to put on the record the government's position on this or stand condemned by his silence.

Mr PERTON (Doncaster) — This debate is taking place late at night when the galleries are empty, which is probably to the benefit of the government. The Treasurer, during the course of the consideration-in-detail stage, has been sitting there making stupid pantomime actions and giggling away. We have had the Deputy Premier, to his shame — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I remind the member for Doncaster that he must address clause 1.

Mr PERTON — We have had the Deputy Premier making a mockery of the debate on clause 1, and we have had members of the government trying to shout down the debate. It is a very simple question: what is the government's position on the treatment of trusts?

For the record, the Treasurer is sitting there mocking the Parliament, mocking the public and mocking the organisations that have made submissions on this. All we ask of the Treasurer is that he get to his feet now and answer the question that has been put by the shadow Treasurer and the Leader of The Nationals on behalf of this community.

Clause agreed to; clauses 2 to 118 agreed to; schedules 1 to 3 agreed to.

The DEPUTY SPEAKER — Order! The question is:

That the house agrees to the bill without amendment.

House divided on motion.

Ayes, 50

Allan, Ms	Jenkins, Mr
Andrews, Mr	Kosky, Ms
Barker, Ms	Langdon, Mr
Batchelor, Mr	Languiller, Mr
Beard, Ms	Leighton, Mr
Beattie, Ms	Lim, Mr
Brumby, Mr	Lindell, Ms
Cameron, Mr	Lobato, Ms
Campbell, Ms	Lockwood, Mr
Carli, Mr	Lupton, Mr
Crutchfield, Mr	McTaggart, Ms
D'Ambrosio, Ms	Mildenhall, Mr
Donnellan, Mr	Morand, Ms
Duncan, Ms	Munt, Ms
Eckstein, Ms	Nardella, Mr
Garbutt, Ms	Neville, Ms
Green, Ms	Overington, Ms
Haermeyer, Mr	Perera, Mr
Hardman, Mr	Pike, Ms
Harkness, Dr	Seitz, Mr
Helper, Mr	Stensholt, Mr
Holding, Mr	Thwaites, Mr
Howard, Mr	Trezise, Mr
Hudson, Mr	Wilson, Mr
Ingram, Mr	Wynne, Mr

Noes, 23

Asher, Ms	Naphine, Dr
Baillieu, Mr	Perton, Mr
Clark, Mr	Plowman, Mr
Cooper, Mr	Powell, Mrs
Delahunty, Mr	Ryan, Mr

Dixon, Mr	Shardey, Mrs
Honeywood, Mr	Smith, Mr
Jasper, Mr	Sykes, Dr
Kotsiras, Mr	Thompson, Mr
McIntosh, Mr	Walsh, Mr
Maughan, Mr	Wells, Mr
Mulder, Mr	

Motion agreed to.

Bill agreed to without amendment.

Third reading

The DEPUTY SPEAKER — Order! I advise the house that as the required statement of intention has been made under section 85(5)(c) of the Constitution Act 1975, the third reading of the bill is required to be passed by an absolute majority. The question is:

That this bill be now read a third time.

All of that opinion say aye, to the contrary no; I think the ayes have it.

I declare the third reading passed with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

The bill will now be sent to the Legislative Council and their agreement requested.

Mr Perton — On a point of order, Deputy Speaker, you need to get people to stand. There has been a 'no'.

The DEPUTY SPEAKER — Order! No. The bill will now be sent to the Legislative Council and its agreement requested.

Dr Naphine — On a point of order, Deputy Speaker, with regard to the vote that was taken, I distinctly heard a voice for the noes. Even though a division was not subsequently called for, the normal practice of the house, when there is a voice for the noes, is that members are asked to stand in their places to ensure there is an absolute majority. I seek your clarification as to why the practice of the house has changed on this occasion.

The DEPUTY SPEAKER — Order! The member for South-West Coast would have also heard the Chair clarify with the house whether there were any noes.

Dr Naphine — Yes, and we said no.

The DEPUTY SPEAKER — Order! Subsequently to that.

Mr Clark — On a further point of order, Deputy Speaker, you put the vote for the third reading. I

indicated 'No'. You then asked whether a division was required. I did not ask for a division; nor did anybody else. However, the requirement is not that a division be called. The question is whether there was a voice for the noes, which there was. That being the case, I believe you are required to ascertain whether or not an absolute majority is required. It does not require a repetition of a no vote, and it does not require the calling of a division in order for you to follow that procedure to ascertain whether or not an absolute majority was present.

The DEPUTY SPEAKER — Order! In order to satisfy the requirements of the house, I ask members who are supporting the bill to stand in their places.

Required number of members having risen:

The DEPUTY SPEAKER — Order! The third reading is passed with the concurrence of an absolute majority of the house.

Motion agreed to by absolute majority.

Read third time.

Remaining stages

Passed remaining stages.

Remaining business postponed on motion of Mr BATCHELOR (Minister for Transport).

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house do now adjourn.

Rail: Surrey Hills fencing

Mr CLARK (Box Hill) — I raise with the Minister for Transport the lack of fencing along a section of railway line running through Surrey Hills, and I ask the minister to act to ensure the safety of the families living opposite this unfenced railway line. I refer in particular to the tracks of the Lilydale and Belgrave lines running between Chatham and Surrey Hills railway stations. Both sides of these tracks are fenced for much of their length, but on the north side of the lines between Union and Robinson roads, running alongside Sunbury Crescent, the track is unfenced. There are trees and shrubs growing at the side of the railway line along this strip, and this creates a visual barrier which makes the lack of fencing less obvious. However, these trees and shrubs do not form a barrier, and there are many gaps

between them through which a child or even an adult could readily pass.

Sunbury Crescent is a narrow residential street, lined with houses on its northern side opposite the railway line. In recent years population turnover has meant that a number of young families have moved into houses in Sunbury Crescent. There are not a lot of cars and other road vehicles using Sunbury Crescent, which makes it in many respects a very friendly area in which to bring up children. However, several families living in Sunbury Crescent have raised with me their concern that sooner or later a child will stray across the road, through the trees and shrubs and onto the railway line. Indeed the presence of these trees and shrubs may add to the risk by reducing the ability of parents or other adults to see that a child has strayed onto the tracks.

We all know that trains hold a great fascination for many children, as indeed they do for some adults. It is easy to imagine that a curious child of preschool age or a young schoolchild may enjoy the adventure of approaching closer to the trains to see what is going on, perhaps going onto the tracks to examine the rails and ballast or to look out for when the next train is coming. Tragic consequences could follow all too readily. The time to act on these risks is not after the event but when a significant risk to safety can be seen in advance. Tragically the government is installing a fence at North Shore station after the fatality that occurred there.

I appreciate that there are many kilometres of railway line throughout Victoria. However, there seems to be a very strong case for installing fencing along Sunbury Crescent for all the reasons I have given. I therefore ask the minister to act speedily on the concerns that I am raising in order to protect the safety of families and particularly of the children living alongside this section of unfenced railway line.

Rail: Lakeside station

Ms LOBATO (Gembrook) — The matter I raise is for the attention of the Minister for Transport, and at 10 to 1 in the morning and in the interests of the work-family balance, I will be brief in my request.

The action that I seek is for the minister to investigate the viability of a new train station for Lakeside at Pakenham. Members in this place would be aware of the rapidly growing population in the south-east corridor, particularly in the Pakenham area. I raised in this house only a few weeks ago the need for a children's hub centre for Lakeside, given the dramatic increase in residents over a very short period. There are also numerous infrastructure projects under way, which

the minister would be aware of, given his recent visit to Pakenham to turn the first sod of the Pakenham bypass. The Minister for Police and Emergency Services was also present at Pakenham only weeks ago to turn the first sod for the \$11 million police and emergency services complex to be situated at Lakeside.

On the basis of offering environmental alternatives to motor vehicle use and to provide localised services, the concept may have merit, but to avoid creating a white elephant with no patronage I strongly recommend that the minister take action to commence a thorough feasibility study of the viability of a Lakeside station.

Caltex: Safeway customer discounts

Mr MAUGHAN (Rodney) — I wish to raise a matter for the Minister for Small Business that concerns the misuse of market power by a major supermarket chain and a major fuel distributor, to the detriment of small business. The house would be well aware of a scheme whereby Caltex provides a 4-cent-a-litre discount on fuel purchased by Safeway customers who have purchased a minimum of \$20 worth of goods at a Safeway store. This certainly happens in Echuca, where Safeway has a supermarket and Caltex has a fuel outlet nearby.

A Tongala businessman, Mr Neville Mackrell of Mackrell's Elite Meats, who has retail butcher shops in both Echuca and Tongala, decided that he would match the Safeway offer and give the same 4-cent-a-litre discount to customers purchasing meat at his stores. I am advised that the Caltex distributor with whom Mr Mackrell spoke was quite willing to give that discount, but I am further advised that Caltex would not allow its distributor to proceed with this arrangement because of an exclusive agreement between Safeway and Caltex. If this is the case, and I have been reliably advised that it is, it would seem to me to be a blatant abuse of the excessive market power enjoyed by both Safeway and Caltex with the express purpose of harming smaller competitors that are providing competition to Safeway and colluding to eliminate that competition.

I therefore ask that the minister investigate this situation to determine whether Caltex and Safeway are operating within the law and also to investigate what action can be taken to force Caltex to provide fuel to customers of Mackrell's Elite Meats on the same terms and conditions that it provides fuel to Safeway customers.

Cranbourne electorate: ministerial visit

Mr PERERA (Cranbourne) — I raise a matter with the Deputy Premier and the Minister for Victorian Communities. I ask the minister to arrange a visit to Cranbourne to see the needs of the area. I want to highlight these needs to the minister. Cranbourne is in the growth corridor. The city of Casey is Australia's fastest growing municipality after Brisbane and the Gold Coast, and Cranbourne is the fastest growing part of Casey. About 55 families move in each week, or about 10 000 people each year. Cranbourne is largely made up of young families. A quarter of families with children in Cranbourne are single-parent families. Nearly half the houses in Cranbourne are being purchased, with a lot of these being low to medium-cost housing.

Physical and social isolation are real problems in Cranbourne. The City of Casey has said the socioeconomic indicators suggest that this is a stressed community. In 2003 a report was released by independent consultants engaged jointly by the City of Casey, the Victorian Schools Innovation Commission, the Department of Education and Training and local schools. That report revealed underlying issues that were harming school performance. Community renewal has been successful in areas with some similarities to Cranbourne, including Doveton-Eumemmerring, Mount Evelyn and Trafalgar. There is strong support in Cranbourne for the renewal of our community. The next step is a proper community planning process. I urge the minister to visit Cranbourne, see for himself the needs of this area and take appropriate action to lift the quality of life in Cranbourne.

Police: Mornington

Mr COOPER (Mornington) — I raise a matter for the attention of the Minister for Police and Emergency Services. I am seeking action from the minister to have police numbers at the Mornington police station raised to a decent level so that police are able to adequately respond to calls from the public. There are insufficient police resources and a lack of numbers at Mornington, and this is causing significant concern in the community. The police at Mornington are stretched well beyond what is reasonable. I will give some examples as to why the community is concerned.

Recently in Mount Martha a mob of rampaging youths smashed shop windows, stole goods and generally created mayhem. No police were available to respond to calls regarding the situation. Thousands of dollars worth of damage was done. Just a couple of weeks ago

an 81-year-old man was seriously assaulted by a 16-year-old youth in Mornington East. The assailant was apprehended by some local citizens, who had to hold him for 45 minutes until police arrived. Again in Mornington East, a man was seriously assaulted by a gang of youths, and again there was a lack of police numbers to respond with speed.

This lack of police numbers is serious and alarming, and the minister needs to take immediate action to fix the problem. We get rhetoric about increased police numbers, but it is not being matched by real, live police personnel in Mornington. My constituents want action from this government on this issue, not just words. We do not want to hear from the minister that the government has just increased police numbers; the reality is that when you get south of Mordialloc Creek police numbers drop away quite significantly.

The problem I am detailing to the house tonight is not confined to Mornington. I know the situation is the same at Hastings and also at Frankston, and I think the member for Nepean would have a similar story to tell about police resources in his electorate. The minister needs to do something about this. My community is demanding that more police be made available so that they can react to calls within a reasonable time.

Connex: graffiti

Ms MUNT (Mordialloc) — The issue I wish to raise this evening is for the attention of the Minister for Transport. I ask the minister to take action to ensure that Connex reviews the security that is required at the Mordialloc train stabling yards. In an incident during the weekend of 1 and 2 October graffiti vandals gained access to the holding yards and graffitied one of the trains stabled at the station.

I understand that fixed and roving security are already provided. I also understand that the area is securely fenced. During the weekend in question manned security was in place. In spite of these extensive security measures the vandals still managed to gain entry and graffitied the train. Graffiti and vandalism are unacceptable; they are a visual and economic blight. Connex has already put extensive measures in place, as I have previously detailed. However, if these measures need to be reviewed, I ask the Minister for Transport to ask Connex to begin this process, as that is its responsibility.

Even though we have a system that was privatised by the Kennett government, our government remains committed to providing the very best public transport for Victorians it can. For instance, 10 new

three-carriage Siemens trains have recently been introduced on our rail system, and \$1.1 billion worth of new trains, trams and diesel trains is being progressively delivered through to 2006. This is the biggest rolling stock procurement program in Victoria's history. This investment will pay dividends for the network, for Victorian passengers and also for our visitors during the Commonwealth Games. This is a practical demonstration of the Bracks government's commitment to public transport.

Police: south-west Victoria

Mr MULDER (Polwarth) — The matter I wish to raise is for the Minister for Police and Emergency Services and concerns police staffing numbers in Cobden, Terang, Timboon, Port Campbell, Lismore, Skipton and, in particular, Camperdown, all of which are in south-west Victoria. Morale among police officers in Camperdown is so bad that the region will continue to find it hard to attract new officers if conditions are not improved. These communities want their police stations fully staffed, and I call on the minister to act immediately and remedy the chronic shortage in police numbers.

Naturally new recruits and police seeking a change want to take the best option for themselves and their families, and as things stand it is going to be hard to attract police and expect them to work under pressure due to staff shortages. I ask the minister when this situation will be addressed. These communities are sick of the empty promises of more police for the area. Problems with after-hours rosters have been ongoing since Victoria Police proposed a system which would see Camperdown and Cobden serviced by one officer instead of two. The same system was to apply to Terang and Mortlake. The problems continued on through May and June and into September this year, culminating in a situation where on one night only one officer was rostered to cover the area from Skipton through to Port Campbell. The minister has told us that his government has delivered 1400 new police over the past two electoral terms. Where are they?

The situation in the Corangamite area is at crisis point, and in this case the finger points directly at the Minister for Police and Emergency Services for failing to provide sufficient resources. Ill-intentioned people very soon wake up to the fact that there is a lack of police resources. Combine this potential problem with the recent spate of road fatalities in the district, which has more than tripled the 2004 road toll, and you have a sound case for all police stations in the region being adequately staffed and our roads and neighbourhoods patrolled. A strong police presence on our roads is the

best deterrent against bad driving, but police numbers are required for this strategy to be effective. Further promotion of the Great Ocean Road and hinterland, along with the newly created Otway National Park, will bring more people into the region. In order to provide a safe environment it is essential that appropriate police resources are in place.

Residents and councillors in this area have every right to question why their taxes are being spent on such things as wire rope barriers between Colac and Camperdown instead of additional police or passing lanes. For that matter, what about the emergency helicopter for south-western Victoria? Government ministers continue to extol the virtues of the great south-west. How about making it safe to live, work and drive a car there by providing appropriate police levels and a work environment that will encourage them to stay.

Teachers: World Teachers Day

Dr HARKNESS (Frankston) — Tonight I raise a matter for the attention of the Minister for Education and Training. World Teachers Day will be held on Friday, 28 October, and the action I seek is that the minister visit a school on that day and ensure that the day is adequately and properly celebrated. Teachers are very important, and right across Victoria they deserve to be congratulated on the excellent work they do each and every day.

This is a very special occasion which is being organised by the Victorian Institute of Teaching to acknowledge the tremendous efforts of teachers across the state, and it certainly provides the community with an opportunity to recognise the outstanding efforts of our teachers. I know that teachers work very hard. My mother was a teacher all her working life. My partner is also studying at the moment to become a primary school teacher, and I know that even as a student teacher she finds the work incredibly demanding and challenging. I am a regular visitor to local schools around Frankston and I know first hand about the teachers within the Frankston area and the enormous amount of work they do and the way they perform to ensure that our children have the best possible education.

This is the centenary year of state government secondary education in Victoria, and we have come a long way over the past 100 years — more than 1600 government schools throughout Victoria educating almost 250 000 students. The nature of teaching over the past century has changed significantly, placing more demand on teachers in recent times — for example, teachers have to adapt to

more job descriptions and become more aware of the lives of their students outside school.

In conclusion, enthusiastic, committed and dedicated teachers in the lives of young people certainly allow students opportunities to learn to succeed, and once again I ask the minister to offer the appropriate congratulations to teachers in our education system on World Teachers Day.

Police: Mornington Peninsula

Mr DIXON (Nepean) — I wish to raise an issue with the Minister for Police and Emergency Services regarding schoolies on the Mornington Peninsula. I understand what I intend to raise is an operational decision and the minister would not deal with that, but I am asking him to make an exemption in this case to ensure that there is an adequate visible police presence on the Mornington Peninsula during this year's schoolies week celebrations.

Year 12 classes finish across the state this week, and once the exams are over in two to three weeks time schoolies will be descending on the Mornington Peninsula. In fact the number of schoolies coming down to the Mornington Peninsula has increased incredibly over the last few years. They mainly stay in the many holiday houses on the Mornington Peninsula. On average probably half the houses in my electorate are holiday houses, so there are adequate places for them to stay and they tend to converge in great numbers in those holiday houses and also some of the other paid-for accommodation places as well.

Of course most of the schoolies are well behaved and have a good time and do no harm to anyone. However, there is a perception out there — and sometimes unfortunately it is a reality, especially with the senior citizens in my electorate — to feel very threatened by young people, particularly when they congregate in large numbers in public places and also when loud music is being played at parties. Many of these schoolies have just got their licences and are trying out their new freedom and their new cars up and down the local streets.

As a deterrent to that there is a need for a stronger, visible police presence on the Mornington Peninsula in the places where these young people congregate, especially at a lot of the liquor outlets. We need night patrols in the streets and foreshore areas where they tend to congregate. We have had a remarkable increase of vandalism and graffiti on the peninsula. I think the police being visible in the places and in the streets

where young people are congregating is very important to put the senior citizens in my electorate at ease.

The visible police presence would be as much for the safety of the young people too, especially with road safety issues and their own personal safety. That is as important as much as the protection of the wider community. Schoolies week is now becoming a bigger issue for local police than New Year's Eve which has been relatively contained over the last few years. It is a short-term fix to have more police on the Mornington Peninsula for schoolies this coming season, but in the long term we need to have a far more coordinated approach to schoolies in the hot spots around the state. We could perhaps look at things like voluntary registration, real education programs, not just in the local schools but taking advantage of TV and radio and even organising some events.

Schoolies can be a plus for an area, but in the short term I once again ask for that more visible police presence during schoolies week.

Torquay Surf Life Saving Club: alternative energy

Mr CRUTCHFIELD (South Barwon) — I wish to raise an issue for the attention of the Minister for Environment who is also the Minister for Water. The action I seek is for the minister to request Sustainability Victoria to investigate the possibility of facilitating a pilot project for alternative energy sources for the Torquay Surf Life Saving Club. Last Friday I attended a meeting convened by the Surf Coast Shire Council. In attendance were the president of the Torquay Surf Life Saving Club, Peter Robinson; the secretary, Peter Doyle; Surf Coast economic development officer, Daryl Treloar; Surf Coast recreation manager, Andrew Crowley; and chair of the meeting and Torquay Surf Coast Life Saving Club member, Dean Webster.

We discussed a number of issues, but as time does not permit me to go through those I will concentrate on the ones relevant to the minister. Torquay Surf Life Saving Club has not been connected to any reticulated gas and at present it relies on electricity particularly for its hot water. The club has some 700 members, and its facilities are used 12 months of the year not only by the members but by outside organisations as well. In 2004–05 its power bill was \$10 500, which is a lot by anyone's standards. It is a lot of money that could go back into ensuring the provision of the high-quality volunteer lifesaving services it presently provides.

I believe a pilot project that included the Torquay Surf Life Saving Club would demonstrate statewide

benefits. Indeed, it was pointed out that surf clubs are usually in ideal positions for alternative and renewable energy systems. Torquay is in such a location. Solar energy systems with electricity backup heat banks and wind energy were raised at the meeting. Cr Webster in particular was enthusiastic about a mini wind turbine called Turby. It is a wind turbine for the developed environment that is attached to buildings in both remote and urban environments. It connects to the grid and the provider receives a credit for the power it generates. It certainly seems to be a possibility for not only surf lifesaving clubs but for individual properties or business applications.

I congratulate the Surf Coast shire and the Torquay Surf Life Saving Club for their initiative in raising this with me. I believe this would be an ideal pilot project that would have significant statewide and indeed national benefits.

Responses

Mr BATCHELOR (Minister for Transport) — The member for Gembrook raised with me the possibility of a railway station at Lakeside, sometimes known as Cardinia Road station. I can inform the member for Gembrook that the Department of Infrastructure is currently working with the Shire of Cardinia to investigate the feasibility of a new railway station adjacent to Cardinia Road. These are investigations, I point out, into issues such as the potential patronage and the likely cost of a new station. Increasing access to public transport is an important goal of the government's metropolitan transport plan and for some communities this will mean the construction of new railway stations. I will seek further information and advice and get back to the member on the progress of these investigations into this particular proposal for a station at Cardinia Road.

The member for Mordialloc raised with me the issue of train security at the stabling facilities at Mordialloc. She asked for a review to be undertaken. I will take that up with the Department of Infrastructure which together with Connex will review the security at this location for our important rolling stock. I agree with her description and her abhorrence of graffiti, and I also join with her in acknowledging that there are extensive security arrangements already in place. I will undertake to commence the review she sought and advise the member in due course.

The member for Box Hill raised with me the issue of fencing a section of the railway line in Surrey Hills. I will ask the Department of Infrastructure to look at this matter and examine the situation he has referred to. I

will also ask it to see what the situation was at this location during the period when the Liberal Party was in government. It is worth acknowledging that the laws of Victoria have given an exemption from the requirement to fence railway lines. That has been a longstanding provision of Victorian laws, and in fact the member for Box Hill acknowledged that in his contribution. Notwithstanding that, I will ask the Department of Infrastructure to have a look at that and will get back to him in due course.

Responding to other matters raised by members here tonight, the members for Rodney, Cranbourne, Mornington, Polwarth, Frankston, Nepean and South Barwon raised various matters for the appropriate ministers. I will take them up with the ministers and get back to the members in due course.

The ACTING SPEAKER (Mr Nardella) —
Order! The house is now adjourned.

House adjourned 1.10 a.m. (Wednesday).