

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-FIFTH PARLIAMENT

FIRST SESSION

Wednesday, 5 October 2005

(extract from Book 5)

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

By authority of the Victorian Government Printer

The Governor

JOHN LANDY, AC, MBE

The Lieutenant-Governor

Lady SOUTHEY, AM

The ministry

Premier and Minister for Multicultural Affairs	The Hon. S. P. Bracks, MP
Deputy Premier, Minister for Environment, Minister for Water and Minister for Victorian Communities.....	The Hon. J. W. Thwaites, MP
Minister for Finance, Minister for Major Projects and Minister for WorkCover and the TAC	The Hon. J. Lenders, MLC
Minister for Education Services and Minister for Employment and Youth Affairs	The Hon. J. M. Allan, MP
Minister for Transport	The Hon. P. Batchelor, MP
Minister for Local Government and Minister for Housing.....	The Hon. C. C. Broad, MLC
Treasurer, Minister for Innovation and Minister for State and Regional Development	The Hon. J. M. Brumby, MP
Minister for Agriculture.....	The Hon. R. G. Cameron, MP
Minister for the Arts and Minister for Women's Affairs.....	The Hon. M. E. Delahunty, MP
Minister for Community Services and Minister for Children.....	The Hon. S. M. Garbutt, MP
Minister for Manufacturing and Export, Minister for Financial Services and Minister for Small Business	The Hon. A. Haermeyer, MP
Minister for Police and Emergency Services and Minister for Corrections	The Hon. T. J. Holding, MP
Attorney-General, Minister for Industrial Relations and Minister for Planning	The Hon. R. J. Hulls, MP
Minister for Aged Care and Minister for Aboriginal Affairs	The Hon. Gavin Jennings, MLC
Minister for Education and Training	The Hon. L. J. Kosky, MP
Minister for Sport and Recreation and Minister for Commonwealth Games.....	The Hon. J. M. Madden, MLC
Minister for Gaming, Minister for Racing, Minister for Tourism and Minister assisting the Premier on Multicultural Affairs.....	The Hon. J. Pandazopoulos, MP
Minister for Health	The Hon. B. J. Pike, MP
Minister for Energy Industries and Minister for Resources	The Hon. T. C. Theophanous, MLC
Minister for Consumer Affairs and Minister for Information and Communication Technology.....	The Hon. M. R. Thomson, MLC
Cabinet Secretary	Mr R. W. Wynne, MP

Legislative Assembly committees

Privileges Committee — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

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

Joint committees

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

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

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

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

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

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

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

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

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

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

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

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

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

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Dr S. O'Kane

MEMBERS OF THE LEGISLATIVE ASSEMBLY

FIFTY-FIFTH PARLIAMENT — FIRST SESSION

Speaker: The Hon. JUDY MADDIGAN

Deputy Speaker: Mr P. J. LONEY

Acting Speakers: Ms Barker, Ms Campbell, Mr Cooper, Mr Delahunty, Mr Ingram, Mr Jasper, Mr Kotsiras, Mr Languiller, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith and Mr Thompson

Leader of the Parliamentary Labor Party and Premier:

The Hon. S. P. BRACKS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. J. W. THWAITES

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

Mr R. K. B. DOYLE

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

The Hon. P. N. HONEYWOOD

Leader of The Nationals:

Mr P. J. RYAN

Deputy Leader of The Nationals:

Mr P. L. WALSH

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	Languiller, Mr Telmo Ramon	Derrimut	ALP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Leighton, Mr Michael Andrew	Preston	ALP
Asher, Ms Louise	Brighton	LP	Lim, Mr Hong	Clayton	ALP
Baillieu, Mr Edward Norman	Hawthorn	LP	Lindell, Ms Jennifer Margaret	Carrum	ALP
Barker, Ms Ann Patricia	Oakleigh	ALP	Lobato, Ms Tamara Louise	Gembrook	ALP
Batchelor, Mr Peter	Thomastown	ALP	Lockwood, Mr Peter John	Bayswater	ALP
Beard, Ms Dympna Anne	Kilsyth	ALP	Loney, Mr Peter James	Lara	ALP
Beattie, Ms Elizabeth Jean	Yuroke	ALP	Lupton, Mr Anthony Gerard	Prahran	ALP
Bracks, Mr Stephen Phillip	Williamstown	ALP	McIntosh, Mr Andrew John	Kew	LP
Brumby, Mr John Mansfield	Broadmeadows	ALP	McTaggart, Ms Heather	Evelyn	ALP
Buchanan, Ms Rosalyn	Hastings	ALP	Maddigan, Mrs Judith Marilyn	Essendon	ALP
Cameron, Mr Robert Graham	Bendigo West	ALP	Marshall, Ms Kirstie	Forest Hill	ALP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Maughan, Mr Noel John	Rodney	Nats
Carli, Mr Carlo	Brunswick	ALP	Maxfield, Mr Ian John	Narracan	ALP
Clark, Mr Robert William	Box Hill	LP	Merlino, Mr James	Monbulk	ALP
Cooper, Mr Robert Fitzgerald	Mornington	LP	Mildenhall, Mr Bruce Allan	Footscray	ALP
Crutchfield, Mr Michael Paul	South Barwon	ALP	Morand, Ms Maxine Veronica	Mount Waverley	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Mulder, Mr Terence Wynn	Polwarth	LP
Delahunty, Mr Hugh Francis	Lowan	Nats	Munt, Ms Janice Ruth	Mordialloc	ALP
Delahunty, Ms Mary Elizabeth	Northcote	ALP	Napthine, Dr Denis Vincent	South-West Coast	LP
Dixon, Mr Martin Francis	Nepean	LP	Nardella, Mr Donato Antonio	Melton	ALP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Doyle, Mr Robert Keith Bennett	Malvern	LP	Overington, Ms Karen Marie	Ballarat West	ALP
Duncan, Ms Joanne Therese	Macedon	ALP	Pandazopoulos, Mr John	Dandenong	ALP
Eckstein, Ms Anne Lore	Ferntree Gully	ALP	Perera, Mr Jude	Cranbourne	ALP
Garbutt, Ms Sherryl Maree	Bundoora	ALP	Perton, Mr Victor John	Doncaster	LP
Gillett, Ms Mary Jane	Tarneit	ALP	Pike, Ms Bronwyn Jane	Melbourne	ALP
Green, Ms Danielle Louise	Yan Yean	ALP	Plowman, Mr Antony Fulton	Benambra	LP
Haermeyer, Mr André	Kororoit	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
Hardman, Mr Benedict Paul	Seymour	ALP	Robinson, Mr Anthony Gerard	Mitcham	ALP
Harkness, Dr Alistair Ross	Frankston	ALP	Ryan, Mr Peter Julian	Gippsland South	Nats
Helper, Mr Jochen	Ripon	ALP	Savage, Mr Russell Irwin	Mildura	Ind
Herbert, Mr Steven Ralph	Eltham	ALP	Seitz, Mr George	Keilor	ALP
Holding, Mr Timothy James	Lyndhurst	ALP	Shardey, Mrs Helen Jean	Caulfield	LP
Honeywood, Mr Phillip Neville	Warrandyte	LP	Smith, Mr Kenneth Maurice	Bass	LP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Stensholt, Mr Robert Einar	Burwood	ALP
Hudson, Mr Robert John	Bentleigh	ALP	Sykes, Dr William Everett	Benalla	Nats
Hulls, Mr Rob Justin	Niddrie	ALP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Ingram, Mr Craig	Gippsland East	Ind	Thwaites, Mr Johnstone William	Albert Park	ALP
Jasper, Mr Kenneth Stephen	Murray Valley	Nats	Trezise, Mr Ian Douglas	Geelong	ALP
Jenkins, Mr Brendan James	Morwell	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Kosky, Ms Lynne Janice	Altona	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Kotsiras, Mr Nicholas	Bulleen	LP	Wilson, Mr Dale Lester	Narre Warren South	ALP
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wynne, Mr Richard William	Richmond	ALP

CONTENTS

WEDNESDAY, 5 OCTOBER 2005

BUSINESS OF THE HOUSE	
<i>Notices of motion: removal</i>	1171
<i>Division list</i>	1254
NOTICES OF MOTION.....	1171
WATER (RESOURCE MANAGEMENT) BILL	
<i>Introduction and first reading</i>	1171
CRIMES (HOMICIDE) BILL	
<i>Introduction and first reading</i>	1171
ENVIRONMENT EFFECTS (AMENDMENT) BILL	
<i>Introduction and first reading</i>	1171
CHILD WELLBEING AND SAFETY BILL	
<i>Introduction and first reading</i>	1171
CHILDREN, YOUTH AND FAMILIES BILL	
<i>Introduction and first reading</i>	1172
PETITIONS	
<i>Police: schools program</i>	1172
<i>Preschools: accessibility</i>	1172
<i>Schools: religious instruction</i>	1172
<i>Wellington: administration</i>	1172
<i>Lakes Entrance: dredging</i>	1172
<i>Wellington: Yarram poll</i>	1173
<i>Motor registration fees: concessions</i>	1173
DOCUMENTS.....	1173
MEMBERS STATEMENTS	
<i>Friends of Farm Vigano</i>	1173
<i>Buses: Mornington East and Mount Martha</i>	1173
<i>Werribee Legal Service</i>	1174
<i>Housing: Wangaratta</i>	1174
<i>Vietnamese community: achievements</i> .1174, 1176, 1178	
<i>Point Nepean Road: safety</i>	1175
<i>Buses: Latrobe Valley</i>	1175
<i>Land tax: trusts</i>	1175
<i>Outer East Citizen Advocacy: volunteer awards</i>	1176
<i>Citrus industry: imports</i>	1176
<i>Jean Baker</i>	1176
<i>Ukrainian National Sports Festival, Geelong</i>	1177
<i>Emergency services: superannuation</i>	1177
<i>Terry Birthisel and Bruce Klinge</i>	1177
<i>Rail: Wodonga crossing</i>	1178
<i>Knox Gymnastics Club</i>	1178
<i>Macedon electorate: football and netball clubs</i>	1178
<i>YMCA Youth Parliament</i>	1179
<i>Rangeview Primary School: poetry award</i>	1179
<i>Monatec Pty Ltd</i>	1179
MATTER OF PUBLIC IMPORTANCE	
<i>Rural and regional Victoria: planning and natural resource management</i>	1179
STATEMENTS ON REPORTS	
<i>Environment and Natural Resources Committee: sustainable communities</i>	1200
<i>Rural and Regional Services and Development Committee: country football</i>	1200
<i>Family and Community Development Committee: development of body image among young people</i>	1201
<i>Road Safety Committee: crashes involving roadside objects</i>	1201
<i>Economic Development Committee: labour hire</i>	1202
<i>Scrutiny of Acts and Regulations Committee: discrimination in the law</i>	1202
EASTLINK: OPPOSITION POLICY.....	1203, 1215
QUESTIONS WITHOUT NOTICE	
<i>Rural and regional Victoria: development funds</i>	1208
<i>Roads: funding</i>	1209
<i>Roads: rural and regional</i>	1210
<i>Treasurer: budget delay</i>	1211
<i>Environment: litter reduction</i>	1211
<i>Schools: language disorder program</i>	1212
<i>Employment and youth affairs: portfolio funding</i>	1213
<i>Melbourne: car park levy</i>	1214
<i>Partnerships Victoria: projects</i>	1214
VETERANS BILL	
<i>Second reading</i>	1249
DEFAMATION BILL	
<i>Second reading</i>	1253
<i>Remaining stages</i>	1254
PRISONERS (INTERSTATE TRANSFER) (AMENDMENT) BILL	
<i>Second reading</i>	1254
FIREARMS (FURTHER AMENDMENT) BILL	
<i>Second reading</i>	1257
CONGESTION LEVY BILL	
<i>Second reading</i>	1258
MOTOR CAR TRADERS AND FAIR TRADING ACTS (AMENDMENT) BILL	
<i>Second reading</i>	1262
MINERAL RESOURCES DEVELOPMENT (BROWN COAL ROYALTIES) BILL	
<i>Second reading</i>	1263
MINES (ALUMINIUM AGREEMENT) (BROWN COAL ROYALTIES) BILL	
<i>Second reading</i>	1264
TREASURY LEGISLATION (REPEAL) BILL	
<i>Second reading</i>	1266
TREASURY LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL	
<i>Second reading</i>	1274

CONTENTS

ADJOURNMENT

<i>Wild dogs: control</i>	1279
<i>Prostate cancer: awareness</i>	1280
<i>Aboriginals: Won Wron rehabilitation centre</i>	1280
<i>Narre Warren South P-12 College: leadership program</i>	1281
<i>Mental health: Cheltenham resource centre</i>	1281
<i>Disability services: communication devices</i>	1282
<i>Local government: elections</i>	1282
<i>Racecourse Road, Flemington: traffic management</i>	1283
<i>Bridges: Echuca-Moama</i>	1283
<i>Footscray: transit city project</i>	1284
<i>Responses</i>	1285

Wednesday, 5 October 2005

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

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

The SPEAKER — Order! I wish to advise the house that under standing order 144 notices of motion 211 to 213 inclusive and 357 to 382 inclusive 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 by 6.00 p.m. today.

NOTICES OF MOTION

Notices of motion given.

Mr LANGDON having given notice of motion:

The SPEAKER — Order! Can the members in the back row not hear me? Are their speakers not working? They were adjusted this morning because of a complaint from someone yesterday. Obviously that has not been very successful. I will ask those responsible to come and have a look at the speakers as soon as they can.

Further notices of motion given.

**WATER (RESOURCE MANAGEMENT)
BILL**

Introduction and first reading

Mr THWAITES (Minister for Water) — I move:

That I have leave to bring in a bill to amend the Water Act 1989, the Environment Protection Act 1970 and the Valuation of Land Act 1960 and for other purposes.

Mr HONEYWOOD (Warrandyte) — Could the minister give a brief explanation of the bill?

Mr THWAITES (Minister for Water) — The bill essentially implements the government's policy commitments as outlined in the *Our Water Our Future* white paper. It introduces a number of provisions for the more sustainable management of water through sustainable water strategies. It provides for the allocation of water through water shares for irrigators. It is landmark reform which also allows for the interstate

trading of water pursuant to the national water initiative.

Motion agreed to.

Read first time.

CRIMES (HOMICIDE) BILL

Introduction and first reading

Mr HULLS (Attorney-General) introduced a bill to amend the law in relation to homicide offences, to amend the Crimes Act 1958 and the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 and make consequential amendments to certain other acts and for other purposes.

Read first time.

**ENVIRONMENT EFFECTS (AMENDMENT)
BILL**

Introduction and first reading

Mr HULLS (Minister for Planning) — I move:

That I have leave to bring in a bill to amend the Environmental Effects Act 1978 to improve the operation of that act and for other purposes.

Mr BAILLIEU (Hawthorn) — I seek a brief explanation from the minister.

Mr HULLS (Minister for Planning) — This is a very important piece of legislation which will improve the timeliness, the transparency and the accountability of procedures under the act. It will improve the legislative framework under which detailed guidelines for environmental assessment procedures can be made.

Motion agreed to.

Read first time.

CHILD WELLBEING AND SAFETY BILL

Introduction and first reading

Ms GARBUTT (Minister for Children) introduced a bill to establish principles for the wellbeing of children, to establish the Victorian Children's Council and the Children's Services Coordination Board, to provide for the child safety commissioner and to confer functions and powers on the child safety commissioner in relation to the safety of

children, to provide for the notification of births to municipal councils, to repeal part IX of the Health Act 1958 and for other purposes.

Read first time.

CHILDREN, YOUTH AND FAMILIES BILL

Introduction and first reading

Ms GARBUTT (Minister for Children) introduced a bill to provide for community services to support children and their families, to provide for the protection of children, to make provision in relation to children who have been charged with, or who have been found guilty of, offences, to continue the Children's Court of Victoria as a specialist court dealing with matters relating to children, to repeal the Children and Young Person's Act 1989, to amend the Community Services Act 1970 and other acts and for other purposes.

Read first time.

PETITIONS

Following petitions presented to house:

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 require the police reinstate the police schools involvement program to build a secure environment for the children of Victoria.

By Mr KOTSIRAS (Bulleen) (20 signatures)

Preschools: accessibility

To the Legislative Assembly of Victoria:

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

The petitioners therefore request that the Legislative Assembly of Victoria recognise that preschool is the critical first step of education and move responsibility for preschools to the Department of Education and Training.

By Mr HERBERT (Eltham) (20 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 HERBERT (Eltham) (94 signatures)
 Mr ROBINSON (Mitcham) (15 signatures)
 Mr DIXON (Nepean) (36 signatures)
 Mr HARDMAN (Seymour) (31 signatures)

Wellington: administration

To the Legislative Assembly of Victoria:

The petition of the residents of Victoria draws to the attention of the house our dissatisfaction with the Shire of Wellington regarding the operation, management and accountability to the local community. The petitioners therefore request that the Legislative Assembly of Victoria review:

- (a) the operation of the council with particular reference to the planning department and the communications policies of the council;
- (b) the present unsubdivided council so as to ensure that local issues are adequately addressed and that council is responsible and accountable to the local community.

By Mr INGRAM (Gippsland East) (120 signatures)

Lakes Entrance: dredging

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house the severe risk of flooding; threats to public safety; negative impact on industry; and concerns for the environment of the Gippsland Lakes, associated with the excessive build-up of sand in and around the ocean entrance to the lakes system. The petitioners therefore request that the Legislative Assembly of Victoria fully resource Gippsland Ports to purchase new equipment and develop a permanent solution to maintain this vital piece of infrastructure, in the interests of all Victorians.

**By Mr INGRAM (Gippsland East) (783 signatures)
Mr RYAN (Gippsland South) (967 signatures)**

Wellington: Yarram poll

To the Legislative Assembly of Victoria:

The petition of the electors of the region of Yarram and districts draws to the attention of the house the lack of fair and equitable local government representation and excellence in governance.

The petitioners therefore request that the Legislative Assembly of Victoria act to conduct a poll of the electors of Yarram and districts within the boundaries of the old Alberton shire, and that the region be proclaimed as the Alberton shire comprising five wards, the north, south, east, west and central wards, with one elected councillor in each ward representing the electors in each ward, a total of five councillors in the new Alberton shire.

By Mr RYAN (Gippsland South) (99 signatures)

Motor registration fees: concessions

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

The humble petition of the undersigned citizens of the state of Victoria sheweth the state government's decision to halve the pensioner concession on car registration fees is discriminatory to the people of Victoria. A large number of Mornington Peninsula pensioners rely on their car for transport because of the low levels of public transport in the area.

Your petitioners therefore pray that the government reverse its decision to halve the pensioner concession on car registration fees.

And your petitioners, as in duty bound, will ever pray.

By Mr DIXON (Nepean) (13 signatures)

Tabled.

Mr Thompson — On a point of order, Speaker, I was not aware of the list being disseminated when members came in. It may be that one was handed out.

The SPEAKER — Order! They were handed out: they are here.

DOCUMENTS

Tabled by Clerk:

Audit Act 1994 — Report of the Auditor-General on Results of special reviews and other investigations — Ordered to be printed

Auditor-General — Performance Audit Reports:

Community planning services in Glenelg Shire Council: 1998–2005 — Ordered to be printed

Health procurement in Victoria — Ordered to be printed

Financial Management Act 1994 — Report from the Minister for Agriculture that he had received the 2004–05 annual report of PrimeSafe

Subordinate Legislation Act 1994 — Minister's exemption certificate in relation to Statutory Rule No 119.

The SPEAKER — Order! If there were members who did not receive a list of petitions when they entered the chamber and wish to move that they be put on the notice paper, they can identify them and do that tomorrow.

Mr Cooper — They should be on our seats.

The SPEAKER — We will not have a debate about that. I was just giving members some information for their assistance tomorrow.

MEMBERS STATEMENTS

Friends of Farm Vigano

Ms D'AMBROSIO (Mill Park) — I wish to inform the house of the terrific work of the Friends of Farm Vigano, which is a voluntary organisation. The Friends of Farm Vigano was established about four years ago to save and redevelop a property with heritage value called Farm Vigano, based in South Morang. The farm was established by Mario and Teresa Vigano in the 1930s. Mario Vigano was renowned for the establishment of Mario's Restaurant in Exhibition Street. His wife, Teresa, was a noted artist in her own right, and they were also the grandparents of Mietta O'Donnell. The tradition of a fine restaurateur family continued through the generations and is still evident today through the noted work of Patricia O'Donnell.

The family were very instrumental in establishing modern multiculturalism in Melbourne. They certainly woke up Melbourne from its very sleepy existence regarding fine wining and dining, culinary habits, the arts, music and culture. The friends group recently received \$20 000 from the Community Support Fund for the development of the master plan of the property. I would certainly like to acknowledge the work of the Minister for Victorian Communities for being able to provide this important funding to this group. I would like to acknowledge Giuliana Mecoli, the president of the Friends of Farm Vigano.

Buses: Mornington East and Mount Martha

Mr COOPER (Mornington) — Residents in Mornington East and Mount Martha are perplexed over the refusal by the Minister for Transport to approve

much-needed and well-overdue increased bus services to those two areas. Mornington East was nominated many months ago as one of the 12 fringe growth areas around Melbourne that desperately needs improvements to its bus services. Mount Martha has had a similar desperate need for increased bus services for many years. The services from Mount Martha into Frankston are overcrowded and frequently school students have to stand up because there are no seats available to them. The need is desperate and it is well recorded and well known by the minister's own department.

The local community, the local council and the local bus company have all joined me in repeatedly calling on the Minister for Transport to stop his procrastination and authorise these increased services. I know that officers in the minister's own department have recommended the improvements to bus services in both areas. Now the Minister for Transport is alone; he is isolated as the only person who is denying the improvements these two areas need so badly. I call on the Minister for Transport to stop his dithering and authorise these improvements immediately. These are improvements that are desperately needed. It is well recorded and the minister needs to start acting rather than procrastinating.

Werribee Legal Service

Ms GILLET (Tarneit) — It was my privilege last week to chair the annual general meeting of the Werribee Legal Service and in doing so facilitate a process for the establishment of the Wyndham legal service. The Werribee Legal Service was originally established in 1986 by a group of dedicated residents, representatives of local organisations and a worker from the Western Suburbs Legal Service. For many years the service operated solely on the strength of its volunteers which is a testament to our community. But a little time ago the legal service came into some difficulties.

I would like to place on record my thanks to Victoria Legal Aid, Tony Parsons, Chris Thwaites and Mark Courtney for their assistance over the last 12 months in sorting out those difficulties. I would also place on record my thanks to the newly elected committee of management: Ian Robbins will be the chairperson; Marie Brittan will be treasurer; Debbie Kirkwood will be secretary; and Cameron Hannebery, Phillip Box, Caitlin McAlister and Judith Sutcliffe will be ordinary members. I would like to express my gratefulness to that new committee of management for taking on this very important role to make sure social justice is a real thing for the people of Wyndham.

Housing: Wangaratta

Mr JASPER (Murray Valley) — The provision of housing for low-income earners on departmental waiting lists is now at a crisis point in many areas of country Victoria, including major country centres such as Wangaratta. Through the 1980s and even in the 1990s major contracts were let for housing either in departmental housing estates or spot purchase programs with waiting lists progressively being reduced. In Wangaratta, for instance, each year we regularly secured funding for 20 to 30 houses with other contracts for new houses in centres such as Cobram, Numurkah and Yarrawonga. The current situation is that departmental housing waiting lists across country Victoria and in the Murray Valley electorate have blown out because of a lack of new housing over the past five years. In Wangaratta there are over 200 low-income families on the waiting list for two, three and four-bedroom accommodation which has grown by over 100 per cent in recent years.

In response to my representations the housing minister talked about housing for regional Victoria, but the \$10 million package to tackle regional housing problems included only 10 new houses at Shepparton, Seymour and Wangaratta. This is a pathetic response with little likelihood of meeting the needs of low-income earners in Wangaratta and other major centres. The irony of this is that the minister added that the government has a program to work with housing associations, which appears to be just passing the buck and abdicating responsibility. Also, the minister implores me to seek additional funding from the federal government when state government revenue has jumped 50 per cent to over \$30 billion.

Vietnamese community: achievements

Mr MILDENHALL (Footscray) — With a number of MPs I had the honour of joining the Premier at a state government reception last night to recognise and celebrate 30 years of Vietnamese settlement in Australia. Over that 30 years the Vietnamese-Australian community has made a remarkable impact on the Victorian and Australian community. Whilst still facing some social and economic challenges, they have excelled in business and education and transformed the appearance of many communities, mine included. The Premier marked the occasion by announcing a \$522 000 community building initiative to the Vietnamese Community Association of Australia, Victorian chapter, to further develop volunteerism, leadership and services in the community.

Over the last weekend the community conducted a conference to reflect on those 30 years. I am sure much useful information will come from it. In a great speech Professor Des Cahill from RMIT University concluded:

But ultimately the greatest contribution that the Vietnamese will make to Australia will be to its social capital through the solidity of their value system, the values represented in loyalty to be extended family, the overcoming of defeat and despair, the need for resilience in life, the Confucian work ethic, commitment to Taoist longevity, the love of learning and scholarship, care for the community, care and love for the aged in the spirit of thankfulness and, lastly, the love of nature.

Hung Chau, Vivienne Nguyen, Cam Nguyen, Cuc Lam, Venerable Thich Phuc Tan, Phong Nguyen, Be Ha, Naomi Ngo, Andy Nguyen and, of course, this Parliament's Sang Nguyen, a member for Melbourne West Province in the other place, are among the outstanding leaders of the Vietnamese community who have made these values of social reality.

Point Nepean Road: safety

Mr DIXON (Nepean) — Under the Bracks government virtually no major road projects have been funded in the Nepean electorate. This has to change, and there is an opportunity for the government to do so. Recently VicRoads and the Mornington Peninsula shire met regarding the extension or other options for the Mornington Peninsula Freeway from Rosebud to Rye. Population pressure and massive tourism growth have seen 30 000-plus cars a day on the mainly two-lane Point Nepean Road, a common occurrence, not just in January but on a growing number of weekends through the year. Thirty thousand-plus vehicles a day on the Mornington Peninsula's main road places unacceptable risks for those crossing the highway to the beach; it poses unacceptable delays to emergency vehicles when the traffic is often deadlocked; it destroys the amenity of the coastal shopping strips and the coastal recreation areas and builds up motorists' anger and impatience when they have to try to cross to get onto Point Nepean Road.

The Bracks government must give approval for an environment effects statement (EES) to explore the economic and environmental cost of at least three options to get that unacceptable number of vehicles off the Point Nepean Road. It is also ruining the surface of Point Nepean Road on many spots as well. The Bracks government must have had no problem about an EES providing an enhanced thoroughfare for ships off the peninsula's coast. Perhaps as a peace offering to the local people of the Mornington Peninsula it could fund an EES on their main traffic thoroughfare.

Buses: Latrobe Valley

Mr MAXFIELD (Narracan) — On Monday the member for Morwell and I attended the kicking off of the new bus services in the Latrobe Valley. Ten years ago the then Kennett government slashed bus services across the Latrobe Valley, denying residents in that community access to proper transport, making transport more difficult. As a result of a transport study conducted by the Bracks government, significant bus services have now been introduced — for example, during Monday to Friday there are now two extra services. Previously, because of the Kennett government cutbacks, the bus services stopped at lunchtime on Saturday. As of today we now have bus services on Saturday afternoon, Sundays and public holidays — all put in place by a Bracks government committed to looking after transport needs.

Importantly, most of the new buses provide wheelchair access at significant cost. I would like to congratulate not only the minister and his department but also the Latrobe Valley Bus Lines which has put on these new buses and invested in the transport infrastructure needed for those requiring disabled access. The ability to take wheelchairs on to these buses certainly dramatically improves the ability of people to travel around communities. Certainly this improvement, as well as the upgrading of the fast rail and other rail services, is a hallmark of the Bracks government. Rising petrol prices show us how important the visionary nature of this government has been to show the way in helping our community.

Land tax: trusts

Mr KOTSIRAS (Bulleen) — I stand to condemn this inept and greedy government for once again taking money with both hands and providing no new service to the public. This Labor government's proposal to change land tax in respect of trusts is a disgrace. I have many residents in my electorate who are very angry about this government's cash grab to fund an increase in ministerial advisers and consultants. Many property owners will be hit with new land tax bills on top of their current level of high tax rates.

Many commercial and domestic rental properties are owned by local people using family trusts. This means that a family living in Bulleen who has invested for retirement in a local commercial property will be hit twice by both the current land tax and the new land tax for family trusts. This new land tax on trusts will also hit many local families in Bulleen who purchase a house, a unit or a flat for rental purposes. It is a disgrace, and this government is condemned for

threatening the livelihoods of residents in my electorate. Residents such as Brian from Templestowe, Emanuel from Lower Templestowe, Steven from Templestowe and Elizabeth and Lewis from Templestowe will not forgive nor forget this government. Elizabeth said:

It is unfair that people who hold land in a trust should be taxed differently from people who hold land directly or who hold land other than in the trust.

This Labor government should listen to the public and stop being arrogant.

Outer East Citizen Advocacy: volunteer awards

Ms BEARD (Kilsyth) — On Tuesday, 30 August, I had the honour of hosting a reception during which I presented new advocate certificates on behalf of the committee of management of Outer East Citizen Advocacy. Based at Greenwood Avenue, Ringwood, OECA is a not-for-profit organisation headed by the legendary Jeanne Lawrence, who was the Yarra Ranges Citizen of the Year in 2004 and has dedicated her life to the service of the community. OECA is staffed entirely by volunteers. Its role is to defend, promote and protect the rights of people with disabilities and the frail aged. This is achieved by establishing one-to-one relationships between the client and a trained community volunteer.

I presented new advocate certificates to Cal McCluskey, Cara Blackmore, Catherine James, Pat Halls, Pauline White and Celia Dance, who completed seven 2-hour sessions as well as ongoing work with clients. Mary Troiani received a special award for many years of devoted service as an advocate, committee member and Jeanne's assistant. Part of the work of these exceptional volunteers is to encourage maximum independence for people with disabilities and the frail aged and to enable and empower them to access their community and its resources. Following the presentation of certificates, the recipients and friends enjoyed an afternoon and pleasant social gathering. OECA provides ongoing training for advocates and already has a number of people ready to participate in the next course. I congratulate Jeanne and all who have committed their time and talent so generously to assist others who, for a variety of reasons, may need support.

Citrus industry: imports

Mr SAVAGE (Mildura) — Members in this house will be aware that the Australian citrus industry is in crisis. There are 25 000 tonnes of surplus product which cannot access a market or supermarket shelf, and I suspect that within five years we will probably have no meaningful citrus industry if the current trends

continue. Members will be aware that I brought down half a tonne of oranges some weeks ago and will be sad to note that some of those oranges, which were of very high quality, are being dumped in paddocks for cattle food.

Research in one my local supermarkets has produced some rather startling results in terms of what is on our supermarket shelves. The vast majority of product which is named Coles Farmland and Mildura Sunrise-Berri is so-called Australian product, but the contents are a mixture of imported and local product. They can reconstitute Brazilian concentrate with Australian water and call it 'product of Australia'. That is an appalling outcome. We need to make sure that the labelling of all our product is quite clearly marked so that it shows that this is the product of Australia, made in Australia from Australian oranges and not from some concentrate which comes from Brazil.

Jean Baker

Mr LANGDON (Ivanhoe) — Today I pay tribute to Dorothy Jean Baker, nee Brotherton, OAM. Jean was a councillor for the then City of Heidelberg from 1968 to 1992. She was born on 12 February 1924 and passed away on 23 September 2005. Jean had a long history with the City of Heidelberg. She was mayor in the years 1973–74 and 1982–83. She also stood for state Parliament on one occasion, on the formation of the seat of Bundoora in 1976, which I believe former Premier John Cain won by a very small margin. Jean is survived by her husband of 60 years, Eric. I refer to the newspaper notice:

Passed away peacefully after a short illness. Adored wife of Eric for 60 years, mum of Lynette (deceased), Carolyn and Yvonne, mother-in-law to Chris and Greg, grandma of Cameron, Scott, Lauren, Jennifer (deceased), Kate and David.

Jean was an outstanding person. Growing up in Macleod you had to know the name of Jean Baker. She was very much a Macleod person and gave 24 years of service to the council. She had a very supportive husband and family. I pay tribute to Jean, and offer my condolences to the family.

Vietnamese community: achievements

Mr THOMPSON (Sandringham) — I wish to acknowledge the wonderful contribution of Australians of Vietnamese heritage. Last night there was a reception under the banner of Project 30, one of a series of events marking the contribution of Australians of Vietnamese heritage to Australian society. I would like to draw from the text of a speech made by the

immediate past president of the Vietnamese community, Mr Hung Chau, who noted:

... this is an opportunity to express gratitude to Australians for their support since the first Vietnamese refugee set foot in the state of Victoria in 1975.

Mr Chau looked back on the past 30 years with amazement and pride saying:

In such a short time the Vietnamese community has grown from a small group of bewildered newcomers to a confident and proud community integrating successfully into the wider society.

He paid tribute to the efforts of thousands of volunteers who over the years have helped build the Vietnamese Community in Australia to become the large organisation it is today. He said:

No doubt there are thousands of other Vietnamese quiet achievers who in their own ways have been contributing to our flourishing culture and society.

Mr Chau thanked all of those who have made contributions, large and small, to Victoria. He further noted:

We are all Australians now and we see Australia as much our own country as any other. We are determined to work hard to continue to build and strengthen the unique multicultural fabric of our nation that has successfully and equally embraced people from all ethnic backgrounds.

Thanks to the democratic institutions of our system of government, the freedom of our society and the fair go attitude of our people, the Vietnamese have been able to make the most of their talents and their drive to build new lives in Australia.

Ukrainian National Sports Festival, Geelong

Mr TREZISE (Geelong) — Last Sunday I had the pleasure of presenting trophies to competitors in the Ukrainian National Sports Festival held in Geelong over the weekend. Competitors came from all over the nation to compete in a number of cultural and sporting events which included soccer, volleyball and golf. The weekend culminated on Sunday with a traditional Ukrainian vatra. The vatra has its origins in the Ukraine, where villages met annually to socialise and exchange cultural practices around a huge bonfire. As part of the festivities the village people would also test their skills against one another in areas like music, song and Cossack dancing. The Ukrainian sports festival continues to uphold the vatra tradition. I congratulate the organisers of the event for ensuring that such an important cultural event does not die.

The weekend consisted of live music at the welcome function on Friday night, and on Saturday the games began with volleyball at Deakin University, soccer at the Kiev grounds and golf at Thirteenth Beach. On Saturday night the Ukrainian community kicked up its heels with live music and a light show extravaganza. The games continued on Sunday, with the event culminating in Ukrainian singing, music and dance, traditional food and of course a big bonfire. I take this opportunity to congratulate all those involved in the organisation of the festival, including Ray Pryslak and Wally Stawisk. I also congratulate all the competitors and commend the members of the Ukrainian community of Geelong. They are a strong and proud community who contribute significantly to the betterment of the city of Geelong.

Emergency services: superannuation

Dr SYKES (Benalla) — I wish to declare my strong support and that of the Victorian Nationals for members of Victoria Police, the Country Fire Authority, the State Emergency Service and the Victorian ambulance service. Members of these organisations work in extremely stressful and often dangerous situations to ensure the ongoing safety and security of our families and communities. We therefore throw our full support behind the members of the police force and other emergency services in their fight to protect their superannuation benefits as currently provided by the Emergency Services Superannuation Scheme.

Terry Birthisel and Bruce Klinge

I would also like to acknowledge the careers of two local police officers who exemplify the value of police to country communities. Firstly, I refer to Senior Constable Terry Birthisel, who recently retired after 13 years as a Glenrowan policeman, 25 years at Benalla and a total of 43 years service. Senior Constable Birthisel was a typical, good country cop who was concerned about and part of the community he served. He was always there — at the school crossing, helping and praising young people, patrolling on the Hume Highway and helping out in fires and floods.

I would also like to acknowledge and thank Senior Sergeant Bruce Klinge, who is leaving Mansfield to take up a promotion at Bairnsdale. Senior Sergeant Klinge has shown good leadership and organisational abilities in his time at Benalla and Mansfield police stations, and like Senior Constable Birthisel he has a strong desire to serve the local community. We must continue to encourage police officers like Senior Constable Birthisel and Senior Sergeant Klinge.

Vietnamese community: achievements

Mr DONNELLAN (Narre Warren North) — I rise today to congratulate Hung Chau and Viv Nguyen for the enormous effort they put into the work they undertake for the Victorian chapter of the Vietnamese Community in Australia (VCA) Inc. I attended a function on Thursday, 29 September, at the Happy Reception Centre in Ascot Vale to celebrate the 30-year settlement of the Vietnamese community in Australia and the enormous contribution members of the community have made to Australia. There were many moving moments in the evening, including a speech from former Primer Minister Malcolm Fraser, a person who generously welcomed the community into Australia.

What moved me the most, however, was the video produced by the Vietnamese Community in Australia showing the joy, suffering, dignity and beauty of the boat people's travels to Australia and their engagement in Australia since. I do not think I have spoken to anyone since who was not deeply moved by these images. Congratulations on Project 30, which is driven by the VCA and the offices previously mentioned. I have enjoyed so many of their events, and they have all been managed very well.

Rail: Wodonga crossing

Mr PLOWMAN (Benambra) — I have been receiving an increasing number of complaints about the state of the road at the railway crossing in High Street, Wodonga. Hard-sprung vehicles are forced to reduce speed to negotiate this crossing because of the rough nature of the surface between the tracks. Drivers believed the track would be relocated out of the central business district following the announcement over five years ago by this government. There is an urgent need for improvements to be made to this section of road to ensure a safe crossing for vehicles and pedestrians, particularly those with prams and wheelchairs who also have real difficulty negotiating the tracks.

Last week I met with Mr Ben Boudroukas from Wodonga who advised me that his car sustained damage as the result of a pothole which had developed on the High Street rail crossing. The uneven nature of the rail crossing has been of concern for many months. In fact Mr Boudroukas's damage occurred approximately 10 months ago. The cost of repairs amounted to some \$1200. Clearly this incident is only one of many and the need for repairs to this section of road on the railway crossing is now imperative. I wrote to the minister on 11 April and 28 September this year, with three letters of reminder, but as yet no work has

commenced to rectify this dangerous situation. I again ask the minister to look into this and to effect repairs to this — —

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

Knox Gymnastics Club

Ms ECKSTEIN (Ferntree Gully) — On 23 September I had the honour of representing the Minister for Sport and Recreation in another place at the gala performance of the Knox Gymnastics Club in my electorate. The club caters for over 1000 members from tiny tots to adults throughout a huge area of the outer eastern suburbs, with members coming from as far away as Burwood, Berwick and the Dandenong Ranges. It has the largest registered membership of any gymnastics club in Victoria.

In 2004 the club established an exchange program with the Hangzhou Junior Institute for Gymnastics in China to enable young Australian gymnasts to train at the institute as well as to see Chinese coaching practice in action. In April this year 15 gymnasts, coaches and officials visited China, and in September the Chinese made a return visit.

The gala performance was held to showcase the talents of both the local and Chinese gymnasts to parents and the community, and I must say the quality of the performances was absolutely outstanding. The skill and confidence of the young children, who had only been doing gymnastics for a short time, was quite remarkable. Also, the dedication of the senior boys and girls to their sport over the years is borne out in their considerable talents and professionalism. I understand that the club trains its older students, from about the age of 15, as coaches which means they can become important role models and mentors to the younger ones.

I thank Grant Scurry, president of the Knox Gymnastics Club, and Sue Westaway, the manager of the Knox Gymnastics Centre, for a most enjoyable evening. I also congratulate all the gymnasts on their dedication to their sport and wish them well for the future.

Macedon electorate: football and netball clubs

Ms DUNCAN (Macedon) — I congratulate the football and netball teams in the Macedon electorate, which have all had great years in their respective clubs. Country football and netball is alive and well around the Macedon electorate. The Gisborne Football Club won its third Bendigo Football League senior flag in four years, beating Eaglehawk in the finals. Gisborne's

reserves also took home the flag, beating South Bendigo by 16 points. The under-18s just missed out by 1 goal. Riddells Creek seniors beat Romsey to take the Riddell District Football League premiership. This was a great effort by the mighty Bombers, who were struggling a few years ago.

Riddells Creek netballers won the A and B grade premierships, beating Macedon and Diggers Rest respectively. Congratulations also to Luke Saunders, captain of the Gisborne Bulldogs, who won the Bendigo league's 2005 Michelson medal despite playing only 18 games. Under-18 captain Brenton Faulkner also took out the best player award with the George Symons medal. Congratulations to Marcus Barham, the coach of the Gisborne seniors, who has shown great skill and leadership as coach. He took over from Mick McGuane and has done a great job with his team to see them again win the Bendigo league premiership. The Sunbury Football Club unfortunately was beaten by Melton in the final after having a great season. The Sunbury Lions had to play with one less player for most of the game but still got within 4 points of Melton. It was a sad loss, but the team certainly deserve the name of the gallant Lions.

Country football and netball clubs are incredibly important to towns and engender enormous community spirit. I congratulate all the football and netball clubs across the electorate of Macedon and all the players, who give an enormous amount of time and commitment to their sport.

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

YMCA Youth Parliament

Mr LUPTON (Pahran) — On 27 and 29 September some 120 young people from 20 schools and colleges all around Victoria participated in the YMCA Youth Parliament. It was a pleasure for me along with a number of other members to assist by acting in the role of Speaker in the Legislative Assembly chamber. The Youth Parliament is organised by the YMCA, with assistance from officers of the Parliament, and they do a fantastic job on behalf of the young participants.

The sessions over which I presided included students from Presentation College Windsor (PCW). I congratulate Carmen Angerer, Siobhan Breen, Mairaed Crawford, Jessica Du-Lake, Cecilia Quirk and Stephanie Watts for their preparation and contributions. The two debates in which PCW students were principally involved were on compulsory language

other than English education in secondary schools and water-saving devices for households.

PCW is a consistent participant in Youth Parliament. I was very encouraged by the enthusiasm, intelligence and enjoyment shown by the students. It was patently obvious that they understand the importance of our democracy and how important participation by citizens is to keeping our democracy strong, robust and vibrant. Congratulations to the YMCA, all the volunteers, the youth participants and particularly the students from Presentation College Windsor for their contributions.

Rangeview Primary School: poetry award

Mr ROBINSON (Mitcham) — This morning I want to congratulate parents, teachers and particularly students at Rangeview Primary School in Mitcham. In addition to the school's outstanding achievement not so long ago in the Premier's reading challenge, the school has now taken out first place overall in the Dorothea McKellar poetry award. This is a national competition in which this year some 873 schools across Australia competed. It is the most respected poetry competition in Australia. The success of the school is due to the incredible efforts of a large number of students between years 3 and 6 and their teachers, along with months and months of preparation. Recently at a national presentation teacher Marita Hovarth accepted the award on behalf of the school. It is another example of the excellence within Victorian state schools, and congratulations are in order to principal Chris Cotching, the teachers and the students.

Monatec Pty Ltd

I would also like to congratulate a very innovative Mitcham company, Monatec, which designs and manufactures battery-powered data loggers, auto diallers, remote meter-reading devices and flow monitors. The company has recently had some outstanding success with a flow meter which is designed to be used for fire services where there is an extraordinary water loss. It is an innovative design which will help conserve this precious resource.

MATTER OF PUBLIC IMPORTANCE

Rural and regional Victoria: planning and natural resource management

The ACTING SPEAKER (Mr Savage) — Order!
I have accepted a statement from the member for Shepparton proposing the following matter of public importance for discussion:

That this house condemns the government for its failure to honour its undertaking to govern for all Victorians by ignoring the needs of country Victorians, particularly with regard to the application of laws pertaining to planning and natural resource management.

Mrs POWELL (Shepparton) — People in country Victoria will never forget that this government does not understand the needs of country Victorians, even though it says time and again that it governs for all Victorians. This has been shown time and again in many of the decisions that this government has made over the last six years on planning issues, which have particular relevance for rural and regional Victoria; water issues, which I will speak about a bit later on; and the management of natural resources in country Victoria — for example, the management of weeds and feral and pest animals on Crown land. I know that a number of my colleagues will also put on the record some of the issues of concern they have with some of the government's decisions.

On the issue of planning, in its rural zones review the government said that the changes it was making were about protecting agricultural land. We say it is not just about changing the name of one zone, because that does not address the issue. The government had the opportunity, which was lost, to even strengthen the right to farm so that people who bought properties in those areas would know that proper farming practices were going on there and that they could not be disputed or objected to.

The Nationals had a number of issues of concern about the proposed new zones. Some of those have been fixed up by the government, which did a backflip, and I will talk about that later. But with the proposed new zones came the removal of the provision allowing dwellings on titles of less than 40 hectares. That has had a number of effects, one of those being the reduction in the value and equity of the properties. It actually hinders good farming practice. Because a farmer cannot excise off his house to live in and sell the rest of his land to his son or daughter, it has the capability to stop succession planning on family farms.

We had a lot of people talk to us about this. This was one of the issues that particularly angered farming communities. They were told they could not excise off part of the family farm and then allow the rest of the farm to be bought by the son or the daughter, who could then build a house — in other words, there were not allowed to be two houses on properties of less than 40 hectares.

In my electorate, which is a very strong irrigation area, properties under 40 hectares are obviously viable. What

we were being told was that if a permit was not going to be given to enable a second house to be built on that property, it would stop a son or daughter from taking over the farm while having mum or dad still there. That is what people were doing in country areas: they were able to have mum and dad living on the farm while they built a second house. They needed to have the title over that land so they could actually build another house and have equity in that other house. In other words they could not just build the house there and leave the title in the parents' name. This change would have dramatically affected succession planning and had a detrimental effect on good farming practices.

We believe the proposed changes had the potential to make young people leave the farm because they will not be able to get any support. In country areas young parents who have children obviously need babysitters, and in the past mums and dads living on the farm had been able to take on that responsibility as well as help out on weekends and so forth when an extra pair of hands had been needed to run the farm.

The Nationals believe we need to achieve the right balance between protecting prime agricultural land and protecting the rights of landowners. The proposed changes did not give local councils the flexibility of determining the use of the land in their own municipalities. The Nationals put a submission into the review of the proposed new zones for rural Victoria. We had a number of concerns. Again, we did not believe the proposals achieved the right balance between preserving good quality agricultural land and respecting the reasonable rights of land-holders. We also did not believe that the simplistic approach of transferring categories within the current zones to zones with new names would achieve that balance. In particular we believed the automatic transfer of rural zones to farming zones, with the conditions that were described in the consultation paper, was too restrictive on land-holders and local councils and may in turn have been counterproductive in preserving land for productive agricultural use.

There was a lack of consultation when the proposed new zones were put out for discussion at the end of November. We felt there was not enough time for people, particularly landowners, to have a look at the proposed zones and see how they affected them. We asked the minister for an extension of time. We never received a response, but I understand the time was extended to around 20 February. Again, we do not believe there was appropriate time to enable people to put in a measured response and to know how the rural zones were going to affect them.

One of the issues we raised in our submission was the need for a land audit. We believed there needed to be both a land audit and a future needs analysis to determine whether the land was suitable to be transferred to the farming zone. We thought it was really important to make sure the councils had the opportunity to do an audit of their properties. A number of councils had said to us that instead of the direct transfer of rural zones to farming zones — in a lot of areas the rural zone was a bit of a catch-all — it would be more appropriate to see the zones go from rural zones to rural activity zones. We needed to make sure that that was looked at. I believe proper processes have to be gone through to make sure you have that transfer, unlike the direct transfer from the rural zone to the farm zone.

Mr Maxfield — What have you got against farmers?

Mrs POWELL — We have absolutely nothing against farmers! In fact we were saying to the government that it should strengthen the right-to-farm legislation so that farmers would be protected and so that people could not complain, which people do, about the noise made by generators and cows mooing at night-time. We actually argued that the right to farm should be protected.

We were pleased to see a backflip by the government. The Victorian Farmers Federation (VFF) and a number of rural shires wrote to the government and the former minister and asked them to make the changes, and they made sure that the government and the minister understood how this was going to impact on our rural communities. Now a property owner will be able to continue to seek a permit for lots of less than 40 hectares. That is just commonsense: farmers should be entitled to build another house on their properties to allow for succession planning and to allow those farms to continue to be run by the family.

A property owner will be able to continue to seek a permit to excise an existing dwelling subject to a condition preventing further subdivision on the resulting lots. Farming is a bit different to most businesses because farmers live on their properties. When people have lived there for many years and farmed the land, they want to be able to stay on the property and actively support their son or daughter, who is then the farmer, by being there so their family can have holidays and family time off. A farm is not like a business where you can close the doors. There are still things that need to be done in farming.

Most of the concerns were addressed. Members opposite ask what we have got against farmers, but we actually asked the minister to strengthen the right-to-farm legislation. In March 2004 I raised this question with the Minister for Planning:

Given the ongoing confusion and anger over proposed changes to rural planning zones, will the minister now agree to delete the ban on small lot excisions from farmland and instead introduce right-to-farm legislation to protect agricultural land while encouraging succession planning in farm ownership?

At the moment the only protection a farmer has from people building next door and complaining is in section 32 of the Sale of Land Act. Virtually all that does is include a warning on the vendor's statement to prospective purchasers of the land that this is a farming area and that normal farming practices will be carried out on that farm. It does not say you cannot complain about normal farming practices. It virtually says you need to understand. It is a buyer beware situation. That is not strong enough. It is not protecting our farmers. We need to do better than that and make sure that those who perform proper farming practices are able to continue those farming practices.

The new zones are farming zone, rural activity zone and rural living zone. It is not just The Nationals that were concerned about some of those zones. I know there were some comments in an article by Paul Sellars in the *Weekly Times* of 29 September 2004, headed 'Farming zone on the outer':

The Victorian government's new farming zone is proving unpopular with rural shires.

It goes on to say:

The Department of Sustainability and Environment had designed the farming zone for use in most areas that currently fall within the rural zone.

However, many rural shires are now saying that they would rather use the rural activity zone for most of their land currently within the old rural zone.

The farming zone is designed to preserve farmland and excludes most other activities.

...

However, at a recent forum, rural shires said they wanted to be able to make a direct switch over to the rural activity zone without having to justify it to Ms Delahunty.

...

If you use the farming zone, you would probably want to apply it only to your most productive, high quality land.

Again, there were a number of people who supported what we were saying. I note the member for Lowan is

in the chamber. The Nationals met with the Horsham Rural City Council in July this year, where it raised a number of issues with us. One of the issues of concern was the implementation of new zones for rural Victoria. The council said:

If a council wishes to translate from the current 'rural zone' to, say, a combination of 'farming zone', 'rural activity zone', 'rural conservation zone' or 'rural living zone', then this would require a rural strategy and/or a land capability study as the basis of any proposed change. An education and implementation program would also be required.

The government has not directly provided councils with funding to carry out the above as it has done with the Melbourne 2030 study.

And it did do that with Melbourne 2030. A number of councils were given funding to do audits and some sort of council plans to allow them to carry out Melbourne 2030. But rural councils have not been given that opportunity. The council then said:

Support for funding for any council wishing to undertake the above studies is respectfully requested.

We are urging the government to allow those councils that would like to do a land capability study to get on with the job of doing that and ensuring that their zoning is the correct zoning for their municipality.

The other issue I would like to touch on briefly is the lack of planners in rural and regional Victoria. The lack of strategic planners in country areas is a big issue because planning is a big issue. The government said it was going to introduce more courses to try to get more planners into country areas. So far that is not happening. I ask the government to support getting planners into rural and regional Victoria.

I will touch briefly on the issue of water because it is an issue within this matter of public importance. The government lacks an understanding of natural resource management. Farmers will not forget that it was the Bracks government that made them pay for water they did not receive. Campaspe will receive 8 per cent of its water entitlement but will be expected to pay its full share. The 2002 year was the first year irrigators did not receive 100 per cent of their water right. The price reached \$451 a megalitre. Many of those people only received 50 per cent of their water entitlement but still had to pay for the full entitlement. This had a huge impact not only on farmers but also small businesses across country Victoria. Many of those businesses were hurting, because if the farmers are not doing well in an agricultural area, then obviously the whole community hurts.

My electorate is known as the food bowl of Australia. It was vitally important that the government gave some sort of support and perhaps some compensation to allow those people to pay only for the water they received. No Labor members were present at a public rally held in Shepparton. Every other candidate trying to be elected to government at the time was there. They were trying to air their party's policies. But not one member of the Labor Party was there. They did not care about water issues or the rally at Shepparton. There were hundreds of people there, but the government did not come to Shepparton to say what it was going to do.

On 17 October 2002 I raised the issue with the government and asked for assistance. The Victorian government promised it would get water for the Snowy River through savings. It then found it could not do that. We told the government it could not do it, that you cannot get savings in drought years, so the government took water from the irrigators. That is the reality. It has taken water from the irrigators who need that water. Again the government has reneged on a promise it made by saying it would get that water through savings, but in fact it knew it could not, and did not.

Regarding the unbundling of water, the Municipal Association of Victoria (MAV) has recently stated in a media release that the government now understands the position and it will include water on land valuations for the purpose of municipal rates until at least 1 July 2008. The government did not even understand how it was going to affect councils which would have lost millions of dollars from their rate base by the removal of water from their land rates. It is important that those councils are supported and helped. They have got until 2008. I urge the government to speak with the councils. I understand that the government is going to speak to the MAV. I urge the government to speak to the councils to make sure they do not lose millions of dollars in rates and that it is not an excessive burden on them.

Mr HELPER (Ripon) — Today we are witnessing what can only be described as the grossest demonstration of hypocrisy we have ever seen. On this occasion it comes from The Nationals. We are used to various forms of hypocrisy coming from the Liberal Party. But on this occasion hypocrisy has come from The Nationals. It is really quite sad. Members of The Nationals deserve the respect they receive in their electorates as individuals, but collectively theirs is the most obscene, hypocritical political beast this state has ever seen.

As we see the demise of The Nationals electorally, there are many communities which are basically saying, 'Good riddance to them'. All that has happened is that a

little bit of the scum has been skimmed off the gene pool of humanity. That is a collective description of The Nationals. One cannot put it too strongly. For The Nationals, and particularly the member for Shepparton, to stand here and criticise the government for its failure to deliver to regional and rural communities would have to be in the top 10 for hypocrisy.

What the agriculture sector in Victoria is saying with regard to rural zones is that its right to farm needs to be protected. That is what rural zones are all about. The simple fact is that the National Party was a part of the former government which bugged up the rural zoning scheme. That was the last time it was successful in its chief aspiration of getting its collective bums into white limousines by being part of a coalition with the Liberal Party. The last time it was part of the coalition it quite frankly bugged up rural and farming communities and created an enormous amount of uncertainty for them.

What we are seeing now is a process where there is extensive consultation with local government and the community to create a rural zoning regime. In some cases local government is critical of this regime but it is only critical of it because it has not gotten off its butt over the past 15 months and implemented the rural zones. Those councils that are proactive, those councils that are able to work with the new rural zones and engage positively with their communities have succeeded and embraced rural zones.

Mr Baillieu interjected.

Mr HELPER — For the information of the member for Hawthorn, they are beyond the tram tracks — so he would not know where they are anyway. On that basis the hypocrisy of The Nationals has been very clearly demonstrated in this matter of public importance.

My electorate happens to be a predominantly rural electorate — and I was also able to find my electorate office fairly well straightaway after I was elected. The municipalities in my electorate are very capable of implementing rural zones and they are appreciative of them and are embracing them. The issue is what fundamentally do rural zones do? They protect rural land use in rural areas so our agricultural sector, which is worth \$15 billion to Victoria as an industry, is protected. When it suits members of The Nationals they use the catchcry of right to farm.

However, when it is practically implemented so we do not have incompatible land uses encroaching on rural activities, they try to bring up a cheap, pathetic, hypocritical matter of public importance to criticise it.

They run around every country paper and every country council trying to stir up a bit of bad blood about it. That is the sort of cheap political stunt we expect from the opposition. Once upon a time — many name changes ago — The Nationals used to call themselves the Country Party, and through that name they tried to imply that they represented country Victoria. I guess they have lost that fundamental orientation many times over along with their name changes.

I move on to the other implicit criticisms in this matter of public importance. They concern how this government interacts with and supports regional communities throughout Victoria. Look at the cuts implemented by The Nationals, or whatever they were called back then, in coalition with the Liberal Party. Members of The Nationals sat around the cabinet table and were therefore culpable in the closure of 12 country hospitals. They were responsible for cuts of \$7 million from community health. Community health is incredibly important in regional communities: it underpins the health and wellbeing of our regional communities.

The slashing of \$15 million from country aged care services — these people sat around the cabinet table implementing these draconian cuts. It is no wonder that for quite some considerable time this government had the catchcry of the seven dark years of the Kennett government. The only thing wrong with that descriptor is it implies it was only the Liberal Party which raped and pillaged the regional areas of Victoria when The Nationals also sat around the cabinet table and sold out their constituency simply to get a seat in the white limousine.

Look at education — 178 schools were closed. Schools in smaller communities close every now and again. I readily acknowledge that since we have been in government 25 school communities have decided to close their schools but this is not 178 schools where the jackboots came in and said, 'Forget about your 125 years of serving this community, little school, you are closed'. It is not the draconian, jackboot attitude of the Kennett government, which by sitting around the cabinet table The Nationals silently supported.

Look at transport. The opening of the Bairnsdale and Ararat rail lines and the political ramifications of that should serve as a very timely reminder to The Nationals that you do not sit around a cabinet table and sell out your core constituency year after year for seven years simply because you would prefer being driven around in a white limousine to standing up for your own bloody communities. It is disgraceful that those same members of The Nationals, whatever they were called

them, can stand up here and raise a matter of public importance which is so hypocritical, so off the mark and which so disgracefully shows their inadequacies those few years ago.

Mr Baillieu interjected.

Mr HELPER — Whatever makes the member for Hawthorn's boat float, go and get some and float off.

Let us look at the economic development that has occurred in regional Victoria under this government versus what occurred under the previous government, of which I again remind the house The Nationals were a part. Recent Access Economics studies show that of the investment in manufacturing under construction in Victoria under the Kennett government only 14 per cent was undertaken in rural and regional Victoria. Public spending on buildings in the country comprised only 14 per cent under the Kennett government. Both those areas have vastly improved under the Bracks government.

When you look around regional Victoria and when you look around my electorate or those of members who represent the country, you see a stark contrast between 1999, when people were basically asking the last person to leave a town or a community to turn out the light, and the situation now, where many communities are experiencing a level of prosperity and are looking to the future with optimism. The communities have fought for this themselves. I am not claiming that that change in attitude has been brought about just by government action, but it has been supported by government action. This is support that was sadly lacking during the seven dark years of the previous government, of which I again remind members The Nationals were a sad, bloody part. They were a sad, pathetic, silent partner to the slaughter of regional Victoria.

I move on now to some of the other areas where The Nationals are failing to represent the interests of regional Victoria. The area of renewable energy is an example. We see it as desirable to create wind farms in appropriate locations so that, firstly, the landowners can derive the benefit of payments that come to them for use of land on their properties. That is an enormous return for many landowners. Secondly, it is desirable so we can raise the amount of renewable energy used in Victoria from 4 per cent currently to 10 per cent by 2010. Thirdly, it is desirable so we can build an industry which can bring jobs to regional Victoria and which can service not only Victoria and Australia but also the Asia-Pacific region. But no, every time there is a proposition for a wind farm The Nationals go into scaremongering mode, along with the member for

Hawthorn. They try to build up as much community opposition as possible so that the proposition has the most difficult time possible getting up.

Nevertheless, under this government many propositions do get up. Look at Challicum Hills, a wind farm in my electorate. There was not a single community voice of opposition to it. It is working extremely successfully and is embraced entirely by the community, together with the vision displayed by the rural city of Ararat to create the manufacturing industry I spoke of before. That is a best case example.

I will look at the other propositions of the opposition — and in this case I will not disproportionately split the blame between The Nationals and the Liberal Party. We will blame them both equally, because the member for Hawthorn is certainly an active opponent of renewable energy development in Victoria, and he is joined by The Nationals in the old coalition they once got so cosy about. In that context, those opposite are keen to create the maximum possible political difficulties to having communities embrace wind farms and to having communities and individual landowners derive the benefits that can come from renewable energy and wind farms. They stand to be condemned for their approach to opposition for opposition's sake, opposition for political opportunism's sake. They deserve to be roundly condemned for that.

Finally, let us look at the last of the points brought up by the member for Shepparton in her matter of public importance, and that is the area of natural resource management. It was the coalition government that was in power, sitting by totally silently when, in the case of our forests — the natural resource of timber — this state had an absolutely unsustainable level of harvesting. It was this government that made the hard decisions, and they were very difficult decisions. We were the ones that actually went through the hard work to make the forestry industry in Victoria a sustainable one.

Mr BAILLIEU (Hawthorn) — That was a devastating defence from the member for Ripon. I will begin by commenting on remarks made by the Macedon Ranges Residents Association, remarks made several times on several occasions but most recently at a hearing of the Outer Suburban/Interface Services and Development Committee. Christine Pruneau, the secretary of the MRRA, said 'people feel absolutely powerless'. That is what has happened in this state under this government. This government has destroyed trust and confidence in the planning system. The rights of Victorians have been removed and eroded, and the reality is that what we have from this government is

detours, deceit and deals. Let me quote also from the Planning Institute of Australia magazine. Carolyn Whitzman, an urban planner at the University of Melbourne, said:

Outcomes include: lots of planning lawyers making money, widespread disillusionment with the planning process, stress and burnout for local planners, and developments that do not necessarily improve the state government's stated goals of improving the environment, economy and social equity.

Under this government we have had a dramatic increase in the number of outsiders concerned about the planning system, 'outsiders' being those with an occasional engagement with the system. They are now saying this system suits the insiders — the government's mates and the government itself — and leaves everyone else out in the cold.

We have seen a litany of rural planning disasters from this government — toxic dumps, with Hattah-Nowingi and Dutson Downs, the failed environment effects statement review, the Basslink cable, the recent Kyneton mechanics hall decision and the wind farm disasters at Bald Hills, Wonthaggi. I invite members to read in yesterday's *Herald Sun* the letters from people who have travelled down the coast. I invite government backbenchers to travel down the Kilcunda coast and look at the Wonthaggi wind farm and at what it has contributed to the protection of our coastal environment. If members want any further indication of the concerns about planning in rural areas, they need look no further than the government's own 2005 draft report of the Victorian Competition and Efficiency Commission (VCEC) entitled *Regulation and Regional Victoria — Challenges and Opportunities*. The government's own report spells it out specifically. In the report there are references to disasters in native vegetation controls, broiler farms, resourcing of councils and various other matters. There are increasing problems with blue gum plantations and their ad hoc development.

I want to particularly focus on the failure of the government's controls for broiler farms. Let me mention a broiler farm in Melton.

Mr Nardella interjected.

Mr BAILLIEU — The member for Melton laughs. Two years ago an application was made for a chicken farm near Rockbank in the Shire of Melton on so-called green wedge land in a new green wedge zone. The council did not decide in time, and the matter went to the Victorian Civil and Administrative Tribunal. The then planning minister was pressured by interest groups

who had special access to the minister to call it in. The minister called it in.

Mr Nardella interjected.

The ACTING SPEAKER (Mr Savage) — Order! The member for Melton!

Mr BAILLIEU — The member for Melton called it in! It was another failure, because the call-in was contested by the applicant and it was deemed by VCAT to be unlawful. What did the government do? It sought to appeal that decision. The government got leave to appeal in the Supreme Court, the problem being that before that appeal could be heard the government retrospectively changed the law. Then the government abandoned the appeal. Then the former Minister for Planning called in the application again. Guess what? The applicant contested that calling-in again, and just last month Justice Morris, the head of VCAT, deemed the second call-in unlawful. There have been two years of chaos during which residents in an otherwise semirural area have been left up in the air and treated as complete outsiders, wondering what on earth is going on. The government's green wedge legislation has failed in this area. The broiler farm controls have failed. The government is sitting on its hands, doing nothing to protect these people.

Let me talk about wind farms. I was amused by the comments of the member for Ripon. We are still waiting for a decision on the Dollar wind farm proposal. Thousands of objections to that have been made, and it is clearly an inappropriate location. Recently I visited Tooborac and Kyneton in the McHarg Range, where I spent the day walking. Anyone who can conclude that that would be other than an industrialisation of a precious landscape is kidding themselves. Curiously the Minister for Energy Industries and Minister for Resources in the other place, who seems to have taken over control of wind farms from the Minister for Planning because it is a bit too contentious, has said that there is no way wind farms in this state are going to be stopped because of issues with birds. Lo and behold the government has stopped the wind farm at Ballan — but it is turning a blind eye to the wind farm at Macarthur.

Mr Nardella interjected.

Mr BAILLIEU — There is no environment effects statement process at Macarthur. Indeed we now find that the only creditable consultant on the Bald Hills site, where 1500 local objectors were ignored, has observed that the broilga population at Macarthur is at risk:

The Macarthur wind farm has the potential to wipe out the Western District broilga. It is located within the movement area of broilga and its scale is such that it would be hard for birds and bats to miss.

That is a creditable commentator and consultant. Now we also find that the minister has instructed Department of Sustainability and Environment officers that no database information on endangered tiger quolls in the area is to be released to the public. It is being deliberately concealed from the public.

I want to make some comments about native vegetation controls. Helen Rechter, a planning solicitor from Phillips Fox, pointed out in the Victorian Planning and Environmental Law Association magazine of June 2005 the disaster that native vegetation controls have become. Summarising an April forum on the disastrous implementation of those controls she referred to the lack of funding, resources, responsibility and enforcement and the entirely ad hoc nature of the controls. The VCEC report which I referred to earlier also covered that.

I mention also the disaster of planning scheme amendments that require prior approval — a nod and wink — from the minister, which is unsettling councils all over the place. The attitude of the minister to the concerns of the Macedon Ranges Residents Association is one of seeking to abuse those people who have expressed their concerns. The failure of the government and the local member to fulfil their promises in the Macedon Ranges has been a joke.

Finally I want to focus on rural zones. I am fascinated that the member for Ripon, who before was on his feet defending the government's position, was unable to name any councils which have implemented the new rural zones. They have been a disaster. There was a three-year gestation period following a two-year review, with phoney consultation and a joke process. The former minister is no longer the minister partly because of the disastrous implementation of the rural zones. The reality is those new zones, which were created in a dirty deal behind closed doors last year, will lower the land values of rural land-holders. At a public meeting at Leongatha just last Wednesday the unanimous view was that the current minister's recent ultimatum to councils that he is going to implement them regardless is a joke, and they are not wanted by local communities.

A prominent planner and valuer stood up at that meeting and demonstrated clearly that the changes to rural zones are going to have value effects on land-holders. The ultimatum is inappropriate. It was pointed out that at meetings last year with the

Department of Sustainability and Environment undertakings were given to some councils which were expressing concerns. They were promised funding for strategic studies — none has been delivered. They were promised guidelines — none delivered. They were promised that there was no deadline — now there suddenly is. They were promised that councils could and should incorporate within a multiple strategic statement review. That is no longer the case. It has been a joke, and it should be reviewed. What does the Minister for Planning say? Last night he said they are:

... taking the concerns of regional Victorians seriously ...

What a joke!

Mr NARDELLA (Melton) — The Bracks Labor government governs for all Victorians, regardless of where they live in Victoria. Compare that to the hypocrisy, the double standards and forked tongue of both The Nationals and now the Liberal Party, as we have just heard. This is an appalling matter of public importance (MPI) before the house. It is a hypocritical MPI raised by The Nationals, who for seven long, dark years let down country Victoria, smashed it to smithereens, and once it was down put the knees and boots in to make sure it was absolutely dead. Yet they have the gall to come in here and criticise us for the things we are doing, for the ways that we are trying to protect country Victoria, for the jobs that we are creating in country Victoria, for the pride that we are trying to put into country Victoria. They come in here like the little snakes that they are, the backroom people they were in the Kennett government, continuing to put down country Victoria.

Their record is just appalling. What are they? Are they The Nationals today? Are they just Nationals? Are they the Vic Nats? Are they The Victorian Nationals or should they just go back to being the Country Party? But if they called themselves the Country Party, if they went backwards, they would still be lying to the people of country Victoria, because they do not represent country Victoria. Let me tell you why, Acting Speaker. I had the parliamentary library do some research for me. In 1992 when The Nationals were in government their vote in the Legislative Assembly was 7.83 per cent. They had nine seats in the Legislative Assembly, and they have been going slowly downhill ever since. Why? Because they do not stand up for country Victoria. What was it in 2002? They had seven seats — from nine down to seven — and 4.3 per cent of the vote in the Legislative Assembly.

In the Legislative Council it is even worse — three seats down to two; 8.74 per cent down to 4.36 per cent.

I make the prediction that their vote is going to collapse even further come the next election, because they have not got the policies, they have not got the commitment, they have not got what it takes to promote country Victoria. Otherwise they would not be putting before the house the rubbish that we have today.

The Nationals record in office was absolutely appalling — 12 country hospitals were closed by The Nationals. They were happy to have the white limousines; they were happy to be driven around the countryside making sure that 178 schools in country Victoria were closed, making sure that the 2500 teachers who used to look after the kids in country Victoria got the sack. They were happy to take the white limousines, the ministerial cars and the salary packages along with the positions to go out there to destroy country Victoria. What did they do for public transport services? Talking about planning, they were great planners these Nationals, these sycophants to former Premier Kennett. They never stood up to him once in those seven long, dark years.

What did they do at Bairnsdale? They closed the rail line. What did they do at Mildura? They closed the rail line. What did they do at Leongatha? They closed the rail line. What did they do at Ararat? They closed the rail line. What did they do at Cobram? They closed the rail line. Let us not forget where these people come from. Let us not forget the hypocrisy that they bring to this Parliament. It is just appalling. Yet have a look at what we have done over our six years. The Nationals and the Liberal Party opposed the Regional Infrastructure Development Fund (RIDF). They opposed funding of \$200 million that goes directly into country Victoria. They opposed the \$70 million gas extensions into country Victoria. They still continue to oppose those great programs that we are putting in place, and yet they bring this MPI before the house — the hypocrites!

They continue to put down country Victoria instead of saying what a terrific place it is, instead of putting up worthwhile and real policies to look after country Victorians. They whinge and whine about why they continue to sit on the opposition benches and why they will continue to sit there. I went out to Bairnsdale when they closed the Bairnsdale Nursing Home. The former member for Gippsland East, David Treasure, was there, and he supported the government line. He was there in front of 300 to 400 people, as was I, and he said, 'Yes, this is a great idea. We will close Bairnsdale Nursing Home, and we are going to privatise it'. Then he went into the dustbin of history where he should be and where The Nationals should remain. Closing those

12 hospitals was just a disgrace. Elmore Hospital is in The Nationals territory — where were they?

They were silent. They sat around the cabinet table and kept still. They did not say a word to protect their constituents, their residents, their voters or their supporters from the Kennett government. Then you have to look at what this government is doing in tourism. It is supporting population growth. What is the policy or view of The Nationals on the rail upgrade? They say we should not be doing it; we should be closing down rail lines. They say we should take after them and close rail lines instead of investing \$750 million in the promotion of country and provincial Victoria, making sure that it has the access and the right to services that we take for granted in Melbourne.

We also look at the 100 police stations throughout country Victoria that the Bracks government has upgraded. What did the opposition do in its term of office? It wanted to close down the Macedon police station. Its policy was to just close things down! These management and free enterprise people from the Liberal Party and The Nationals are pathetic. Instead of looking after the assets of the state, the only thing they did was to strip them. That is what the previous government did with country police stations. The \$100 million initiative to the Latrobe Valley task force has had no support from either The Nationals or the Liberal Party.

I want to pick up a couple of points made by members in their contributions. The honourable member for Shepparton talked about the fragmentation of land. In a roundabout way so did the honourable member for Hawthorn; however, his contribution was a bit more scatty. The Victorian Farmers Federation and its members have to work out what they want. It has to be very clear. They either want the right to farm or they want the rural lot excisions — further fragmentation of the land — that cause the problems of urban outsiders coming into their areas. When they talk about these rural lot excisions it is mainly about 'a house block for my son'. It is never for a daughter — always 'my son'. Inevitably the son never moves in with his family, and the block gets sold off to somebody from Toorak who comes in and decides they do not like the noises and smells, cows and sheep and whatever else. They need to be clear about that.

The honourable member for Hawthorn misled this house because he misread and misquoted the two people from the Macedon Ranges Residents Association. I was there; he was not. These two people were talking about their council, not the government,

which he would know if he read the transcript properly. I do not support the motion before the house.

Mr WALSH (Swan Hill) — I commend the member for Shepparton for her matter of public importance (MPI) this morning. It is interesting to listen to the hypocrisy of those on the other side of the house and of the rewriting of history. It is not too long ago when those members of the house were the Guilty Party — the Guilty Party that nearly broke Victoria. Let us see who is rewriting history at the moment. We have a government which will say one thing and do another. It is bloated with a majority in both houses of this Parliament and will do anything to make sure it has executive government and does not tell the people of Victoria what it is doing — that it will not and cannot deliver for country Victoria.

A classic example is the catchment management authorities (CMA) levy. We have a government which was elected in 1999 promising to abolish the CMA levy. It said, 'We will take it out'. It was taken out, I will give the government credit for that, but what do we have in its place? We have a 5 per cent water tax on everyone's bill. The CMA levy was taken off, but a water tax was introduced in its place. More importantly, however, it is a tax by stealth. This water tax which will collect \$60 million a year has been brought in by stealth because the water authorities are collecting it and are forbidden by law to put the amount on the water bill. It is a tax by stealth.

The government talks about being open, transparent and accountable, but does something else; we have a tax by stealth. We have a government, as I said, which is bloated by its majority and which is becoming arrogant. We have a government which used to care about pest animal control. We had a minister responsible for the environment, now the Minister for Community Services, who, to her credit, introduced a fox tail bounty in the first term of this Parliament. But bloated with that huge majority this government no longer cares about country Victoria. The fox tail bounty eliminated 180 000 foxes in country Victoria — foxes that are no longer eating native fauna and new-born lambs.

Because the government has a big majority and is arrogant it does not care about these sorts of things anymore and has taken away the fox tail bounty. This government does not care if there are foxes out there eating native fauna or new-born lambs. What is also more important — and we will come to fox tail bounties — is Parks Victoria. Parks Victoria is often spoken about in this house, not through its own fault but because it has not been given adequate

appropriation. It has been called the neighbour from hell. In quite a few places now Parks Victoria does not have the money or manpower to conduct fox-baiting programs on public land. We have taken away the fox-tail bounty and we are not giving Parks Victoria enough money to run a decent fox-baiting program. This is a government that is all about spin and media hype and very light on action.

We talk about hypocrisy, but the greatest hypocrisy of all comes from the Premier himself. He introduced a bill not just to change the law in this state but to change the constitution of the state. 'We are going to make local government a legitimate third tier of government here in Victoria'. What absolute hypocrisy!

Honourable members interjecting.

The ACTING SPEAKER (Mr Seitz) — Order! There is too much audible conversation in the chamber.

Mr WALSH — It is only the chattering classes; I would not worry about it.

It is absolute hypocrisy for the Premier to say that he has changed the constitution to make local government a legitimate third tier of government. But what is the reality? The reality is that he has again appointed a minister who refuses to meet with local government. In the first Bracks government the minister would not meet with local government, and in the second Bracks government the minister refuses to meet with local government. We cannot allow the councils to come in and talk to the minister because if one does others might too. What a shame if we actually talked to local government and listened to their concerns and the things that have happened to them. What happened to 'open and transparent' government? Again, it is a government with a huge majority that is so arrogant that the minister does not want to sit down with councils and talk about some of their concerns.

We have this constitutional, legitimate third tier of government, but then what does the government do? Through the Victorian Electoral Commission it tells councils how to run their elections and how electoral zones should be located. Irrespective of what the councils think or what the people who live in those council areas think about whether they should be divided or undivided or how big their ridings should be, the government tells this supposedly other legitimate tier of government how it will be done.

Then we have the issue of nonfeasance and the Road Management Bill that was introduced into this place two years ago. It was a great piece of legislation. Let us

push some more costs down onto local government! Let us make sure that local government has to go out and employ more people and spend more money to make sure it complies with the legislation that we pass in this place. We have all heard about the Hawker report and the cost shifting to local government. The hypocrisy of this government in the costs it has shifted onto local government is immense.

When that legislation was debated we heard a lot of speeches from the other side of the house about how this was going to provide better roads in Victoria. It was going to make sure the roads were safer and easier to travel on, but all it has done is employ extra people to shuffle paper. There is not one Victorian road or bridge that is safer or better as a result of the Road Management Bill. That bill in particular is a major disadvantage to large country councils.

We talk about hypocrisy, but the greatest hypocrisy of late is the saga of the toxic waste dumps in country Victoria. Here we have an arrogant government that wants to dump Melbourne's waste on country Victoria. We went through the saga of the three sites that were identified and the fact that this arrogant government sent out servers to knock on people's doors and deliver a letter saying that their land was going to be compulsorily acquired for a toxic waste dump. How arrogant can a government be that does that? It did not have any sort of process to deal with those people.

Mrs Powell interjected.

Mr WALSH — As the member for Shepparton has just pointed out to me, they were all going to be in rural zones. We have heard a lot of talk about rural zones. Here we have a government that was going to put a toxic waste dump out in a rural zone. Fortunately those three communities were saved from the problems of having a toxic waste dump, but then magically the site at Nowingi was plucked out of the air. It is absolute arrogance by this government. Again there was no sort of consultation or open process for how a site might be identified. It was just, 'We will grab this bit of public land at Hattah-Nowingi'. It is very close to a Ramsar wetland and the Sunraysia food bowl. Even more ridiculous is the fact that it is 500 kilometres from Melbourne. Melbourne is generating 25 000 to 30 000 tonnes of toxic waste that is going to be shipped up the highway to Hattah-Nowingi.

I commend the Save the Food Bowl Alliance for the work it is doing in trying to stop the Hattah-Nowingi community being dumped on, and particularly for running its Highway to Hattah program. All those towns up the Calder Highway that are going to have 15

to 20 semitrailer loads of toxic waste going through them will be aware of what is going to happen.

Ms Duncan — Have you noticed it is the Calder bypass?

Mr WALSH — I notice the member for Macedon is making some comments. I know that her staff were not very happy when the truck was parked in front of her office!

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

Mr MAXFIELD (Narracan) — I rise stunned at the hypocrisy we have heard from the members of the Liberal Party and The Nationals, who believe that the seven years of massive cuts to rural Victoria were somehow good for us and helpful and at the same time pretend that the last six years of significant support, listening and responding to community needs in country Victoria have been somehow bad.

The Nationals here are criticising a proposal to put in rural planning that will protect farmers and which has the support of the Municipal Association of Victoria, the Victorian Farmers Federation (VFF) and many rural councillors and communities. This is proper and sensible planning that will protect our farmers. What is the truth here? Is it that the National and Liberal parties are so beholden to their wealthy mates who want to chop up our farming land into little bits and sell it off, ensuring that the farms are not viable, that they believe a quick buck is better than sensible planning to protect rural and farming communities?

Let us look at the facts. What are the achievements of the Bracks government? It has got to the point now where the value of farming products from Victoria is higher than from any other state. Even though New South Wales is significantly larger, we are now generating more farming income here in Victoria than is generated in that state — and that is because of the significant work the Bracks government has done over the past six years.

That is the crux of the matter: we are looking after our farmers and our farming communities. The Nationals want to enable farms to be chopped up willy-nilly, and as a result they want to push up the price of farmland, so when a farmer wants to create or consolidate a viable farm he will not be able to afford to, because it will be worth too much chopped up into little bits. That is why the Victorian Farmers Federation has backed the government's planning decision. The fact that The Nationals want to make farms unviable by making it harder to put together farms of a decent size speaks

volumes for where they stand today. The stand they take today is to say, 'If the Bracks government is doing something good for country Victoria, we have to oppose it'. Why? I just cannot understand it. It is the philosophy that got them into so much strife during the seven years of the Kennett government, when they supported the closure of the Moe hospital and the closure of the Gippsland rail lines, the South Gippsland rail line and the rail line into Bairnsdale.

There is some good news about The Nationals, because there are some areas where they have actually seen the light. I must congratulate The Nationals on their opposition to the buyout of tolls, the proposal the Liberal Party has put in place that will mean slashing services in country Victoria. Regional development has helped create 88 000 jobs across country Victoria, and we have now got to the point where people are moving to country Victoria to take up jobs and other opportunities. In parts of my electorate we now have only 3 per cent unemployment. What a fantastic improvement! There have been dramatic drops in the once-massive unemployment rate in the Latrobe Valley.

But the opposition wants to slash the government agencies that support and assist those companies to grow, slash funding for small towns in Victorian communities and slash funding for libraries. This is a massive attack. Even though The Nationals have shown today that in general they still do not get it, their opposition to the Liberal Party's massive attack on country Victoria shows that on this issue they have done the right thing. So on that let us acknowledge the good that The Nationals are doing. Yet in this area their inability to back proper planning to protect their farmers and protect rural communities is absolutely stunning.

Let us look at some of the effects of what the Bracks government has been doing over the last six years. A look at the 2004 property guide shows that the median house price in country Victoria increased by 11 per cent in 2004 and that over the same time in Melbourne it increased by 5.5 per cent. What that means is that under the Bracks government country Victoria is absolutely booming. As an example I refer to the list showing the prices in a couple of towns in my electorate — Moe, a great place, and Drouin, where I grew up. In 2003–04 the increase in the price of housing in both towns was 35 per cent. Thirty-five per cent in 12 months! What we are seeing is a vibrant, strong and growing country Victoria. People are moving to the country. Why? Because of the environment.

An honourable member interjected.

Mr MAXFIELD — I hear a comment from The Nationals that it is because of the farmers. It is — and that is why we have to protect our farmers and our farming communities. That is what these sensible planning decisions are all about. The decisions the Bracks government has put in place are about ensuring that we do not chop up our farms willy-nilly and make them unviable. Everybody knows that if you enable farms to be chopped up into smaller farms you increase the value of the smaller properties, and as a result farming is not able to take place and you end up with lots of weed-infested little blocks spread all over the place. We must ensure that we have a viable industry — and the Bracks government is certainly doing that.

I know we have mentioned before the closure of hospitals, the closure of schools and the sacking of the teachers, all part of the winding back of rural infrastructure and services that we saw under The Nationals when they were in the coalition government. You would have thought they would have learnt. Their vote has dropped along with their slashing of services in country Victoria — and of course this is an example of exactly why.

Look at what the Bracks government has done across a range of areas. I heard the comments about weeds and feral animals. What a great story that is. The Bracks government introduced a foxtail bounty trial, and after that it introduced a baiting trial to see which was the most effective. Do you know what happened? It turned out that the baiting was more effective than the bounty on tails. We are funding the most effective ways of fox management, but The Nationals want us to move to an inferior method because it seems good and sounds nice. What really matters here is the results.

Let us look at the resources we are putting in. We have increased the number of staff controlling wild dogs from 13.5 in 1999 to 26 — a virtual doubling of staff. Since 2000–01 stock losses due to wild dogs have decreased, showing that this has been effective.

Mr Walsh interjected.

Mr MAXFIELD — I spoke about it before; you were not listening.

Mr Walsh interjected.

Mr MAXFIELD — That is right. An extra \$19 million is to be spent in 2005–06 on pest and weed control, which will bring the total expenditure on pest and weed control on public and private land to \$67 million in 2005–06 — the largest ever funding to

control foxes. While the Liberals and The Nationals slashed funding for these areas, this government has put in massive increases in funding and is proud to be a government that is delivering on that.

On bushfire preparedness we are providing an extra \$168 million over four years. We have rebuilt the timber industry to a point where there is new development in mills because we have moved to sustainable practices. In the Latrobe Valley we have had the fantastic announcement by Australia Paper that it is moving to use new technologies and is putting in new pulp mills. Not only have we guaranteed those jobs in the Latrobe Valley, we have enhanced them. There is also \$300 million worth of plantations going in as part of a move to provide more plantation timber for our timber industry. We have seen the statistics that have come out on the timber industry. The support the industry has given us over the last few weeks on the Australian Paper announcement is very strong. I know The Nationals support the government in its support for Australia Paper in the Latrobe Valley, and it is good that they back us. With parks services we are providing more firefighters and rangers, and we are also now arranging for shooters to go into our national parks to shoot feral animals. This government is delivering for regional communities by delivering sensible planning.

It is really sad that in this chamber today the Liberal Party and The Nationals are in some sort of a coalition to stop funding increases for country Victoria. They want to destroy the farming communities, and even the Victorian Farmers Federation, which we know is very close to The Nationals and the Liberal Party, cannot support them on this one. It has actually backed the state government on this issue. Even with its bias towards The Nationals and the Liberal Party, the VFF cannot back them on this bizarre concept — because it knows we are delivering for farmers in our community. Victoria is now the largest producer of farming products in Australia, and year by year our commodity prices and what we are getting for our produce is growing. We are on track in delivering for country Victoria, and the community will not wear the fact that they have been called the toenails — —

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

Mr RYAN (Leader of The Nationals) — It is my pleasure to join the debate on this matter of public importance, because the fact is that this government's performance in the application of laws in Victoria regarding both planning and natural resource management has been absolutely lamentable. I listened to — 'I heard' I suppose is a better expression — some

of the commentary by the member for Narracan, and I will just touch on a couple of the topics he referred to.

The timber industry has been streeeted by this government. The way in which VicForests is going about conducting its affairs within the industry is a matter of ongoing and grave concern. There is extraordinary instability in the industry, and towns, particularly in East Gippsland, are most concerned about the way the government has gone about its business. I can assure the member that they are issues that will be reflected when November next year comes around.

There are two other issues, including the fox bounty. The fact is that a couple of hundred thousand-plus foxes were killed and their tails handed in when the bounty was operating. That is the fact of it. Of course that program should still be running. It is nonsense to think that it should not be running.

Ms Duncan — How many were from New South Wales?

Mr RYAN — I hear from across the chamber, 'How many came from New South Wales?'. In fact I did not interview the foxes or inspect the tails, and quite frankly I do not care what jurisdiction they came from. The fact is they are dead and we ought to have the program. Let us move on to the matter now before us.

Last Wednesday night at Leongatha I was present at a public meeting convened by the South Gippsland shire. To its great credit the shire, led by mayor Di Casbolt, had decided the public needed to be made aware of the latest ham-fisted attempt by the government, per the agency of the minister, to impose upon the municipality the changes which the government wanted to make with regard to these planning zones. I also spoke at that meeting, as did the shadow Minister for Planning, the honourable member for Hawthorn, and the Honourable Philip Davis, a member for Gippsland Province in another place. There was also Simon Ramsay from the Victorian Farmers Federation. He had a night that I am sure he will long remember.

The rationale for the meeting had two primary bases. The first was the manner in which the government adopted the process of wanting to force the change in relation to these zones, and the second was the probable impact of the change of zones if it were allowed to occur. I know that this to a greater or lesser degree is an issue across all parts of country Victoria, but I want to highlight the concerns of many country Victorians, particularly on the back of the issues that were raised at that meeting, and more specifically as to the way in

which these changes would apply in a municipality such as South Gippsland.

Firstly, as to the process, the minister sent a letter to the council on 25 August, at a time when the caretaker period for the municipalities was about to start on 30 September. He said to the municipalities in effect, 'I am going to transfer the zones from the rural zone over to the farm zone at the expiration of the next five or six weeks, and I am giving you until 6 October to make comment'. This was in circumstances in which the caretaker period was to start on 30 September — and has now started. The minister said in his letter, 'If you can demonstrate to me why I should not make the changes, I am prepared to give consideration to that', but there is no doubt that the general tenor of the letter conveyed a clear intent on the part of the minister to actually have that transfer occur.

Of course the different zones were proclaimed on 11 June last year. The prospect of being able to move from one set of zones to the other has been present since June last year. Instead of allowing a process to be properly developed to permit councils to get a proper audit done in relation to the zones within their shires as they existed — including the way in which those zones would be effected, the manner in which they would affect the land that came within them, the probable impact of changing the zones and the resulting effect upon those areas of land — there was no funding for it, and none of that was done by the government. Instead the minister weighed in with this letter on 25 August, simply saying, 'In about six weeks, with the stroke of a pen, I am going to change the rural zones over to farm zones'.

Needless to say people were absolutely outraged. And why should they not have been? Why should they not have been absolutely disgusted with the fact that under this government, which has the mantra of governing for all Victorians and being open, honest, accountable and transparent, rah, rah, rah — all the usual rhetoric — the minister of the day was going to come in and do a thing like that? It was an appalling demonstration of ministerial conduct, and people were justifiably outraged. That was the first point that was made loud and clear by the people at that meeting that night. There were about 250 to 300 people or thereabouts who were in attendance.

The second point was the issue of the impact upon the values of the land. The South Gippsland shire is about 3300 square kilometres in area. Ninety per cent of it is zoned rural. With the stroke of a pen the minister is proposing to change 90 per cent of the zoning of the shire into the new farm zone.

In attendance at that meeting were a number of people who of course have interests in land within the municipality. Some of them live locally, but some of them live outside the area, and that is reflective of the fact that the demographics of municipalities such as South Gippsland are changing. It is reflective of the fact that whilst the farming enterprises will always be the mainstay of those communities — while those farming activities and the agricultural pursuits in all their forms will forever be an absolute core aspect of the way in which those communities are able to function — nevertheless there is a change occurring. I might say, as I said that night at the meeting, that if we are not careful we will be loved to death by the eastern suburbs.

South Gippsland shire is about 1½ hours drive away from the eastern suburbs, and people who want a change of lifestyle are flocking out there to live. What is attracting them is the areas of land in the municipality which overlook magnificent views — and South Gippsland is replete with magnificent views of its landscapes — which have been purchased by these people very expensively so that eventually they can build their dream homes there. These people are faced with the fact that with the stroke of a pen the minister will destroy the value of their land.

Once the land is in a farming zone the prospect of being able to get a permit to build a dwelling, given the sorts of controls which are intended to take effect under this new arrangement, will be very poor. The prospect of being able to convince anybody that you can satisfy the requirement that the dwelling you want to build will somehow be associated with the conduct of an agricultural activity will be very slim and very grim. As I was going into the meeting people were making that point to me. They certainly made the point in the course of the meeting itself, and they were making the point to me as I left that evening.

Having spoken about these two fundamental issues in the course of my commentary, when it came to question time a valuer in the crowd stood up to make a comment and ask questions. He is a licensed valuer who practises extensively in that region. He endorsed both those points, very particularly with regard to the impact on the land values that will occur as a result of what this government wants to impose on people without their having the proper and democratic right to be able to fulsomely examine what it intends to do. Needless to say people were outraged. I might also say that this of course is all being done under the guise of wanting to protect those important landscapes that are presently devoted to rural activity, and that is a fine aim. But if this government had delivered on its commitment to bring into the Parliament right-to-farm

legislation, a lot of these problems would be accommodated. We would not even need to be having this conversation.

This government's efforts in relation to planning have been utterly terrible. There is not enough time for me to get involved in the natural resource management aspect of this matter of public importance — time is against me — but certainly from a planning perspective it has been a shocker.

I conclude by referring to the remarks of the Victorian president of the Planning Institute of Australia, who said:

Few councils, particularly in provincial Victoria, can manage the strategic planning demands that are on them now, let alone meet a new requirement ...

He was referring to what the government now proposes. It sums it up really. This is yet another appalling effort against the interests of country Victorians.

Ms DUNCAN (Macedon) — It has been a pleasure once again to sit here and see the Liberal Party and The Nationals sitting very cosily in coalition. If anyone doubted that the coalition was alive and well they would only need to sit here and watch the winks and nods that go between these two parties. I know everybody on both sides has talked about hypocrisy. I just have to refer to a contribution made by the honourable member Swan Hill, who is sitting there with a smug look on his face, accusing this government of being arrogant.

When I came to this Parliament in 1999 I had the pleasure of sitting on the Environment and Natural Resources Committee. In early 2000 we sat and listened to farmers, in tears, telling us of the arrogance of the previous government, which told some farmers on Christmas Eve that they had to destroy every sheep, every lamb and every goat on their property within 24 hours or they would be sued by their neighbours for spreading Ovine Johne's disease. What sort of arrogance is that? And the member for Swan Hill, who I believe was a member of the Victorian Farmers Federation at the time, and his friends were basically trying in their arrogant way to eradicate a disease that, as I understand it, has never been eradicated in the history of this country or in the history of the world.

The member sits there continuously with a smile on his face. I have never seen such arrogance in any government. If the Bracks government did that, members opposite would be absolutely squealing about what we have done to farmers. But there was no

process for those farmers under the previous administration. They were just told that that is what they had to do.

The use of the terms 'The Nationals' and 'resource management' together is an oxymoron. I have listened for six years to debate in this chamber about resource management, and on each and every occasion The Nationals have absolutely scoffed at science. They have said, 'Science — what science? Farmers know and we know that we do not need science'. We have seen this before, and we heard it again today in discussing the fox tail bounty. It was a great scheme. It was something quite effective in some respects, but again the science did not add up. For that amount of money the science did not stack up as a serious attempt to eliminate foxes. The Nationals do not care about that. They do not care about the science. They say, 'We liked it and the farming community liked it; keep it going'.

Again, it is an oxymoron to talk about The Nationals and water management. What a joke! Their basic premise, as I understand it — and it is a view shared by Liberal Party members as well who also do not care about the science — appears to be that if water falls on your land, you own it and you can capture it in its entirety. They say that it should be captured by the land-holders. Let us take that analogy to its logical conclusion and see how good our resource management would be if we were to follow that sort of advice.

The member for Swan Hill was talking again about this arrogant government having the audacity to use the Victorian Electoral Commission to determine council boundaries. I am not quite sure — I guess this is the luxury of opposition — what he would have in its place except the status quo. Should councils determine their own boundaries? Why is it inappropriate for the electoral commission to do that? I look forward to his answer. The member criticises this government for using the same independent umpire, for using the same process that determines state and federal boundaries. It is good enough for federal and state governments to use the electoral commission to determine their boundaries, but for some reason it is arrogant of us to think that local councils should use the same independent umpire.

The member for Benambra was saying, 'You think councils cannot determine their own boundaries'. Thank God state and federal governments do not determine their own boundaries. I am pleased to have that independent umpire, and I am gobsmacked that the member for Benambra should think that councils should continue to do that. I cannot believe members opposite can sit there and not disengage their brains and involve themselves in that debate. To actually try to

argue that to any logical conclusion is completely illogical and arrogant, I would dare to say.

Getting back to the member for Hawthorn, what a little ripper that contribution was. It is quite frightening to think that this man could one day be the Minister for Planning. I guess it is the luxury of opposition.

An honourable member interjected.

Ms DUNCAN — Perhaps he wants to be the leader so he would not be the Minister for Planning, but it is absolutely frightening. He has made the mistake that many people do — or some people do — that is, to believe things that he reads. He has absolutely no qualms in stating very stridently things that have occurred at meetings that he was not present at. It does not worry him in the slightest that he was not present.

An honourable member interjected.

Ms DUNCAN — Exactly, so that he can stand there and not let the facts get in the way of a good story. He can stand up in this chamber and say that at a meeting that occurred between members of the Macedon Ranges Residents Association and the planning minister that somehow the planning minister was abusive to members of the MRRA. I know where he has got that. He has got that from the MRRA's own web site. I am not saying that that was not stated.

Honourable members interjecting.

Ms DUNCAN — The problem with some members of the MRRA is that they do not like to be contradicted. Some of its members believe they know a lot about planning — and they do — but do they actually suggest that they know more about planning than strategic planners with 30 years experience? Many of the people in the MRRA are bush planners. They know lots about planning, but they are not planners, and they can sit there and argue with people who have 30 years of planning experience.

Mr Baillieu — Are they wrong?

Ms DUNCAN — They are absolutely wrong in their suggestion that anyone was rude or that they were abused. But some people do not like to be told that they have got their facts wrong. Again, it is the luxury of opposition that allows the member for Hawthorn to sit there and criticise absolutely everything, but he has never come up with one suggestion of his own, one contribution to any of this. We have heard again his taunting of members by saying, 'Where has a council made the changes to the rules own translations?'. He

might like to read all of the MRRA web site. I notice he quoted it selectively — —

Mr Baillieu — I have.

Ms DUNCAN — He says he has. If he had he would have seen that the MRRA is wanting these rural zones introduced, and its view — and let us not forget who put the current zones in place — is that if these new zones were in place now, instead of the zones that were introduced by the previous government, many of the developments that the MRRA has opposed and continues to oppose would not have gone ahead. Members of the Macedon Ranges community ring me fairly constantly and ask, 'Where are we up to with the zone translations?' and then say, 'We want these zone translations implemented'. My view is: thank goodness the council has just recently completed the work that it needed to do in order for these translations to occur.

Again, it goes back to the previous government where it did not believe councils had any role in planning. This government believes local councils are the appropriate local planning authorities. The opposition and The Nationals criticise us when the minister says to councils, 'If we just did a direct translation of these zones, would there be any unintended consequences as a result?'. I think it is a very reasonable position for a planning minister to put, but we have heard the Leader of The Nationals use that as an example of the arrogance of this government. This planning minister is trying to get councils to do the work that is necessary for us to protect and to continue to protect our farmland and our rural zones in country Victoria, because we do care about country Victoria. Let us not forget that people are judged by what they do, not by what they say.

The Nationals stand condemned. The Liberal Party, we know, hates the Labor Party — there is such an ideological divide — but The Nationals sat there in coalition with the Kennett government for all those years and watched train services being closed down and allowed things like the removal of the electricity tariff. We now have a situation where, without substantial government subsidy, country Victorians will pay significantly more for their electricity than city people. I do not know how members of The Nationals can sit in this chamber with grins on their faces and accept that. They said nothing at the time and they have said nothing since. Yet they criticise this government when it tries to take steps to redress some of those things that they have done, things that they did in the previous government which have consequences that will go on for many years and which require remedies that are

complicated and difficult to achieve. They just sit in opposition and bag and nag and carp!

Mr DELAHUNTY (Lowan) — That sounded like a person who is heading down the Guilty Party drain. I just want to say that today we are debating history because this motion has come forward not because of what The Nationals have done. It is because of what has been given to us by people within our country communities. That is why we have this matter of public importance today, which says that this government stands condemned for its failure to honour the undertaking to govern for all Victorians, particularly in relation to planning and natural resource management. The member for Shepparton has outlined the details of the planning concerns, but again it highlights the fact that we have a city-centric Labor government which does not understand country issues in relation to planning and in particular to natural resource management.

The background is that in 2002–03 we had new planning zones approved for rural Victoria. There was an uproar right across the state. There were protests and petitions tabled in Parliament because it was felt then that these were too restrictive on land-holders and local government. The Nationals believe key reforms to Victoria's rural planning zones can be achieved by the right balance between the need to preserve good quality agricultural land and respecting the rights of land-holders.

The proposing of the matter of public importance has been driven by people within our community. It has been particularly driven by a letter that was sent by the Minister for Planning to local councils. The government wants to automatically transfer rural zones to farming zones, and this is highlighted by this letter. I want to put on the record what the current Minister for Planning said recently. This letter is dated 25 August and is addressed to the Horsham Rural City Council. It is headed 'Implementation of the new rural zones' and states:

I am satisfied that for substantial areas of rural Victoria there should not be a disadvantage from a straightforward translation of the rural zone to the farming zone and the environmental rural zone to the rural conservation zone.

...

... However, before I initiate an amendment I would appreciate council's advice as to any area where a direct translation would cause an unreasonable or unintended outcome and the reasons for this.

I would appreciate this advice within six weeks of the date of this letter.

It has been highlighted by the Leader of The Nationals that the majority of councils across Victoria are now in caretaker mode. If planning is not done right, it becomes an enormously controversial issue. Proper planners need to be used to do it ably. I have the largest electorate in Victoria that contains seven local councils: Hindmarsh shire, West Wimmera shire, Southern Grampians shire, the Rural City of Horsham, part of the Glenelg shire, the Rural City of Ararat and also Moyne shire. These councils are very concerned about the way the implementation of these new rural zones is going to be pushed through by the Minister for Planning. I can highlight that by quoting extensively from a letter that has been sent by the Horsham Rural City Council to the minister, because it outlines the concerns of many councils around rural and regional Victoria. It is entitled 'Horsham Rural City Council submission on implementation of the new rural zones' and states:

I refer to your letter dated 25 August 2005 ... and have passed the following resolution at the council meeting on Monday, 19 September 2005 —

this was before the caretaker mode had started —

'That council prepares a submission to the Minister for Planning advising that council objects to the proposal to carry out a direct translation from the rural zone to the farming zone, as it is council's opinion that a full strategic review is required plus government assistance is required towards the cost of carrying out the strategic review'.

I attach council's second submission on the proposed new zones for rural Victoria dated 16 February 2004 ...

This was the council's second submission about the issue. The letter then states:

The council is firmly of the opinion that a municipal-wide rural strategic review including land capability assessment is required to be carried out prior to any implementation of the new rural zones within Horsham Rural City Council.

The council does not have the in-house resources, or budget allocation to undertake such a strategic review or land capability assessment and therefore requests strong consideration for state government assistance through an appropriate grant to permit the appointment of a town planning consultant to undertake this strategic work.

Council currently has only the rural zone and rural living zone within the Horsham planning scheme.

The letter then states — and this is reflective of many councils right across Victoria — that:

Council is firmly of the view that a direct translation from the rural zone to the farming zone would have the following detrimental outcomes and effect:

1. A large area of the municipality in the Wartook Valley adjoins the Grampians National Park, with significant

rare and endangered flora and fauna, and therefore should be within a rural conservation zone.

2. Council has several transfer stations and/or rural tips currently within the rural zone and if translated to the farming zone would be prohibited and/or become non-conforming uses.
3. Council currently has rural-based industries within the rural zone which if these areas were translated to the farming zone would be prohibited and/or non-conforming uses, therefore it would be more appropriate for these areas to be in the rural activity zone.
4. A significant area of the 'rural zone' land abuts the Horsham city area, and several township areas therefore being more appropriate to be rezoned to either the 'rural activity zone' or the 'rural living zone'.

This council's letter summarises the many concerns I am hearing from my electorate. It goes on to say:

In summary council strongly objects to your proposal to implement a straight translation to the 'farming zone' and reiterates that state government funding should be provided so that the appropriate strategic studies can be undertaken to determine the appropriate translation to the correct mix of the 'farming zone', 'rural activity zone', 'rural conservation zone' and the 'rural living zone' for the Horsham Rural City Council municipality.

That highlights the concerns. I also have a letter from Ferguson and Perry, land surveyors in the area, dated 13 February this year. In it Ferguson and Perry raise concerns with the council about the amendments to the country zones. The concerns relate to financial farm planning, succession planning, distant living, community infrastructure and worker accommodation. The letter states:

The push to remove small lots from rural zones smacks of planning for planning's sake, with no consideration of the practicalities of rural living.

Members can see that many concerns have been raised about what this government is doing. That is why The Nationals have raised this matter of public importance. The chief executive officer of the Municipal Association of Victoria, Rob Spence, wrote a letter to the council that states:

A key recommendation arising from the rural zones review discussion and options paper was that: 'only after a municipal-wide strategy has been completed would it be appropriate for a council to prepare an amendment to apply the new rural zones'.

Whilst councils have the option to apply the new rural zones as part of the process of the three-year review of the MSS, this will require significant resources. We urge DSE to consider the resource capabilities of councils to undertake the work necessary to achieve outcomes sufficient to apply the new zones.

We are hearing this concern right across Victoria. As members know, most councils have difficulty getting planners. They also have difficulty with some of their financial resources. The changes that are required need support from government. This city-centric government gave support to all the affected councils when it developed Melbourne 2030. Why can the same resources not be applied to help country councils? As I said, there is a lack of expertise in many of the rural councils, some of which are very small in population and resources. Why can the government not do the same as it did for Melbourne 2030?

In the time remaining I want to finish off with natural resource management. There was an article in the paper yesterday outlining concerns about Big Desert. Instead of one-chain-wide firebreaks — 100 metres — the government is going to cut the firebreaks back to 10 metres. The council and community up there is very concerned that this has been proposed. As the article states:

This country is not suitable for bare earth breaks because they create wind tunnels and wind erosion which can bury and undermine fencing.

Roadside vegetation is another concern, as it is becoming a traffic hazard. Most of the community says that grass, shrubs and other vegetation are growing right up to the road verges, and this is causing visibility problems. Whether it be VicRoads or the councils, they must make sure that road safety takes precedence over roadside vegetation. We have problems with fox bounties. We have seen a Timber Communities Australia branch established in Hamilton because of concern about the timber industry — and the timber industry and its jobs in country Victoria have been wiped out. The last thing I want to mention is a newspaper article where Cr Kevin Erwin raises the issue of water authorities trying to transfer assets to councils. This is not on.

Ms NEVILLE (Bellarine) — What an extraordinary matter of public importance we have before the house. It condemns the government for ignoring the needs of country Victorians but I wonder whether The Nationals actually meant to say that the house condemns the former government for ignoring the needs of country Victoria.

Let us do a quick comparison and see where we stack up on this issue. The former government closed 12 country hospitals and 178 country schools and sacked teachers and nurses. Let us compare the funding to country and metropolitan communities in terms of capital. By far the most money went into the metropolitan areas. One particularly extraordinary

example is the closure and privatisation of veterinary laboratories across country Victoria under the former government. That has led to huge costs for farmers and seriously compromised our capacity as a state to monitor disease.

Compare that to our record in even just my community of Geelong. We have new schools — Newcomb Secondary College, Leopold Primary School and Bellarine Secondary College. We have seen an upgrading of the emergency department, the Andrew Love Cancer Centre, new teachers, new nurses, the Queenscliff harbour development, neighbourhood house developments, natural gas to North Bellarine, community centres, tourism initiatives and a new police station. There has been nearly \$1.5 billion of new investment in the Geelong region. It is a fantastic record so I am not sure whether the accusation of ignoring the needs of country Victoria should not refer to the former government.

I particularly want to speak today about what I think is the very strong record of this government in terms of planning in our coastal regional communities. As a member of Parliament who represents a regional coastal community I remember the record of the former government in this area. It was pretty much open slather for development. There were very few specific planning controls to protect our coastline. This government has a very strong record and is moving forward on this. We understand that our coastal communities, and Bellarine is certainly one of them, are experiencing enormous pressure. People want to live and holiday there because we have one of the most magnificent coastlines in the country. However, we know we cannot allow that pressure to continue to grow in an open slather way — we need to be able to protect this important asset for Victorians. We are leading the nation in this regard.

This government is in the process of undertaking the coastal spaces project. This project will be one of the most important legacies of this government. It is all about ensuring that within our coastal areas we achieve sustainable growth, that we ensure urban growth continues to occur within our settlements and that we protect the landscapes between our settlements. I look back at a couple of particularly extraordinary proposals of the previous government for Bellarine. One related to the Queenscliff harbour development. That proposal involved roads running through dunes and hotel developments blocking views. It was completely inappropriate for an historic coastal township, one of the best in Victoria. The community down there rejected this proposal and luckily for it the Bracks government was elected and took the proposal off the

table. We clearly said it was not in the best interests of that community. Enormous community concern and division was created by the former government's approval of extraordinary planning decisions in relation to high-rise development in Ocean Grove. It was completely inappropriate and this government has taken action in response to this concern.

As I said before, the coastal spaces project is leading the nation. We hope to identify some new planning tools which we can put in place to ensure the protection of our coast into the future. This is a major piece of work. It is a huge piece of work that involves enormous consultation with local councils and local communities. My community has welcomed and embraced the project and is actively involved in debate and discussion about it. We will be continuing that debate and discussion with the minister in the next couple of weeks. There is no doubt that we face some challenges along the coast. As I said, there is enormous pressure to live and holiday there. There is enormous pressure from developers — people know there is potential to make a lot of money on the coast. Having spent a little bit of time in Queensland recently, I saw what can happen if we do not get these planning controls right and how we could block out opportunities for the broader Victorian population to appreciate and be part of our coastal communities.

The result of this project, which will be at the end of the year, will be an opportunity to put in place some more appropriate protections where we need to. However, we are not standing back and waiting for the result of this particular project. We have already acted, and we have made one of the most significant decisions down there. In May the minister wrote to local coastal councils and indicated very clearly that this government was not going to allow uncontrolled development on our coastline. He made it very clear that we would not in any way support developments that occur outside town boundaries, where they exist, nor developments that occur — where there are no town boundaries — outside the urban zone land. He has written to the councils about that; he has made public statements about that.

One of the first indications of our seriousness about this particular issue relates to a decision the minister has made in regard to a proposed development in Portarlington. That development proposal, a retirement village — and certainly we do not make any judgment about whether retirement villages are a good or a bad thing — was to be outside the town boundary of Portarlington. It was outside a town boundary that had been established by the community through a process over time, and the minister very quickly and rightly rejected that proposal. As I said, he wrote to the

councils saying we would not entertain development outside town boundaries in our coastal communities, and he has backed that up with this very important decision which has been welcomed by the local community down there and by other communities on the Bellarine Peninsula, who understand that this is a very significant indication from this government that we are serious about protecting our coast.

We are doing that in other ways. We are supporting councils in getting up to date with their planning processes. An example of that is the funding of the urban design framework for St Leonards, where there are currently no town boundaries. That is going on public exhibition in around November this year, and the community has been actively involved in it. We have also been doing some significant work around the issue of the growth of golf course lifestyle housing developments, some of which are occurring in appropriate areas, others of which are not.

There is no ambiguity in this: we are clearly sending a message to and giving certainty to communities and developers. The message is that we believe very strongly that we need to protect our coasts and that we are going to do that by ensuring development continues to occur only within urban settlements. We will continue to meet the challenges of the growing pressure our coastal communities face.

Our regional areas will continue to grow and thrive under this government — whether through investment in schools, investment in hospitals and community structures or through putting in place programs and planning policies that ensure that our magnificent coastline is able to be enjoyed by generations to come. Our planning record is great, and our planning record in regional areas is fantastic — for example, in Geelong with the western wedge and with the funding for the G21 alliance and the significant coastal spaces project, which will protect the Bellarine coastline and other coastlines around Victoria for us and for the future.

Mr PLOWMAN (Benambra) — I was interested to hear the member for Bellarine talking about this matter of public importance, which relates to country Victorians. Her contribution was about the coastal area around Geelong, which is really part of the urban area. It is not truly country Victoria.

Ms Neville interjected.

The SPEAKER — Order! The member for Bellarine!

Mr PLOWMAN — The reason the government is so sensitive about this is that it has so few country members who actually understand country issues.

Ms Kosky interjected.

Mr PLOWMAN — That sensitivity is shown even more greatly by the Minister for Education and Training who obviously appreciates that the government is city-centric and does not understand the issues pertaining to country Victoria. I have to say — —

Ms Neville interjected.

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

Mr PLOWMAN — I appreciate the opportunity to join The Nationals in condemning the government for its disregard of country Victorians. I refer particularly to the Minister for Planning revisiting the fiasco that the past Minister for Planning introduced by way of changes to the rezoning of land in country Victoria — changes greatly reducing the flexibility and the role of local government.

I was also interested to hear the member for Macedon say that the role of local governments should not be to zone land within their own precinct. Frankly I find that disturbing because no-one knows better than local authorities the issues pertaining to those areas. That response from the member for Macedon surprises me, and actually disturbs me.

The change in policy will not only reduce the flexibility and the ability of local government to make these decisions, but in so many cases it will adversely impact on farming families, particularly those farming families wanting to plan for succession. The destruction and reduction of the value of land in rural areas is appalling. Could this happen in metropolitan Melbourne? Could this happen in the regional cities? Not on your nelly! But this government can do that to country Victoria because it has so few country Victorians who vote for it that it completely disregards their interests.

As an example of the dissertation by the member for Bellarine, the Department of Sustainability and Environment (DSE) put out a paper called *Coastal Spaces*. In response to that a small group in Taggerty, Acheron Valley Watch Inc., put out a paper called *Rural Spaces* in order to utilise the same principles in *Coastal Spaces* but also to show how out of touch this government is. It has listed emerging issues, and I will just note a few of them:

High rates of potentially unsustainable growth occurring in rural municipalities on the edge of metropolitan Melbourne, both in terms of population and development activity

A lack of understanding and knowledge about the growth that is occurring and its impacts

Another one further down the list says:

Most local governments are struggling to cope with the constant requirement to respond to proposals, often at the expense of completing or implementing strategic planning

Then there is the one that I see as most important:

Metropolitan-focused policy —

in other words, this government's policy —

and planning tools are being applied to rural settlements, potentially leading to undesirable outcomes

I'll say they are undesirable outcomes! The impact of the changed planning that will occur with this rezoning in country Victoria will be disastrous for many families, communities and shires.

However, my immediate concern is largely about the second part of this matter of public importance which deals with the application of laws pertaining to natural resource management. The issues of real concern — which I believe are crucial for the best management of public land and the overall management of our natural resources — include fire management; timber resource management; wild dog control on public land; weed control on public and private land; the removal of cattle grazing from the high country of Victoria; native vegetation controls; the totally inadequate changes that are being introduced into the water industry; and the imposition of a toxic waste dump at Nowingi.

All of us who have been part of this are appalled by the high-handed manner of this government in determining where Melbourne's waste will be placed — a repository in Nowingi; out of sight, out of mind. That toxic waste will be taken over 400 kilometres. It is unbelievable that this government is not prepared to allow Melbourne to treat its own waste and dispose of its own waste; it has to go to a country area. This is something for not only our children but our grandchildren to be concerned about, because sooner or later the problems of leaching will occur from that toxic waste dump into one of the most vital areas of food production in Victoria.

The most important issue is the declaring of more and more land as national parks but at the same time reducing the amount of funds available for their management. The real possibility is that before the next election the red gum forests along the Murray River and

the Goulburn River, which are currently being examined by the Victorian Environmental Assessment Council, will be declared national parks. Doing that will remove from its management all the people who have had an involvement in this area. The problem too will be that there will not be an appropriate budget. Certainly there will not be budget expenditure that will allow the management to be as good as it has been under those people who are currently involved.

The Public Accounts and Estimates Committee report on the 2003–04 budget outcomes noted that the Department of Sustainability and Environment (DSE) spent only \$37.4 million of the budgeted \$45.8 million on bushfire recovery. That is an indication again that this government not only is failing to meet its responsibilities but also does not understand how those funds could be spent. The fact is that so many people lost their boundary fences without any compensation at all, yet lots of these funds went to local councils for streetscapes and so on under the guise of being for bushfire recovery. Frankly I find that extraordinary.

Getting back to the DSE budget, the only increase in the last budget was the hidden tax on water, with 5 per cent of all income from water authorities going as a direct tax to consolidated revenue. Using the 2004 Australian Bureau of Statistics figures and taking inflation into account, the Bracks government is spending less on parks than the Kennett government did. This situation gets worse, because since that time the Point Nepean National Park and the Otways national park have been included without any budget allocation. New South Wales spends \$58.47 per person on national parks and Queensland spends \$57.89, yet Victoria only spends a measly \$26.55 per person on national parks. New South Wales has 6 million hectares of parks on which it spends \$211 million; Victoria has 3.2 million hectares, about half, on which it only spends \$69 million. That is paltry. It is an indication that despite all the rhetoric about this government's management of public land and national parks, it is not being matched with funding.

Given the issues surrounding the water industry, there is a real threat under the new unbundling process that non-landowners will be able to buy up to 10 per cent of the water available to the industry for irrigation. If you note the fine print, you see that the minister has the right to increase this at any time. Already we are hearing that all sorts of bodies are prepared to purchase water, which will reduce the amount of productive water for irrigation in this state. This government needs to look very closely at this whole issue. Certainly there will be an enormous cost to the industry and the country.

There are so many things I could talk about in this debate. This government is far removed from where it should be in respect of the best management of its public areas.

STATEMENTS ON REPORTS

Environment and Natural Resources Committee: sustainable communities

Ms LINDELL (Carrum) — I would like to make some brief comments on the report on the inquiry into sustainable communities that the Environment and Natural Resources Committee tabled in June 2005. The committee made 79 recommendations to the government, but I will concentrate on one, recommendation 6.6, which is to do with Victoria's educational and behavioural change strategy for environmental sustainability. One of the things we particularly recommended in our report is that we must enforce some performance measurement in environmental education to end up with the results we wish to see. Environmental education has been around for a long time, but unfortunately there has been no adequate performance measurement of any of the environmental education programs.

Rural and Regional Services and Development Committee: country football

Dr NAPTHINE (South-West Coast) — I wish to speak on the report on the inquiry into country football conducted by the Rural and Regional Services and Development Committee. In my introduction I will quote from the minority report, which says:

Netball and football are the very heart and soul of many communities in rural and regional Victoria.

Local netball and football provide very valuable physical exercise for many young and not-so-young people. Local netball and football clubs also give country communities a great sense of local pride and community spirit.

It goes on to talk about the benefits to the community in terms of training and development of volunteers and the economic benefits, as well as a whole range of activities which show how strong netball and football are in country Victoria and how important they are. The most important recommendations from that inquiry are recommendations 14 and 22. Recommendation 22 is:

That the state government establish a new multimillion dollar grants scheme for the upgrade of football and netball facilities in rural and regional Victoria to be allocated over four years.

Recommendation 14 is:

That in the order of \$2 million per annum over five years be made available by the state government to develop and provide a comprehensive, integrated program to assist volunteers ...

The minority report actually goes further than that, and I suggest the committee failed in not adopting the minority report's recommendations. It says that recommendation 22 should have read:

That the state government establish a new \$20 million grants scheme for the upgrade of football and netball facilities in rural and regional Victoria.

It also says that recommendation 14 should have been made very clear by saying that the state government should provide \$2 million per year over five years to develop programs to assist volunteers.

It is interesting to read the government response to these recommendations. In response to recommendation 14, which suggested money be provided to assist with volunteers, the government said:

Intent supported in principle

But no dollars were allocated by the Bracks Labor government. That is what it thought of country volunteers.

Recommendation 22 was that a multimillion dollar grant scheme be available. The government response was:

Support

The Victorian government will inject \$2 million —

A measly \$2 million to country football and netball clubs, yet we see on 14 September this year the government announced that up to \$15 million will be allocated to some of the poorest Australian Football League clubs to upgrade their ground facilities. This is on top of \$13.5 million the state government has given to Kardinia Park at Geelong. I do not begrudge the AFL clubs that amount of money, that \$28.5 million. I support it. It is good for those AFL clubs in the metropolitan area and Geelong. What I say to the Bracks Labor government is that while it is giving nearly \$30 million to AFL clubs which have enormous resources in terms of fundraising and sponsorships, it is giving a measly \$2 million to regional and rural clubs. It shows that the city-centric Bracks Labor government is at it again, trying to con the people of country Victoria by saying it supports country football and netball, but simply not delivering and not putting its money where its mouth is.

It is about time that the Bracks Labor government responded to the needs of country football. It set up an inquiry into country football but neglected netball. When amendments were made to include netball, Labor members voted against it, which is an absolute disgrace because, as the Minister for Education and Training knows, netball is very important for young women in country Victoria. Netball and football need support in country Victoria, and it is a disgrace that the government can only respond with \$2 million for country netball and football, yet is prepared to spend \$30 million for AFL clubs in metropolitan Melbourne and Geelong.

It is very good to spend that money on AFL clubs, but certainly the government needs to up the ante. It needs to up its contribution to football and netball clubs in country Victoria. Many of those clubs have facilities that need significant upgrading particularly in terms of occupational health and safety and particularly in terms of netball facilities. Many netballers have to change in their cars or are unable to change or shower after the game. Those facilities need to be significantly improved. I would urge the government to give a lot more money than the measly \$2 million they have allocated to country football as well as giving \$30 million to metropolitan AFL clubs.

Finally I will mention a particular issue concerning the Rumbalara Football Netball Club, which is a great club involving the Koori community. It is based in Shepparton, and because of changes to the league it is suddenly without a league. The Rumbalara Football Netball Club wants to go to the Goulburn Valley Football League and should be supported in doing that. Yet the Victorian Country Football League wants to force it into the Murray league, which does not want it; it is not a natural fit with the Murray league and would be playing well above its league in the Murray league. It should be going to the GVFL. I urge the VCFL to listen to Rumbalara and put it in the GVFL.

Family and Community Development Committee: development of body image among young people

Ms McTAGGART (Evelyn) — I wish to make a brief contribution on recommendation 3 in the Family and Community Development Committee's report on its inquiry into issues relating to the *Development of Body Image Among Young People* and the associated effects on their health and wellbeing. Recommendation 3 states:

That a code of conduct for the media industry be developed, recognising the media's social responsibility to display

images that are representative of the community. The committee further recommends that this be developed in consultation with advertisers, media owners and government; such consultation should involve discussions and negotiations between federal, state and territory governments and between the federal government and industry.

We are constantly bombarded with images of gorgeous, thin women and athletic, handsome men through the print media and television. These images promote to the general public that success and happiness are only achieved if you are thin and beautiful. They do not truly reflect the bodies of most people in our community, put unnecessary pressures on people to achieve perfection and lead internally to body dissatisfaction and eating disorders. Repeated exposure to these images could have a cumulative impact on vulnerable individuals, and more research is needed to ascertain the effects they have on people's dissatisfaction with their bodies. It is hoped that these recommendations will assist the government in addressing the problems associated with eating disorders for the many young people in our communities.

Road Safety Committee: crashes involving roadside objects

Mr WALSH (Swan Hill) — I would like to speak about the Road Safety Committee's report entitled *Crashes Involving Roadside Objects*. It was tabled in March 2005, so I assume a government response is imminent. In talking about issues raised in that report I would particularly urge the government to accept in full the recommendations I am going to talk about. I will start off with the chairman's foreword where he talks about the difficult and competing objectives the committee had to address — on one hand, the preservation of roadside vegetation, and on the other, hand the protection of human life. He said:

However, in dealing with this important issue the committee makes no apology for the fact that it has stated in this report that where it comes down to a choice between preservation of vegetation on a road reservation or reducing the risk to human life, the latter must always prevail.

I commend the committee for that recommendation, but the reality is that its recommendation and the present situation are two vastly different things.

Recommendations 31 to 36 are aimed at achieving what the chairman said in his foreword, the principle that road safety and road users always take precedence over the conservation of native vegetation within road reserves and that safety zones should be based on the principle that the safety of road users should always take precedence. We should have a society in which human life takes precedence over roadside objects or,

more particularly, native vegetation, but that has not necessarily been the case in recent history. In my electorate I know of two motor vehicle accidents resulting in deaths which had a very good chance of being avoided if trees close to the roadside had been removed. But the local council and in one case VicRoads were not able to remove those trees because the Department of Sustainability and Environment (DSE) forbade them doing so.

I have a firm belief that if a shire or VicRoads raises a safety issue about a tree and the Department of Sustainability and Environment stops that tree from being removed, DSE should be the authority responsible for the accident or death in the future. It is all very well for the Department of Sustainability and Environment to make claims that it wants to protect a particular tree, but if a human life is lost DSE should be held responsible. In private enterprise if there is a safety issue raised in someone's business, it is the responsibility of the owner of that business to make sure that issue is addressed, and they would be liable if there were a subsequent injury or death. I believe the same should apply for the Department of Sustainability and Environment in the future.

I turn to other recommendations in that 31-to-36 category. One is that planning framework established by the Planning and Environment Act 1987 be amended to include road safety as an objective. If we could have that included as one of the key objectives in the Planning and Environment Act, it would mean that the people handling the issues, including DSE, have to take into account the issue of road safety when they talk about native vegetation.

I commend the committee for that report and particularly for those provisions. From reading this report I get a sense that a member for North Western Province in the other place, Barry Bishop, has had a key role in having those recommendations framed, because I know it is an issue that he is passionate about. In fact all members of The Nationals are passionate about making sure we have safer roads to drive on and do not put human life at risk because we want to protect one particular tree.

Economic Development Committee: labour hire

Mr ROBINSON (Mitcham) — I want to speak briefly today on the recent report by the Economic Development Committee into labour hire in Victoria which I have the privilege of chairing. The committee has delivered two reports with unanimous recommendations. Undoubtedly casual work, which is

the mainstay of employment within the labour hire industry, suits many workers. Equally, it exposes many others to risk. There are many workers within the labour hire sector who do not get to effectively choose whether it is casual or the more traditional form of permanent employment.

Over the course of the last year the Economic Development Committee examined a number of cases where unscrupulous employers sought to force a transition of their employees from traditional or formal permanent form to more precarious forms of employment; they had done this transition with some of their casuals. Typically the conversion that was sought for workers was to get them to become independent contractors and it did not seem to matter to some employers whether they did this in an open and transparent manner with a full disclosure of the risks to their employees or by underhanded means. The real risk in 2005 is that the federal government's drive to further deregulate our industrial relations system will see this trend increase. It is already happening.

The *Age* of Monday, 3 October, carried an article headed 'Firm pledges to get unions out'. This article referred to a company called Industrial Labour Solutions (ILS) which amongst other things is lobbying for business amongst companies with a spiel that reads as follows:

No more EBAs. No unfair dismissals. No casuals forced into full time. No redundancies. No unions. No problems. Decreased costs ...

Does anyone honestly expect that companies which take up this offer are actually going to be able to deliver to their workers — and let us not forget there are workers involved in this — a better deal. Clearly this is not going to be the case. The push is already under way from companies like ILS to try to get companies to force far more flexible arrangements onto workers. That would be at a huge cost to those workers because ultimately in those sorts of processes the conditions of employment for workers become far more precarious. For those workers and their families who depend upon what they can earn, life does not become better; it becomes a lot worse. I am sure that all decent Victorians would rightly oppose unethical business practices that expose Victorian workers to conditions of precarious employment.

Scrutiny of Acts and Regulations Committee: discrimination in the law

Mr McINTOSH (Kew) — I wish to make a few brief comments on the Scrutiny of Acts and Regulations Committee report in relation to

discrimination in the law which was an inquiry under section 207 of the Equal Opportunity Act. That report was tabled in September of this year. It followed an original reference given by the Premier in June 2003, and its purpose was to identify provisions of Victorian acts that discriminate against persons, consider those provisions and make recommendations for attention, amendment or appeal of the various sections. There was quite a deal of activity and a substantial discussion paper produced in December 2003, and that had been widely advertised around Victoria.

The Scrutiny of Acts and Regulations Committee received 400 written submissions and there was a great deal of consultation with a large number of stakeholders as a result of that. Some members of the committee — not me, I hasten to add — had the benefit of travelling to New Zealand to speak to the Human Rights Commission in New Zealand and the New Zealand Justice Department. The committee also went to the new ACT Human Rights Office in Canberra. As I said, a large number of submissions were produced. An interim report was produced at the end of last year and it was widely circulated. The report canvassed a number of matters that caused me personal alarm in relation to amending a number of laws covering employers and employees. A large number of submissions were received in relation to the Racial and Religious Tolerance Act.

Finally, the narrowing of the scope did not cover the things that concerned me. The report made 27 recommendations that canvassed a wide variety of matters, including changes to the WorkCover legislation that would prevent discrimination against injured workers who may be rapidly approaching the age of retirement. Amendments were also suggested to the Crimes Act. The Attorney-General in his justice statement had indicated a comprehensive review of the Crimes Act, but the recommendations specifically referred to changing 'de facto relationships' in the wording of that act to 'domestic partnerships', which would enable domestic partners to avail themselves of the coercion provisions but also be covered by certain offences such as incest. Amendments were suggested to the Property Law Act to remove things such as the legal assumption in relation to male lineage, which clearly was an anachronism and has no part in our law.

My concerns really arise out of the process involved in the acceptance of the final report. On Wednesday, 17 August, I received by an email which did not come to my attention until the Thursday morning three of the four chapters of the final report, for consideration at a meeting that was to take place on Monday, 22 August. My concern is that two working days is a completely

inadequate amount of time to deal with a report such as that. The final chapter was not received until Thursday evening.

I note that Parliament was sitting on that occasion, and as a shadow minister I was responsible on behalf of the opposition for two bills that were being debated in that place. I also had a large number of activities on the Wednesday night, including at one stage having to introduce the Australian foreign minister at a function and then attend a local school. On Friday I spent the entire day at the Victorian Civil and Administrative Tribunal on a freedom of information matter, so I was simply unable to attend to undertaking a review of the final report.

It is of concern that the final report was adopted in my absence at the meeting on Monday. While it is a worthwhile report it certainly does not canvass matters which trouble me. The final report was produced in undue haste, and notwithstanding that I expressed my concern to the committee about that, it was adopted and the document was tabled in this Parliament. Accordingly, Speaker, I regret to say publicly that I disassociate myself from it. It is not my report, and I was not given adequate time to review it.

EASTLINK: OPPOSITION POLICY

Mr BRUMBY (Treasurer) — I move:

That this house rejects the Leader of the Opposition's half-tolls plan for the EastLink project as unworkable and a policy that would result in government services being cut across the state.

Two weeks ago the Leader of the Opposition delivered this shabby document, which took 336 days to release. It is headed 'Halving Labor's tolls, fixing country roads, eliminating Labor's waste'. We waited 336 days for a plan that will not work and will never ever be delivered.

This was a defining moment in the leadership of the opposition leader. After 336 days this is a policy that has failure written all over it. It is a policy which fails to deliver to the people of Victoria; it is a policy that cannot be delivered; and it is a policy which is not believable. It is half-baked, half-thought-through and half-witted. This policy, as I will show over the next 25 minutes, proves beyond all doubt that the Leader of the Opposition is not up to the job and never would be up to the job of leader of the state of Victoria.

You could describe this policy as the opposition leader's road to ruin. He is leading a coalition of the unwilling on a road to ruin. Where is the opposition?

Where are the people who are prepared to support it? There is one, but he is a Nationals party member. As I have said, this is a coalition of the unwilling on a road to ruin. It is a defining moment for the opposition leader. It shows that he is not up to the job of leadership in this state.

This policy fails for 10 reasons. First, the Leader of the Opposition's plan does not deliver what he promised. Second, it took 336 days to make a decision. Third, this policy could never be delivered. Fourth, the numbers in this policy do not add up. Fifth, the cost of the policy has been significantly underestimated. Sixth, it will require cuts in essential public services to finance it. Seventh, this policy is written at the expense of country Victorians. Eighth, it is economically irresponsible, with Liberal Party spending commitments now well in excess of \$1.2 billion. Ninth, the opposition leader's own party does not support this policy. Tenth, as I have said, it shows unambiguously, clearly and unequivocally that the Leader of the Opposition is not up to the job.

Before I turn to the issues I want to ask what the public thinks about this 336-day plan? Here is page 1 of the *Frankston Independent*. The headline says 'Flips over toll road' and the article quotes a Liberal source as follows:

A Liberal source said MPs in the party room attempted to dissuade Mr Doyle from his position of halving tolls, but the leader was determined to go it alone without consultation.

Honourable members interjecting.

Mr BRUMBY — And he would have been one of them! Here we have the *Dandenong-Springvale Star*, with the headline 'Toll plan "half-baked"'. Here is the *Knox Journal* — again a great newspaper — saying 'Doyle's "half promise". Libs unable to scrap tolls'. Here is page 1 of the *Maroondah Leader*. Under the headline 'Backflip taking its toll on Libs' the article says:

Maroondah mayor Paul Denham, a member of the Liberal Party since 2003, would not comment on the party's backflip. 'As a mayor it's not appropriate I give individual comments', Cr Denham said.

That is a new kind of mayor! The *Maroondah Leader* reports another councillor, Cr Les Wilmott, as saying:

'It was a good opportunity for people in the east not to have tolls ... Now they will have tolls for ... 30 years and beyond'.

An article in the *Whitehorse Leader* headed 'Toll is two for broken promises' reports:

Mitcham Residents' Association spokesman Tony Hogg said opposition leader Mr Doyle's decision to halve tolls for private cars and motorcycles until 2014 was a bitter disappointment for residents.

Here is the *Herald Sun* — —

Mr Clark interjected.

Mr BRUMBY — Do you want me to go on with more quotes? The article on page 2 is headed 'The double tollway backflip' and it talks about the party room, saying:

Mr Doyle denied being embarrassed by the plan ...

But the mood among Liberal MPs was sombre after he outlined the plan.

You could say that; you could hear a pin drop:

One MP called the *Herald Sun* describing the policy as 'a dud'.

Here is another one in the *Whitehorse Leader* headed 'EastLink U-turn by Doyle'. An article in the *Age* business section is headed 'Freeway group rejects Liberal plan to halve tolls', and says in part:

Dennis O'Neil, chief executive of the Australian Council for Infrastructure Development, said the Mitcham-Frankston toll road [was] the cheapest in the country and the opposition move was a 'blatantly political exercise, not an economic exercise'.

Further on it reports Mr O'Neil as saying:

'It remains a perverse, administratively expensive piece of poor public policy'.

That is a good score. Here is the *Australian Financial Review*: 'Doyle ditches pledge to scrap Scoresby toll'; and the *Herald Sun*: 'Doyle's MPs silent on toll' — and I will come back to that a little later in my contribution.

Seriously, it is hard to imagine a policy that could make more people, more groups and more organisations more angry. You have the business groups offside, you have the toll consortium offside, you have the eastern suburbs offside, you have The Nationals offside and you have country voters offside. If you had set out to do this in 336 days and said, 'How much damage could we do to the Liberal Party in 336 days if we really put our minds to it?', you could not have done better than this piece of work. It is a sensation.

Let me go to the 10 points I have made. Firstly, Mr Doyle's plan does not deliver what he promised. It is useful to remember what he promised. On 14 October 2004 he promised, and I quote, 'Only a Liberal government will build the Scoresby freeway

without tolls'. He sought headlines on and repeated that commitment many times. He made this promise, and it is the one thing that people remember about him, because he made it so many times. When he released the policy and explained why he was only delivering half-tolls he attempted to say that it was because the budget situation in Victoria had deteriorated since he made his promise. It is important to put on the record just what a fabrication that is by the Leader of the Opposition.

The budget was delivered on 3 May this year, so all the economic fundamentals for the state were revealed at that time. Since the budget he has said the following. On 11 May, just eight days later, the Leader of the Opposition said, 'I am not looking at lowering the cost; I am looking at delivery of a toll-free Scoresby'. On 31 May — —

An honourable member — Eight days later.

Mr BRUMBY — Eight days later, the *Age* reported that Mr Doyle had finalised his plan to scrap tolls and was waiting to release it. At a doorstep interview on 16 June, six weeks later, Mr Doyle said his plan, 'will cover the entirety of the project'.

In an article in the *Age* of 1 August 2005 the Leader of the Opposition is reported as saying, 'I don't think it's good enough to be old and bold — I mean, you have to have the courage of your principles and then stick by them'. On 12 September, just three days before, talk about a fabrication — and you are complicit in this fabrication too — —

The SPEAKER — Order! The Treasurer will address his comments through the Chair.

Mr BRUMBY — On 12 September, just three days before the toll flip-flop, AAP reported that Mr Doyle:

... says he stands by his pledge to make it toll-free, but he's repeatedly refused to answer questions about whether he would make it toll-free on all sections, for all drivers, at all times.

But the point is this: the budget was brought down in May. All the budget fundamentals were out there. All the budget conditions have been there. The economy has been strong since then. If you were polite you would describe as a fabrication his attempt to say that he could only deliver a half-broken promise, a half-tolls promise, a half-baked promise because of deteriorating financial conditions. But it is worse than that; it is a deliberate deception of this Parliament and of the people of Victoria, because the budget numbers were known and he repeated his policy many times.

In the *Weekend Australian* of 8 and 9 January he is reported as describing the without-tolls commitment of the Liberal Party as a 'magic bullet' that would deliver him office.

Honourable members interjecting.

Mr BRUMBY — It is certainly a magic bullet — it has just gone astray.

The second point is that this policy took 336 days. As I have pointed out in the Parliament before, that is a long, long time. It took 329 days for the reunification of Germany, 320 days for Jesse Martin to sail around the world, 300 days for the siege of Leningrad, and 278 days for Noah to find dry land after the flood! It is a long, long time.

We then come to whether this policy could ever be delivered. It is not believable, and it is not deliverable. I will tell you why this plan will never ever be delivered. The first thing is, of course, that The Nationals do not support it.

Mr Maxfield interjected.

The SPEAKER — Order! If the member for Narracan wishes to sit near the Speaker, he should be quiet. The Treasurer, to continue.

Mr BRUMBY — It was a rare moment of policy insight and policy vision from The Nationals. But in February this year the Leader of The Nationals, Peter Ryan, said The Nationals would never support the Liberals scheme if taxpayers had to foot the bill. He did not say 'never ever'; he said 'never' — that they would never support this plan. And why would you? If you are a country member, such as the member for Lowan, why on earth would you support more than half a billion dollars being siphoned out of your electorate to pay out a private operator for tolls on EastLink? Of course the honourable member for Lowan does not, and the honourable member for Benalla does not. This policy can never ever be delivered. It is a complete fabrication and falsification.

Secondly, do you think ConnectEast would negotiate with the Leader of the Opposition? Why would you bother? And more importantly, who would you talk to? Would you talk to the member for Malvern? You might. Would you talk to the member for South-West Coast? You might. Would you talk to the member for — —

An honourable member — Hawthorn?

Mr BRUMBY — Hawthorn? You might. Would you talk to the member for Box Hill? No, you would not. ConnectEast said — and this is important — to the Australian Stock Exchange on 15 September, ‘We have a binding contract with the state of Victoria. We have no desire to renegotiate. We are committed to satisfying our obligations under that contract’.

It is a simple, two-letter word — no. That is what they are saying — no. They do not have to, they do not want to, and they will not.

Mr Clark interjected.

Mr BRUMBY — The member for Box Hill says, ‘Read your own contract’. The shadow Treasurer released some advice from Gadens, but he obviously did not read it all because the Gadens legal advice which he tabled in support of his claim that he could modify the contract says that, and I quote, ‘the contrary view is not arguable’. So his own legal advice is saying —

Honourable members interjecting.

Mr BRUMBY — I would have got another lawyer!

Honourable members interjecting.

Mr BRUMBY — Seriously, it is meant to support this policy. It says that it might but that it is arguable, and can you rely on it?

The fourth problem with this policy is that the numbers do not add up. Despite 336 days, this document is littered with costing errors. I will just give one example of that. In this document the opposition says it will fund much of the half-tolls decision by cutting consultancies. It has triple counted — naughty, naughty — consultancies.

On 26 December 2003 — it was a good day for a media release, but we found it — the Leader of the Opposition said he would reduce Department of Human Services consultancies to pay for extra health services. So it wants to cut consultancies to pay for extra health services. Earlier this year the Leader of the Opposition launched a policy to cut \$62 million in consultancies to pay for improving health, education, police, roads and public transport. The same consultants have already been cut twice; but as part of this policy, to find the money to pay for this promise the \$62 million that was announced earlier in February and March is now allocated to halve the tolls. So this same money has been allocated to three different promises.

Fourthly, it is important to understand that the costings on this have been underestimated. If you read the fine print on this, you see it says that if you halve the tolls many more people will use EastLink, and that because many more people will use EastLink there will be more revenue for the EastLink consortium, and therefore you will be able to come to a special arrangement to reduce the overall cost to the government of paying out what was notionally half the use. I have a pretty good idea that those numbers are wrong.

Mr Clark interjected.

Mr BRUMBY — Have a look at CityLink. If you want evidence that the price of the tolls does not make a big difference to how many people use it, have a look at CityLink. Have a look at the growth estimates and have a look at the growth predictions. The fact is that the Leader of the Opposition, with the assistance of his shadow Treasurer, has significantly underestimated the actual cost, because they thought they would get a rebound which they would use to reduce the cost.

The other thing of course is that the Leader of the Opposition’s costings do not start until 2009. EastLink is scheduled to be completed by late 2008. On the Leader of the Opposition’s own estimates the subsidy is \$20 million a month, so even if it only opens one month early, that is \$20 million that you are out. But the other thing of course is that there are no costs for the renegotiation which is factored into the plan. Lawyers can be expensive, and renegotiations can be expensive. If you look at what CityLink cost, you realise you would need to budget for something in excess of \$10 million for the cost of renegotiation.

Mr Clark — That might be what you’d pay!

Mr BRUMBY — No, I know what you paid on CityLink. The sixth problem with this policy is that to pay for it —

Honourable members interjecting.

Mr BRUMBY — We could. We will get the former member for Berwick — he was very good! Let us go to the savings here. Paying for this policy will require cuts to services, and we should be clear about that. Again the Leader of the Opposition says the opposition will find \$584 million worth of savings over four years by dismantling the Department for Victorian Communities — what an outrage! — by reducing the Department of Premier and Cabinet payroll in non-service delivery areas and by eliminating programs in the Department of Innovation, Industry and Regional Development. But as I mentioned yesterday in question

time, the big part of the savings here is through a 1 per cent cut to supplies and services.

Supplies and services are worth billions of dollars a year. They account for most things that governments do apart from employing the public servants. So a 1 per cent cut in supplies and services will attack firefighters, TAFE teachers, local sporting grants, TAFE institutes, park rangers, scientists, court staff, employment advisers, crime prevention programs, juvenile justice programs, kindergartens, roads and road safety, and prison workers. It is not a bad list! Talk about half-baked and half-thought-through! The opposition could have exempted all those areas, but this is lazy policy making and lazy arithmetic, and the opposition did not do it.

The dismantling of the Department for Victorian Communities would affect local libraries, support for volunteers, neighbourhood houses — and they do a magnificent job — community sports and the Commonwealth Games. We know and the Victorian people know because the Liberal Party has form, that the words ‘budget savings’ are code for cuts to essential services. Last time, you will remember, under the Kennett government 2000 nurses were sacked, 1000 hospital beds were closed, 9000 teachers were sacked, 300 schools were closed, 800 police officers were cut and 12 hospitals were closed in total. Victorians voted on that in 1999 and again in 2002. They do not want these services cut; they want these services improved, because they are part of the fundamental infrastructure that goes to making Victoria a great state.

The seventh problem with this policy is that it will be done at the expense of country Victoria. These arguments are well known, but this is a policy which robs the regions. Let us be clear about it: we have spent six years building the regions up. We have done a fantastic job up there, and the regions are going well. We have governed for all Victorians. There has been a big change from the told toenails days under the Kennett government. All of that would be put at risk by presumably a Doyle or Baillieu or Asher-led opposition, which would rob the regions.

The eighth argument against this is that it is economically irresponsible. Two days after the release of the Leader of the Opposition’s announcement, I released the Liberal Party’s costings to date. We were very conservative in our costings of everything that the Liberal Party has promised. If you look at what the Liberal Party has promised since the 2002 election, you will see it now involves promises of more than \$1.2 billion of spending.

Mr Clark interjected.

Mr BRUMBY — No, \$1.2 billion of operating expenditure. I am not including the capital. We have put it all out there. I released this list two weeks ago, and it has not been refuted by the opposition. Do you know why? Because it is accurate and because it is right. I have not included things in there like the opposition’s underground power poles proposal, which I think was worth \$5 billion. I could have done a half-pole policy, putting every second pole underground, but I did not. We would have one up, one down, one up and one down!

The ninth reason this policy is no good is that the opposition leader’s own party does not support it. There is an article in the *Herald Sun* headed ‘Doyle’s MPs silent on tolls’ which asks them the following question:

To what level do you support Robert Doyle’s half-tolls policy and how the issue was handled?

A few of them are shown as strongly supporting it:

Phil Honeywood, deputy leader
Kim Wells, police
Chris Strong, finance
Martin Dixon, tourism
David Koch, racing

The ones listed as having no comment were:

David Davis, health
Ken Smith, gaming
Phil Davis, agriculture
Terry Mulder, transport —

that is why he left before —

Victor Perton, education
Bill Forwood, energy resources
Bruce Atkinson, small business
Robin Cooper, policy coordinator.

A few of them said they supported the party room decision.

Honourable members interjecting.

Mr BRUMBY — That is exactly right, because they are having a bob each way. Was it about supporting the latest decision or the first decision? There are a few of them in that category.

Another story, which the *Herald Sun* of 16 September carried on page 2, reports that one MP described the policy as a dud:

Another said: 'It was a dumb idea from the start, it's still a dumb idea and it has the potential to keep us in opposition for the next nine years'.

Yet another said: 'If this doesn't go down well, then it really puts at risk several marginal seats that we hold. It's a dog, but it's Doyle's dog'.

To use another animal analogy, we are hearing a lot about the duck season, and there is a lot of debate about the duck season every year. But we are rapidly coming into Doyle season, because a lot of people out there are after his job.

Finally, this is a policy which does not add up. It confirms that the Leader of the Opposition is not up to the job. As I said earlier, this is a defining moment. The opposition took 336 days to release a plan that does not deliver what the Leader of the Opposition promised. He took 336 days to make a decision. It is a policy which can never be delivered, it is a policy whose numbers do not add up and it is a policy whose costings are underestimated. It is a policy that would require cuts to essential public services, it is a policy which would be implemented at the expense of country Victoria and it is a policy that is economically irresponsible, given that the opposition will now be spending in excess of \$1.2 billion. And of course last but not least, the public, the Liberal Party and The Nationals do not support it.

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

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Rural and regional Victoria: development funds

Dr NAPHTHINE (South-West Coast) — My question without notice is to the Premier. I refer to the findings of the Auditor-General and the Victorian Government Solicitor that \$450 000 of rural development funds were illegally allocated to the metropolitan area. Given that the Minister for State and Regional Development is responsible for this illegal action, will the Premier discipline the minister and direct him to restore those funds to country Victoria?

Mr BRACKS (Premier) — I first of all thank the member for South-West Coast for his question. It appears that over the last three weeks — the last week of sitting and now today — we have had a rotating

opposition leader at question time. We had the spectacle of no opposition leader and some fill-ins on the last occasion and now we have had several fill-ins on this occasion.

Mr Perton — On a point of order, Speaker, the Premier is clearly debating the question. The question goes to the illegality of the action of the — —

The SPEAKER — Order! I remind the member for Doncaster again that a point of order is not the occasion to repeat the question. I believe the Premier was making passing comments. He will now answer the question.

Mr BRACKS — The Auditor-General did not in fact make that conclusion. He indicated that a very small amount of money was provided to some councils which have dual responsibility not only for the metropolitan area but for rural and regional areas as well. As those councils develop over time, that is the case.

The SPEAKER — Order!

Mr BRACKS — I think I am being relevant, Speaker.

Dr Napthine — On a point of order, Speaker, the Auditor-General makes it clear that Banyule, Brimbank — —

Honourable members interjecting.

The SPEAKER — Order! The member for South-West Coast just heard me say that points of order are not the occasion for repeating questions. It is not appropriate for the member for South-West Coast to leap to his feet and start yelling comments across the chamber and I will not tolerate it. The Premier, to continue.

Mr BRACKS — The Auditor-General did not — —

Mr Perton interjected.

The SPEAKER — Order! The member for Doncaster!

Mr BRACKS — The Auditor-General did not make the finding which was implied in the question from the member for South-West Coast. He has made some recommendations which the government will take on board in relation to improving what is a great project for this state, a project which this government has implemented and which repaired the damage done by the previous government in regional Victoria.

Roads: funding

Ms BEATTIE (Yuroke) — My question is to the Premier. I refer the Premier to the government's commitment to investing in transport infrastructure across all of Victoria and ask the Premier to detail for the house how this commitment is being delivered.

Mr BRACKS (Premier) — I thank the member for Yuroke for her question. I also thank her for her commitment to making sure that this state has investments in infrastructure that are going to lead to future economic growth in the state as well. The member for Yuroke is part of a government that has committed a massive \$10 billion to infrastructure over the next four years, a large portion of which is to do with significant improvements to our road system in this state. As part of the \$10 billion infrastructure commitment over the next four years we have also set aside \$660 million for transport infrastructure. We have started already the jointly funded \$242 million Pakenham bypass project and also the jointly funded \$380 million Geelong bypass project — both very good projects.

Mr Mulder interjected.

The SPEAKER — Order! The member for Polwarth!

Mr BRACKS — Can I say to the member for Polwarth that these are projects we can do because we have managed the budget well. That is why we can do them. We are not squandering money, spending money we do not have on half-tolls for five years, something which is clearly not supported by the member for Polwarth.

We have opened the first section of the federally funded \$306 million Craigieburn bypass. I am pleased to report that further work is under way. We are very pleased about that project, because it is going to drive some new investment in that section of the state as well. We have opened the 6-kilometre Ravenswood section of the Calder Highway, part of the \$211 million Faraday-to-Ravenswood project and the overall Calder Highway duplication. We are still waiting for the last \$82 million instalment from the federal government so we can complete the rest of the Calder Highway on schedule, given that that is in our budget already and we need that matching money to complete it. It is in our budget as a road of national importance and we are waiting on the federal government for its contribution as well. We have also completed the Hallam bypass at a cost of \$165 million — I should add \$10 million under budget and ahead of time as well, a great achievement.

Mr Perton interjected.

The SPEAKER — Order! The member for Doncaster!

Mr BRACKS — We have also committed to a number of major outer suburban road projects, such as the \$26.2 million Somerton Road duplication; the \$15 million duplication of Canterbury Road from Bayswater Road to Dorset Road; the \$32 million Plenty Road duplication; the \$15.9 million Cranbourne–Frankston road, providing two lanes in each direction between Warrandyte Road and Centre Road; and the \$14.3 million Fitzgerald Road duplication at Laverton North. That is all in addition to the \$2.5 billion which is being spent on the EastLink project, which will cut travel time, drive investment and create 6500 new jobs during the construction period and will also add something like \$6.8 billion to gross state product over the life of that project.

The government's investment in road safety also includes the new \$240 million Safer Roads program. That is a four-year infrastructure project which really addresses some of the high-accident black spots in this state. That has been a successful program we have implemented since we came to office some five and a half years ago. We have found the capacity to do that on regular occasions since then as well. The project has targeted black spots and black lengths on state highways, main roads and local roads. We are spreading these projects across the whole state and rebuilding the road network.

I will finish answering the member for Yuroke by saying that we can do all this because we have managed the budget well and effectively. We can do all this because we are not promising money we do not have. We can do all this because we do not have to cut into the rest of the budget to fund a reckless commitment such as that which the Leader of the Opposition has undertaken in this house.

Roads: funding

Mr WALSH (Swan Hill) — My question is to the Minister for Transport. I refer to the administrative arrangements of the Road Management Bill 2004 which have transferred responsibility for the maintenance of irrigation infrastructure on local roads from regional water authorities to local councils. I ask: is the government going to compensate local government to meet this impost or will it be left to country ratepayers to pick up the bill?

Mr BATCHELOR (Minister for Transport) — The Road Management Bill set out the responsibilities of

various levels of government for the funding of roads and road infrastructure. The core principle behind that was the decision that the level of government or agency which controls the infrastructure should be the one that takes responsibility for funding it. It was on that basis that this decision was taken. It has been passed by the Parliament and is being implemented.

Roads: rural and regional

Mr TREZISE (Geelong) — My question is also to the Minister for Transport. I refer the minister to the government’s commitment to improving Victoria’s regional roads and ask the minister to detail for the house what the government is doing to meet that commitment.

Mr BATCHELOR (Minister for Transport) — Regional roads really are a key priority for this government. Since coming to office, this government has invested more than \$1.5 billion on improving road infrastructure across regional Victoria. Regional and rural roads are a vital part of our community infrastructure, and a key focus of upgrading rural roads is to improve the safety and efficiency of this important part of the community infrastructure — the road network.

The Premier has already spoken about a number of key projects which are large and important in scale, but this government also pays attention to more localised road projects. An example of that is the realignment of the \$5 million Pyalong bypass in the Shire of Mitchell. This has resulted in significant time and safety benefits for the many people travelling between the Murray River, Echuca and Bendigo communities.

In addition, we are spending more than \$30 million to create an alternative route for the large number of trucks currently travelling through Lakes Entrance in the Shire of East Gippsland. Once completed, this bypass will create a more efficient travelling route for heavy vehicles and a better travelling experience for the tourists who visit this region. It will provide a win-win for the community of East Gippsland.

At Portland in the Glenelg shire the government has committed \$15 million to the Cliff Street overpass. This will relieve congestion in the ports.

Dr Napthine interjected.

Mr BATCHELOR — We certainly have not listened to the member for South-West Coast.

Dr Napthine interjected.

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

Mr BATCHELOR — All of these projects are crucial to local municipalities because they improve amenity, reduce road trauma — —

Dr Napthine interjected.

The SPEAKER — Order! I have already warned the member for South-West Coast!

Mr BATCHELOR — They help to grow the regional economies in a sustainable way. When it comes to funding of municipalities across regional Victoria, it is this government, the Bracks government, which has its runs on the board. That scorecard is continuing to grow.

Our unprecedented \$1.5 billion spend on regional roads makes the promise by the opposition to spend \$127 million over three years look pathetic. Since coming to office we have invested more than \$105 million on road improvements in the Shire of East Gippsland. This is more than 18 times the amount the opposition promises to spend in the same region. We have spent \$22 million in the Shire of Northern Grampians, which has delivered more road improvements than ever could be delivered under the opposition’s \$2.7 million for the same region. In the Colac Otway shire our commitment, our level of expenditure, has already been huge. A massive \$42.6 million has been pumped into roads in this municipality.

We have improved roads, and all the shadow spokesman could promise through his program was \$2.7 million.

Honourable members interjecting.

The SPEAKER — Order! The Attorney-General!

Mr BATCHELOR — I understand the standing orders of this house, and I know I am prevented from going on and detailing the expenditure increase we have put into municipalities right across regional Victoria and how much better off regional Victoria will be under the sort of expenditure that the Bracks government commits to roads in these municipalities than it would be under alternative proposals. We will continue to undertake this type of expenditure because we regard regional Victoria as an important part of our community. It will do better under this government than under alternative proposals. We will continue to govern for all Victorians.

Treasurer: budget delay

Mr CLARK (Box Hill) — My question without notice is to the Treasurer. I refer to the Treasurer's feeble claim that next year's budget must be delayed due to the Commonwealth Games and his wish to attend a three-day biotechnology conference in Chicago. I ask: what is the real reason for the delay?

Honourable members interjecting.

Mr BRUMBY (Treasurer) — Last I heard the Commonwealth Games were still on — they are on next year.

Mr Doyle interjected.

The SPEAKER — Order! The Leader of the Opposition!

Mr BRUMBY — This is a little bit of a mystery. This is a little bit like asking the former parliamentary secretary why the budget was brought down in September. Why was it? Why was it brought down in September?

The SPEAKER — Order! Through the Chair!

Mr BRUMBY — The reality is that as a matter of practice we have brought down the budget in May, but other states and other governments bring down budgets at other times of the year. In fact, it was the practice through most of the 1990s for the budget to be brought down in the spring sittings of Parliament. We have brought it down in May. Since I have been Treasurer we have brought down budgets in the first week in May, the second week in May and the third week in May, and next year we will bring the budget down in the last week in May.

I did not think this was a big drama. I did not think it was the headline issue dominating the mums and dads debate about Victoria. This is the Leader of the Opposition's EastLink meltdown. This is the big issue of the day — that we have moved the budget two weeks. We have the Commonwealth Games and we have the grand prix, and we will have 40 000 visitors from interstate and 50 000 visitors from overseas. All members of the government will be properly involved in — —

Mr Doyle interjected.

Mr BRUMBY — You have a whole lot of people after your job.

Mr Plowman — On a point of order, Speaker, the Treasurer is debating the question and I ask you to bring him back to answering it.

The SPEAKER — Order! I do not believe the Treasurer was debating the question. He was asked a specific question by the member for Box Hill and he appeared to me to be answering it.

Mr BRUMBY — I announced this yesterday in order to give the Parliament and the public plenty of notice. As I said, we have brought down every budget in May — in the first week, the second week and the third week and this will be in the fifth week in May. It is a sensible thing to do. Next year's budget will again be a very responsible financial document. It will again deliver in health and education and to country Victoria.

Mr Doyle interjected.

Mr BRUMBY — The Leader of the Opposition interjects.

Mr Thwaites — It is the first thing he has said all day.

Mr BRUMBY — Talk about an opposition leader in hiding — are you going to ask a question?

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

Mr BRUMBY — It is a straightforward matter and I have answered the question.

Environment: litter reduction

Mr WILSON (Narre Warren South) — My question is to the Minister for Environment.

Honourable members interjecting.

The SPEAKER — Order! Before the member for Narre Warren South continues, I ask the house to be quiet and show some courtesy to the member and enable him to ask his question.

Mr WILSON — My question is to the Minister for Environment. Could the minister detail for the house what steps the government has taken to reduce the incidence of littering?

Mr THWAITES (Minister for Environment) — I thank the member for his question. Litter is the most visible manifestation of environmental pollution — we should remember that litterers are polluters. As well as being a blight on the environment, littering is a waste of reusable materials. The Bracks government is

encouraging all Victorians and all Victorian organisations to reduce littering. This government is reducing littering and promoting recycling. Under the Bracks government we have increased the recycling of waste from 44 per cent to 53 per cent.

We are also supporting these strategies through a new organisation, and I am pleased to advise the house that that organisation — Sustainability Victoria — commenced operations this week. Sustainability Victoria will be overseeing our littering strategies. I am also pleased to advise the house of a grant under the sustainability fund, which is jointly managed with the Treasurer, to the Keep Australia Beautiful organisation for its clean site program at six locations around Victoria.

However, unfortunately I have to advise the house that not all Victorians or Victorian organisations are doing the right thing. A recent case of littering and dumping brought to my attention is particularly disturbing.

Mr Perton — This is a serious topic.

Mr THWAITES — It is a serious topic.

Mr Perton interjected.

The SPEAKER — Order! The member for Doncaster!

Mr THWAITES — I have to inform the house that hundreds of posters and pamphlets were recently dumped along the side of the proposed EastLink corridor in Scoresby. Mysteriously the pieces of litter were political and carried a similar message — ‘No tolls’. I should say that they bear a remarkable resemblance to the Liberal Party’s no-tolls paraphernalia. I think it is fair to say that we know it is rubbish, but it should have been disposed of properly. I am pleased to advise the house that litterers are able to apply — —

Mr Doyle interjected.

Mr THWAITES — It is the first time we have heard from you all day. You want to speak, get up and say something.

The SPEAKER — Order! If the Deputy Premier and the Leader of the Opposition wish to have an extensive discussion, they are more than welcome to do so but not across the table. I ask the Deputy Premier to answer the question and I ask the Leader of the Opposition to cease interjecting in that manner.

Mr THWAITES — I am sure there was much more of this material around in the Scoresby corridor. Perhaps that was disposed of properly — —

Mr Doyle interjected.

The SPEAKER — Order! The Leader of the Opposition!

Mr THWAITES — We hope the rest of the material — the posters, the ill-fitting T-shirts; we remember the ill-fitting T-shirts — was disposed of properly. All I can say to all those litterers is that it is not good enough for the Leader of the Opposition and all his fellows to put only half of their rubbish in the bin!

Schools: language disorder program

Mr INGRAM (Gippsland East) — My question without notice is to the Minister for Education Services. It concerns the government’s planned cuts in support and funding for some schools’ disability and impairment programs for students with language disorders for the 2006 school year. I ask: will the minister guarantee an adequate level of funding and support for essential speech pathology and other support programs to meet the needs of students with language disorders in all schools in my electorate?

Ms ALLAN (Minister for Education Services) — I thank the member for Gippsland East for his question. I would also like to assure the member and all members of this house that the Bracks government is working very hard to ensure that all students have every opportunity to achieve their full educational potential. I would like to start my answer by ruling out immediately the reference to any cuts in the area of language disorder programs; that is not correct. Earlier this year we introduced a new, dedicated language disorder program to better support students with a low-level language disorder. This new program provides classroom teachers with the additional support and resources they need to provide support to those students within the classroom every school day and also to be able to refer students to additional professional support as required and needed by those students.

Recognising that all schools should have access to this program and also that all schools across the state have students within their student population who have some low-level or mild language disorders, I have recently announced that funds will be allocated to every Victorian government school to allow them to provide these vital additional supports to students with these special needs. This new funding model recognises that

every school in the state will get this support and will also refer students as required to those additional supports from the sorts of professionals to which the member for Gippsland East referred — speech pathologists and the like.

I can assure the member for Gippsland East that all schools in his electorate, in Gippsland and across the state are being supported by this language disorder program in 2006. Where a school can demonstrate that it may need some additional support as a result of the changes to the program in this area, assistance is on offer through the Department of Education and Training. I would like to make the point that, as the member for Gippsland East may be aware, this program is in addition to the \$46 million provided each year through the department to schools for a range of other support services — again, those of speech pathologists, psychologists and social workers. This is an area that the Bracks government very strongly supports. We strongly support students with additional learning needs and disabilities, which is why every year since coming to office we have provided additional funding and support to these students. We are going to continue to work very hard to support the students who need these services the most.

Employment and youth affairs: portfolio funding

Ms MARSHALL (Forest Hill) — My question is to the Minister for Employment and Youth Affairs. Can the minister advise the house of the impact that abolishing the Department for Victorian Communities would have on current youth initiatives?

Ms ALLAN (Minister for Employment and Youth Affairs) — I would like to thank the member for Forest Hill for her question. I can well understand why she would be concerned about the potential abolition of youth programs, particularly when you consider that it is the Bracks government that strongly supports young Victorians. We have done this from the very moment we came to office in late 1999, when we put young people back on the government agenda by establishing the Office for Youth. Why did we have to establish the office? It was because the previous Liberal-National government had no Office for Youth and there was no voice in government for young people. Now, once again, this office is at risk from a policy that would toll the bell for young Victorians.

It is worth looking at the policies and programs that the Bracks government has introduced and implemented to support young Victorians over the last six years. There is the youth participation and access program, which

provides \$4.1 million annually to support at risk and vulnerable young people. They are the sorts of young people that the opposition was not interested in supporting when it was in government. We have also provided an additional \$5 million to the Advance program, which is a school-based youth development program that provides opportunities for over 10 200 young people across 333 government schools.

Mr Perton interjected.

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

Ms ALLAN — I want to repeat that figure. This is about 10 200 young people across 333 Victorian government secondary schools who, through this program, are partnering with community organisations to work on special projects to develop their skills and develop their leadership potential while doing some great volunteer work in the community at the same time.

Since coming to office we have also doubled the funding for the very popular FReeZA program, which last year saw over 150 000 young people —

Mr Perton interjected.

The SPEAKER — Order! I have asked the member for Doncaster to cease interjecting in that manner. He has an extremely loud voice, and I ask him to stop doing it.

Ms ALLAN — Because the Bracks government doubled the funding for the FReeZA program, last year we saw over 150 000 young people participate in events in their local communities. That is a fantastic figure, and it is one that we are very proud of. It is not just these programs. We have also introduced two new programs: the very popular FReeZACentral, a \$2 million program that connects young people to the music industry, and the \$2.9 million youth mentoring program, again providing that vital support to enable young people to develop to their full potential.

These are all very important programs for young people that also assist them to participate in their local communities. Certainly no-one in their right mind would consider punishing young Victorians by putting these sorts of programs in jeopardy. I know it is something that the member for Bulleen would not support. He would not support the punishment of young people in this way. In one of the two media statements he has made this year —

Mr Perton — On a point of order, Speaker, the minister is debating the question. I think she has also reached her time limit as well.

The SPEAKER — Order! The minister has been speaking for some time, and I ask her to conclude her answer. I can give the minister the time she has been speaking for, if she would like me to: it is 4 minutes and 32 seconds. The minister may like to conclude her answer and direct it to the question she was asked.

Ms ALLAN — There is so much good news in this government's support for young people which would be put in jeopardy if the Department for Victorian Communities were abolished in order to support this half-baked, half-hearted half-tolls policy. Certainly it is the Bracks government that is governing for all Victorians, including young people. That is why we certainly reject any policy that would put these sorts of vital supports for young people at risk or would punish young people by abolishing the Department for Victorian Communities.

Melbourne: car park levy

Mr HONEYWOOD (Warrandyte) — My question is to the Minister for Environment. I refer the minister to the Murray F. Young and Associates review of the Melbourne parking tax, which concludes that 'there is no evidence that a levy will noticeably reduce traffic congestion in Melbourne's CBD'. Will the minister now concede that this is not a genuine environmental issue but just another greedy tax grab?

Mr THWAITES (Minister for Environment) — I thank the member for his question. We always hear what the opposition is against; it never comes up with anything it stands for, anything that lasts. As the Treasurer and I have indicated, the car parking levy has been in operation in Perth and Sydney.

Mr Doyle interjected.

The SPEAKER — Order! The Leader of the Opposition will stop that continual interjection.

Mr THWAITES — There have been numerous reports on congestion charges around the world, including reports on Sydney and Perth, which have indicated this does have a positive effect on congestion. The opposition continues to ignore that we have clearly indicated we will be investing all the funds raised from this in improving transport around Melbourne. That means more public transport and more opportunities for people to take public transport. This is what we as a government believe is in the best interests of the city — to give more opportunities to people to move around

without congestion and save some of the billions of dollars we are currently losing around this country in congestion costs.

Partnerships Victoria: projects

Ms MUNT (Mordialloc) — My question is to the Treasurer. Can the Treasurer update the house in relation to recent developments with Partnerships Victoria?

Mr BRUMBY (Treasurer) — I can. I want to say about public-private partnerships (PPPs) in relation to Partnerships Victoria that they have been a fantastic success. We have 14 projects worth \$4 billion that have now been signed. We have had projects like the County Court, the film and television studios, Casey Hospital, which of course is the first greenfield site hospital in Victoria for decades, Coliban Water and the Wodonga waste water treatment plant, which have all been completed under our Partnerships Victoria policy.

Construction has started on the Royal Women's Hospital, which is a very large project indeed. Three more projects worth over \$400 million are in the market and proceeding well — the convention centre, Barwon Water and Central Highlands Water. More are on the way. There is the relocation of the Melbourne Markets, at \$300 million plus, which will generate total investment of somewhere between half a billion and one billion dollars and breathe new life into transport distribution and logistics in the northern suburbs.

It is also true to say that Victoria has been a leader in public-private partnerships. Our Partnerships Victoria policy is a reference for other states and indeed other countries, including the United Kingdom and Canada, which have both used the reference material which has been generated in Victoria. We are continuing to innovate to get the best results with things like standard commercial principles and more interactive bidding processes.

You look at all of those and you think of the biggest PPP of all, and it is the \$2.5 billion EastLink project. That is Australia's largest PPP and the largest road project. It is recognised by the *Project Finance International Yearbook 2005* as the largest greenfield financing project in Australia. The message about EastLink and that huge investment which is taking place, and all the other PPPs, is that if you want to see them succeed, you have to be able as a government to work with the private sector to create the right conditions for that sort of investment to proceed.

Building approvals are out today. Do members want to hear another great news story for Victoria? I know the opposition wants to hear a great news story for Victoria. Building approvals in 2005 are \$1 billion plus. So 42 out of 43 months are \$1 billion plus. And why? Because the investment environment is good. This is of importance again. Private sector house approvals are higher in Victoria than any other state in Australia, higher than New South Wales and Queensland. That is a good story. The key to it is getting investment confidence and certainty. If you do not get that, you will not get investment taking place.

If you look at EastLink, you will see that it would be a very bad decision if a government tried to unilaterally renegotiate the terms of a signed agreement. The private sector agrees with that. John Wylie of Carnegie, Wylie and Company said:

As a general principle a government needs to tread extremely carefully before ripping up or amending an agreement between a government and a commercial operation because it raises sovereign risk.

Dennis O'Neil from the Australian Council for Infrastructure Development said:

If you tamper with one thing, even if the company were to get the same revenues, it will have effects elsewhere ...

Mr Doyle interjected.

Mr BRUMBY — You should have asked a question today.

The SPEAKER — Order! I have already asked the Leader of the Opposition to stop interjecting in that manner. I ask him again to stop that continual level of interjection.

Mr BRUMBY — Dennis O'Neil said of the Liberal Party's plan that it was a 'blatantly political exercise, not an economic exercise'.

Mr Perton — On a point of order, Speaker, the minister is clearly debating the question. The question related to the government's program for public-private partnerships (PPPs) and his current reading of quotes relates to a policy debate. It is not a direct answer to the question that has been asked.

The SPEAKER — Order! The Treasurer was asked a question in relation to public-private partnerships in Victoria. While he addresses his answer to that subject he can continue.

Mr BRUMBY — More recently Tony Sheppard, the chief executive officer of ConnectEast, said:

I remind investors that ConnectEast cannot negotiate with third parties on changes to our deed.

The point of all this is that if you want to get projects like this up, you have to have a good investment environment. If you want to scare away investment and wreck the economic strength we have seen in Victoria, you make the sorts of policy announcements the Liberal Party has made in the last two weeks — politically irresponsible, reckless, not believable, not deliverable and really a defining moment in the leadership of Robert Doyle.

EASTLINK: OPPOSITION POLICY

Debate resumed.

Mr CLARK (Box Hill) — Three members of this house, three ministers of the Crown, ought to be hanging their heads in shame over the Mitcham–Frankston tollway project. They are the Treasurer, who has inflicted tolls with a capital cost put at \$7.5 billion for a \$2.5 billion road project; the Minister for Transport, who promised to bring in this project with 10 per cent savings from a cost between \$1.5 billion and \$1.8 billion and has ended up with a project with a capital cost of \$2.5 billion; and the Premier, who went to the people of Victoria at an election promising one thing and then after that election delivering a completely different thing.

Let us look first of all at the performance of the Treasurer. We know the Treasurer has a chip on his shoulder; we know he has been sore about losing the Labor Party leadership. We know he is sore about constantly being in the shadow of the Treasurer in the Kennett government, Alan Stockdale, who was a real Treasurer who delivered genuine reform to this state and who was capable of doing beneficial and effective deals with the private sector, in contrast with the current Treasurer.

Honourable members interjecting.

The SPEAKER — Order! The Treasurer was heard in his contribution to this motion without continual interruption from the opposition. I ask government members to show the same courtesy to the member for Box Hill.

Mr CLARK — The Treasurer constantly sees himself as a poor man's Alan Stockdale, and in trying to live up to that role he is constantly trying to do deals with the private sector in order to raise his standing in comparison with Alan Stockdale. But there is a stark contrast between doing deals with the private sector and doing good deals with the private sector, and that is

where the Treasurer has been shown to be lacking. He is condemned out of the documents that he himself has released. We know that within a few days of the opposition announcing its proposals last October he rushed out a flimsy, four-page document from PricewaterhouseCoopers which he tried to pass off as being a costing of the opposition's proposal, but which on close examination exposes the extremely poor deal which the Treasurer has driven his government and his parliamentary colleagues into. What that PricewaterhouseCoopers study found, based on a government discount rate and adding back the cost of the \$500 million-odd worth of commonwealth government funding, is that the lump-sum payment equivalent to the tolls which motorists will be required to pay over the life of the Bracks government's EastLink deal totals some \$7.5 billion for a project having a capital cost of \$2.5 billion.

What sort of deal is that? What do you get for that extra commitment which on the PricewaterhouseCoopers figures totals some \$5 billion, using the government long-term bond rate. Yes, you get a maintenance contract for 35 years, but are you going to pay an extra \$5 billion lump sum equivalent for a maintenance contract? What other value-adding is there in the deal that the government has negotiated? Where is the risk transfer that under the Partnerships Victoria policy the Treasurer boasted about just a few minutes ago is supposed to be achieved as the quid pro quo for getting the private sector to deliver these projects? Where is the value-adding that was worth \$5 billion? We know when we look at the contract and do a decent and thorough analysis of the cost elements of that contract that a large part of the extra cost that is being inflicted on motorists as a result of the Treasurer's dud deal is taken up in the tolling and customer service costs — hardly value-adding for motorists of the eastern suburbs who are now going to be paying annual tolls starting at around \$293 million in 2009 and rising thereafter.

It is all very well to do deals with the private sector when deals can be done on good terms; that is welcome. But an examination of the terms of the deal that has been done by the Treasurer, who likes to skite about being a capable and competent man and who tries to match it with his Liberal predecessor, Alan Stockdale, shows his achievement is sorely lacking. I know there must be party room colleagues who are rueing the day they allowed him to talk them into abandoning their election promise.

Let us have a look at the Minister for Transport, who arrived in the chamber pretty late in the piece when the Treasurer was delivering his remarks earlier today. Well may he be glib about the deal that has been

negotiated, because he is the one who by a press release of 23 September 2002 came out and boasted about how he and Partnerships Victoria were going to deliver savings of up to 10 per cent on the Mitcham–Frankston project as a result of bundling the Eastern Freeway extension in with the former Scoresby project. He boasted that it would have:

... a total project cost between \$1.5 billion and \$1.8 billion ...

But he then went on to say that:

... Treasury estimates showed savings could be achieved under the partnerships delivery model of 10 per cent of total project costs — a saving to taxpayers of up to \$180 million.

That was the boast. What has been the reality? This project has come in with a capital cost of \$2.5 billion, a project blow-out on a scale to rival the Minister for Transport's other magnificent achievement, the regional fast rail project, which has gone from \$80 million to \$750 million. Now we have the government fighting tooth and nail in the Victorian Civil and Administrative Tribunal to avoid public disclosure of the public sector comparator for either the original Scoresby project or for the Mitcham–Frankston project, because they do not want to be accountable to the public for what those figures might show and what that might reveal about the sort of deal that the Minister for Transport and the rest of the government have negotiated.

Last but not least, let us turn to the role of the Premier. I have to say in some respects that this is the most tragic element of all of the trifecta, because I continue to believe and have the hope there is a streak of decency in the Premier, that he would like to do the right thing and that at some time he will be able to shake off the grip that the machine men of the ALP have got on him and the way they wheel him out to make statements in the public arena that he knows in his heart of hearts are not true. So far what has happened? He was wheeled out before the 2002 election to promise one thing, and immediately after that election was over he reneged on that promise. It is not only our side of politics that is saying that.

That is also something that is said by the former leader of the federal opposition, Mark Latham, in his *Latham Diaries*. I am sure many members on both sides of the house have been reading that document very closely. Let me quote some extracts from the diary for 27 April 2005 at page 283:

Nothing to cheer me up in Melbourne town, least of all our meeting with Bracks this morning, accompanied by Faulkner, Crean and McMullan. We tried to get him to reverse his broken promise on the Scoresby freeway. He went to the last

state election promising a freeway and, as soon as he won, announced a tollway. No wonder people hate politics and politicians. Bracks has broken his promise, hoping the odium will wear off before the next state election.

But we are copping the fallout electorally — disastrous polling right through the eastern suburbs.

He goes on to say:

Bracks, however, was unmoved, and even when Faulkner put it right on him: 'The stakes are high in what we are talking about. You need to know, Steve, this could be the difference between forming a federal Labor government and falling a few seats short. You need to think about how history will see that'. Yes, a day of deep and abiding Labor history, as Bracks refused to help, not budging an inch. Sat there like a statue, that silly grin on his face.

It would be disorderly of me to wave newspaper clippings around in this chamber, but I refer interested members to page 20 of yesterday's *Age* and to the photo taken in October last year of the former federal Leader of the Opposition and the Premier, both with grins on their faces, and the recollection by the newspaper of the Premier's profound prediction:

We are managing the budget well, just as after this weekend I expect Mark Latham to be managing the budget and economy well in Australia.

What a very easy way to destroy one's credibility. By contrast, let us have a look at what the Liberal Party has announced. Victorians are entitled to expect three things of the Liberal Party's policy on Scoresby tolls: that it be honest, that it be fair and that it be responsible. The policy package we have announced meets those tests.

It is honest because, unlike the Labor Party, we have recognised and made clear to the voting public before an election rather than after it that completely removing tolls can no longer be achieved because of the decline in Victoria's budgetary situation as a result of the continual government spending blow-outs that were revealed in the recent state budget. It is also a fair package because it provides significant relief to eastern suburbs motorists, who were betrayed by the Labor Party's broken no-tolls election pledge; but it also provides for motorists across Victoria whose councils need help to catch up with serious backlogs in the repair and maintenance of local roads and bridges.

It is responsible because it will be fully funded out of identified savings and thus, contrary to the wild claims of members opposite, can be delivered without affecting the delivery of government services such as health, police or emergency services. Struggle as the government might, and despite all the claims that the Premier in particular has made that he knows to be

false, services such as health, education, police and community services will not be adversely affected by the policy we have announced, because it will be funded out of those identified savings.

We have heard a lot of false claims by members opposite during the course of the debate over EastLink. Of course the biggest of the lot was the claim that removing tolls from the Scoresby tollway was going to require writing a \$7 billion cheque. That was never a commitment the opposition made; and as I indicated earlier, that \$7 billion figure was actually based on a costing of how much motorists faced having to pay in tolls over 35 years under the government's own contract. The Treasurer of Victoria is entitled to go down in history as being the Seven-and-a-Half Billion Dollar Man because of the additional cost that he has recklessly and unnecessarily inflicted on the motorists of Victoria.

Once that dud deal had been signed up to by the Bracks government, it was never going to be possible to completely undo the damage. We on this side — —

Mr Thwaites interjected.

Mr CLARK — The interjection by the Deputy Premier shows yet again the Labor backbenchers' and ministers' complete lack of understanding of this issue. Once the deal was done it could never be completely undone. But had it not been for the reckless squandering of resources by the Bracks government, it would still have been affordable to remove the tolls completely and partially undo that damage. That was what we proposed to do, and the model by which we proposed to do it involved making a series of recurrent payments to ConnectEast in exactly the same way as the Bracks government has signed up to make similar payments for projects such as prisons, hospitals and other privately provided public infrastructure under the very policy that the Treasurer was proudly telling the house about earlier this afternoon. In terms of removing tolls — —

Mr Thwaites interjected.

The SPEAKER — Order! I ask the Deputy Premier to stop acting in that manner.

Mr CLARK — The detailed modelling that we undertook showed that it would have been possible to remove those tolls, which would have totalled \$293 million in 2009, and replace them with government payments which would have ranged somewhere between \$185 million and \$254 million a year. There would have been a significant saving to motorists, despite our having to work within the

parameters of the dud deal that the Bracks government had signed up to. Our legal advice showed — the Treasurer referred to part of it earlier, and if he had referred to the full advice it would have been even clearer — that this was something that was perfectly possible to do within the contract that the Bracks government had signed up to. That was made clear by Gadens in giving its advice that the state could require modifications to the concession deed to bring about a reduction in tolls on EastLink provided commercially reasonable and appropriate adjustments were made to provide alternative funding to the concessionaires. It was something that was achievable under the contract that was negotiated by the Bracks government —

Mr Thwaites — If they agree.

Mr CLARK — Again the Deputy Premier demonstrates his ignorance, because he interjects ‘If they agree’. No, that is a right that the contract negotiated by the Bracks government gave to the state. There is a mechanism under which the state is entitled to propose a modification to the terms of the tollway arrangement. The concessionaires come back with their proposal as to how to implement that modification and what it would cost, and the parties then can negotiate on that response. If the parties are unable to agree, it goes to an expert determination. The state then has the final right, upon receiving the results of that expert determination, to decide whether or not it proceeds in the terms proposed by that expert. It was something that the contract envisaged, and let me go further on that point: it is something that the contract ought to have envisaged.

Honourable members who consider the issues relating to public-private partnerships know that one of those issues is the extent to which they can be flexible in responding to changing policy priorities of governments over time. One of the criticisms that have been mounted against public-private partnerships — and I would not be surprised if that criticism had come from some members opposite in the past — is that they might lock governments in for too long a period.

As it turns out, this contract is a demonstration of the opposite. It demonstrates what ought to be the case with public-private partnership contracts, that they can respond flexibly to changing public policy needs — and that is exactly what the legal advice we obtained showed. All that rhetoric about tearing up contracts goes out the window. Anybody who commented to the media on the misapprehension engendered by the Bracks government that the tearing up of contracts was involved in our proposal was indeed commenting under a misapprehension. What we are proposing to do under

the policy we announced recently is in accordance with what is permitted by the contract itself.

The Treasurer has tried to argue that our references to the deterioration of finances in the recent budget are unjustified. But the figures which the Treasurer himself has published in his budget make the situation pretty clear, and if any confirmation were required it is given by the comments made by Standard and Poor’s, that well-known rating agency which the Treasurer himself has cited on many occasions, about what is happening with Victoria’s budgetary situation.

The budget showed two key things. Firstly, it showed that the government would need to borrow \$1 billion more than it had previously announced in the first two years of the next term of government. That is a stark change in the parameters, to have a \$1 billion increase in the borrowing requirement between one budget and the next. The second thing the budget papers revealed was that the projected surplus for 2007–08 had fallen by more than \$300 million to less than half the original surplus estimate. That is a dramatic deterioration even by the standards of a spendthrift Labor government.

Once we had the opportunity to examine those figures closely the deterioration became stark, and if we need any confirmation of that conclusion we need only refer to the comments made by Standard and Poor’s when, as I indicated, it issued its assessment of the budget, warning that while Victoria remains well within the AAA credit rating category, extra spending has led to a weakening of finances, Victoria’s financial profile has softened and the headroom in state finances is shrinking. Those are clear warning bells from a conservative and understating ratings agency such as Standard and Poor’s, and you would hope members opposite would take heed of that warning at an early stage while there is still time to take remedial action rather than to head down the path that was followed by the previous Labor government.

What is happening to our budgetary situation in a nutshell is that the rapid increase in spending that has been a hallmark of this government has continued, but it has been unable to rely to the same extent as in the past on the constant flow of extra property tax revenue through stamp duty and land tax extracted through a bracket creep, as the property market has softened. The government is in the early stages of being caught in the same sort of squeeze as its predecessors in the late 1980s and early 1990s. Certainly no-one in their right mind would like to see a return to those dark days of the previous Guilty Party.

Faced with that combination of falling surpluses and escalating debt we in the Liberal Party have to make the hard decision to scale back our commitment. So what we will do and what, as I have indicated, is affordable is to halve tolls for cars and motorcycles using EastLink until the end of 2014, which will be at a cost estimated at between \$105 million and \$111 million for 2009. This will save motorists who use the road regularly around \$15 a week or \$715 a year on average — a pretty substantial saving by any measure and one that is in stark contrast to what eastern suburbs motorists will receive out of the Bracks government, which is a big, fat zero. That is going to be the choice available to motorists when they assess our respective policies: savings of \$715 a year on average under a Liberal policy; nothing whatever under a Bracks government policy, which is, of course, responsible for the mess in the first place.

On top of these direct savings to motorists are other flow-on economic benefits. We had the strange spectacle of the Treasurer delivering his contribution and dismissing any increase in traffic volumes on the EastLink project as a result of the halving of tolls. That just demonstrates his economic ignorance because it shows that he has no understanding of price responsiveness of traffic volumes to changing toll levels. It is a term that the economists call price elasticity, but there is no rocket science about it. It simply follows from the fact that if the toll is reduced more people will use the road more frequently.

The Treasurer claims, citing CityLink, that there was no such effect, but he is squarely contradicted on that point by someone who ought to know — the very well-respected transport economist, John Cox, who carried out a lot of the feasibility studies and modelling for CityLink. He has indicated that there is considerable potential for and likelihood of increased traffic volumes on EastLink as a result of the halving of tolls. He has gone further by pointing to the economic benefits that will flow from that. Let me quote him directly from the *Age* of 27 September 2005:

The Econtech report on reducing tolls indicates that halving the tolls will increase car traffic by 15 to 23 per cent, or 15 000 to 23 000 cars a day. These cars, which would otherwise be travelling on stop-start arterial roads, will have 50 per cent lower travel time costs (from 45 kilometres per hour to 90 kilometres per hour) and about 30 per cent lower petrol costs.

A rough estimate indicates that this will save eastern suburbs residents between \$33 million and \$50 million a year. The real saving to the eastern suburbs from halving the tolls is therefore not \$100 million a year but between \$130 million and \$150 million a year. Imagine the savings if the whole highway was toll free!

That is one independent expert's assessment. However, it does not need an independent expert to point to the fact that if you make the road more affordable to use, more motorists are likely to use it and they will move off congested local roads, which will free up those roads and help achieve some of the benefits that should have come through having EastLink toll free — but at least it will be achieved in part if we have half-tolls on that road.

As I said, we will introduce the halving of tolls for cars and motorcycles on EastLink. The other element of our package is to provide \$62 million a year to local councils for road and bridge projects. This is something that local councils have been calling for for a long time to help overcome the difficulties that particularly those in rural areas have encountered in trying to fund the ongoing maintenance of local roads and bridges. This is a policy that has been widely welcomed across the community. I will not follow the Treasurer's route of pulling out a fistful of clippings, but let me just say that this policy has been welcomed not only by the Victorian Farmers Federation, but also by Geoff Lake, the head of the Municipal Association of Victoria (MAV), who welcomed it in glowing terms and said words to the effect that it raised the high-jump bar for the government to match it. Given Cr Lake's background, that is strong praise indeed.

We will deliver this package, and we will deliver it by cutting back on the huge growth in supplies, consumables and services that has taken place under the Bracks government as well as reducing government advertising and consultancies. We will also eliminate duplication and unnecessary overhead costs in the Department of Innovation, Industry and Regional Development and the Department for Victorian Communities. Despite all the scare attempts of members opposite in relation to the Department for Victorian Communities, this was a department that did not exist until after the last state election. Our proposal is to save — —

Ms McTaggart interjected.

The SPEAKER — Order! The member for Evelyn will cease interjecting or I will remove her from the chamber.

Mr CLARK — It is to save the bureaucratic overheads and duplication by dismantling that department but transferring its functions to other departments where the service delivery functions will continue uninterrupted but without that unnecessary overhead cost.

We heard the Treasurer earlier dismiss the potential for achieving savings in administration, and he cited a long list of alleged areas that would suffer as a result of achieving those savings. The simple question the Treasurer has to answer is: does he have a similar problem with the savings measures that he himself announces in his budget from time to time? He cannot really have his cake and eat it too. Either these sorts of efficiency measures are achievable or they are not achievable. It cannot be the case that they are achievable for Labor but not achievable for our side of the house. But the bottom line is that the public know in their heart of hearts and they read and see, on almost a daily basis, in the media the sorts of waste and extravagance that comes from the Bracks government — from the small and obvious waste such as the \$96 000 being spent for painting trees blue, up to the mammoth fiasco of regional fast rail blowing out from \$80 million to \$750 million.

The other thing we will do, which we have not heard much about from members opposite, is cut back on the huge increase in the numbers of ministerial advisers and bureaucrats on the Department of Premier and Cabinet payroll. It is interesting when you look at its annual reports to see how open and accountable that department actually is. It is supposed to be a trailblazer under the Premier's guidance and the role model for openness and accountability. Yet by year it has cut back the amount of disclosure of the composition of its payroll. In the latest reports it bundled ministerial advisers in with a whole lot of other staff to make it more difficult to work out exactly what is going on and to cover up its extravagance. But we know it is there; we know a huge empire is being built up under the Premier and under Terry Moran. We know very sizeable savings are available there.

The bottom line is this. Going into the next election Victorians will have a clear choice. Under a Liberal government motorists will receive a 50 per cent reduction in EastLink tolls and upgrades to roads and bridges across the state. Under Labor motorists will get full tolls on the Scoresby, continued neglect of local roads and bridges, and four more years of a bloated and high-taxing government.

Mr RYAN (Leader of The Nationals) — This motion is an affront to the Parliament. Is it any wonder that luminaries such as Mark Latham write books about the Labor Party in the way that they do, when the government of the day conducts itself in the manner that is demonstrated by this motion? It is an absolute affront. It is an affront because the whole reason the discussion is happening in any way, shape or form on this issue is that the Bracks Labor government made a

promise — and it broke it. That is why this conversation is going on. The government made a promise, and it broke it. If it were not for that fact, there would not be the complications that have arisen since, and certainly this motion which is being debated before the house today would not even be the subject of consideration by the Parliament.

The history of these things needs to be told fulsomely. Unless it is, these things cannot be given a context. So we ought to start somewhere at the beginning. At the start is the letter which was distributed by the Labor government prior to the last election on 30 November 2002. It is on a letterhead bearing a photograph of the Premier smiling happily, with the words beside it saying, 'Bracks. Listens. Acts'. It is addressed to the householders along the Scoresby corridor. It says:

Dear Mr and Mrs [Bloggs]

I'm writing to you because Saturday's election is a very important choice for all Victorians. It's about who you can rely on to deliver the services we all need.

As your Premier, I've led a Labor government that's focused on the fundamentals. Today communities right across Victoria are seeing the benefits —

Yada, yada, yada. Then in the body of the letter he went on to say:

And Labor will build the Scoresby freeway on time and on budget.

And then he said:

These are not just election time promises. They are my firm commitments to you and your family, and they will be honoured.

That is what he said in his letter. This is what was handed out to the householders along that corridor:

And Labor will build the Scoresby freeway on time and on budget.

At the same time as all of this a flier was also being delivered to these same households. It is headed 'Only Labor guarantees Scoresby freeway'. It goes on with the usual — yada, yada, yada — at the start and then says:

Compare that to the Bracks Labor government's record after only three years

It then says:

There are NO DELAYS in completing the Scoresby.

The Bracks Labor government HAS —

emphasised —

HAS negotiated and signed the 50/50 funding agreement with the commonwealth government.

That is what the Labor Party flier says. It then says:

A re-elected Bracks Labor government HAS committed to calling for expressions of interest from construction contractors by the end of this year.

Key tasks leading up to the tender process HAVE been made.

Then it says:

Under the signed state-commonwealth funding agreement, the freeway WILL be completed by 2008.

And then it says, wait for it:

There will be NO TOLLS —

in heavy, black-type emphasis —

on the freeway under a Bracks Labor government.

There is the story: there is where the story starts. The government lied to the people living in the Scoresby corridor. It is as simple as that. It is as plain as a pikestaff, absolutely there to be read on the hands of the Premier and in the fliers that were being distributed up and down that corridor by this government. The government absolutely, patently and clearly lied to those people. There is no question about it.

Where does this leave us? The election was on 30 November 2002. One hundred and thirty-five days later we had the announcement by the Premier. Can you just imagine what it would have been like getting the phone call if you were one of the Labor Party members in that corridor? The phone rings, you are down in your electorate office, beavering away doing whatever Labor Party members do in their electorate offices — whenever they are there, at least — and you get the dreaded phone call.

Honourable members interjecting.

Mr RYAN — The member for Narracan shrieks. I tell you what, at least he did not get the phone call. His seat is not one of the seats that is under the pump in relation to this. He did not get the phone call, but about another dozen of them did. I have previously read out for whom the bell tolls, and there are about a dozen of them — it could be 15 — along that corridor, and they know who they are. They would have got the dreaded phone call that they were to come in here and there would be someone holding court to tell them, dread upon dread, 'We are going to break the promise'. Someone rang up and told them, 'We are going to break the promise'. This is 135 days after the election, which was held on 30 November. I ask rhetorically:

does anybody seriously think that this was all new news to this government? Does anybody realistically think that when the Premier broke the promise that had been made to those people this was somehow new news and that it had all come to them just then?

There are some documents that otherwise tell the story. Let me refer to a couple of them. I have here an interesting document called 'Summary advice to Premier', and under that are the words 'Expenditure review committee'. It is an officers paper from Treasury. The submission relates to the ERC Scoresby integrated transport corridor project potential procurement models. It is a document, as its heading suggests, to give advice to the Premier from these officers in Treasury. It starts talking about context and consultation. Then under 'Issues and comments', after talking about the Scoresby project, it says:

The next phase in the decision-making process for the project involves the development of a detailed business case. The business case will assess options for progressing the project, and will recommend the scope and method of delivery (e.g. government procurement or public-private partnership). The business case is expected to be made available for government consideration in April 2002.

'What is the date of the document?', everybody may well ask. The date of the document is 20 February 2002 — nine months before the election was held. What does it say among the various options to be canvassed? The fourth option is:

Partnerships Victoria option 3 — DBFO —

design, build, finance and operate —

with full tolling of all vehicles: private sector finances the project by user charges on all vehicles.

I repeat: the date of the document is 20 February 2002. That is not the finish of it. Let us have a look at another one. These officers papers from Treasury are a great little source of information. This is another document headed 'Summary advice to Premier' and 'Expenditure review committee'. After discussing alternatives for funding this construction it says under 'Issues and comments':

The option of introducing tolls for commercial vehicles may impact on the commonwealth's contribution towards the project —

boom, boom! —

unless the terms of the MOU —

memorandum of understanding —

with the commonwealth can be renegotiated. Under the MOU Victoria has given an undertaking 'to ensure that users of the Scoresby freeway will not be required to pay a direct toll'.

The Minister for Transport was in here a minute ago, and he has left because he knew what I was going to read out. He knew it, all right. He was the one who gave that very undertaking to which this document refers. What is the date of this document? It is 26 February 2002 — almost, but not quite, nine months before the election of 30 November that year.

Does anybody realistically think when the government broke its promise in April 2003, the promise that it had faithfully made to the people of Victoria, particularly on that corridor — after it had done all of that work — that this was all new news? Nevertheless it persists. Quintessential Labor persists. What reason did it advance? That the rail system was in chaos, that National Express had withdrawn and that it was \$1 billion short. I mean, hold the phone! All of a sudden we were \$1 billion short and the government said it had to bail it out. It said it had to find \$1 billion somewhere, so the justification was there to burn those people to whom the Premier had given his faithful promise — and tip \$1 billion into this process. What absolute rubbish! And I welcome the return to the chamber of the transport minister.

The fact is that in the budget that was delivered on 4 May 2004 — and this was 385 days after the promise had been broken — what happened? The Treasurer came in here, the very man who has moved the motion that is under debate today, and announced that there would be \$1 billion worth of tax cuts in land tax. He did that 385 days after telling the people of Victoria, 'We have got to find \$1 billion and tip it into the transport system, so we are going to scrub Scoresby and break the promise we faithfully made'; 385 days later he pranced in here and said, 'We are now going to produce \$1 billion worth of tax cuts and we are going to change the position in relation to land tax'. The member for Melton is leaving. I am sorry to see that because he is one of the best sources of interjections in this place, but it looks as though he is going. I do not blame him because if I were in his position I would be embarrassed about this government's efforts, too.

As I said, 385 days later the government suddenly plucked \$1 billion out of the air by favour of these land tax cuts. Leave aside the fact that they are a fiction — and I will return to that in a moment. What conceivable justification is there for breaking the promise so faithfully made to the people of Victoria and then, 385 days later, swanning in here and announcing it had suddenly found the \$1 billion that it had said going into

that fateful broken promise day, 14 April 2003, it would have to get from somewhere? That is just another aspect of the way in which the government has conducted itself. Since then, I might say, we have had another round of these so-called land tax cuts — more money that could and should have been dedicated to the maintenance of a promise that was faithfully made to the people.

I might say also that they are still a fiction. There was supposed to be another \$1 billion worth of land tax cuts. Of course it is a fiction because the government's own forward estimates show that it intends to recover \$900 million-plus a year over the next four years. So the whole thing is a charade. But again to return to the basic point: how can the government conceivably try to justify the approach it has taken over this when these sorts of telephone-number figures are flying around and yet it has walked out on the people to whom it made the promise.

I again ask the question rhetorically: did the government ever try to renegotiate the memorandum of understanding (MOU)? We know it was contemplated because in the advice that came to the Premier and the expenditure review committee through the officers paper of Treasury dated 26 February it was actually canvassed that there would need to be the prospect of renegotiating the MOU. The transport minister is here now. Did the government ever go back to the commonwealth and say, 'Look, the project as it turns out is bigger than originally anticipated. It was originally about \$800 million or \$900 million. You were going to kick the tin for half and we were going to put in the other half. As it happens now the cost of the project has gone up and in fact it is about twice as much, but that is what we do really when we are Labor governments — things tend to become twice as much. Now we need some more money. How about doubling the contribution'? Did it ever attempt to go and renegotiate the MOU?

I can understand there would have been some reticence. Understandably the transport minister would have been embarrassed. He had broken the agreement that he had entered into with the commonwealth and he would have well known that if he presented himself again to the then federal transport minister, the Honourable John Anderson, there would have been guffaws and laughter. Of course there would have been. But that is what he should have done: he should have gone out and copped the medicine! I say to the minister and the government that that would have been a better option than just dropping these people in it on the Scoresby corridor. That would have been a better alternative than saying what the government said to those people faithfully in

the letter from the Premier and in the fliers that government members were handing out. It would have been a fairer and more just thing to have done and at least it would have had a go at it. Can someone from the government tell us: did the government try to renegotiate the MOU? I never heard any conversation about it, and I would like to hear now from the government about it.

Let us put this in another context. This government is utterly awash with money. Five years ago we had a budget in Victoria of \$20 billion — that is, \$20 000 million. Five years on, it is \$30 billion, or \$30 000 million. That is a 50 per cent increase in five years, and the government still cannot make it work. It is hopeless at being able to manage money. We should not even be having this conversation. The government has more money than it should know what to do with, if only it could control the expenditure side of what it does.

The fundamental thing is that the government should have and could have kept its promise. If it had run the show properly, it could have kept the promise to build this as a freeway. Broken promises have a ripple effect on the way in which the government operates, because they destroy its credibility. People just do not believe it. Look at what is happening now with the debate over the Emergency Services Superannuation Scheme (ESSS). Whatever the merits of the changes, the other parties to the ESSS debate are basically saying, 'We simply do not believe what the government is telling us'.

Why do they not believe the government? Because there is this absolutely graphic instance of a government having made a promise — an utterly fundamental, iron-clad, supported-by-the-Premier promise — and then going out and burning it. Is it any wonder that the people in the ESSS will not accept the assurances that are being given by the government? The proposition being advanced in this motion is an affront. The government has even sunk to believing its own spin by trying to switch the debate to one of tolls versus no tolls. That was never the debate then, and it is not the debate now.

The first point of the debate always was that Labor promised to build this road as a freeway. Labor then broke its promise. That is where the issue lies, and that is where it should still be. The government may think that the people waiting in the corridor on 26 November 2005 will have forgotten, but I can absolutely assure government members that the people will not forget. They will remember these things. As I said at the start of this contribution, is it any wonder that the Lathams of the world get a ready audience when they stand up

and say what they say? This is exactly the style of conduct that the public hates to see insofar as political representation is concerned, especially when promises of this nature are made and broken on a freewheeling basis. In the end, Labor broke its promise.

This motion is absolutely, utterly and completely disingenuous. There is no sense of sincerity behind it. It is points scoring at its worst, and it was reflected, I suppose, in a conversation I had just a few days ago with a representative from the media who had rung me to talk about other issues altogether. When this issue came up this respected individual, who comes from outside this chamber and outside politics per se, reacted by saying, 'How in creation could the government move to have this sort of commentary in here, having regard to its sorry history in relation to all this?'. It is an affront and a disgrace, and the Labor Party members who have participated in this should be ashamed of themselves.

As to the motion itself, The Nationals cannot support what the Liberal Party has proposed, and we have said for some time that such is the case. I hear what the Liberal Party says about the way it has constructed its proposals. I respect the fact that opposition members have put an enormous amount of time and effort into it, and I commend them for having a go at it, but in the end, and having looked at the situation carefully, we cannot support it. Our concern is that prospectively a lot of money is going to be dedicated to repairing or attempting to repair, as well as the Liberal Party believes it can, the damage that was done by the Labor Party to those people out on the Scoresby corridor. But it is a lot of money to dedicate to that corridor, and there will be few beneficiaries once the rest of the state, including to a degree country Victorians, begins sharing in the amount of money that the Liberal Party intends to commit to the proposal.

We have concerns about how this might impact upon the delivery of programs in country Victoria, so we are unable to support what the Liberal Party has proposed. But in the end I finish where I started: government members should be ashamed of themselves for allowing this conversation to ever happen in the first place. Shame upon them — absolute shame!

Mr BATCHELOR (Minister for Transport) — Jeff Kennett gagged his backbench, and what we have seen today is the Liberal Party backbench gagging the opposition leader. Where is he? What has he had to say? We want to hear from the opposition leader. He should come out of his cupboard or wherever he is, come into the house and try to justify and explain what his policy is. When given the opportunity by the

government to defend his policy, what does he do? He is nowhere to be seen. Instead he sends in the hapless member for Box Hill to lead the debate. He was given a hard task, and he tried valiantly, but unfortunately he did not have the arguments, because it is a hopeless case.

It is not only the Leader of the Opposition who is embarrassed and who refuses to defend this half-baked, financially reckless and irresponsible policy. Most of his backbench and most of his party will not support him — and that applies to the leading people in the Liberal Party organisation. They are not even prepared to go near this policy with a 40-foot barge pole.

When asked for a comment the shadow Minister for Transport, the member for Polwarth, is reported on page 17 of the *Herald Sun* of 23 September as not having one. The same goes for key people in the Liberal Party organisation. The member for Bass, one of the intellectual drivers of the Liberal Party, again joined the member for Polwarth and refused to comment. The only one who has come out and offered his view — in an indirect way — is the member for Mornington. We came to the conclusion that it was the member for Mornington that the *Frankston Independent* was referring to in its article of Tuesday, 20 September, when in reporting on this policy backflip by the Leader of the Opposition it quoted a Liberal source as saying:

... MPs in the party room attempted to dissuade Mr Doyle from his position of halving tolls but the leader was determined to go it alone and to do that without consultation.

The newspaper report goes on to reflect the real view within the Liberal Party meeting room when it says:

'The figures didn't add up and the party was made to look ridiculous again', said the source, seeing any chance of a state Liberal government in 2006 slip-sliding away.

You can see the mood and the attitude within the Liberal Party itself, which is not standing behind its leader. This is in stark contrast to the way members of the Labor Party have supported the only position that is financially responsible. They stood up marvellously right from the time the announcement was made, and they continue to do so. They will come into this house during the debate and demonstrate that. What I want to do is quickly go through the 10 things that are wrong with Robert Doyle's half-baked half-tolls plan.

The ACTING SPEAKER (Mr Ingram) — Order! The Minister for Transport should refer to members by their titles.

Mr BATCHELOR — What I want to do today, Acting Speaker, is refer to the top 10 things that are wrong with the Leader of the Opposition's plan. It is a half-baked half-tolls plan that is part of a huge backflip that is resounding and reverberating against the Liberal Party right along this corridor. Victorians deserve better than what the Leader of the Opposition has served up here. His statement and policy shows he is not prepared to do the hard work required by a political leader and he will say anything to get a headline.

The first reason we believe this plan will not work is that it will never be delivered. The Nationals will not support it. We heard that here from their leader today. ConnectEast will not negotiate it with the Leader of the Opposition or with anybody else. The power for the Liberal Party itself to impose these changes is legally debatable.

The second reason is that the Leader of the Opposition's plan will not deliver what he promised. It is a flip-flop from someone who is really out to save his own skin and his own leadership rather than develop a policy that can be delivered, that will work and that is based on hard work. It is a policy that is a monumental flip-flop. It was an embarrassing one that was delivered on the eve of the football finals to try to hide it.

The third reason is that the Leader of the Opposition plans to help one area at the expense of the rest of the state. The Nationals have been consistently highlighting this point right from the word 'go'. On his own figures the Leader of the Opposition is proposing to spend nearly \$800 million to fund a half-baked promise for only one road for only a short period of time and to then see tolls imposed on this freeway for 30 years as a result of his policies. In reality it is a full-tolls policy for 30 years. That is what the Leader of the Opposition is putting forward.

The fourth reason I want to put forward is that the Leader of the Opposition will have to cut services to deliver the savings he says he is going to use to fund this reckless and financially irresponsible plan.

The fifth reason is that even after all the time the Leader of the Opposition has spent working on the opposition's plan, or all the time that was allowed to elapse — I do not think much work was done but there was a large amount of time — the plan actually contains mistakes. He fundamentally underestimates the costs, even those of the half-tolls.

The sixth reason this program will not work is that the Leader of the Opposition does not have a plan for when his half-baked tolls stop and the full tolls resume in five

or six years time. We know that after that, it will be full tolls for almost 30 years. That is what it is really about.

The seventh reason is that the opposition will have to find the money to pay for these errors if ever it is elected to government. Victorians will bear the burden. The money will have to come from somewhere else, because the opposition will not be able to deliver this financially irresponsible policy.

The eighth reason is that the opposition's plan to spend money on local roads is an attempt to hoodwink the rest of Victoria into believing that there is something in it for them. I explained in question time today that the Bracks government spends a lot more money in municipalities than the proposal being put forward by the Liberal Party.

The ninth reason is that if the opposition thinks it can impose this plan on ConnectEast without having ConnectEast agree to it, it raises the issue of sovereign risk. Anyone who is in the business community or has close connections to it knows that sovereign risk is an important risk factor. The Liberal Party stands condemned for being prepared to rip up this contract.

The tenth reason why this plan will not work is that it took some 336 days for the Leader of the Opposition to admit what everyone knew right from the beginning — it was a financially reckless promise. It could not be delivered. It will not be delivered. The Liberal Party stands condemned for putting it forward.

Mr DOYLE (Leader of the Opposition) — This is, as the Leader of The Nationals said, a shameful motion. While I understand that the ALP would like to shift the entirety of this conversation onto the Liberal Party, we will be reminding people that we are having a debate about tolls because of what the Labor Party did to the people of Victoria just before the last election and then immediately after it.

I want you, Acting Speaker, to consider this: today we have seen this motion from the Labor Party. We have seen a lot of huffing and puffing from members opposite, a lot of froth and bubble, a lot of excitement. The government backbench is all revved up and there has been a whole lot of noise and a whole lot of vitriol. This is the government of Victoria, yet instead during question time of describing to the people of Victoria through the Parliament of Victoria what they have done in their portfolios and what they are doing for their ministerial salaries, minister after minister attacked a Liberal Party policy which, after all, only goes to trying to fix up the mess they created in the first place. It is remarkable that the Labor Party has spent so much

energy attacking this. They must be very worried about something.

I do not think any of us needs reminding of the numbers in this chamber — there are 62 members on that side, 17 on ours, and 7 Nationals and 2 Independents — and yet members opposite seem to be so focused on this. I wonder why that could be. Do you think it is because they recognise that when you offer people something rather than nothing, when you tell them the truth 14 months before an election rather than lie to them before an election and break your word after the election, it might be that some of those 62 seats are at risk? Do you think that might be the reason for all this huffing and puffing and all of this froth and bubble from the Labor Party?

The Treasurer was out there telling the media that this would be great, that they should come in for this, that his speech would be sensational. Really it was like being slapped with some sort of wet lettuce leaf. The Treasurer has had weeks, and he has had innumerable Treasury and Finance people scrabbling away at it, but they still cannot find fault with it, despite this ludicrous 10-point list, which I hope to have time to get to in a moment. We just had a contribution from the Minister for Transport, but in question time today the Treasurer was telling us about his financial rectitude. This is the bloke who said outright about the CityLink contract, 'I will tear it up'. There was no mucking around with potential sovereign risk — 'I will tear it up' is what the current Treasurer said about the CityLink contract. Suddenly he has developed this wonderful financial rectitude now he is in government.

Let me go first of all to where this all began. I remember being in the leaders' debate on Friday, 8 November 2002, when Ian Henderson asked the Premier specifically, 'Would you categorically rule out putting any more tolls on new or existing roads?'. The Premier answered, 'Yes, I will'. He went to the people of Victoria with that lie. He wrote to the 1 million people in that Scoresby corridor telling them that they would get a toll-free Scoresby. When he went on Neil Mitchell's program on 15 April 2003 he expected us to believe this statement: 'Two weeks ago, talking to you, I had not at that stage, at all, ever considered the fact that we would put on a toll'. We blew that out of the water a week before the federal election when we released documents which show clearly that the government was considering tolling at least a year before the last state election. Those documents clearly demonstrate that the Labor government had tolling on the agenda well before the last state election but it cynically went to that election with the promise of no tolls.

We commissioned Econtech to do two reports for us — one before and one following the state budget. My shadow Treasurer, the member for Box Hill, has worked incredibly hard on this proposal, as have the member for Polwarth and a number of members of my team. I went out to that corridor when I announced that we could have half-tolls — something, by the way, the Premier did not do. He did not go out and face the people he had lied to when he did his backdown after the election. We went out and explained to them what we could do and how it was financially responsible.

Labor Party members come in here with their 10-point list. They must have made up their minds on 10 before they even started and then desperately tried to find something to fill the space. Their first point was that it will not be delivered. If it will not be delivered, why are they spending all this time and effort on it? If it will not be delivered, why are there nine other points in Labor's 10-point list? Surely if that is the answer there is no need for anything else. Anyway, that was Labor's first argument. Secondly they said it is not what we promised — this from a Labor Party which before the last election wrote to 1 million people in the corridor and lied to their faces. Now they are saying this is not what we promised. I tell you what it is — it is a promise to the people of Victoria 14 months before an election. It is not one thing before an election and a different thing immediately afterwards, cynically and hypocritically breaking your word. I am going to the people of Victoria before an election and saying this is what I can responsibly deliver and I am committed to it.

Labor's third point is that it is about one area at the expense of the rest of the state. However, we have clearly demonstrated that this is not eating into any other resources. This is about finding savings, and I will come back to savings in discussing one of Labor's other points. The next point is Labor says we will cut services. They say we are going to identify \$225 million worth of savings and therefore we will have to cut services. It seems to have escaped members opposite that in this year's budget their own Treasurer promised to find \$532 million in savings through things like general savings across departments, consolidation of government print media and communications and a reduction in consultants and contractors. The Treasurer can find \$532 million in savings without a peep from the backbench but we propose to find \$225 million in savings and suddenly the sky is falling.

The next point says we underestimate how much it is going to cost. In saying that the Minister for Transport demonstrates that he simply does not understand price elasticity as the member for Box Hill spelt it out and as Econtech spells out in its report. You do not even need

a sophisticated economic model. If you offer people an incentive to use such a road, they will use it — that is what incentives are. Reducing the toll by 50 per cent will do that; it is as simple as that. Then Labor asks what is going to happen when we stop. The answer is people will have to pay Labor's tolls, and we will keep reminding them of it. I forget what point 7 was. I understand the minister is perhaps not his normal healthy self but it got lost in that turgid mass of words.

Then Labor says the Roads to Recovery program is just cynical. It is interesting that in question time the Treasurer told me I was spending far too much and Victoria cannot afford it and two questions later the Minister for Transport got up and said we are not spending enough, it is miserable, it is paltry. I wish they could get their stories straight from question to question. Then they said there is a sovereign risk issue. That is rich. When the current Treasurer sat in this chair he said, 'I will tear up the contract'. That is what he said about CityLink. We have never said that. Our legal advice clearly suggests that renegotiation is possible. We never had that buy-out clause in there, it is as simple as that. Yet members opposite will not simply look at what is before them.

We have said that we would have liked to have delivered a no-tolls policy. However, when we looked at the budget, and the member for Box Hill outlined very succinctly and eloquently what we had to work with, we went back to Econtech and we came up with a package that will fix the roads of Victoria for now. It is not the final announcement we will make. These are not the last savings we will find. This is not the only policy we will release. However, we think this is something that will deliver something. I know what the Labor Party is trying to do. We are reasonably awake to their tricks over here. Labor would like to have a conversation about the Liberal Party. I understand that. I understand that members opposite are ashamed of the way they behaved before the last election and the fact that they got their seats under false pretences. I understand that but I can tell you that —

Honourable members interjecting.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Monbulk! The Leader of the Opposition, through the Chair!

Mr DOYLE — When you lied to the voters perhaps they thought they could believe you but they will not make that mistake again. Do you know what they are going to think in the end? They are going to think at least they will have the concession. They will not believe you — thank you for that. They will think to

themselves, 'I wish he could have delivered no tolls as well but he is giving us something. He is giving us \$715 a year in our pockets for each car. He did not create this problem — it was that Labor mob which created the problem and what are they offering us? Zip, zero, zilch, nothing'. That is what members opposite are offering. They have shrugged their shoulders and walked away from the 1 million people who trusted them with their vote, and they will not do that again.

I am telling them 14 months before an election, not saying one thing in an election campaign just before an election, not saying in writing, 'This is my solemn promise to you', and then immediately after an election going back on my word. They will not forget that. In the end people will have a choice. Are they going to vote for people who offer them something, who have done the hard work, who have done the best they can with the state's finances, who will deliver an economically responsible package that offers them something or will they trust their vote to the people who betrayed them last time, who lied to them and have now walked away from them?

The ACTING SPEAKER (Mr Ingram) — Order! Before I call the next member I remind honourable members of the ruling by the Speaker which prohibits members from calling other members liars or saying there are lies, and members should direct their comments through the Chair.

Ms McTAGGART (Evelyn) — It took the Leader of the Opposition 336 days of raising expectations — —

Mr Mulder interjected.

Ms McTAGGART — You raised expectations.

The ACTING SPEAKER (Mr Ingram) — Order! Through the Chair!

Ms McTAGGART — All the Leader of the Opposition's tolls policy has done is raise expectations in the community and embarrass his party. As I look around this chamber and see the saddened faces I feel very sorry for members opposite because none of them will come out publicly and support this ridiculous policy. What did this deliver? It delivered a backflip on his policy. The Leader of the Opposition came out to the electorate and said there would be no tolls, thereby raising the expectations of the community again, but he has not delivered. He has disappointed residents and businesses with his false promise of, 'Yes, we will look at it; we will be the martyrs and do the right thing; we will deliver Scoresby toll-free' — but he has not done it.

The Nationals can see that this was totally reckless and irresponsible policy, and I commend them for not supporting this. They are concerned about country Victoria, as I am in my seat, which has an interface council that was deprived of services for seven years under the Kennett government. We are slowly rebuilding now and delivering the services that these communities are desperately looking for and deserve.

As I have said before, the Leader of the Opposition obviously has no support from his party. His mate the federal Treasurer, Peter Costello, did a bit of a runner; he wanted nothing to do with this barbaric, silly policy of 'No tolls on the Scoresby' that could not be delivered. If the Leader of the Opposition comes out of the trenches, he should not look back because there will not be too many people behind him.

All he has done is deliver fear to our electorates — fear that we will be taken back to those ugly Kennett government days. We know what that government did: it closed schools, hospitals and police stations. I know all about it because in Mount Evelyn the local police station was threatened by the Kennett government. When the Premier was campaigning in 1999 he said he would keep that station open, and it is still open today. Credit goes to the Premier, because under a Kennett government that station would have gone.

The Leader of the Opposition talks about abolishing the Department for Victorian Communities, which oversees libraries, community sports centres and neighbourhood houses. Neighbourhood houses are the heart and soul of our community. The Liberals are talking about cutting services to Victorian communities which support these very important organisations throughout our communities — both in the metropolitan area and in the country. Its policy would also cut the services of volunteers, who are the most valuable members in our community.

If the Leader of the Opposition gets his way and makes all these cuts within Victorian communities — if his barbaric idea goes ahead! — it will certainly put under threat projects in my electorate such as a \$15 million super-clinic delivering fine, quality health services to the outer east. It will put under threat \$23 million worth of natural gas that has just been connected to the Yarra Valley, servicing 6000 homes. It is not just about the economic impact; the social impact of that funding will benefit 6000 homeowners in my area, and they deserve it. Also \$10 million worth of local road funding announced last week would probably be cut under the Liberals proposal.

The Liberals talk about reinstating council roads; the Bracks government is delivering that now. We knew that it would have been reckless to fund the Scoresby road without tolls and cut all services, but these guys opposite took 336 days to come to that conclusion whilst at the same time raising expectations. We have delivered heaps of public transport services, such as bus services, and many other community projects to electorates that were deprived for seven years under the Kennett government.

Mr Perton interjected.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Doncaster will cease interjecting.

Ms McTAGGART — It is quite interesting to see Terry Paget from the Ringwood Chamber of Commerce and Industry and Phil Munday from the Croydon Chamber of Commerce and Industry quoted in the Maroondah newspapers. I am sure they are absolutely devastated by this half-baked, half-witted half-tolls proposal. They campaigned very strongly out in the east and now they have to eat humble pie with this half-baked proposal.

What did the Leader of the Opposition deliver for businesses? The Liberal Party is renowned for its support of business; this tolls policy delivers nothing for business. I am a member of the Lilydale Chamber of Commerce and Industry, and I work collaboratively with the Shire of Yarra Ranges and local businesses to promote, enhance and support our local business community. At the last meeting I was fortunate enough to attend — I cannot get to too many because of other commitments — I got a quote from the chamber of commerce president, Julie Jordan-Ely. She says:

Robert Doyle was very presumptuous recently when going to extraordinary lengths to contact me from his parliamentary office seeking support for his imminent announcement of the EastLink tollway. As president of the Lilydale chamber, I was particularly surprised with both Robert Doyle and Phil Homewood's —

I suspect that it should be 'Honeywood's' —

expectation that I would be drawn into supporting a policy announcement that was particularly biased against the 1500-plus businesses within my region. As president I was concerned at Mr Doyle's sudden expression of interest in our support for his own political gain and for attempting to politicise an issue that has such immense implications for the economic sustainability and trade in the region.

Why would he be ringing these chambers of commerce after building up expectations that he was going to ease the pressure by making the Scoresby freeway toll free and then giving them nothing? Go figure. I just do not

get that. These people were looking for some sort of relief in fuel prices for their businesses, but we did not build up expectation over 330 days.

We know that the Leader of the Opposition and the Liberals will do anything for a headline. That is what this is all about — getting some sort of traction or some sort of policy out in the community, because they have nothing else. What did they deliver? They delivered a half-witted, half-baked half-tolls policy that will not work. They are not fit to govern. I think Victorians are much smarter than the Leader of the Opposition gives them credit for. They will reject this half-baked policy, which promises everything and delivers nothing and puts under threat the basic services which all Victorians have a right to access and which they will receive under the Bracks Labor government.

Mr WELLS (Scoresby) — One of the things coming through to people in the outer eastern region is that if there is a promise from the Bracks government you can guarantee that the Bracks government will break it. It is consistent when it comes to breaking promises. Let me go through just a couple of the promises that come to mind. The first was that only a Bracks government would save Waverley Park. We all remember that, but the government told a lie. The next promise was that the government was going to put a tram line right through to Knox City.

Very clearly Labor's 1999 public transport documentation said in black and white, signed by the Minister for Transport and the Premier, that there would be a tram line right through to Knox City. Once again that was a broken promise. Then the government promised a feasibility study into a railway line from Huntingdale to Rowville — another broken promise. But the mother of all broken promises would have to be the promise of no tolls on the Scoresby freeway. Living in the Scoresby freeway corridor, I remember very clearly my letterbox being filled day after day by Labor Party material saying very clearly that:

The Bracks Labor Government has negotiated and signed the 50:50 funding agreement with the Commonwealth government.

It also said:

There will be no tolls on the freeway under a Bracks Labor government

The material went on to say: 'I give you my word. Vote Labor. Vote Pollyanne Williams'. There was a big photo of Pollyanne Williams and the Premier. We were hammered day after day on this one particular issue.

It is interesting to note that the signed contractual memorandum of understanding between the Minister for Transport and the Deputy Prime Minister, John Anderson, made this very clear:

In relation to the freeway, Victoria has agreed to provide 50 per cent of government costs for the construction of a freeway between Ringwood and Frankston ...

...

Victoria undertakes to ensure that users of Scoresby freeway will not be required to pay a direct toll.

As the federal Treasurer, Peter Costello, says over and over again, it is the first instance that he can ever remember since the commonwealth was formed of an agreement between the state and the commonwealth being broken. That is a very important point — it is another aspect of the broken promise. The Leader of the Opposition went on to make the point that when asked by Ian Henderson during the 2002 election debate with the opposition leader, 'Would you categorically rule out putting any more tolls on new or existing roads?', the Premier told the people of Victoria, 'Yes, I will'. He gave that rock-solid agreement that that is what would take place.

When people in the outer eastern area went to the ballot box in November 2002, they voted on the information that had been stuck in their letterboxes, had been told to them on television and in letters written to them that there would be no tolls. People voted accordingly in response to all the information that was currently before them. They voted. But it was a government lie. It was a government lie.

The ACTING SPEAKER (Mr Ingram) — Order! I reminded members earlier that my job as Acting Speaker is to uphold the rules of the house. The rules of the house are set down by the Speaker and are quite clear about using the word 'lie' or 'liar'. My job is to uphold that. The member could assist the Chair by not doing that.

Mr WELLS — I will continue, Acting Speaker, and perhaps will raise a point of order later in the process.

After the broken promise a number of public meetings took place in the Scoresby corridor. At the end of those meetings when we had question time, a number of people over and over again stood up and said, 'I have been conned because I went to the election with the full knowledge of Labor Party policy and I voted accordingly. I voted Labor based on that. I will never, ever do it again'. They were conned because they voted one way and the Bracks government on 14 April 2003 said it would bring in full tolls. Even the Premier — can

you believe it? — when he was given the chance to fess up and tell the truth on Neil Mitchell's radio program on 15 April just could not help himself and said:

Two weeks ago, talking to you, I had not at that stage at all ever considered the fact that we would put on a toll.

That clearly was not the case. He was not being truthful to the people of Victoria. The briefing paper of the expenditure review committee sets out four very clear options. Partnerships Victoria option 3 says very clearly:

... with full tolling of all vehicles: private sector finances the project by user charges on all vehicles.

This was given to him on 22 February 2002. It was entitled 'Summary advice to Premier'. He received that advice. To say that he and his ministerial staff had not considered it is an untruth. It is clearly an untruth. When the Premier of this state had the chance to correct it, he failed to do so.

We say that the Liberals had to take a decision. We had a government that told a lie. It misled the people in the outer east. We had to take a decision about what we should do. Should we say we would not give the outer east people anything at all or should we try to fix the damage that has been caused by the Bracks Labor government? The people in the west pay a toll when they come into the city on the Tullamarine Freeway. The people in the east pay a toll when they come into this city on the Monash Freeway. The people in the west do not pay a toll on the Western Ring Road, but, lo and behold, the people in the east will be slugged with a toll. So we will make it that there will be a half-toll for a period of five years. When the people go to the ballot box in November 2006 there will be a clear choice, a very clear choice. The Liberal Party has come forward with an idea 14 months prior to the election. There is a clear choice: am I going to be better off financially under the Bracks solution or the Doyle solution? When people look at it they will be around \$715 financially better off under the Doyle solution.

The other thing that will be more important to the people in the outer east will be the fact that the government told them a lie in the November 2002 election. That will be the difference. When they go to cast their votes they will ask whether or not they trust the Bracks government to deliver what it has promised this time around. We go back to Waverley Park, the tramline to Knox City, a feasibility study of the Rowville railway line and no tolls. The government is making promises but it is not delivering at all. I suspect that will be telling when it comes to people casting their votes in the outer east.

At question time today the Minister for Education Services said the Liberal Party is going to cut off different services. The government just does not get it; it does not understand. The government talked about the FReeZA program. That is the one we developed and was introduced by the member for South-West Coast when he was the minister. I was the one who was actually making it work. Nothing changes. Those programs continue. We are reducing the level of bureaucracy to deliver those programs. The program remains protected — there are no issues about that. It is the level of bureaucracy that we are concerned with. If there is one thing you can count on the Bracks government doing, it is relying on rhetoric and spin and being able to kill things with levels of bureaucracy. The people in the outer east will have a very clear choice — a truthful Doyle solution where they will be financially better off, or a pack of lies from the Bracks government.

Mr MERLINO (Monbulk) — Here is a promise to talk about. When the Liberal Party was last in government it promised to downgrade the Angliss Hospital to a community health centre. That is what it promised to do. When we came into power in 1999 we upgraded the Angliss Hospital so it is one of the terrific, upgraded hospitals in the outer east. These are the kinds of promises the Labor Party deals with.

We are not about closing down hospitals, schools and police stations. We are about improving basic services. I am pleased to support the Treasurer's motion that this house rejects the Leader of the Opposition's half-tolls plan for the EastLink as unworkable and a policy that would result in government services being cut across the state. It is indeed a reckless and half-baked policy. After all the promises and the 336 days of waiting, the opposition leader's policy is an incredibly inept response and has received the reaction it deserves, both in the community and in his own party room. Nobody thinks it is a responsible public policy. His own coalition colleagues, The Nationals, have been explicitly clear in their rejection of this attack on regional Victoria — and they should be. I look forward to their support of this motion later today. The Leader of the Opposition has been running away from reality for almost a year, but time has caught up with him, and not much time is left for him in his position.

In 2003 the Bracks government made a tough decision. Following the \$1 billion bailout of the failed privatisation of our train system the only way the road could be built on time was via tolls. That is one of the critical points I want to make, that the priority for the residents and businesses along the Mitcham-Frankston-Scoresby corridor is that they want the road built, and they want

the road built as soon as possible to assist their travel to work and for local businesses. It was a difficult issue. It disappointed the community, and that has been acknowledged by me and every single member along the EastLink corridor, but there is no doubt that it is the economically responsible decision to make — and the opposition has now conceded that is indeed the case.

Economic responsibility, however, is not an accurate description of the opposition leader's plans. He has simply not done his homework. It is disgraceful — 336 days is plenty of time in which to do your homework. If this half-baked policy is ever implemented it will mean massive cuts to basic services in Victoria. This ridiculous policy will cost over \$40 million in the first four years, \$2.7 billion over the life of the contract, and we have not even started to address the issue of the cost of renegotiation. Despite assurances to the contrary, to fund its policy we all know that the opposition will revert to type, with cuts to basic services. Teachers, nurses, police officers, park rangers and child-care workers will all be targeted for the sack. They did it before, and they will do it again.

As I mentioned at the beginning of my contribution, hospitals like the Angliss will once again be subject to downgrading. Police stations like Mount Evelyn and Olinda will once again be downgraded to effectively being non-operational. This reckless policy goes even further; it talks about scrapping the Department for Victorian Communities, which we have heard does fantastic work in terms of supporting neighbourhood houses and volunteers, vital work in facilitating programs and projects that cut across a whole range of departments. That is the role of the Department for Victorian Communities. If it was gone it would be a tragedy for this state. The opposition also talks about cutting regional development programs, slashing the department that has facilitated the extension of natural gas through the Yarra Ranges shire and throughout Victoria.

Dr Sykes — At the expense of country Victoria!

Mr MERLINO — I take up the interjection and point out that the shire of Yarra Ranges has quite significant rural and agricultural activities and very much welcomed the extension of natural gas. It is not just with EastLink that the opposition has highlighted how ill-prepared it is for government. Its insatiable spending spree of reckless promises has sprinted past \$1 billion. There are promises that are concrete commitments, but they do not include the more fanciful plans such as the undergrounding of all powerlines. The opposition will do and say anything to grab a headline. It does not seem to matter that it has not explained to

the community how it will fund those reckless promises. It will not explain because it cannot explain, because it knows it cannot deliver. All members of this house should support the notice of motion.

Mr MULDER (Polwarth) — I agree with other members who have joined in the debate in saying it is absolutely a shame that we have to be here today debating this notice of motion from the Treasurer. The fact of the matter remains that the position we are in here today is because we have a government that led an entire community by the nose to the last state election, intending all along to deceive it once it gained office. That is the reason we are here today. The government just cannot seem to stop deceiving and spinning to the people in country Victoria about what they are getting and what it is doing for them.

I will pick up on some earlier comments of the Minister for Transport, who was commenting on an answer to a question about the amount of money the government has spent in various municipal areas and councils. We know very well, and the minister knows very well, that this government does not provide any funding at all to councils for road projects across the state. He turned up in my electorate and had his photo taken announcing \$6.5 million worth of maintenance funding for VicRoads roads which, yes, run through the municipality of the Colac Otway shire, but it is not money directed towards that shire. The government does not support local councils, and it does not support country councils with road funding programs; it never has.

The policy of the Liberal Party is unprecedented in terms of the level of support that it is giving to country councils right across Victoria. I believe it is very important that we know and understand the Liberal Party's position in relation to the Scoresby freeway. Yes, we had a position the same as the government's prior to the last state election, that there would be no tolls. Our intent all along was there would be no tolls. We know very well that up to nine months prior to that election the government was working on a plan for its tolling option for the Scoresby. That is the difference in the positions between the Liberal Party and the Labor Party. After the election we held our position of there being no tolls on the Scoresby.

Leading up to the signing of that contract we said there would be no tolls on the Scoresby. That contract was signed, and there is no way known that we were going to let go of our policy position until we had a chance to examine the deed, to do our own monitoring and our own modelling for a no-tolls option, to get legal advice on where we stood in relation to that contract and to

have a look at the current budget situation. We would love to have continued with that policy of no tolls. The simple fact of the matter is that a decision was made based on the state's current finances, the position of the budget and on the fact that the state Labor government was borrowing somewhere of the order of \$1 billion to meet some of its commitments. We decided we could not fully implement that policy.

We were disappointed, but there is a very clear and different position between the Labor Party and the Liberal Party in that we will go to the next election with a clear conscience. We will go to the election with a position that the community clearly knows and understands. Those along that Scoresby corridor will never trust the Labor government: they will never trust the Premier, the Treasurer or the Minister for Transport with any announcement.

At least we had the guts to come up on day one, 14 months before an election, to say, 'Here is our position. It is on the table here today, so you know where we are going with it'. The Leader of the Opposition went out there and faced the people of the Scoresby corridor with that announcement. However, the Premier crawled under a rock and was not even game enough to go out there. He sent all of his backbenchers with a prepared statement from the Premier's office, saying, 'This is what you have to do: go out there, and this is what you have to tell them'.

I believe our policy, particularly in relation to country Victoria, has been extremely well received there. We are going to deliver \$157 million in desperately needed funding for council roads across the state, with \$127 million of that going to country councils — and that has not been done before. Labor members would know that has not been done before. The Liberal Party's \$150 million road package is going to match the federal government's Roads to Recovery program. The Liberal Party recognises that councils are struggling to maintain their roads due to the cutting, cost-shifting Bracks Labor government so with our package, councils will not have to provide matching funding.

That is the greatest part of this policy because councils struggle as it is to meet the federal government's Road to Recovery matching funding program. We are not asking the councils to do that: we are going to provide the money. There will be guidelines but anybody who has travelled throughout Victoria or who has gone to see local councils will know and understand how they struggle with their crumbling infrastructure.

Roads are the no. 1 issue across country Victoria. Country Victorian councils have a very unique situation

in that a lot of their land is Crown land and agricultural land, and it attracts little or no rates, but they still have to provide the roads that lead to and are in and around that Crown land and adjoining rural properties. Their roads are crumbling and their bridges are falling apart. The Labor government has never offered any level of support whatsoever to country councils, but the Liberal Party has come forward.

The policy has been welcomed by the Victorian Farmers Federation, by the Municipal Association of Victoria and by councils across the state. It is not something that the councils expected would come forward but I assure the house that it has been absolutely endorsed by all of those bodies, and we look forward to delivering on that policy.

I refer to some of the road funding issues in country Victoria so far as the Labor Party is concerned. The budget papers 2005–06 refer to the resurfacing of road pavements. I issued a press release, which states:

The Bracks government is transferring spending on rural road resurfacing to Melbourne's suburbs with a jump from 1.88 million square metres redone in Melbourne in 2004–05 to an expected 2.03 million square metres in 2004–05.

Where do members think that money has come from and where do they think the councils that had that particular funding ripped from them are located? These are country councils. There has been a 14 per cent drop in over two years in road resurfacing across country Victoria. The money was transferred out of country Victoria and into metropolitan roads.

We picked up on another matter in relation to the Bracks Labor government's history in relation to funding of roads in country Victoria. They want to charge an extra 82 per cent on top of the cost of their employees' time for new regulations requiring consent applications for works on roadways, on water, gas, telephone and sewerage connections, and on culverts, tree pruning and other minor works. VicRoads is going to charge \$75.48 to register an application and send a response; it will cost \$162.15 to review a work plan and \$82.24 to inspect minor works on freeways outside the roadway or a shoulder. These new charges will be a burden on country Victorians who require infrastructure works on their properties more often than do typical Melbourne residents. This is the type of cost shifting that is going on on a day-to-day basis with the Labor Party in Victoria.

I would like to hear from any Labor Party members who are in the chamber today whether they are prepared to take a message back to their councils, to tell them they should stand up to and refuse to accept the

Liberal Party's policy, that they should not support the Liberals policy on local council roads.

The councils to benefit will be Ararat shire, \$2 460 000; Ballarat, \$2 119 000; Baw Baw, \$3 009 000; Campaspe, \$4 426 000; my shire, Colac-Otway, \$2 726 000; Corangamite, \$3 507 000; and East Gippsland, \$5 765 000. Will those councils not embrace this sort of a policy? Of course they will. They love it: they think it is the best thing that has happened.

The Liberal Party will not waste money. We will not be painting trees blue or running weight-loss programs for fat taxidivers, and we will not be having parties at Spencer Street Station at a cost of \$170 000 with Thomas the Stupid Tank Engine and a lot of other stupid wasting of money. We will spend it on roads, we will offer toll relief and we will do the right thing by Victorians.

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

Ms MORAND (Mount Waverley) — I am pleased to be able to make a contribution supporting the Treasurer's motion, but I am not sure whether this debate should have taken place during grievances. It should really be part of a grievance debate for the Liberal Party, because I am sure Liberal members are grieving very much about the reckless actions of their leader in making a hasty and poorly-thought-out policy on abolishing tolls on EastLink. What must their party room be like at the moment? Perhaps the member for South-West Coast is one of the few people who are not grieving since his chances of being leader are substantially enhanced by this policy. I also grieve for the member for Scoresby. Having EastLink running through his electorate must be particularly hard for him. He has come out in the local papers and the *Monash Journal* valiantly trying to defend the policy, but it must be very hard for him.

Think of all the bunting the opposition put up during the federal election — acres and acres of bunting. It even hired trucks to drive from polling booth to polling booth, and as I have mentioned to the house before, one of the Liberals who was handing out how-to-vote cards at a booth in Glen Waverley was standing in front of the 'No tolls' sign wearing a CityLink jacket. That is the hypocrisy of this opposition: it introduced tolls to Victoria. Not only did it introduce them, it tolled existing roads. Why is it pretending it has some sort of ideological opposition to tolls when it introduced tolls to Victoria?

I am not sure how long the Leader of the Opposition will be the leader. I wonder when he started avoiding standing next to the 'No tolls' signs? When did he do the right thing and quietly tell his colleagues, 'Sorry, chaps, the policy is a little bit in tatters. Don't wear those T-shirts anymore, and make sure you take those 'No tolls' stickers off your cars because it will be a tad embarrassing in the short term.'? When did the opposition realise that tolling was the best way to fund this massive road project, as the government had already done in 2003? Are the members who tabled petitions in Parliament calling on the government to reverse its toll policy going to write to the petitioners explaining their own reversal of policy? The Leader of the Opposition himself tabled a petition with over 19 000 signatures. I do hope he will be writing to the petitioners.

The opposition freely admits it will pay for half the tolls by cutting government spending, while calling cuts to government services cuts to government bureaucracy. That is code for government services, and as other members have said, the opposition does have form in this area. During the Kennett years it badly damaged the fabric of government services in our community, particularly health services, and cut the number of nurses and other health care workers massively. It closed hospitals and starved hospitals of funding. I know many people who were working in hospitals during the Kennett era who know only too well the Liberal philosophy of cuts in spending. Liberals will quietly tell you that they know they cut too deeply during the Kennett years, but have they learnt their lesson? Can we trust them again?

The Liberals' plan will cost nearly \$800 million. That means a huge impact on and massive cuts to government services. All the gains that this government has made in health, education, community services and community safety will be put at risk under the Liberals' half-tolls policy. Remember, they reduced teacher numbers by 9000 and closed 3000 schools. I do not need to say much more than that. The Liberal subsidy, on its own estimate, will cost \$20 million a month. I do not think the people of the south-eastern suburbs and Victoria in general will want to go back to those years of cuts to the services that are so important to and very highly valued by our community. People want and expect the highest quality education and community services and want to be able to rely on a government to deliver them and make them a priority.

In summary, I believe the Liberals know that their policy is impossible to defend. My guess is that they will drop it when they finally have the guts to drop their leader and find a new one. Let us hold on to our hats

and wait for that to occur. In the meantime the EastLink project is progressing extremely well, and I am, like many others, looking forward to using EastLink and watching the economic boost that will come to the south-east when the road is opened.

Dr NAPHTHINE (South-West Coast) — I rise as the shadow minister for regional and rural development to talk about the Liberal policy to fix country roads, which is an integral part of this whole policy package. Many speakers have said how important country roads are to our community, but unfortunately they are in a devastating condition right across the length and breadth of Victoria. As I move across country Victoria and meet with local councils, communities and businesses I find that the top-of-mind, most important issue is, as the shadow Minister for Transport, the member for Polwarth, has said, country roads and bridges, particularly the local roads and bridges which have been underfunded for a number of years.

The member for Geelong, who is the chair of the Road Safety Committee, identified these issues. In its report on the inquiry into the country road toll the committee recommended a number of ways to improve country roads. Recommendation 6 says:

That the government acknowledge the high level of risk on country roads, including local roads.

It identified the real problem with local roads and local bridges as a source of serious accidents and fatalities in country areas. To go further, recommendation 21 is:

That the government increase funding for safety improvements to country roads.

I am sure the member for Geelong and his committee would welcome the policy of the Liberal Party to provide \$127 million to fix up country roads. They are not the only ones. The Royal Automobile Club of Victoria (RACV) wrote to me on 21 September — I believe it wrote to all members of Parliament about a number of issues. I quote from that letter:

... Victoria has ended up with many unsafe roads as a legacy of history. Many of these roads were originally built when safety was not a primary focus and are carrying traffic of a volume and mix not envisaged when they were designed. There is a massive backlog of work that is needed to bring the Victorian road system up to a safe, modern standard. The recent all-party parliamentary Road Safety Committee reports on the country road toll and crashes involving roadside objects presented the problem in stark terms.

The RACV agrees that country roads and bridges are a major problem across rural and regional Victoria. The councils say it, the community says it, the RACV says it, the all-party parliamentary committee says it and the

Liberal Party is listening and responding. The Liberal Party is putting money on the table as part of a policy to match the Roads to Recovery program funding that will improve country roads and bridges for economic reasons, for social reasons and for safety reasons. Country roads and bridges are important for all those issues.

Let us have a look at what the Liberal Party plan says. It says:

Many roads and bridges in country Victoria are in desperate need of repair.

That is absolutely true. As I go to my electorate and adjoining electorates I can see local roads and bridges that are literally falling apart and are indeed in desperate need of repair. It further states:

The federal government has recognised this problem and makes funding available through the Roads to Recovery program.

Under this program Victoria will receive \$62.5 million for roads in 2005–06.

I say congratulations to the federal government. The Roads to Recovery program is the single most effective program in rural and regional Victoria for improving infrastructure, improving economic opportunity and improving quality of life of any program in the last 20 years. Congratulations to the federal coalition government for the Roads to Recovery program.

The Minister for State and Regional Development in this state has been attacked by the Auditor-General and the office of the Solicitor-General for illegally taking money that is earmarked for country Victoria and spending it in Melbourne. The Solicitor-General said he is acting illegally taking that money away from country Victoria and spending it in Melbourne. The Auditor-General has highlighted in his report tabled today that the city-centric Bracks Labor government is taking money earmarked for country Victoria and spending it in Melbourne. In contrast the federal government, through the Roads to Recovery program, is investing millions upon millions of dollars on the most important issue for regional and rural Victoria — that is, improving the infrastructure of country roads and bridges.

There is no doubt that this is a program that is welcomed by the community. Let us look at what the Municipal Association of Victoria (MAV) said in its issue 552 for the week ending 23 September under the heading ‘Liberal transport policy’. It said:

The MAV has welcomed the state opposition’s announcement to commit significant funding for councils to

maintain local roads and bridges. Under the proposal, a Liberal government will provide funding equal to a council’s 2005–06 R2R —

Roads to Recovery —

allocations, without a requirement for councils to match the funding. This would equal \$127 million for country roads and bridges and an additional \$29 million for metropolitan roads for three years from 1 January 2008. The MAV acknowledges John Vogels’ notable contribution to the delivery of this policy commitment, which follows extensive discussions with the MAV and councils to determine areas of significant funding shortfall affecting local government.

So the MAV, chaired by that Labor Party luminary, Geoff Lake, has said that this is the best policy since sliced bread. The MAV said that this policy of the Liberal Party to fix country roads is fantastic.

What did the Victorian Farmers Federation (VFF) say on 15 September? Under the heading ‘Country road funding win in Liberal transport plan’ its media release states:

The Victorian Farmers Federation has welcomed the Liberal Party’s plan to invest \$127 million in Victoria’s rural road network making it safer and more efficient for road transport users.

VFF president, Simon Ramsay, said the lack of funding for upgrading rural roads and bridges across ... Victoria has led to a prolonged deterioration in rural road safety standards.

...

... we are extremely pleased to see that the Liberal Party has adopted our policy on this matter by agreeing to match the 2005–06 Roads to Recovery allocation by investing \$127 million in country roads and bridges.

...

Victorian governments spent less per kilometre of road than all other mainland states —

except South Australia. It further states:

... the New South Wales government spends almost twice as much per kilometre on non-metropolitan roads than Victoria.

The announcement that the Liberal Party will ... turn this situation around if elected is welcome news to the rural community.

So the VFF, which is representing country Victoria, and the MAV, which is representing local councils, are saying that the Liberal Party is on a winner with its country roads policy. And it is on a winner, because it is addressing the major issue in rural and regional Victoria. We are addressing those issues. We are anticipating the country roads needs — as the dairy industry increases, as the blue gum plantations are established and as mineral sands and grains increase. We are dealing with the issues.

Ms Beattie interjected.

The ACTING SPEAKER (Mr Kotsiras) — Order! The member for Yuroke will have a chance afterwards, and I look forward to listening to her.

Dr NAPHTHINE — I go around country Victoria regularly and meet with councils. They are congratulating me and the Liberal Party for the work that has been done to fix country roads. Just recently I visited Campaspe shire, which will get \$4.4 million; I visited Greater Bendigo, which will get \$3.2 million; I visited Greater Shepparton, which will get \$3.2 million; I visited Mildura, which will get \$3.8 million; I visited Mount Alexander shire, which will get \$1.6 million; I visited the Pyrenees shire, which will get \$2.3 million; and I visited Swan Hill, which will get \$2 million. Our policy includes Labor electorates. We are planning this policy to help all Victoria — we do not discriminate. We do not cherry pick where the money will be allocated. We allocate it according to need. So areas such as Ararat will get \$2.5 million, Ballarat will get \$2.1 million, Baw Baw shire will get \$3 million and Central Goldfields shire will get \$1.4 million. Right across rural and regional Victoria there will be an enormous amount of funding to fix country roads and bridges.

Let me refer to a major project through which the government claimed it is doing something for country roads. The Minister for Transport said in an answer to a question in question time today that the government is doing a fantastic job with country roads because it is spending \$15 million on the Cliff Street overpass at Portland. Let me tell you that I have never seen a government spend \$15 million — and it will probably be \$20 million — and lose so many votes in the process. A government-appointed panel which listened to the local community said the road needed to be redesigned to provide access to a local retail seafood outlet, access to the Fisherman's Wharf, and access to the community. But before the ink was dry the government rejected the panel report, ignored the local community, thumbed its nose at 3000 petitioners and thumbed its nose at its own panel and is going ahead with a project which is poorly designed and will give poor outcomes. The fixing country roads policy of the Liberal Party is an excellent policy which deserves the support of this whole Parliament.

Honourable members interjecting.

The ACTING SPEAKER (Mr Kotsiras) — Order! I say to the member for Yuroke, once again, and the member for Melton that if they wish to speak they

can stand and I will call them if they have anything to say. Otherwise they can leave the chamber.

Mr HARKNESS (Frankston) — A few weeks ago the Leader of the Opposition came into this place late for question time after announcing his shabby half-tolls farce of a policy on tolls. It was then — finally and eventually, after 336 days — that the voodoo economics of the Liberal Party were exposed. This plan will never be delivered, it will not work and it will slash into services.

It is interesting to note that the members for Melton, Yuroke, Geelong and everybody else sitting in here were very intrigued by the speech we have just heard from the member for South-West Coast, because not once in his contribution did he answer that question: does he support the half-tolls policy of his leader? He dodged and he weaved and he refused to answer that question. He went on about a lot of other issues, but would he address that very issue? No, he would not.

There are some other people in the Liberal Party who do not support this decision. I draw the attention of the house to an article in the *Frankston Independent* of 20 September, which says:

... MPs in the party room attempted to dissuade Mr Doyle from his position of halving tolls but the leader was determined to go it alone without consultation.

The figures didn't add up and the party was made to look ridiculous again, said the source, seeing any chance of a state Liberal government in 2006 slip-sliding away.

The *Weekend Australian* of 17 September states:

The state Liberal Party is organising mail-outs to local constituents to sell the new policy directly, as some Liberal MPs are becoming concerned it will be an electoral loser.

It is understood that when Mr Doyle briefed his shadow cabinet on the policy on Thursday, several MPs refused to back it.

'Most are now very, very focused on their seats, and everything else can go to buggery', one MP said. 'It's everyone for themselves'.

Is it not extraordinary that some people will not support it and that people have made contributions in here today not supporting it? There is one person in the Frankston area who does support the project — a local real estate agent, Michael Crowder. In a media release of 16 September I referred to an article in the *Frankston Standard Leader* entitled 'Carrum Downs on the rise as tollway approaches' and stating that:

... Estate agent Michael Crowder ... says investors see the potential of buying near EastLink ...

Crowders Real Estate director, Michael Crowder, said last Tuesday the sale of raw industrial land for more than \$8.5 million last month showed buyers focus on Carrum Downs ...

Obviously, the tollway coming through is making a big difference ...

This is the same bloke, of course, who was leading a no-tolls campaign in Frankston — and who with \$5000 of Frankston City Council ratepayers' money was buying pamphlets, stickers and posters, which were strewn all around the place. There was a big convoy from Mornington to Frankston, where the Leader of the Opposition turned up with a big novelty guarantee sign saying 'No tolls'. We have seen 336 or more days later that that was a falsehood. But we still have people in the Liberal Party who will not support this.

Michael Crowder is a bloke who wants to engage in political campaigns and likes to get into the local papers, but he does not actually like to hear the facts of the matter. We have had a lot of flip-flopping from local Liberals in Frankston and on the Mornington Peninsula and the surrounding region — people who first supported the project, then did not support it and then supported it again. Nobody actually knows where some of these people stand on this issue. In fact they are just an absolute rabble.

We know what will happen in Frankston. We know the Liberal Party wants to take the blowtorch to a whole range of services, including community houses. It wants to abolish the Department for Victorian Communities. It has taken 336 days, but now we know that every teacher, every nurse and every police officer has been put on notice. They should be worried. If the Leader of the Opposition and his hapless band get into power and attempt to put this policy into action, their jobs will be at risk. The opposition is a disgrace, and this half-baked half-tolls promise is an absolute disgrace.

While they are playing silly beggars on all these issues, the government is getting on with the job in Frankston. We have seen a massive investment in the Frankston Hospital, a massive investment in local schools, a \$1.5 million investment in a children's hub in Karingal, more money for roads in Frankston and more money for more nurses, more police and more teachers — the list keeps going on. But of course all of this is being put in jeopardy by the nonsensical, foolish, half-baked half-tolls farce that the opposition wants to inflict on the good people of Frankston and Victoria.

Mr PLOWMAN (Benambra) — The member for Frankston accused the member for South-West Coast of

not answering the question as to whether he supported half-tolls, but when asked whether he supported his own party's position of putting tolls on what was to be a freeway, the member for Frankston refused to answer. This man supposedly took the high ground by saying that the member for South-West Coast would not answer the question, but when put to the test he would not answer the question himself.

Mr Harkness interjected.

The ACTING SPEAKER (Mr Kotsiras) — Order! The member for Frankston had 10 minutes, which he did not use up. He should be quiet.

Mr PLOWMAN — This member represents an area that will really benefit from half-tolls.

Mr Harkness interjected.

Mr PLOWMAN — This member recognises that half-tolls are a much better proposition for the people of Frankston than the tolls that are being put forward by his leader. Can I say that never in the history of this Parliament has there been a worse case of a Premier not keeping his word, and that occurred four months after the 2002 election, when he announced there would be tolls on this freeway. I feel for the member for Frankston. It is not easy to accept a situation like that. He won his seat on the basis that there would be no tolls on that freeway, and he promoted that right up until the day that, four months after the election, his Premier did an enormous turnaround and said, 'We are now going to toll it'. That is why we are here today; that is what this debate is all about.

I want to talk about the offset that we are proposing for country Victorians. Country Victoria's largest expenditure is on roads and bridges. All the local councils in country Victoria rely on government funding for their roads and bridges, and the most successful program made available to small country councils — in fact to all country councils — has been the federal Roads to Recovery program. What we are saying in respect of our proposal is that each one of those councils will get as much again, and every council that has been contacted about this has responded favourably. The promise to country Victoria has been extraordinarily well received, most particularly by those small country shires in the higher rainfall and irrigation areas, where there are lots of bridges.

Country Victoria is reliant on councils being viable. Currently, as I said, their biggest expenditure is in this area. This has tended to diminish their opportunities to

promote economic development in their shires and to increase the value-adding associated with rural production. Certainly those areas of true country Victoria are the ones that will benefit most by this offset of a future Liberal government doubling or matching the federal government's Roads to Recovery funds over a five-year period.

Undoubtedly there will be big changes in those shires, and I have talked to very many of them. Country people who use the Scoresby or Frankston–Mitcham tollway will actually receive double the benefit. They will get a benefit for their own country roads, but equally the ones who use that freeway will be paying only half the tolls. I think that has not really been recognised. The Victorian Farmers Federation and the Municipal Association of Victoria recognise it, and they have given their support to this proposition. As I said, all the country councils that I have contacted support it. Certainly the councils in my electorate have given me a great response, particularly the smaller councils.

Can I just say that at the moment there is a very small country council that is running a \$280 000 deficit, so its viability is at risk. This additional \$600 000 per year will allow that council to undertake the projects it wants to undertake. It will give councils such as that the opportunity to meet their needs. They have extraordinary requirements in respect of bridge building. In one year alone one bridge that this particular council was responsible for took the whole of its Roads to Recovery funding allocation. Clearly this will make an enormous difference to its ability to meet those needs.

I served with the member for Geelong on the Road Safety Committee, and I have a great respect for him, particularly in his role as chairman of that committee. While we were both members of that committee we looked at country roads and the dangers and risks associated with them because there was insufficient funding going into them. I believe we actually made a difference to the amount of funding being put forward by the state government for arterial roads. The committee recognised that the rate of expenditure on country roads, particularly roads on which there were bridges, was leaving them hazardous, dangerous and unsafe. I give credit to the member for saying in his report that there needs to be additional funding for country roads for that very reason. I believe that in this respect this offset is going to do a lot to meet the requirements of those roads.

Mr Harkness — Do you support half-tolls?

Mr PLOWMAN — I will pick up the interjection. I was asked whether I support the half-tolls — I certainly do, but I ask the member for Frankston, through the Chair, whether he supports the tolls? What does he think about it when you consider what he said to his constituents prior to the last election? What a comedown it is for him.

All I can say in conclusion is that the most important thing to do with any new major road is to maximise its use. When it was opened the Western Ring Road was almost immediately used to capacity, which took an enormous amount of traffic pressure away from local roads. By halving tolls on EastLink we will find that many more people will use that road, and effectively that will take a lot of pressure from other roads in the area. On that basis alone I will answer the member for Frankston. I support half-tolls because they are a hell of a lot better for the people in that area than the full toll they are going to have to pay. It will make a big difference to the number of people who use this toll road, a toll road that has been brought about by deceit. Again I feel sorry for the member for Frankston, because sooner or later he will realise that he is not going to be re-elected at the next election, and that will be a bitter pill for him to swallow because he too was deceived by his own Premier during the run-up to the last election.

I support the opposition and I support this project. I suggest that half-tolls will be a better outcome for those people who use this corridor. The government needs to recognise that this is probably the worst occasion on which a Premier has gone back on an agreement made with the federal government, especially on something as serious as this. It is a major project for Victoria, and it should never have been treated in this way by the current Bracks government.

Mr LOCKWOOD (Bayswater) — I too am pleased to get up and support the motion, but I have to say that I am a little sad that my cheer squad is not here again today while I am speaking on this issue. I refer to the member for Mornington and the member for Bass. They sit there among the snowy range on the middle bench. I am beginning to feel unloved that they are not here to chant their mantra.

I too condemn the policy that is half baked, half thought through, half funded, half hearted, half brute, half supported, half considered, half conceived and has absolutely no credibility. There are no half measures with credibility; there are just none. I too wonder about all the paraphernalia that surrounded the opposition's campaign during the last two and a half years. Where

have the T-shirts gone? I was thinking of a song by Pete Seeger, *Where Have all the Flowers Gone?*. I thought:

Where have all the T-shirts gone?
Long time passing —

336 days to be exact —

Where have all the stickers gone?
Long time ago.
Where have all the corflutes gone?
The Liberals have picked them, every one.
When will they ever learn?
When will they ever learn?

An honourable member — I wouldn't give up your day job.

Mr LOCKWOOD — I certainly was not going to sing it! And the T-shirts did not say 'Half-tolls'; they said 'No tolls', and they were in abundance last year, particularly during the federal election campaign — but of course now they have all disappeared. Perhaps they will be available in the local op-shops to be picked up at bargain prices. Perhaps we could cut them in half, although half a T-shirt would be a bit hard to wear. And if you had half a bumper sticker it would say 'tolls' instead of 'No tolls'. Or perhaps you could get half a hat for that famous opposition leader who said 'Hold on to your hat', one that says, 'Only half a hat left'.

Then there is the tolls truck that we saw around the place. Under the Liberals plan it would have to pay tolls when it travels along EastLink.

Mr Harkness — What happened to the tolls truck?

Mr LOCKWOOD — It does not like having to pay tolls. And there was Betsey the No Tolls Bus from the chambers of commerce at Ringwood and Croydon. Under this plan Betsey would have to pay tolls too. The Liberals had great support from those chambers of commerce in the outer east. Croydon and Ringwood produced their own signs and a great campaign. They were up in the middle of the Maroondah Highway bringing traffic to a halt. Certainly the Maroondah council supported the campaign with plenty of ratepayers money. The chambers were out there doing their thing and bringing traffic to a halt, but now I suppose they are down to half a convoy — only cars or motorbikes.

If you think about it, you realise it is a betrayal of chambers who were wholehearted in their support but who now find they are not being rewarded for that support. Their cars and motorbikes will be half-tolled for five years, so it is short-changing them to give them that five-year deal. There were all sorts of things in

those campaigns: T-shirts, bumper stickers, banners, corflute signs, leaflets, bunting, the truck and public meetings promising that these tolls would go away. You have to ask if this was a deliberate deception. Did the Liberals know they could not do it?

I would like to comment on some of the remarks made here today. It was good to hear the member for Benambra commit enthusiastically to the half-tolls policy. Of course the member for Polwarth studiously avoided supporting half-tolls.

Mr Plowman — What about the member for Frankston?

Mr LOCKWOOD — Government members support government policy and government actions.

Dr Sykes — You toe the party line or you get kneecapped.

Mr LOCKWOOD — None of us gets kneecapped. The member for South-West Coast refused to commit.

A number of members, particularly the member for South-West Coast, talked a lot about country roads as a complete diversion from the \$20 million a month that would need to be spent on paying for half-tolls. I did not see any reference to spending \$20 million a month on country roads — just lots of diversionary information where they avoid talking about the real issues. They talked constantly about country roads but said nothing about the embarrassing half-tolls policy, because it is a total embarrassment for them.

I have to say that in the two and a half years since the tolls policy was announced by the government we have heard words attributed to members that we can no longer use. We have heard 'lie', 'lied' and 'lies' used dozens if not hundreds of times about the government and various government members. Of course, the attribution of those words is no longer possible, which is a good thing.

How would I describe this change in the Liberal Party's policy? How would I describe this backflip? Is it deceit? Is it deception? Was it falsification? Was it an untruth? Was it bullsh*t? Was it a lack of trust? It is a little bit tough to come in here and listen to them still talking about untruths and deception when that is exactly what has been practised by the Liberal Party. It is a little bit hypocritical to do that. We heard the constant lectures, and we heard the Leader of the Opposition talking about a couple of things and complaining about the vitriol being directed at the Liberal Party. Wow! I think we copped a fair bit of that vitriol over the last two and a half years. I think I

personally felt the brunt of quite a bit of it — not that it mattered a great deal — but it is a little tough for them to come in and complain about receiving vitriol back. How thin-skinned can you get?

The Leader of the Opposition commented on the effect that the half-tolls would have with elastic demand, insisting that demand would be elastic and would increase traffic on the toll way. But typically taxes have inelastic demand. For example, the excise duties on tobacco products and alcohol have rarely affected the demand for those products, and I suspect that this kind of half-tolls would similarly face inelastic demand and not produce the financial result the Liberal Party promises. As I said, it is half-baked and half-thought through. It is only half a policy. Earlier I referred to the Pete Seeger song. He finished it with ‘Where have all the graveyards gone, long time passing?’. Perhaps they are covered with the half-tolls trivia. As the song says, ‘When will they ever learn?’ — perhaps they will have half a headstone.

Mr HONEYWOOD (Warrandyte) — In rising to join the debate on this motion, I would point out that in my entire parliamentary career over the last 17 years this issue has been on the agenda and that the Labor Party’s record on this issue on behalf of my local community — the community I have served now for 17 years in Ringwood and Croydon particularly — has been abysmal. So desperate was the former member for Ringwood, Kay Setches, to put off getting any funding from the then Cain and Kirner governments for this major road, she allegedly discovered a walking fish and claimed that this was a new species which justified putting this road project off. Nobody ever found the walking fish. Apparently it escaped from somebody’s home aquarium, and that was used as another excuse to stretch out, for Labor to prevaricate, to procrastinate, to do what it does best — that is, to come up with excuses why it should not do something rather than getting on and doing the job.

It took a Liberal government to build the Eastern Freeway extension from Doncaster Road out to Springvale Road as a full freeway, with the most wonderful wetlands area constructed alongside that freeway reservation, with genuine noise walls, with some flair, with some great design — pedestrian bridges and so on. Let the house not forget that the Liberal government in the 1999 election left \$225 million in the kitty to fund the remainder of that Eastern Freeway extension from Springvale Road all the way to Ringwood — but as a full freeway.

Let us not forget that this Premier kept that \$225 million in his first budget and in his second

budget, and then he let it go somewhere else. The \$225 million that was allocated for the work in my electorate to meet the promise that had been made at least 25 years earlier, for that route on the *Melway* to go to Ringwood as a full freeway, was totally dissipated and wasted on other projects that were the pet projects of the government.

That means if you live in or beyond Ringwood, if you live in the electorates of Bayswater or Kilsyth or Evelyn or Monbulk, you have been duped; you have been totally sold down the river by a Labor government that stole money that was put in the budget by the previous Liberal government to finish the Eastern Freeway all the way to Ringwood. That money was stolen from my community, and the members of Parliament whose electorates I have just mentioned will pay the price for that. They will be one-term members, and they know it.

Where it gets interesting is that if you live in Ringwood or east of Ringwood in the member for Kilsyth’s electorate or in the member for Bayswater’s electorate, you will be paying just on half the toll to travel 2.5 kilometres under this government’s tollway plan. You will pay just on half the toll it would cost you to travel the full 35 kilometres, so not only has my community had money stolen from it by the Labor government, but before the last election it was promised a full freeway — but then, as we know, the Premier lied. The Premier knew all along that he was not going to build it as a freeway.

Then insult was added to injury for my community and for the communities of those one-term Labor members I have just mentioned through their having to pay just on half the toll to travel 2.5 kilometres of a 35 kilometre route. How is that for equity? It happened because they are Liberal voters, and this government hates Liberal voters. They will do anything they can to discriminate against traditional Liberal electorates, quite apart from the camouflage and from the sleight of hand the Premier has been responsible for here. Just look at the way they have communicated this issue to electorates in my area.

The Minister for Transport needed two assault teams to sit outside a public meeting that he attended. So scared was the Minister for Transport at having to address a breakfast put on by the member for Bayswater that members of the tactical assault unit had to be parked outside a hotel in the member for Mitcham’s electorate. Just in case the Minister for Transport had some rude comments come his way, we had to have all those highly trained tactical assault unit police to protect him. Members of the government know just how unpopular

they are as a result of what they have done to my community.

There is another problem about what was to be an extension of the Eastern Freeway but which is now a tollway that magically became a two-roads-in-one project, the Mitcham–Frankston road. The Scoresby was never going to be part of the Eastern Freeway project, but magically it was put into the Eastern Freeway to camouflage the fact that money had been taken from that area. Other major roads in the area have not received a single dollar from this government. It has used the excuse of building the road as camouflage and window-dressing for not giving a brass razoo to any major road improvements in the outer east. Now we have the third attempt by the government to do something about Ringwood as a transit city. The government promised a third railway line from the Ringwood station all the way through to Blackburn to ensure that we could have flyer trains, as the Minister for Transport said in 1999. Where is that third railway line after seven years in government?

My community and the communities that have one-term Labor members — the members for Kilsyth, Bayswater, Monbulk and Evelyn — have been doubly duped by the government. Any number of projects that were also meant to be on the drawing board and delivered, be it a third railway for express trains to get commuters into the city more quickly or upgrades to Stud Road or any number of other major roads such as Dorset Road and Plymouth Road — the Labor members know them all — have not had one dollar allocated to them by the government. Government members have said, ‘Don’t worry, we’re building you this wonderful new road project. We’re going to build a freeway for you. That makes up for all the transport funding that we are not providing in your area’. People have been doubly done in the eye — they have missed out twice.

The situation is that at least members of the Liberal Party have been honest and upfront. At least we have said that we would look into it for and on behalf of the community. At least we have said what we would do way before the election. We did not run to the people three months before the 2002 election with taxpayer-funded personal letters saying, ‘We’re going to build it as a freeway’. We are giving our community due notice that they will be \$15 a week and \$715 a year better off under our package compared to the big zero that is being provided by Labor members opposite. We know, particularly for drivers under 30, who are paying high amounts for petrol and doing it hard with first home mortgages and so on, that when it comes to the vote next year our volunteers will be standing out there

handing out how-to-vote cards and saying, ‘We’re going to give you \$15 a week in your pocket. We were going to give you a freeway, but the Labor government’s spent all the money. In 1999 we left you \$225 million, which Steve Bracks has stolen from you. But at least we’re going to give you half the toll’.

Given a choice between nothing on the other side and something from this side, we know how they will vote. They will be voting not just on that but on the basis of what they were denied by the Premier of this state. Those electorates will never forgive that, because they are made up of educated people. They are not fools; they know when they have been duped. In this case they know they have been doubly duped. Whether it be public transport, a lack of major road upgrades or the much-vaunted Ringwood transit city, which is off on its third working party, the area has been totally discriminated against by the Labor government. As I said, government members absolutely hate Liberal areas.

Mr Perton — Look at the members they give them!

Mr HONEYWOOD — The local members it has dished up never appear in the local newspapers. The only time they appear in the local newspapers is when a minister comes to visit — and even then they find it hard to get their photos in the local newspapers.

Ms ECKSTEIN (Ferntree Gully) — I too am pleased to join this debate and support the Treasurer’s motion. The Leader of the Opposition’s scheme to allow motorists and motorcycle riders to access reduced tolls on EastLink — for the first five years only, mind you — will lead to massive cuts to services in our local communities. Drivers of trucks and other commercial vehicles, including taxis and the like, will still have to pay the tolls of course.

Since 14 October last year the Leader of the Opposition has said over and over again that he would build this road without tolls. Now we all know he cannot deliver that. Members of my community have been saying that for quite some time. They have been saying from day one, really, that they know he cannot deliver. They did not believe him then and they do not believe him now. They do not believe him because they know that our local community will have to bear the cost of this half-baked and desperate scheme through cuts to services in our community. The Leader of the Opposition admitted as much on *Stateline* on 23 September, when he said that government services would be cut to pay for his scheme. I quote from a report of the interview:

Interviewer: And you are going to deliver it by making cuts to government services?

Mr Doyle: Yes, I am.

Interviewer: \$500 million worth of cuts?

Mr Doyle: Yes.

After 336 days the best he could do was put forward this desperate scheme, which will see massive cuts to services in our community. Even if we believe him when he says that he will not cut hospitals, schools or police numbers, and I do not believe this for 1 minute, those opposite have form when it comes to cutting essential community services. This is the mob that closed around 300 schools and sacked around 9000 teachers and 4000 school cleaners. They closed hospital beds and sacked nurses. They reduced police numbers. It is a return to the bad old days of the seven long dark years which we all remember so well.

But even if you believe the opposition about the hospitals, schools and police being quarantined, this desperate and half-baked scheme will see cuts to local sporting groups, to volunteer organisations and to workers like kindergarten teachers, firefighters, ambulance officers and park rangers. The Department for Victorian Communities, which the Leader of the Opposition wants to abolish, funds libraries and neighbourhood houses. It funds community sporting facilities and programs for seniors and young people. It supports community volunteers.

Last year I presented a volunteers grant to Outer East Interchange for an activity program for disabled young people. There will be no more of that under the Leader of the Opposition's desperate and half-baked scheme. Last week I presented a volunteer grant of \$5000 to Eastern Palliative Care for its volunteer program dealing with the terminally ill. There will be no more of that under the Leader of the Opposition's desperate and half-baked scheme.

There will be no more volunteer grants and no more improvements to community sporting facilities. There will be no more grants to culturally and linguistically diverse communities for cultural activities and welfare services. It will be a return to the bad old days when the Liberal Party cut services. True to form, the Liberal Party does not care about our communities and families.

I cannot believe local Liberals such as the member for Scoresby and the preselected Liberal candidate for Ferntree Gully, Nick Wakeling, have stood idly by while their leader has cobbled together this desperate and half-baked scheme. This scheme puts at risk major

local projects such as the Stud Road SmartBus service, the Knox rehabilitation and palliative care hospital and improvements to roads, public transport, school buildings and facilities.

The Leader of the Opposition was in my electorate recently with these local Liberals in tow, and their supermarket trolleys, peddling this desperate and half-baked scheme. My Liberal opponent looked very uncomfortable standing behind his leader with his shopping trolley! He did not know where to look, and I bet he wished he was not there at all, trying to sell this desperate and half-baked scheme to the community. Mr Wakeling needs to come clean about his support for this scheme. The local community has a right to know if he supports it or not. Where is the shadow Minister for Transport on this issue? He was Mr No Comment! I am certain the community will not be conned. The community knows it will mean cuts to important community services.

The Leader of the Opposition's scheme is also financially irresponsible. He has not done his homework. As well as the \$560 million for this half-baked scheme, he will have to find at least another \$700 million or so for his other promises — that is, a total of at least \$1.2 billion from the operating budget. That does not even include the undergrounding of the powerlines. This will cost another \$5 billion, or it maybe a bit less if you only do every second power pole!

This scheme proves the Liberals are not ready to govern. They do not care about providing basic services to our communities. They will do and say anything. They have got their priorities all wrong. Our community deserves better. The people of Ferntree Gully deserve better. Only a Labor government will continue to support local communities and continue to build and rebuild schools, hospitals and police stations.

Mr DIXON (Nepean) — The people of Nepean, the tourism industry in Nepean and I all support the opposition policy. When the people of the Mornington Peninsula drive to visit their relatives and friends in the suburbs of the south-east, east or north-east, under Labor they will pay a full toll, but under a Liberal government they will only pay half a toll. When the people from those suburbs come and visit their family and friends on the Mornington Peninsula, they will pay a full toll under Labor, but under a Liberal government they will only pay half a toll.

When people from the Mornington Peninsula go to the eastern and south-eastern suburbs for medical appointments — which a lot of them have to do —

under Labor they will pay a full toll, but under a Liberal government they will pay half a toll. When tourists from the north-eastern, eastern and south-eastern suburbs, which make up a huge part of the drawing area for the Mornington Peninsula, visit the Mornington Peninsula, they will pay a full toll under a Labor government, but under a Liberal government they will only pay a half-toll. That is the major difference between the Liberal Party policy and the government's policy.

The other big difference between the two parties is honesty. Before the last election this government wrote to everyone along that corridor. It letterboxed them. The Premier was on radio and television. The Premier and all the candidates went to the election and even though their leader knew — and that has been proved — that they could not fund this promise, they still went to the election with the promise. Not only did the government go to the election with the promise, but it was its major policy for the Scoresby corridor. The promise was letterboxed and personal letters were sent. The member for Scoresby told the house about the numerous personal letters that were sent to and received by him and his family. The letters had written guarantees and promises from local Labor candidates and the Premier that there would be no tolls. As soon as the election was over, they said all of a sudden, 'We got into power. That was the aim of the game. We are not here to govern for Victoria. We are here to win elections'. The government then changed its mind.

The big difference is that 14 months after the last election we looked at the budget, looked at reality and looked at the reality of the budget. We have been up front and said, 'This is the situation. This is what we are going to do'. Anyone from the electorate of Nepean right up to the north-eastern suburbs of Melbourne who is affected has two major and different options: when they travel that road there will be half a toll under a Liberal government, but under a Labor government there will be a full toll. We were the ones who were honest. Labor was never honest.

The other aspect of our policy that I wish to touch on — being a team player I will keep my comments rather brief, and this motion is about our total policy — is the funding of country roads. All country municipalities, the Municipal Association of Victoria and the Victorian Farmers Federation have come out and said, 'We like your roads policy. Roads to Recovery is a great program, and we like the fact that the opposition will match, and therefore double, those funds. That is fantastic', because what it means is local funding priorities. The local councils, which know the local roads, know the roads that carry the most traffic,

know where the accidents are and know where the black spots are. They know the roads where the growth will be and the roads that need fixing up. They will have double the amount of money to tackle that.

That is a very practical thing, and as the various members of the opposition have been travelling around country Victoria that has been the consistent message. In my 90-second statement this morning I was bemoaning the fact that very little money has actually been spent — in fact no major money has been spent by this government — in my electorate in the six dark years of this government. Under this policy the Roads to Recovery money for the Shire of Mornington Peninsula will be doubled and the shire will be able to do real good and make a huge difference to the roads of the Mornington Peninsula. I unequivocally support all aspects of this policy.

Ms BEARD (Kilsyth) — What a pleasure it is to speak in support of the motion moved by the Treasurer. If we were honest on this side of the house I would have to say that we were a little concerned — we were concerned for 336 days about what policy might be brought out by the opposition. But on Thursday, 15 September, all those fears were put to rest. The half-baked policy with no support from people within the party or within the electorates has done us a great favour.

One of the things that really bemuses me about the announcement is the \$715 per year savings. When I went to my mother and told her, a long-time Labor supporter, that she might have a tricky choice at the next election because the opposition policy was going to save her \$715 she said, 'I do not have a car', so obviously it did not apply to her. I wonder if it is for people who use the road every day. Are they the ones who are going to save \$715? Will the people who are using Maroondah Highway to get to the city save \$715? It has not been spelt out to us at all. It is another magic-pudding figure, as the member for Mitcham so nicely put it.

The Liberal Party has already promised \$1.2 billion in spending. Its promises are all spelt out there, and there can be no argument against that. We are still 15 months out from the election, and it is promising money to anyone who asks for it without any accountability. It has failed to explain how it is going to deliver any of these promises, except the half-tolls policy, which it is going to do quite obviously by cutting spending, cutting services. There is no secret about that. While the Leader of the Opposition was promoting this wonderful policy on *Stateline* — as the member for Ferntree Gully said — when asked by Kathy Bowlen, 'Are you going

to deliver it by making cuts to government services?', he very proudly announced, 'Yes I am'. I think it was quite a substantial amount — \$500 million.

I would like to take the opportunity to offer my congratulations to the Liberal candidate for Kilsyth, ably abetted by the Deputy Leader of the Opposition, who has just left the chamber. The candidate for Kilsyth has bravely come out in the local paper this week accepting my challenge: he supports the policy.

Mr Robinson — What?

Ms BEARD — He supports it. He is brave, and he supports it. Unfortunately there are not very many MPs in here who will back him on that one. The Deputy Leader of the Opposition, as the member for Ferntree Gully also said, had a photo in the local paper, but he did not have many local MPs — or MPs from anywhere else — supporting him. But the Leader of the Opposition does have the support of the member for Scoresby, the Deputy Leader of the Opposition, the member for Nepean and a member for Higinbotham Province in the other place. They are the only four who would accept the challenge from the *Herald Sun* and respond to the question.

Of the 31 members who were contacted, 19 responded: 4 supported the half-tolls decision, 10 said they supported party room decisions or else they would not participate at all and 11 would not comment, including the members for Bass, Polwarth, Doncaster and Mornington from this house.

The Minister for Environment today touched on the litter problem that must now be addressed by the opposition. Where are all the no-tolls stickers? Where are all the no-tolls T-shirts? Where are the 'Tell Labor no tolls' signs? They were out in full force before the last federal election. However, chambers of commerce in Ringwood and Croydon are very proud to support the opposition policy. It would appear they are not happy to support their own members, the truckdrivers and the taxidivers who are members of their group. Terry Paget, the president of the Ringwood Chamber of Commerce, was present when the Minister for Transport visited Ringwood, and I was very proud to introduce the minister to the president after the toll decision was released. Terry, who was never one to hide his political affiliations, said, 'I do not think we were so naive as to think we would gain a toll-free road' — after two and a half years of being told we were going to.

The federal member for Deakin, Phil Barresi, who fought the last federal election on a no-tolls campaign

because there was nothing else to fight on now says, 'The inability to remove tolls from the road is a result of the Bracks government's broken no-tolls promises'. That is not what he was saying before the federal election last year. The Maroondah mayor, as I think the Treasurer touched on earlier, Cr Paul Denham, said it was inappropriate for him to comment, which is not what he said two and a half years ago when he said he just had to join the Liberal Party because the government was deserting the outer east. The member for Bayswater dealt with that comment.

We know that to implement this policy, teachers will be cut; police and nurses will be sacked and other workers like firefighters and child-care workers will be dismissed. This is a half-witted, half-baked, half-hearted, half-thought-out plan for half-tolls on EastLink for much less than half its life for half its vehicles — but it has the support of less than one-seventh of the MPs: nowhere near half or wholehearted support! Victorians deserve better than the Liberals with their half-baked half-tolls plan.

Mr KOTSIRAS (Bulleen) — As I am a team player I will keep within the allocated time, as instructed by the Government Whip!

This issue is all about honesty, and this is all about the mushrooms on the other side who kept quiet at the last election. Before 2002 — and the member for Mitcham was here — the government said there would be a freeway with no tolls. A few months after the election the government came in and said, 'It's too hard; we need to have tolls'. At that stage not one of the Labor backbenchers criticised the Minister for Transport or the Premier! Not one said, 'This is wrong; we should not go back on our word'. Not one had the guts to stand up to the minister or the Premier. Now they come into this chamber and talk about the truth!

The difference is that we are telling the voters what we will do one year out from an election. Government members went to an election with a lie; they told people there would be a freeway, not a tollway, yet after the election they changed their minds. In a flyer to every household the Premier said:

... it is only through a Bracks Labor government its future —

referring to the Scoresby freeway —

is guaranteed.

...

There will be NO TOLLS on the freeway under a Bracks Labor government.

Even the member for Ferntree Gully received numerous letters from constituents upset about the tolls, and because the member was not sure how to respond or what answer she should give she wrote to the Premier, saying, 'Please, Premier, advise me; tell me how to respond'. I have a letter from the member's office to the Premier. It states:

Dear Steve,

I have recently received a constituent letter ...

I will not mention the constituent's name, but the letter says the constituent was:

... concerned about the impact of tolls of the Mitcham-Frankston freeway and has asked that I forward a copy of his letter to your office ...

I would appreciate if your response could be forwarded through our office.

In other words, the member said she would like a response from the Premier so she could reply to her constituent.

Ms Eckstein interjected.

Mr KOTSIRAS — You are the local member; you were elected, you should respond.

The ACTING SPEAKER (Mr Languiller) — Order! The member will direct his comments through the Chair, and members to my right will desist.

Mr KOTSIRAS — Through the Chair, the member for Ferntree Gully should respond rather than ask the Premier's media office and the Premier's advisors to come up with an answer that would keep the constituent happy.

I want to touch briefly on what the Minister for Employment and Youth Affairs attempted to say during question time today. She got up, smiling again, and said, 'The opposition's spokesperson on youth affairs has issued two press releases!'. I remind members that she, as a minister of the Crown, has issued only about 10 press releases about youth affairs, all of which are only about re-badging or renaming policies that were not only there before she came into government but there under the previous government.

Ms Eckstein — On a point of order, Acting Speaker, the member was quoting from a letter and I ask him to table it.

The ACTING SPEAKER (Mr Languiller) — Order! Was the member quoting from a letter?

Mr KOTSIRAS — I am happy to table the letter, and it is good to see that the minister at the table is there to advise the member for Ferntree Gully what to do.

The ACTING SPEAKER (Mr Languiller) — Order! The member will table the letter.

Mr Pandazopoulos — I wished her happy birthday; that's what it was!

Mr KOTSIRAS — That just goes to prove what I said earlier. The backbenchers on the other side are just mushrooms sitting there, getting advice from the ministers and the Premier. We have the village idiot who has come back, and has found his village —

Ms Beard — On a point of order, Acting Speaker, the member is not speaking on the motion, and I ask you to bring him back to order — to something to do with the motion or within the confines of the motion.

The ACTING SPEAKER (Mr Languiller) — Order! I will not uphold the point of order, but the member will return to the motion.

Mr KOTSIRAS — The member for Kilsyth asked me to go back to the motion. That is a bit rich coming from a member who did not talk about the lies of the previous government as it went to the election in 2002. If you talk about the truth and about integrity, there is none on that side of the house. It is appalling that government backbenchers can sit there and only stand up when it suits them — when it suits the Minister for Transport or the Premier. Otherwise, they keep silent and wait to be told what to say and do by the ministers and the government. They are absolutely appalling! They have these information evenings with ministers called ICE, which is integrated campaign effort, where the ministers tell them what to do, how to do it and when to do it. In fact they were told what to wear for a photo shoot! That is an example of the calibre of backbenchers on the other side.

Government backbenchers should be ashamed of the freeway episode. It is a disgrace that they have gone back on their word, and the voters at the next election will not forget or forgive them.

Mr PERERA (Cranbourne) — I rise to support the motion moved by the Treasurer. The construction of EastLink is well under way at 15 fronts along the road, and it will be completed by 2008.

The debate is now about which policy is going to bring home the bacon and which policy will deliver the best economic outcomes. That should be the debate, but unfortunately most opposition members have not been

focusing on the debate. I think the reason is that they do not wholeheartedly support their policy position. We can say that it does not matter who broke the promise, whether it was the government or the opposition, because the opposition broke its promise as well. It said the road would be toll free but then said there would be half-tolls. It is not an excuse to break a promise after 336 days and to say, 'We broke the promise, but we will give you time. This is 14 months before the election'. That is not an excuse. The opposition broke its promise. It is apparent that only the Bracks government delivers sound investments in Victoria's road networks and maintains the delivery of services at very high levels. To date over \$320 million has been committed by the Bracks government to roads in the city of Casey alone.

EastLink will be a new major road connecting Frankston and Carrum Downs to the eastern suburbs via Dandenong. It will be of enormous benefit to the industries in Carrum Downs, Dandenong, Mulgrave and other pockets along this corridor, and that is what this debate is all about. Time is money for businesses, and businesses want this road to be built as quickly as possible. EastLink will save time. It is good for investment and will create jobs in the south-east region. The EastLink private-public partnership arrangement is a sensible policy position by the Bracks government that will deliver a project which all previous governments put on the backburner, and that includes the Kennett government.

The member for Frankston talked about a real estate agent. That particular agent very recently was on the front page of the *Frankston Standard Leader* saying that due to EastLink real estate prices are soaring in Carrum Downs. He paid tribute to EastLink —

Mr Perton interjected.

Mr PERERA — Yes, that is right. It is the same real estate agent who during the federal election campaign went along with the Liberal candidate for Dunkley carrying a 'No tolls' sign. I did not see signs saying, 'Half-tolls'. His sign said 'No tolls'.

EastLink is different to CityLink, which was introduced by the Kennett government, which double-dipped into taxpayers pockets. Not only that, the former Liberal government tolled a sizeable section of a road that was built with taxpayer dollars and increased parking in back roads to increase traffic congestion so that commuters had no choice but to use the toll road.

EastLink is about 40 kilometres of brand new road. Commuters who wish to travel east from my electorate

have choices. Not only will existing roads such as Frankston-Dandenong and Stud roads be available, but also a new 48-kilometre outer eastern SmartBus route linking Frankston, Dandenong and Ringwood will be established to improve public transport access to Melbourne's eastern and south-eastern suburbs at a cost of \$28.6 million. The SmartBus will run from Frankston to Ringwood via Dandenong along Frankston-Dandenong Road and Stud Road, which is parallel to EastLink. There will also be a 30-kilometre bicycle path along EastLink.

These are alternative transport options for commuters in the south-east. Previous Liberal governments never offered a public transport alternative to CityLink; they wanted all of us to pay the tolls. The Bracks government is about offering choices because it represents all Victorians regardless of commuter preferences. In a policy announcement the Leader of the Opposition and the Liberal Party promised to remove the tolls. We have all seen the Liberal Party's half-baked half-tolls policy on reducing the toll on EastLink for domestic vehicles, just for a short period — for five years. Then for the next 30 years the road will have full tolls. So this is not really an alternative policy.

When it comes to the question of funding the half-baked half-tolls policy, where will the money come from? What projects will come to a standstill? This is what my constituents in Cranbourne would like to know. It is what all Victorians are anxious to know. It is not good enough to say, 'We can pluck money from here' and 'We will cut the bureaucracy'. Money has to be quantified and so far the opposition has not done that. Would it scrap the SmartBus from Frankston to Ringwood? Would it be the end of the duplication of the Berwick-Cranbourne road? Would it be the end of widening Thompsons Road? Would it be the end of the Cranbourne train link project? Would it withdraw the commitment to contribute towards a Cranbourne multicultural centre or an aquatic centre?

Will the funding come from the closure of schools and hospitals or from sacking teachers, nurses and police? That is what we would like to know. That is what the Liberal Party needs to spell out. It has taken the Liberal Party 336 days to come up with a half-baked half-tolls policy option and admit that it cannot fully fund its financially reckless promise. It is simple: the Liberal Party is not ready to govern Victoria.

Mr PERTON (Doncaster) — It is indeed a sad day when the time of the Parliament is taken up with this ridiculous motion. I see my dear friend the member for Cranbourne blushing with embarrassment at the need to

read a speech which was obviously written by advisers to the Premier. Imagine a socialist saying that his party is all about choice! It defies logic, and it certainly defies the belief of any right-thinking member of the public. So desperate was he to find some arguments in favour of his government's policy, he said, 'Because we have a toll on the road we can put a bicycle lane next to the tollway'. There are bicycle lanes next to every one of the freeways in Victoria. It is ridiculous to think that we have to pay a toll so that we can get a bicycle link along the road. There will also be a SmartBus. Dare I say it, he might be one of the few Labor members who would qualify to get on a SmartBus!

I see my friend the member for Ferntree Gully squirming with embarrassment as well. Here is the woman who wrote to the Premier on behalf of her constituents asking him to take action on the broken promise. Or indeed my dear friend the member for Kilsyth, who ran on a platform that this road would be a freeway and whose Premier went before the public and said they had a fully costed, affordable plan for a freeway. What embarrassment must have occurred in the party room when the Premier and Treasurer said, 'We are breaking this promise'.

We know that each of them was looking at their superannuation entitlements the day this policy was released because they knew — the member for Cranbourne, the member for Kilsyth, the member for Ferntree Gully and the member for Mitcham all knew — that their careers were on the skids the moment the government reneged on its promise. They are desperate today. They have emptied the coffers of the state, they have reduced the surplus, they have sabotaged the finances of the state. When the Liberal Party, taking all that into account, manages to provide a saving to their constituents worth \$700 a year, they know that they are on the skids.

I pay tribute to my friends who have spoken in this debate — it showed great bravery. They will put a brave face on it, because the day after the election the member for Cranbourne will be back to public opinion polling. The member for Kilsyth will be driving a taxi. I hope the member for Ferntree Gully is not back in the education department but finds a job somewhere in the private sector. God knows what the member for Mitcham will be doing, but he will have more time at the race track than he does today.

This is a fine policy, and it is one that has found great favour with my constituency. My constituency of Doncaster was actually allocated a freeway from Springvale Road to Ringwood that was fully funded in the last budget of the Kennett government. There was

funding of over \$300 million, including provision for tunnelling under the most sensitive parts of the Mullum Mullum Creek valley. And what happened? The Labor government, as it did with public transport options in Doncaster, stole the money. It put the money to other uses, so the fully funded freeway from Springvale Road to Ringwood is now part of a tollway. My constituents — whether they live in Donvale, East Doncaster, Doncaster or Nunawading — and the constituents of my friend the member for Bulleen remember that they were in fact allocated a freeway from Springvale Road to Ringwood and that they have had that stolen from them and it will now be part of a tolled roadway. But it is not just that that troubles my constituents — —

Mr Maxfield interjected.

The ACTING SPEAKER (Mr Languiller) — Order! The member for Narracan!

Mr PERTON — There is the member for Narracan, who has just entered the chamber. He will not be catching the SmartBus suggested by the member for Cranbourne. He would not qualify on any basis whatsoever.

My constituents are deeply troubled by the ostrich-like mentality of the Labor Party, because EastLink will deposit an extra 40 000 to 80 000 cars a day onto the Eastern Freeway. The member for Mitcham would travel in on the Eastern Freeway, the member for Kilsyth is probably well aware of it, and the member for Burwood probably uses the Eastern Freeway occasionally. Constituents of mine are wasting 200 to 300 hours of their lives every year in the traffic congestion at the end of the Eastern Freeway, on Hoddle Street, Wellington Street and the like. With the possibility that an additional 40 000 to 80 000 cars a year will move onto that freeway, the morning traffic jam on the Eastern Freeway is likely to stretch right back to the electorate of the member for Kilsyth, certainly into the electorate of the member for Mitcham. It will make life a misery for my constituents and those who use the Eastern Freeway from further out.

What we need is a vision for infrastructure that is not just the gut reaction nonsense of the Labor Party, so that we actually deal with the needs of eastern suburban commuters who need a solution to the problems at the city end of the Eastern Freeway. Whether it be a tunnel under the cemetery to link with CityLink or whether it be a double-deckering of Hoddle Street, VicRoads certainly knows that it needs to be done, but this Labor government is not doing anything about it at all. It

amazes me that in a state where government spending has risen from \$19 billion in 1999 to over \$30 billion in 2005 there is insufficient money to deal with the infrastructure needs of this community.

Basically it seems that the infrastructure policy — —

Mr Stensholt — Ten billion dollars over four years!

Mr PERTON — The member for Burwood is about to try to shout me down, as he does. The member for Burwood, who works with the Treasurer, would know that the entire infrastructure policy of this government is run on a whiteboard. They ask: where is the marginal seat? Where should we spend the money? In the meanwhile our schools are decaying. Whether it is Caulfield Junior College, whether it is Donvale Primary School in my electorate or whether it is Sunshine North Primary School in the electorate of the member for Sunshine, schools all around the state are decaying.

We have roadways in the middle suburbs that have not been constructed — over \$1 billion worth. We have suburbs of Melbourne that remain unsewered, with the discharge from those areas running into creeks, running into the Yarra River and running into the other rivers of the state. The water infrastructure of the state is decaying. Everything is just swept under the carpet. The government hopes it can get elected by trying to fool the public at the next election, and it is hoping that when it gets swept from office again it will be the Liberal Party that will have to fix up the finances of the state and turn its attention to Victoria's infrastructure needs. This policy reflects our determination to find the best economic outcome for the eastern suburbs — —

Ms Neville interjected.

Mr PERTON — The member for Bellarine — and thankfully it is her last term in the Parliament — asked me whether I support the policy produced by the Leader of the Opposition. Of course I support it because of the benefits of the policy to the state and to individual commuters. It will provide a saving that will go directly into their household budgets, enabling them to spend the money on education and the like.

Ms Neville interjected.

Mr PERTON — That is an inane interjection from the member for Bellarine. She talks about 'defunding', but I am not quite sure what she is trying to say — —

An honourable member — That is two of you!

Mr PERTON — Thank you for that. Let me finish off, because I have only 30 seconds left. In an extraordinary attack on the Leader of the Opposition's policy the government has said the Department for Victorian Communities will be abolished if the policy goes ahead. All of the functions of that department have in the past been undertaken by other departments without the need for the extra bureaucracy and the spending of tens of millions of dollars extra. I think the community would think it was a good thing if we got rid of some bureaucracy and consultants and delivered benefits to the state.

Mr ROBINSON (Mitcham) — We finally got an admission out of the member for Doncaster, so the debate has been productive if for no other reason than that. I am always reminded after the member for Doncaster addresses this chamber of the relationship of Parliament to the theatre. That old line 'The suspense is killing me' came to mind. The Leader of the Opposition is a great one for theatrics and suspense. I remember he told us to hold onto our hats not so long ago, but after 336 days of incredible suspense I think the only person whose political life is at risk is the Leader of the Opposition. As a moment of political expectation in this place the delivery of the Liberal Party's tolls policy was a monumental flop. There is no doubt about that, and we only have to look at the responses to the policy, at least from those people who were brave enough.

I will start with Paul Denham, the mayor of the City of Maroondah. He is a Liberal Party member, but there is nothing wrong with that, and we do not hold that against him. He said:

As a mayor it's not appropriate I give individual comments ...

Along with a few other members I want to know at what point that became the policy of the Maroondah City Council, because it certainly had form in commenting on all sorts of things to do with roads up until that point. We can look at what an unnamed MP who was quoted in the *Herald Sun* said:

There are key shadow ministers unprepared to defend the policy —

and we wonder who. We can also look at reports about MPs who did not say anything. The *Herald Sun* ran a very long list of MPs, including shadow ministers, who failed to make a comment. However, I do not want to tar all Liberal Party MPs with that brush because some were prepared to speak.

In particular I want to draw the house's attention to the efforts of an honourable member for Waverley

Province in another place, Mr Brideson. The *Daily Hansard* reports that at 9.45 a.m. on 15 September he declared with breathless excitement that:

... the Doyle plan on the Scoresby freeway will be announced today. We will be implementing a no-tolls policy, with no cuts to schools, no cuts to hospitals, no cuts to police and no cuts to community services. It will be a great plan and a great policy to be announced later today.

That was his Neville Chamberlain impersonation — peace in our time! At least that was the situation at 9.45 a.m., but what was champagne and caviar at breakfast quickly became offal and dregs at lunchtime. I do not think Mr Brideson has had anything to say on this matter since then. The Liberal Party position is unworkable for a large number of reasons, and time will not permit me to go into all of them. However, I want the house to consider this: in Queensland, which is an interesting state politically, after many years of stand-offs the Liberal Party and The Nationals have found a rapprochement. They have been able to draw a line and say, 'From this point on we will work constructively together in order to take office at the next election'.

There is no way the Liberal Party can become the governing party in the state without forging some sort of rapprochement with The Nationals, yet in this chamber we will shortly have a division, and we have seen The Nationals reject this policy out of hand. If after keeping us in suspense for 336 days the Liberal Party cannot work out a simple agreement with The Nationals on a key policy, what hope have they got of governing Victoria?

The policy is also unworkable because it is built on a list of longstanding, unexplained, unfunded Liberal commitments in the eastern suburbs. I will only mention one, but it is relevant because I am sure there is a series of Liberal candidates doing the round tables and seeking preselection who are once again bringing out that time-honoured Liberal commitment to build a Knox hospital. It does not matter that there is one at Maroondah, one at Box Hill and one at Angliss. This is an article of faith in the Liberal Party, but it has never been funded, it has never been costed and it has never been explained where the money would come from. I know a little bit about hospital funding. I am looking at the Treasurer, and we have an understanding of what these things cost. I open the bidding at \$200 million, possibly \$300 million. I think there is a bid from the member for Doncaster!

Mr Perton — On a point of order, Acting Speaker, whilst I regret interrupting my friend the member for Mitcham, the debate is quite narrow. It relates to the

Leader of the Opposition's half-tolls policy and the suggestion that it would result in a cut in government services. I suggest that a debate on the Knox hospital is beyond the terms of this debate, so perhaps he could return to the issue of the government's broken promise on the freeway and debate the opposition's alternative policy.

The ACTING SPEAKER (Mr Languiller) — Order! On my recollection the debate has been wide ranging. There is no point of order.

Mr ROBINSON — It is obviously a sore point, and in fairness I will ease off the member for Doncaster. He made a big speech and got himself on the record as one member of the shadow ministry who supports the policy, so that it is an improvement. The policy proposed by the Liberal Party is a damp squib. It is not supported by The Nationals, it is not supported by the federal Liberal Party and it is not supported by local communities. Rather than extolling us to hang onto our hats, the Leader of the Opposition would be far better placed asking us to help him hang onto his job.

Mr THOMPSON (Sandringham) — The EastLink project needs to be considered in two different contexts. The first context is the 2002 state election when on the eve of that election on ABC television the Premier of this state was asked whether there would be any new tolls introduced in Victoria and he replied, 'No'. Following that election and commitment there was a reversal in the Australian Labor Party policy in relation to that particular project.

The next key date that will be of importance is 25 November 2006, the date of the next state election when the voters of Victoria will be asked to support a government that went to the polls on a policy that it failed to fulfil, or whether they will accept a policy delivered by the Liberal Party which will provide a concession of an average of \$715 per household car owner — —

Mr Stensholt interjected.

The ACTING SPEAKER (Mr Languiller) — Order! The member for Burwood!

Mr THOMPSON — It is in relation to a benefit being delivered in relation to the tolls.

A number of years ago the Minister for Transport, when in opposition, noted:

The opposition does not accept road tolls on highways. It is a pernicious form of taxation.

...

For many working people the monthly or quarterly toll bills will be greater than their electricity bills.

At the state election in 2006 there will be a choice: full tolls against the hypocrisy of the backflip by the Labor Party or an economically responsible policy that delivers benefits to commuters in the Mitcham–Frankston corridor.

House divided on motion:

Ayes, 64

Allan, Ms	Languiller, Mr
Andrews, Mr	Leighton, Mr
Barker, Ms	Lim, Mr
Batchelor, Mr	Lindell, Ms
Beard, Ms	Lobato, Ms
Beattie, Ms	Lockwood, Mr
Bracks, Mr	Lupton, Mr
Buchanan, Ms	McTaggart, Ms
Carli, Mr	Marshall, Ms
Crutchfield, Mr	Maxfield, Mr
D'Ambrosio, Ms	Merlino, Mr
Delahunty, Mr	Mildenhall, Mr
Delahunty, Ms	Morand, Ms
Donnellan, Mr	Munt, Ms
Duncan, Ms	Nardella, Mr
Eckstein, Ms	Neville, Ms
Garbutt, Ms	Overington, Ms
Gillett, Ms	Pandazopoulos, Mr
Green, Ms	Perera, Mr
Hardman, Mr	Pike, Ms
Harkness, Mr	Powell, Mrs
Helper, Mr	Robinson, Mr
Herbert, Mr	Ryan, Mr
Holding, Mr	Savage, Mr
Howard, Mr	Seitz, Mr
Hudson, Mr	Stensholt, Mr
Hulls, Mr	Sykes, Dr
Ingram, Mr	Thwaites, Mr
Jasper, Mr	Trezise, Mr
Jenkins, Mr	Walsh, Mr
Kosky, Ms	Wilson, Mr
Langdon, Mr	Wynne, Mr

**Noes, 15*

Asher, Ms	Mulder, Mr
Baillieu, Mr	Napthine, Dr
Clark, Mr	Perton, Mr
Cooper, Mr	Plowman, Mr
Dixon, Mr	Shardey, Mrs
Doyle, Mr	Thompson, Mr
Kotsiras, Mr	Wells, Mr
McIntosh, Mr	

[*Division list subsequently corrected; see page 1254.]

Motion agreed to.

VETERANS BILL

Second reading

Mr BRACKS (Premier) — I move:

That this bill be now read a second time.

It is important, as we enter a period of very significant change in veterans affairs, that we focus strongly on the wellbeing of the Victorian ex-service community.

This year marks the 60th anniversary of the end of World War II and 30 years since the fall of Saigon. These were the last two conflicts involving large numbers of Victorians. The men and women who served in these wars make up the major part of the veterans community. These are people who have reached, or are approaching, their senior years.

The value of more recent service is clearly recognised by my government. But the simple reality is that the veterans population is increasingly, and heavily, weighted towards those over 60.

The ageing of the veterans population has a number of important consequences. First, as people age their care needs often increase. Second, the overall number of veterans is declining as the older generation passes away. Third, as veterans die the number of widows generally increases and so do their care needs.

At the same time we are seeing a tremendous upsurge of interest in our military past and the service of veterans, particularly amongst young Victorians.

Our basic legislative framework for veterans affairs dates back to the post-World War II environment, building on World War I legislation. In this time of change, much of this framework needs updating and, as you will see in the bill, substantial supplementation.

This bill will provide a forward-looking legislative base for veterans affairs, implementing or extending recommendations made by the Scrutiny of Acts and Regulations Committee in its careful and valuable report on Anzac Day laws in 2002. The bill will:

modernise the regulation of veterans trust funds — known as ‘patriotic funds’; and

build the capacity of the ex-service community to respond to the major population and cultural changes that we are seeing.

The bill will do this through three key changes.

Firstly, it will update the mode of regulation of patriotic funds, shifting regulatory responsibility from the Patriotic Funds Council to the director of Consumer Affairs Victoria. This will bring the regulation of patriotic funds in line with that of other consumer protection acts.

Secondly, it will establish a new Victorian Veterans Council to provide direct advice to government on issues affecting the ex-service community and distribute money raised through activities on Anzac Day. The council will promote collaboration and coordination across the broad range of ex-service organisations in Victoria and will assist and advise patriotic fund trustees on options for the use of patriotic funds.

Thirdly, it will establish a new Victorian Veterans Fund. This fund will receive a portion of Community Support Fund revenue each year, representing the proceeds of Anzac Day gaming.

I will now outline these changes in more detail.

The regulation of patriotic funds

The regulation of patriotic funds in Victoria has its origins in the First World War. The current regulatory regime is contained in the Patriotic Funds Act 1958 and the regulation is carried out by the Patriotic Funds Council. Many of the provisions in the current act come directly from the State War Council Act of 1916. That act set the model for regulation through a statutory council.

Many of the provisions have stood the test of time, and accordingly much of the regulatory framework will be unchanged. However, there are a number of important amendments to this regime in the bill. The bill will repeal the Patriotic Funds Act 1958 and the regulatory provisions from that act will be incorporated in the Veterans Act.

The most significant change relates to who carries out the regulation. The regulation of patriotic funds is, in part, a matter of consumer protection. The regulation protects the assets in patriotic funds, thereby protecting the members of the ex-service community who are beneficiaries of the funds and also protecting the people who donate to the funds — giving assurance that the money will be used as intended.

It is a general aim of my government to scrutinise acts and, where appropriate, consolidate them or bring them into alignment. As with other consumer protection acts the regulation under this bill will be carried out by the director of Consumer Affairs Victoria. The director is

responsible for the administration of a range of consumer legislation in Victoria.

The bill also acknowledges that there are some regulatory decisions that require a higher level of scrutiny and must be informed by the veterans community. These include decisions involving transfers of assets from patriotic funds to organisations that are not solely for veterans welfare. Such transfers will continue to need the approval of Governor in Council. The house should note that section 26 of the bill requires that the minister, before making a recommendation to Governor in Council on certain matters, must consult with and have regard to the advice of the Victorian Veterans Council, representing the ex-service community.

In short, the new regulatory arrangement combines the expertise and resources of Consumer Affairs Victoria with the knowledge of the Victorian Veterans Council to provide an informed and effective protection for patriotic funds.

The control of funds remains entirely with the trustees of that fund. The bill offers some new options to trustees for using funds in cases where the trust is winding up or where the trust has more funds than are needed to meet its purpose.

These new options are: an ability to transfer assets from a patriotic fund to the Shrine of Remembrance, and an ability to transfer assets from a patriotic fund to the Victorian Veterans Fund. The effect is to allow, under some circumstances, that excess patriotic funds may be used for commemorative purposes or for educating people about Australia's war and service history.

These options are only available when the trustees wish it, and the minister must seek and have regard to the advice of the Victorian Veterans Council on such transfers.

The bill, as I have said, makes specific mention of the Shrine of Remembrance as an option for transferring assets. Under the existing act trustees do not have this choice. The Shrine of Remembrance is the state's most important memorial and continues to expand its commemorative, educative and exhibition roles. It serves the whole state with particularly high visitation from regional Victorians.

It is entirely appropriate, in a time when there is an enormous demand for information about our military past and the contribution of veterans to this state, that patriotic fund trustees be able, if they wish, to

contribute funds to the shrine when they are no longer needed for welfare purposes.

The house should note that this does not preclude trustees from contributing to other memorials. Trustees may transfer assets to the Victorian Veterans Fund with the express wish that the assets go towards the upkeep or upgrading of any other memorial in the state.

The opportunity has been taken to modernise the capacity of the government to ensure the proper administration of patriotic funds. The director of consumer affairs has a range of new investigative powers, modelled upon the Fundraising Appeals Act 1998 and the Fair Trading Act 1999, which will enable monitoring of patriotic funds where this is necessary to ensure that they are properly managed.

Additionally, the director may request that a patriotic fund be audited. In situations of maladministration of a fund, or where there are not enough trustees to enable decision making, the director can apply to the Magistrates Court for the appointment of new trustees. The new Victorian Veterans Council will be able to act as a trustee if necessary.

The Magistrates Court may also appoint an administrator to take over the administration of the trust for a period where there is maladministration or an insufficient number of trustees. Additionally, a majority of the trustees of a patriotic fund may request the director to appoint an administrator to take over the management of the fund for them.

These new arrangements will help to ensure that the assets raised over the last century for the benefit of veterans are not lost through mismanagement. However, the director will in the first instance work with the trustees to assist them to rectify any problems with their patriotic funds, and guidelines will be issued by the director to make this clear.

We have amended the audit and reporting requirements to align them with other legislation that applies to ex-service organisations and to make things easier for trustees. Financial reports are now required on a financial year basis rather than a calendar year, and auditing will be by a registered company auditor. Trustees will have 90 days to submit reports rather than the current 30. However, we have been careful to keep the auditing and reporting arrangements flexible. Many trustees may wish, for various reasons, to retain existing arrangements. The bill allows this.

There is one further improvement to auditing arrangements in the bill. Many patriotic funds have very little revenue or expenditure. This is particularly

true of building funds. In some cases it may not be necessary for trustees to go to the expense of having an annual audit. The bill will allow the Governor in Council to prescribe classes of funds which do not need to have their annual financial returns audited.

Victorian Veterans Council

The bill will establish a new statutory council — the Victorian Veterans Council — to advance the interests and wellbeing of Victoria's ex-service community. The ex-service community is defined in the bill to include veterans, their partners and their dependants. The Victorian Veterans Council will have 11 members, of whom at least 8 will be members of the ex-service community or members of ex-service organisations. The chair and the deputy chair must be veterans.

Six members of the Victorian Veterans Council will be nominated to the minister — in this case the Premier — by ex-service organisations, with legislated positions for two important and longstanding ex-service organisations: the state branch of the Returned and Services League and Melbourne Legacy.

This council will provide a strong, coordinated voice for veterans and will enable the ex-service community to collectively plan for the future welfare needs of veterans and the commemoration of those who have died. Specifically the council will:

- monitor issues affecting the ex-service community and advise the lead minister — in this case, the Premier;

- distribute the Anzac Day Proceeds Fund to organisations providing welfare to the ex-service community;

- distribute the new Victorian Veterans Fund in accordance with that fund's objectives for commemoration and education;

- advise the minister — in this case the Minister for Consumer Affairs — on certain issues regarding the regulation of patriotic funds.

In performing these functions the council is required to consult with the ex-service community and foster collaboration between ex-service organisations.

Victorian Veterans Fund

One of the great benefits of this bill is that it will establish a Victorian Veterans Fund and provide it with an annual source of revenue.

In its 2002 report on Anzac Day laws, SARC recommended that a proportion of the proceeds from gaming on Anzac Day should flow to the Anzac Day Proceeds Fund. The Anzac Day Proceeds Fund gets revenue from sporting and racing activities on Anzac Day. SARC argued that Anzac Day gaming should be subject to the same requirement, reflecting a principle that some of the benefits of Anzac Day activities should be returned to veterans. We agree entirely.

SARC also recommended that the uses of the Anzac Day Proceeds Fund should be widened to include education and commemoration, as well as veterans' welfare.

In our consultations on this bill the veterans community expressed a strong preference for ensuring that the current uses of the Anzac Day Proceeds Fund should be protected.

We have therefore decided to create a separate education and commemoration fund. This is the Victorian Veterans Fund.

This bill will ensure that, in addition to proceeds from sporting and racing on Anzac Day, gaming activities will also contribute to the ex-service community. It will work in this way: on 1 September each year the total gaming revenue to the Community Support Fund for the previous financial year will be divided by the number of days in that year. The dividend — one day's average gaming revenue representing the proceeds from Anzac Day — will be transferred to the Victorian Veterans Fund.

The purpose of this annual fund is to provide the veterans community with greater capacity to:

honour and commemorate the service or sacrifice of veterans;

educate Victorians about our history of service in conflicts, including peacekeeping and peacemaking operations; and

assist with the education of veterans dependants.

The Victorian Veterans Fund will be administered by the Victorian Veterans Council. The council will develop public guidelines about the use of the fund, will determine what gets funded and will be required to account publicly for the expenditure. The bill also allows the council to determine other uses of the fund, with the agreement of the minister — in this case, the Premier.

Other amendments

The bill repeals or amends a number of other acts.

It will repeal the Discharged Servicemen's Preference Act 1943. This act gives employment preference to veterans who served in prescribed theatres of war. The last prescribed war was the Vietnam War. Since that time servicemen and women have either been career soldiers or reservists. Accordingly their employment needs are the responsibility of the commonwealth government.

There is a widely held view that this act has served its purpose and is no longer having a practical effect. The Defence Reserves Re-employment Board, which administers the act, has not assisted anyone into employment under the act for some years.

The bill will also repeal the Defence Reserves Re-employment Act 1995. This act protects the employment of members of the reserve forces while performing active service. From next year the act will no longer be required, as the Australian government now provides the same protections through the Defence Reserve Service (Protection) Act 2001. The state act allows a maximum five-year period following active service for making an application for assistance. Repealing the act from 2006 will ensure that anyone who served up until 2001 — the year of the commonwealth act — can benefit from the five-year period available for seeking assistance under the act.

The bill amends the Shrine of Remembrance Act 1978 to clarify that the powers and duties of the trustees of the Shrine of Remembrance include an ability to conduct educational and exhibition activities in relation to military, peacemaking and peacekeeping service. This implements a recommendation of the 2002 SARC report.

This bill will make the most significant legislative improvements in veterans affairs in this house for some decades. It has been developed through a process of wide and detailed consultation with the ex-service community and has the full support of the major ex-service organisations. It will provide the ex-service community with a representative, forward-looking council, a new source of funds for education and commemoration, and a stronger protective regime for patriotic funds.

I commend the bill to the house.

Debate adjourned on motion of Mr DOYLE (Leader of the Opposition).

Debate adjourned until Wednesday, 19 October.

DEFAMATION BILL

Second reading

Debate resumed from 4 October; motion of Mr HULLS (Attorney-General).

Mr HULLS (Attorney-General) — In summing up I thank all members for their contribution on this particular bill. I must say that I am surprised the opposition is opposing this legislation. In opposing this bill it is attempting to wreck three years of hard work and also three years of goodwill culminating in a uniform approach to defamation right across this country. In opposing it the opposition is quite obviously opposing uniform defamation laws. That is the only way one can interpret in particular the contribution made by the shadow Attorney-General. In effect the opposition is supporting a mishmash of inconsistent, imprecise and inappropriate defamation laws across the country. It appears that the opposition wants to maintain the fictitious distinction between libel and slander, and also wants high-powered corporations to be able to use their financial muscle to hide behind the veil of defamation if they are criticised. This is not what defamation laws should be about. The opposition also wants to restrict the number of defences, which in effect is about restricting free speech. This bill is all about getting the balance right between freedom of speech and protecting reputations.

One of the key issues raised by the opposition is the cap on general damages. That cap was agreed to by the Standing Committee of Attorneys General to provide some degree of consistency between caps on damages for non-economic loss in personal injury payouts and caps in other types of torts such as defamation. The value of the current cap is based on a general survey on the range of damages awarded in jurisdictions and is designed to provide an approximate median value for consistency across those jurisdictions. This was not mentioned by the shadow Attorney-General, but whilst the actual value of the caps on non-economic loss arising from personal injury claims are certainly set at a higher level than the cap in the bill, the position taken by SCAG was about ensuring that uncapped defamation payouts were not higher than personal injury awards, as this would create an unjustifiable inconsistency.

The question really is this: why would a person who has suffered a lifetime debilitating injury be subjected to a cap for non-economic loss whilst someone who has

suffered a hurt to his or her reputation is allowed to claim unlimited damages? It is my understanding that the opposition supports the tort law reforms, including the caps, yet now it comes into this place and says, ‘Yes, there should be a cap on damages for people who suffer debilitating injuries’, but when it comes to someone whose feelings are hurt, there should be no cap in relation to damages. Further, the imposition of the cap is viewed as providing some degree of legislative certainty against forum shopping in defamation proceedings. There is also in the legislation the ability for a judge to make an award higher than the cap in particular circumstances.

The other issue I want to touch on briefly is the right of corporations to sue. Prohibiting most corporations from bringing an action in defamation proceedings reflects a uniform policy — —

Mr McIntosh interjected.

The SPEAKER — Order! The member for Kew is out of his seat. He is therefore required to be silent.

Mr HULLS — It adopts the uniform policy adopted by all the states and territories with the support of the majority of stakeholders, who were consulted by SCAG, so that the defamation law more appropriately protects the reputations of individuals as opposed to the reputations of artificial entities. All members of the opposition have done is come in here and quote from a document that has been handed to them by the Victorian Bar Council. The bar council has had at least a year to make a contribution in relation to this matter. At the eleventh hour — the model bill has been on the web site for nearly a year — it wrote to me and said, ‘Could you please delay the bill so you can consider our recommendations?’. All the lazy shadow Attorney-General did was come in here and basically read its submission.

Honourable members interjecting.

Mr HULLS — The fact is that despite the bar being asked for feedback — —

Mr McIntosh interjected.

The SPEAKER — Order! I have already advised the member for Kew that it is inappropriate to interject when he is out of his seat, and I instruct him to stop doing it.

Mr HULLS — The bar council was asked for feedback on 25 August 2004, and it failed to respond. It has been lazy in relation to its response, just like the shadow Attorney-General. This is good legislation, and

we should not allow the opposition to stand in the way of national reforms. The opposition should get into the real world and see the work that is being done in relation to this matter. This has support right around the country. We certainly wish this bill a speedy passage in Victoria, just as we wish it a speedy passage in every other jurisdiction in the country.

House divided on motion:

Ayes, 56

Allan, Ms	Langdon, Mr
Barker, Ms	Languiller, Mr
Batchelor, Mr	Leighton, Mr
Beard, Ms	Lim, Mr
Beattie, Ms	Lindell, Ms
Bracks, Mr	Lobato, Ms
Buchanan, Ms	Lockwood, Mr
Carli, Mr	Lupton, Mr
Crutchfield, Mr	McTaggart, Ms
D'Ambrosio, Ms	Marshall, Ms
Delahunty, Ms	Maxfield, Mr
Donnellan, Mr	Merlino, Mr
Duncan, Ms	Mildenhall, Mr
Eckstein, Ms	Morand, Ms
Garbutt, Ms	Munt, Ms
Gillett, Ms	Nardella, Mr
Green, Ms	Neville, Ms
Hardman, Mr	Overington, Ms
Harkness, Mr	Pandazopoulos, Mr
Helper, Mr	Perera, Mr
Herbert, Mr	Pike, Ms
Holding, Mr	Robinson, Mr
Howard, Mr	Savage, Mr
Hudson, Mr	Seitz, Mr
Hulls, Mr	Stensholt, Mr
Ingram, Mr	Trezise, Mr
Jenkins, Mr	Wilson, Mr
Kosky, Ms	Wynne, Mr

Noes, 21

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

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

BUSINESS OF THE HOUSE

Division list

The SPEAKER — Order! I wish to advise the house that there was an error in the number of votes cast by the Liberal Party in the division relating to the Treasurer's motion. I have discussed it with the Liberal Party Whip, and the vote should be 15, not 16. I ask the Clerk to record the change.

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

**PRISONERS (INTERSTATE TRANSFER)
(AMENDMENT) BILL**

Second reading

Mr HOLDING (Minister for Corrections) — I move:

That this bill be now read a second time.

This bill will amend the Prisoners (Interstate Transfer) Act 1983 to clarify the matters that can be taken into account when deciding whether to transfer a prisoner interstate on welfare grounds, as well as making a number of amendments to the Corrections Act 1986.

The Prisoners (Interstate Transfer) Act 1983 forms part of a national cooperative legislative scheme that enables prisoners to be transferred between participating jurisdictions on two grounds: for welfare purposes or to stand trial.

Part 2 of the Prisoners (Interstate Transfer) Act 1983 provides for transfers for welfare purposes. Currently, under the national cooperative legislative scheme, welfare transfers involve a three-step process. Firstly, a prisoner makes a request for a transfer to the minister in the state where he or she is imprisoned. If that minister is of the opinion that the prisoner should be transferred in the interests of the prisoner's welfare, the minister must make a written request to the corresponding minister in the receiving jurisdiction to accept the transfer. Secondly, under the corresponding legislation the relevant minister in the receiving jurisdiction has discretion to approve the transfer. Thirdly, if the minister in the receiving jurisdiction consents to the transfer, the minister making the original request may make the transfer order.

Where the prisoner is a federal offender, or a joint state or territory and federal offender, the commonwealth Attorney-General must also consent to the transfer.

These transfer requests are most commonly made by prisoners who are serving a sentence for offences committed in one jurisdiction who wish to serve their time in another jurisdiction to be closer to family members. This assists the offender to maintain family ties during their period of imprisonment, which in turn assists in the prisoner's reintegration into the community.

The bill amends part 2 of the Prisoners (Interstate Transfer) Act 1983 to clarify and expand the ministerial discretions in relation to these transfer requests.

New section 10A of the act will provide a non-exhaustive list of matters that the minister can consider when deciding whether a prisoner should be transferred to, or received from, another jurisdiction at the prisoner's request. These matters are:

- the welfare of the prisoner concerned;
- the administration of justice in the minister's state or any other state;
- the security and good order of any prison in the minister's state or any other state;
- the safe custody of the prisoner;
- the protection of the community in the minister's state or any other state; and
- any other matter the minister considers relevant.

The bill also makes a complementary change to part 4 of the Prisoners (Interstate Transfer) Act 1983, which provides for the return of prisoners who have been transferred interstate for trial under the national cooperative scheme.

Part 4 of the Prisoners (Interstate Transfer) Act 1983 contains a requirement that a minister must, in respect of prisoners who have been transferred for trial purposes, transfer those prisoners back if no sentence is imposed in Victoria or the Victorian sentence is shorter than the other jurisdiction's sentence. However, section 23 of the Prisoners (Interstate Transfer) Act 1983 contains an exception to this requirement that allows a prisoner to request to remain in Victoria to serve his or her sentence. The prisoner can remain in Victoria to serve his or her sentence if the minister and the corresponding minister for the originating jurisdiction agree that this is in the interests of the prisoner's welfare.

These requests to remain in Victoria after trial on welfare grounds raise the same considerations as the

general requests for transfer for welfare purposes under part 2 of the Prisoners (Interstate Transfer) Act 1983. Accordingly, the bill will amend section 23 of that act to enable the minister to consider the same matters that he or she will be able to consider in relation to general transfer requests.

In a recent Federal Court case relating to the national cooperative scheme, *Attorney-General for the Australian Capital Territory v. Heiss*, the court acknowledged that there were a number of matters to which the decision-maker could legitimately have regard in deciding whether to agree to a transfer on welfare grounds. However, the proposed amendments to the Prisoners (Interstate Transfer) Act 1983 will remove any doubt as to the matters that can be taken into account following that case. The changes will also ensure that the minister can consider a broad range of relevant matters in deciding whether to agree to a prisoner's interstate transfer request. As I have outlined, these matters include not only the prisoner's welfare, but other important matters such as the general administration of justice and the protection of the community.

The amendments to the Prisoners (Interstate Transfer) Act 1983 are based on a model bill developed through the Standing Committee of Attorneys-General. Other states are making complementary amendments to their acts to clarify the operation of the welfare transfer discretion on a national basis.

As I have mentioned, the bill also makes a number of amendments to the Corrections Act 1986.

The bill will make some minor changes to the Adult Parole Board's powers to cancel parole to improve the operation of those powers.

The Adult Parole Board is responsible under the Corrections Act 1986 for deciding whether to release prisoners on parole and for the supervision of those prisoners in the community. As part of these functions, the Adult Parole Board also has broad powers to cancel a prisoner's parole and to arrange for the prisoner to return to prison. This may be appropriate where the prisoner fails to comply with their parole conditions.

The board has a specific power in section 77(5) of the Corrections Act 1986 to cancel a prisoner's parole where the prisoner has reoffended on parole. This power may be exercised after a prisoner's parole period has expired. This may occur, for example, if criminal proceedings for offences committed on parole are not complete before the prisoner's parole period has elapsed.

Currently, the power to cancel parole under section 77(5) only applies where an offender has received a prison sentence of more than three months for a single offence committed on parole. This power is not available where an offender receives an aggregate sentence in the Magistrates Court, as it is not possible to identify a specific offence attracting more than three months imprisonment.

The bill will amend this power so that it applies where a prisoner has been sentenced to more than three months imprisonment for one or more offences committed during parole. This will ensure that a prisoner who has committed offences whilst on parole does not later escape parole cancellation merely because he or she received an aggregate sentence.

The bill also addresses an existing limitation in the Adult Parole Board's power to credit time served on parole towards an offender's sentence.

At present, if the board cancels an offender's parole, the period for which the parole order was in operation is not counted as time served in respect of the prisoner's sentence, unless the board directs otherwise. This means that the board can only credit time served on a cancelled parole order towards the offender's sentence on an all-or-nothing basis.

The bill will amend this power to enable the board to grant part of the time served on a parole order that has been cancelled towards the offender's sentence. This will enable the board to deal with offenders whose parole has been cancelled in a fairer and more flexible way.

These changes to the Adult Parole Board's parole cancellation powers will enable those powers to operate more fairly and effectively.

The amendments in the bill to the Corrections Act 1986 will also rectify a problem that has been identified in the statutory immunity of the Adult Parole Board under section 69 of the Corrections Act 1986. That immunity protects the Adult Parole Board and its members from civil and criminal liability in relation to the exercise of its functions under the Corrections Act 1986. It had been understood that this immunity also applied to functions of the Adult Parole Board under other legislation.

However, there is uncertainty as to whether the current immunity applies to these other functions. These include the functions of the Adult Parole Board under the Sentencing Act 1991 in relation to the home detention scheme, its functions in relation to young

offenders transferred to prison from youth training centres under the Children and Young Persons Act 1989, and its functions in supervising offenders subject to extended supervision orders under the Serious Sex Offenders Monitoring Act 2005.

The bill will replace the existing immunity with a new immunity that clearly applies to all of the Adult Parole Board's functions. This will ensure that the Adult Parole Board can exercise all of its functions independently, without fear of vexatious legal actions.

The new immunity in the Corrections Act 1986 has been deemed to apply to actions previously taken by members of the Adult Parole Board under other legislation to clarify any uncertainty about the protection afforded to those actions.

This new immunity has also been updated in a number of respects to reflect the government's current policy on immunities. The key change in this regard is a narrowing of the scope of the immunity. Currently, the immunity applies to both the Adult Parole Board and its members. The new provision provides an immunity for board members, but transfers their liability to the Adult Parole Board itself, which will no longer be immune from action.

This will ensure that persons who may suffer loss due to actions of the Adult Parole Board's members still have legal recourse against the board.

Finally, the bill amends the Corrections Act 1986 to confer some additional powers on community corrections staff to manage persons on extended supervision orders under the Serious Sex Offenders Monitoring Act 2005. That act, which commenced operation earlier this year, provides for the extended supervision of child sex offenders in the community after they have completed their sentences.

The Secretary to the Department of Justice and the Adult Parole Board currently have broad powers to monitor persons subject to extended supervision orders. In practice, the day-to-day supervision of these persons is undertaken by community corrections staff.

The bill will amend the Corrections Act 1986 to confer on community corrections staff a number of additional powers and obligations for the management of persons subject to extended supervision orders. These new powers and obligations will be contained in new part 9B of the Corrections Act 1986, which refers to persons subject to extended supervision orders as 'monitored persons'. Division 1 of new part 9B provides for additional powers and obligations in

relation to monitored persons who are required to attend community corrections centres for supervision. These powers are:

an obligation for the officer in charge of a community corrections centre to take reasonable steps for the security and safety of a monitored person at the centre;

a requirement for a monitored person to comply with directions from officers at a community corrections centre that are necessary for the management, good order or security of the centre. The penalty for non-compliance with such directions is 5 penalty units;

a power for community corrections officers and regional managers to use reasonable force at a community corrections centre to compel a monitored person to comply with a direction;

a power for the secretary to require an officer at a community corrections centre to provide reports to the court or the Adult Parole Board;

an obligation for regional managers to ensure that staff have access to information about their statutory powers and duties in relation to monitored persons and that they comply with those requirements; and

a power to photograph a monitored person at a community corrections centre for identification and record-keeping purposes.

Monitored persons may also be required to receive visits from community corrections staff to monitor compliance with their extended supervision orders. Division 2 of new part 9B of the Corrections Act 1986 provides for the following powers and obligations that will apply in these circumstances:

a power for the secretary to require an officer to provide reports to the court or the board; and

an obligation for regional managers to ensure that staff have access to information about their statutory powers and duties in relation to monitored persons and that they comply with those requirements.

These new powers and obligations to manage monitored persons are similar to the existing powers and obligations of community corrections staff under the Corrections Act 1986 when supervising offenders on parole and community-based sentences. The new provisions will assist in maintaining the security and good order of community corrections centres, and

facilitate the effective day-to-day management of persons subject to extended supervision orders.

I commend the bill to the house.

Debate adjourned on motion of Mr WELLS (Scoresby).

Debate adjourned until Wednesday, 19 October.

FIREARMS (FURTHER AMENDMENT) BILL

Second reading

Mr HOLDING (Minister for Police and Emergency Services) — I move:

That this bill be now read a second time.

In 2003, the Firearms Act 1996 (Firearms Act) was significantly amended to implement the National Handgun Control Agreement (NHCA) in Victoria. The NHCA was prompted by the shootings at Monash University in October 2002 and represented a national consensus on a range of measures designed to impose greater controls on the use and availability of handguns.

In keeping with this government's commitment to strong gun control laws, Victoria was the first jurisdiction to implement the NHCA.

Some two years has now elapsed since the 2003 amendments to the Firearms Act. During this time, the government has maintained a constructive dialogue with stakeholders on the impact of the 2003 changes. A number of significant issues have been identified in relation to the operation of some of the 2003 amendments to the Firearms Act. In addition, a number of other issues have been identified concerning other aspects of the Firearms Act, unrelated to the 2003 changes.

The Firearms (Further Amendment) Bill 2005 (the bill) addresses these issues and several other matters that have recently arisen concerning the regulation of firearms, whilst continuing this government's strong commitment to a firm and robust regulatory approach to firearms. Broadly speaking, the focus of the bill is on the following areas: handgun target shooting, antique handguns, paintball, firearms in the security industry and the regulation of rifles designed to accept high capacity detachable magazines.

In relation to handgun target shooting, the bill clarifies and streamlines the minimum participation requirements for handgun target shooters who own a

handgun. These minimum participation requirements will no longer apply to handgun target shooters who do not own a handgun. All other licence conditions and requirements will continue to apply to this group of licensees.

The bill also clarifies the consequences of non-compliance with the participation requirements. The bill also introduces a simplified concept of an approved handgun target shooting match. These changes are necessary to ensure that the additional obligations imposed on target shooters following the Monash University shootings are clear, fair and workable.

In relation to antique handguns, the bill will create a new category of licence for antique handgun collectors. This licence will only be available to those who collect pre-1900 percussion handguns. Applicants will not be required to submit a set of fingerprints with their licence application and will only be required to install an effective alarm system if they store more than 15 antique handguns in one place. The government accepts the argument of pre-1900 antique handgun collectors that the restrictions applying to this specific class of licence were too onerous with respect to the community safety risk posed. The amendments, whilst addressing a number of concerns expressed by these collectors, will also ensure that the collection of these firearms is subject to appropriate controls and that Victoria continues to honour its obligations under the NHCA.

In relation to paintball gaming, the bill will introduce a new class of licence for the possession, carriage and use of paintball markers. This licence will only be required, however, if an individual wishes to 'acquire' (or purchase) a paintball marker. Individuals who wish only to participate in paintball games, will no longer be required to obtain a firearms licence. Paintball operators will be subject to a new set of licence conditions, currently being developed in consultation with the industry, concerning the conduct of paintball gaming and the training of participants and the promotion of the activity, in particular. These changes will create a level playing field for Victorian paintball operators by bringing Victoria's paintball regulations more into line with those existing in other jurisdictions.

In relation to firearms in the security industry, the bill will implement the majority of the 2004 resolutions of the Australasian Police Ministers' Council on the regulation of firearms in the private security industry. In particular, firearms used in the security industry will be restricted to those used by Australian police services and all ammunition will need to be factory

manufactured or loaded. The Chief Commissioner will, however, retain a discretion to issue 'once off' approvals for over-calibre handguns for use in the security industry where she is satisfied that there is a genuine need. Further, all handguns used for private security purposes will need to be owned by, or registered in the name of, an employer (rather than an employee).

The bill will also implement a recent national agreement on new measures to address rifles designed to function with high-capacity detachable magazines. New controls will be imposed on licensees to ensure that these firearms are not able to be used in combination with high-capacity detachable magazines except in exceptional circumstances.

The bill will also make a range of other amendments to the Firearms Act that are primarily technical in nature and which clarify existing requirements or address issues that have been identified with the operation of existing provisions.

I wish to emphasise that the bill is the result of a productive collaboration between this government and a range of stakeholder groups, represented through the newly created Victorian Firearms Consultative Committee. Committee members were consulted extensively on the content of the bill and the outcome is sensitive to and addresses stakeholders' concerns in a practical manner whilst upholding this government's commitment to community safety as the paramount policy consideration in relation to firearms regulation and ensuring that Victoria continues to honour its obligations under the NHCA.

I commend the bill to the house.

Debate adjourned on motion of Mr WELLS (Scoresby).

Debate adjourned until Wednesday, 19 October.

CONGESTION LEVY BILL

Second reading

Mr HULLS (Attorney-General) — I move:

That this bill be now read a second time.

City traffic congestion, particularly during the morning and afternoon peak, has been identified as a major issue impacting on Melbourne's future economic prosperity and livability.

A Committee for Melbourne traffic task force report showed the current cost of congestion in Melbourne is \$4 billion, and is expected to double to \$8 billion by 2015. Over 60 per cent of these are costs to business.

Research by the Victorian Transport Association has also found that congestion is significantly restricting productivity in our important freight industry.

Action needs to be taken now to reduce this impact and ensure economic growth.

Around Australia and across the globe, governments are grappling with how best to maintain a city's accessibility, while reducing levels of traffic congestion and related environmental impacts.

Road traffic significantly contributes to greenhouse gas emissions and pollutants entering our atmosphere.

For Victoria to continue its record of strong economic growth and for Melbourne to remain one of the world's most livable cities, we need to recognise the challenges posed by increasing traffic congestion and take action to combat it.

The congestion levy (the 'levy') outlined in this bill forms part of a broader strategy by the government to alleviate traffic congestion in the city and improve the metropolitan transport system.

It is an appropriate and timely response to one of the most significant challenges facing Melbourne's ongoing livability and prosperity: inner city traffic congestion.

Balancing environmental and economic concerns, the measure will help reduce congestion while also encouraging more short-stay car park spaces, ensuring Melbourne stays a vibrant and dynamic place to live, work and visit.

The levy will provide an incentive for those currently commuting by car to and from the city during peak hours to look at other options, such as car pooling, public transport and walking.

The Business Council of Australia and the City of Melbourne, as well as environmental groups, all support congestion charges, with similar systems in place in Sydney and Perth.

The government recognises that the solution needs to be multifaceted. No one initiative on its own will reduce congestion.

We need a package of measures including public transport improvements, road upgrades, regulatory

improvements and more use of information technology. This is why the government has asked the Victorian Competition and Efficiency Commission to investigate a range of policy options to tackle transport congestion in Melbourne and major provincial cities.

The levy is about reducing congestion, not raising revenue. All revenue generated from the levy will be used to fund important metropolitan transport initiatives including in the immediate vicinity of the city of Melbourne, City of Yarra and City of Port Phillip. In addition each year, \$5 million of the revenue will be provided to the City of Melbourne to fund urban upgrades including a free commuter and visitor shuttle bus to help make getting around the city easier.

The levy is targeted to the times and the areas that will have the greatest impact on congestion — the morning and afternoon peaks and on roads leading to and from the CBD.

The levy will only apply to long-stay parking; so short-stay shoppers and visitors to the city will not be affected. This will make sure Melbourne's CBD remains a dynamic and vibrant area for shopping, entertainment and tourism.

Car parks without charge and owned by health, education, religious and other community and emergency service organisations will be exempt from the levy.

Together with other government and City of Melbourne initiatives, the levy will assist in ensuring the city's economic and environmental sustainability.

An extensive consultation process has been undertaken with industry and key stakeholders about the implementation of the levy and its administration.

The levy implementation strategy reflected in the provisions of the bill is consistent with the government's objective of ensuring the levy is easy to understand, simple to administer and that the impact flows through to those contributing to congestion. The implementation strategy is also designed to ensure there is minimum impact on car park administration costs and operating flexibility.

I will now summarise the main features of the bill, outlining how the levy will be applied.

Amount of the levy

The levy will apply from 1 January 2006. In 2006 the levy will be \$400 per leviabale car parking space,

increasing to \$800 in 2007. The amount will be indexed annually from 2008.

Liability for the levy

The levy will be imposed on the owners of parking spaces, with 'owners' defined to include registered proprietors of land, owners of strata title properties and lessees of Crown land.

Private and public car parks

The levy will apply to parking spaces in both 'private' and 'public' car parks.

Owners and operators

Owners and operators of public car parks will be jointly and severally liable for the payment of the levy.

There are several reasons for this:

it ensures that there is a capacity to pass the levy through to car park users;

a significant number of public car parks are not operated by the owners of the premises;

operators rather than owners typically have best access to timely and accurate information on car park operations; and

operators of car parks are typically best able to assist the State Revenue Office in ensuring compliance with the law.

Existing tenancy arrangements

Car park owners have identified that in some circumstances they will not be able to pass the cost of the levy through to their lessees. For instance, where a lessee has an agreement to pay the lessor an annual fixed amount.

Given that an aim is to provide a disincentive for long-stay car park users, there should be a capacity for the levy to be passed through to end users. To ensure this, it is proposed to adopt the approach followed in New South Wales — lessors will be able to obtain payment of the levy directly from their lessees where pass-through is not provided for in current contractual arrangements.

This measure will apply until owners and lessees have had an opportunity to restructure their arrangements to take into account the impact of the levy. If the lessee does not pay the levy to the lessor, the lessor will be

entitled to recover the levy amount as a debt from the lessee.

Area to be covered by the levy

The levy will apply to the Melbourne CBD and the surrounding areas of Southbank, St Kilda Road, Docklands and East Melbourne. The boundaries aim to ensure equity and cover parking which contributes significantly to city congestion.

Exemptions

In addition to short-stay car parking spaces, the following spaces will not be subject to the levy:

on-street parking, residential parking and bicycle and motorbike parking;

disabled car parking spaces;

parking spaces provided by hospitals for patients, or those visiting or accompanying patients;

loading zones;

parking spaces provided without charge owned by local councils, religious bodies, hospitals, charities and public benevolent institutions, universities, museums and libraries;

parking spaces provided without charge used by ambulance, fire brigade and police motor vehicles;

temporary car parking spaces used for events such as Yarra Park adjacent to the MCG;

car sales display spaces and car service spaces;

special parking spaces provided exclusively for shift workers and not available to the public for long-stay parking during normal business hours;

parking spaces designated for the exclusive use of short-stay visitors to business premises;

parking spaces allocated for fleet vehicles specifically garaged in those spaces overnight; and

parking spaces designated for exclusive use as bus layover areas.

The exemption for residential parking only applies where a resident uses a long-stay parking space — it will not apply where a parking space owned by a resident is leased or licensed to a non-resident. A residential exemption also applies where a resident

rents a space in a public car park and where parking spaces are provided solely for hotel residential guests.

Long-stay/short-stay car parking spaces

The levy will apply to a ‘long-stay parking space’ that is defined as:

any parking space which is available for parking on an ongoing basis by an owner (or which the owner has leased or licensed to another person or business for their ongoing use for parking); and

any parking space in a public car park which is used for a period of 4 hours or more commencing on or before 9.30 a.m. (and where the car exits after 9.30 a.m.) on any weekday (excluding public holidays).

Public car parks will be able to establish the proportion of long-stay parking spaces based on either:

a statutory ratio (proposed initially to be 75 per cent); or

information provided by the owner or operator on the actual pattern of park space usage (e.g., records of actual use) or an appropriate sample count methodology approved by the State Revenue Office.

For 2006 only, it will be possible to seek an adjustment of the liability during the year, after usage information for part of 2006 becomes available.

For private car parks, all spaces will be deemed to be available for long-stay use. However, an adjustment will be made for periods when a private car parking space is not able to be used for parking.

How the levy will be collected

The levy will be an annual charge calculated at 1 January each year, with the owner or operator having the choice of payment in full or by four equal instalments. Liability for the levy will arise on 1 January each year and the number of spaces for which the levy is payable will be based on the use of the parking spaces in the previous calendar year. Transitional arrangements will apply for the calculation of the number of spaces subject to the levy for the 2006 year.

Each car park owner or operator will be required to submit an annual return to the State Revenue Office detailing:

the ownership of the parking spaces;

the total number of parking spaces;

any claimed exempt spaces; and

for public car parks — records of the actual usage or deemed usage under the statutory ratio.

After 2006, operators will be permitted to submit a ‘no change’ return where they want to simply confirm that the details from the previous year are unchanged.

Section 85 statement

I wish to make a statement under section 85(5) of the Constitution Act 1975 of the reasons for altering or varying that section by this bill.

Clause 37 of the bill inserts a new subsection (4) into section 135 of the Taxation Administration Act 1997 to provide that it is the intention of sections 5, 12(4), 18(1), 96(2) and 100(4) of the Taxation Administration Act 1997, as those sections apply after the commencement of clause 37, to alter or vary section 85 of the Constitution Act 1975. These provisions preclude the Supreme Court and VCAT from entertaining proceedings of a kind to which these sections apply, except as provided by those sections.

This bill provides that for the purposes of the Taxation Administration Act 1997, the Congestion Levy Act 2005 is a ‘taxation law’. A central purpose of this bill is to bring the levy under the Taxation Administration Act 1997. The intent of clause 37 is to ensure that the current limitations of the Supreme Court referred to in section 135 of the Taxation Administration Act 1997 will apply to the congestion levy. In this sense the same reasons will apply as to why the provisions referred to in section 135 of the Taxation Administration Act 1997 alter or vary section 85 of the Constitution Act 1975 as did apply when the Taxation Administration Act 1997 was first enacted.

Section 5 of the Taxation Administration Act 1997 defines the meaning of ‘non-reviewable’ in relation to the Taxation Administration Act 1997 which now also applies to the congestion levy.

The reasons for limiting the jurisdiction in relation to a compromise assessment under section 12 of the Taxation Administration Act 1997 are that agreement has been reached between the commissioner and the taxpayer on the taxpayer’s liability, and the purpose of the section would not be achieved if the decision were reviewable, and this provision now applies to the congestion levy.

Section 18 of the Taxation Administration Act 1997 establishes a procedure, the adherence to which is a condition precedent to taking any further action for recovering refunds. The refund provisions replicate those existing in the current taxation acts. The purpose of the provisions is to give the commissioner the opportunity to consider a refund application before any collateral legal action can be taken. The purpose of these provisions would not be achieved if the commissioner's actions were subject to judicial review. This provision will apply to the congestion levy under this bill.

Section 96 of the Taxation Administration Act 1997 establishes an exclusive code for dealing with objections and appeals, and this provision will also apply to the congestion levy under this bill. This code establishes the rights of objectors in a statutory framework and precludes any collateral actions for judicial review. The objections and appeals provisions of the Taxation Administration Act 1997 establish that review of assessments is only to be undertaken in accordance with an exclusive code identified in that particular division. The purpose of these provisions would not be achieved if the commissioner's consideration of an objection were subject to judicial review.

A power is provided to the commissioner under section 100 of the Taxation Administration Act 1997 which provides the commissioner with discretion to allow an objection to be lodged even though out of time. This decision is non-reviewable to ensure the efficient administration of the act and to enable outstanding issues relating to assessments to be concluded expeditiously. This provision will apply to the congestion levy under this bill

As I said at the outset, the solution to congestion will be multifaceted. The congestion levy outlined in this bill is one element of a suite of public transport and traffic management measures that aim to address the growing global problem of traffic congestion.

I commend the bill to the house.

Debate adjourned on motion of Mr CLARK (Box Hill).

Debate adjourned until Wednesday, 19 October.

MOTOR CAR TRADERS AND FAIR TRADING ACTS (AMENDMENT) BILL

Second reading

Mr HULLS (Attorney-General) — I move:

That this bill be now read a second time.

This bill will make it easier for traders to comply with the record-keeping requirements under the Motor Car Traders Act 1986, and facilitate electronic record keeping by motor car traders. These amendments will further the government's commitment to reducing regulatory compliance costs for small business and encourage the adoption of e-business practices.

These amendments flow from an extensive consultation process undertaken by a member for Higinbotham, Mr Noel Pullen, during 2004, and respond to industry concerns raised during this process.

The Motor Car Traders Act requires licensed motor car traders to keep a record of specified information relating to vehicle transactions. This information must be kept in what is called a dealings book. The act provides that the motor car trader ensure the dealings book is signed by the person from whom the motor car is received.

Currently, motor car traders may keep their dealings book in an electronic format. However, in order to satisfy the signature requirement, they must also keep a paper copy of the dealings book containing the signature, which requires unnecessary duplication of some of the information.

The bill will remove the requirement to keep a paper copy of the electronic dealings book and give traders the option of maintaining their dealings book purely in electronic form. Traders will be able to satisfy the signature requirement by providing a paper document that contains the signature and which can also be linked to the electronic record. For example, an invoice containing the name, address and signature of the person from whom the vehicle was acquired would suffice.

By providing traders with an alternative means of satisfying the signature requirement, the bill will simplify traders' paperwork, particularly where transactions are conducted remotely, for example, at auction. In such transactions, traders currently have to ensure that a receipt containing the prescribed particulars including the signature is inserted into their dealings book. This may be difficult to obtain in some circumstances or involve unnecessary administrative

cost. It will now be sufficient compliance for the trader to obtain and keep a document with just the name, address and signature of the relevant person.

The Victorian Automobile Chamber of Commerce, which is the main industry body representing motor car traders, has welcomed the proposed amendments and signalled they are likely to have significant benefits for the industry.

Although the government is keen to reduce regulatory compliance costs, it has been careful to ensure that the dealings book will continue to serve its purpose in facilitating investigations into breaches of the law.

The bill includes amendments to the Motor Car Traders Act to ensure that the availability of information for investigation purposes will not be reduced, and that the evidentiary value of this information will be maintained. For example, traders will be required to provide a print-out or electronic copy of their dealings book upon request by an inspector and all paper documents must be kept at the premises to which the transaction relates.

The bill also amends the Motor Car Traders Act to permit statements by the director of Consumer Affairs Victoria concerning proof that a person traded in motor cars to be used in civil proceedings commenced in accordance with section 82I of the act.

This simplified procedure for proving that persons traded in motor cars already applies to criminal proceedings and extending its use to civil proceedings will enhance Consumer Affairs Victoria's range of enforcement tools.

The bill also amends the Fair Trading Act 1999 to clarify that where a breach of its provisions has been established, the court can make any order it considers fair. The current wording in the act suggests that a court can only make an order specified in the act, and cannot make an order in any other form. This was not intended when the act was amended in 2004.

Finally, to further enhance investigations, motor car traders could be required to obtain photo identification when purchasing a vehicle from a private seller.

The government is committed to introducing such a requirement in the future.

I commend the bill to the house.

Debated adjourned on motion of Mr KOTSIRAS (Bulleen).

Debate adjourned until Wednesday, 19 October.

MINERAL RESOURCES DEVELOPMENT (BROWN COAL ROYALTIES) BILL

Second reading

Mr CAMERON (Minister for Agriculture) — I move:

That this bill be now read a second time.

The Mineral Resources Development (Brown Coal Royalties) Bill amends the Mineral Resources Development Act 1990 to enable an increase in royalties for brown coal to occur.

The payment of royalties recognises that minerals are owned by the state and, as such, that the state and the people of Victoria should share in a proportion of the benefits that flow from the extraction and use of minerals, including brown coal.

The government considers that it is timely to undertake these amendments which will standardise the mechanism for setting and varying brown coal royalties into the future. These amendments will apply to companies currently paying brown coal royalties as a condition of their licences or in accordance with the Mineral Resources Development Regulations 2002. It is also proposed that this mechanism would apply to Alcoa. One consistent rate would be used to calculate coal royalties for all companies while any future variations to that rate would be undertaken through regulations.

There are two bills before the house. This bill will amend the Mineral Resources Development Act 1990 to apply the new rate and standardised mechanism to the majority of brown coal companies operating in Victoria. The second bill will amend the Mines (Aluminium Agreement) Act 1961 to apply the changes to royalties for lignite (otherwise known as brown coal) to Alcoa. These two bills represent cognate legislation.

It is important to note the context within which these bills are now being considered by Parliament.

Section 12 of the Mineral Resources Development Act 1990 states that mining licensees must pay royalties and enables royalties to be specified in a licence, after consultation by the minister with the licensee, or prescribed in regulation. The three major mines located in the Latrobe Valley have royalties specified as a condition of licence. Currently there is no provision, which enables royalties specified as a condition of

licence to be varied without first obtaining the consent of the company.

Over the past months, the government has attempted to gain the agreement of the companies to an increase in coal royalties to better reflect the underlying value of the resource. The government would prefer to increase coal royalties via agreement in preference to making legislative changes. Unfortunately this has not been possible and a number of companies prefer this legislative option on the basis that this assists them to pass on some of the costs of royalty increases.

The bill will insert a new section 12A into the act that sets out specific arrangements for royalties for lignite (otherwise known as brown coal). This section establishes that the new arrangements introduced by this legislation will apply despite anything to the contrary in licences or regulations.

As a result of these amendments a new base rate of 5.88 cents per gigajoule unit of coal produced will be introduced. The new base rate will be subject to annual adjustment for the consumer price index. This formula will replace arrangements for calculating brown coal royalties set through licences and regulations and will apply from 1 January 2006.

Alcoa's coal royalties are established under its agreement with the state ratified by the Mines (Aluminium Agreement) Act 1961. The government believes that it is an appropriate point to bring Alcoa's brown coal royalties into line with other companies paying brown coal royalties in Victoria. The Mines (Aluminium Agreement) (Brown Coal Royalties) Bill introduced during these parliamentary sittings will enable this to occur. The two bills will work together to apply a new base rate for coal royalties and a standardised mechanism for varying rates into the future. However, as Alcoa has a legislated agreement with the state the amendments to its legislation will come into operation on a date to be agreed with the company.

The new base rate will be an increase on the base rates currently applying to brown coal mining companies. As a result additional coal royalties of the order of \$16 million to \$17 million per annum will be returned to the people of Victoria.

The government has committed to transitional arrangements for the payment of the incremental increases. Deferred payment of the incremental increases will be available to companies that incur an increase from 1 January 2006. The transitional arrangements will be available until 30 July 2009.

The government has made a commitment that the rate of coal royalty will not increase for a minimum of four years, starting from 1 January 2006. Annual adjustment in line with the consumer price index will continue to apply. However, the base rate of 5.88 cents will not change during this four-year period.

The new arrangements will also ensure that any future variations that may be introduced following 1 January 2010 will occur via a regulation-making process. The government will consult broadly on any changes to the formula for calculating coal royalties (including any changes to the base rate). The potential impacts for industry and the community will be assessed in accordance with the requirements of the Subordinate Legislation Act 1994.

Royalties are collected in arrears. As such it is important that the legislation clearly express that the changes to coal royalty calculations will only apply to coal produced after the commencement of the bill. This will ensure that there is no retrospective application of the rate.

I commend the bill to the house.

Debate adjourned on motion of Mr CLARK (Box Hill).

Debate adjourned until Wednesday, 19 October.

MINES (ALUMINIUM AGREEMENT) (BROWN COAL ROYALTIES) BILL

Second reading

Mr CAMERON (Minister for Agriculture) — I move:

That this bill be now read a second time.

The Mines (Aluminium Agreement) (Brown Coal Royalties) Bill amends the Mines (Aluminium Agreement) Act 1961 to introduce new arrangements for the calculation of coal royalties that are paid by Alcoa to the state of Victoria.

The payment of royalties recognises that minerals are owned by the state and, as such, that the state and the people of Victoria should share in a proportion of the benefits that flow from the extraction and use of minerals, including brown coal.

The Mines (Aluminium Agreement) Act ratifies and gives effect to an agreement between the state of Victoria and Alcoa. The agreement sets out the terms

and conditions applying to Alcoa's aluminium production activities in Victoria.

Clause 10 of the agreement sets out the coal royalties that will be paid by the company to the state of Victoria. These arrangements are unique to Alcoa. Arrangements for all other brown coal companies are governed by the Mineral Resources Development Act 1990 which enables coal royalties to be established as a condition of licence or through the rate prescribed under the Mineral Resources Development Regulations 2002.

The government considers it is now timely to put in place a single mechanism to set coal royalties which would apply to all companies including Alcoa. One consistent rate would be used to calculate coal royalties for all companies while any future variations to that rate would be undertaken through regulations.

There are two bills before the house. This bill will amend the Mines (Aluminium Agreement) Act to apply the changes to royalties for lignite (otherwise known as brown coal) to Alcoa. The second bill will amend the Mineral Resources Development Act to apply the new rate and standardised mechanism to other brown coal companies operating in Victoria. These two bills represent cognate legislation.

It is important to note the context within which these bills are now being considered by Parliament.

Alcoa has a longstanding agreement with the state of Victoria, which has been ratified in legislation for over 40 years. The payment of royalties was set within the agreement, specifying a rate per tonne of coal. The rate applicable decreases once the production exceeds 100 000 tonnes. During the last 40 years, the rates applying have been adjusted in line with the consumer price index but the actual base rates have not been reviewed.

The government believes that now is an appropriate point to bring Alcoa's brown coal royalties into line with other companies paying brown coal royalties in Victoria. This bill will enable that to occur. The two bills will work together to apply a new base rate for coal royalties and a standardised mechanism for varying rates into the future.

It is important to note that as Alcoa has a legislated agreement with the state, the government is not proposing to pass this bill without first gaining Alcoa's agreement to these amendments. Therefore, a commencement date for this bill has not been set. Once Alcoa's agreement has been gained, steps will be immediately taken to proclaim this legislation.

It is the government's intention to gain Alcoa's agreement as swiftly as possible to ensure that brown coal royalties apply equally to all companies in Victoria.

The bill introduces a new section 11 into the Mines (Aluminium Agreement) Act that will override all other arrangements for setting brown coal royalties. The effect of this amendment is to apply the method for calculating coal royalties, which is being introduced into the Mineral Resources Development Act, to Alcoa. The base rate of 5.88 cents per gigajoule unit of coal produced introduced through amendments to the Mineral Resources Development Act will apply to Alcoa as will the annual adjustment for the consumer price index. The method for varying the rate via regulation will also be applicable to Alcoa.

The government has made a commitment that the rate of coal royalty will not increase for a minimum of four years, starting from 1 January 2006. Annual adjustment in line with the consumer price index will continue to apply. However, the base rate of 5.88 cents will not change during this four-year period.

The new arrangements will also ensure that any future variations that may be introduced following 1 January 2010 will occur via a regulation making process. The government will consult broadly on any changes to the formula for calculating coal royalties (including any changes to the base rate). The potential impacts for industry and the community will be assessed in accordance with the requirements of the Subordinate Legislation Act 1994.

Royalties are collected in arrears. As such it is important that the legislation clearly express that the changes to coal royalty calculations will only apply to coal produced after the commencement of the bill. This will ensure that there is no retrospective application of the rate.

These changes, once enacted, will ensure that the manner in which coal royalties are calculated and varied is consistent across all brown coal companies including Alcoa.

I commend the bill to the house.

Debate adjourned on motion of Mr CLARK (Box Hill).

Debate adjourned until Wednesday, 19 October.

TREASURY LEGISLATION (REPEAL) BILL

Second reading

Debate resumed from 8 September; motion of Mr BRUMBY (Treasurer).

Mr CLARK (Box Hill) — The Treasury Legislation (Repeal) Bill will repeal various redundant acts and provisions in a wide range of Treasury-related legislation that dates back over many years. The acts and provisions being repealed include the Gas and Fuel Corporation legislation, the provisions of the Gas Industry (Residual Provisions) Act, the Rural Finance (VEDC Abolition) Act 1993, the State Deficit Levy (Repeal) Act 1995, the State Insurance Office Act 1984 and the State Insurance Office (Sale) Act 1991, various State Electricity Commission legislation, various Victorian government debenture regulation acts, various Victorian government stock acts, various water supply loan application acts, various water supply works and services acts and a range of other pieces of miscellaneous legislation.

The opposition supports this legislation as far as it goes. It appears to be simply a tidying up of the statute book in relation to the Treasury portfolio, a rummaging through the junk cupboard and throwing out of items that are no longer considered necessary. However, the question that has to be asked is how much time the Treasurer and his key advisers and portfolio officers have spent in putting this bill together. It is strange that we can find a whole lot of things that our Treasurer is not capable of delivering, yet he can find the time to devote to bringing this particular piece of tidying up legislation into the house.

We have a Treasurer who is now admitting that he cannot deliver his budget on time because he has too many other important things to do, like go to the Commonwealth Games and head off to Chicago for a three-day biotechnology conference, but he can find time to put this legislation together. We have a Treasurer who cannot find the time to promptly determine what he is going to do with his proposed land tax on trusts, a proposal that was announced in the state budget to raise many millions of dollars of extra revenue. The government put out some half-baked proposals, to coin a phrase, which were roundly condemned by the community, as they deserved to be, and the government started to back-pedal at 100 miles an hour. That was months ago.

We still have not heard what is going to happen with land tax on trusts, even though the Treasurer indicated

during question time yesterday that the government still intends to proceed and to have the legislation apply from 1 January next year. So the Treasurer cannot find time to finalise the details of that measure, on which many taxpayers are waiting anxiously because of the effect it is likely to have on their personal and financial affairs and the efforts to which they might have to go to respond to the new imposts that the government intends to impose. He cannot find the time to finalise those details and let the public into his confidence about what he is going to do but he can find time to come to the house with this piece of fairly routine tidying-up legislation.

The Treasurer also cannot find the time to work out how he is going to get his financial reports completed in a manner which will mean that he can table them in the house on sitting days, rather than having to go skulking around outside sitting days in order to lob them into circulation. There are a whole lot of things the Treasurer cannot get around to doing, but he can find time for this legislation. He and his ministerial advisers and bureaucrats can find the time to go into a rather esoteric tour de force through the history of Victoria in order to compile a second-reading speech that goes into considerable detail on what various of the legislation proposed to be repealed did and what their historical significance was.

When we come to look at what the Treasurer in his second-reading speech actually devotes some attention to and what he devotes limited or no attention to, the contrast is stark. The Treasurer really does not want to say much at all about a number of the acts being repealed by the bill, because they bring attention to bear on the dark and murky past of the Cain and Kirner governments and are a stark reminder to the citizens of Victoria of what Labor governments are capable of doing in terms of trashing the state's finances and economy. So in various parts of the second-reading speech the Treasurer goes back into 19th century history, but when we look at more recent history it is pretty truncated indeed.

Of the legislation being repealed relating to the dismal record of the Cain and Kirner governments we find in the Treasurer's second-reading speech reference only to the legislation relating to the State Insurance Office. Even that is phrased in a pretty cagey way, designed to deflect attention from responsibility for what transpired. With only one exception that I can find, whenever in his second-reading speech — other than in relation to the State Insurance Office Act and the State Insurance Office (Sale) Act — there is a bolded reference to a particular act being repealed, either the year of that act has been stated as part of the title or the year of the act

has been referred to in the wording of the second-reading speech. It is noticeable that in the second-reading speech no years are attributed to the State Insurance Office Act and the State Insurance Office (Sale) Act. Indeed, the first of the Treasurer's statements on those acts is:

The next acts I want to refer to now concern much more recent events in Victoria's past and are the consequence of the privatisation of former state assets in the 1990s.

I may be cynical but I suspect that that wording is designed to divert from the minds of the more recent comrades who have joined this house exactly which government was responsible for the sale of the State Insurance Office.

Mr Stensholt interjected.

Mr CLARK — And it was designed to leave with perhaps some of the more naive recent arrivals the impression that this was a sale undertaken by the Kennett government in those alleged seven dark years. Of course it was not. It was a sale steered through this house by the Honourable Tom Roper when he was Treasurer in the dying days of the Cain and Kirner government, when financially Victoria was being brought to its knees.

It is worth making the point that despite all the railings against privatisation that members of the Labor Party indulged in when the Kennett government was in office, there was a pretty extensive track record of privatisation in the dying days of the Cain and Kirner government as they desperately sought to stop the wheels falling even more rapidly off the financial cart. Of course, they were responsible for privatisation of the state bank and it was only a little bit of fiddling of the figures that stopped the state bank being sold to Westpac, rather than going to the then still publicly owned Commonwealth Bank, which was only subsequently privatised under the Hawke and Keating regime.

We also saw the Kirner government undertake the sale of Loy Yang B to Mission Energy, and under the Cain and Kirner regime we saw the sale of the government's share of the Portland smelter, the sale of pine plantations, the sale of the State Electricity Commission of Victoria's heavy vehicle fleet, the sale to foreign owners of rolling stock and its being leased back, a lot of contracting out by Melbourne Water — particularly the Yan Yean water treatment plant — and the sale of the State Insurance Office. That particular embarrassing episode for the Labor Party is now being expunged from the statue book by the bill before the house.

The State Insurance Office (Sale) Bill had its second-reading speech in this place on 23 October 1991 and, as I indicated previously, it was made by the then Treasurer, Mr Roper, who told the house that:

... the government faced two options in relation to the State Insurance Office (SIO) — to reform the office to make it more efficient and competitive in the marketplace or to sell it.

The government took the view that because the SIO as a general insurer without WorkCare or third-party obligations was not a core activity of government and because the public service was not necessarily the most skilled in running a general insurance office, the SIO should be sold.

The then Treasurer took members through the course of the negotiations with the then coalition opposition and the agreement between the parties to allow the sale to proceed. The then shadow Treasurer, Alan Stockdale, told the house:

The State Insurance Office (Sale) Bill is designed to facilitate the sale of the State Insurance Office. The major features of the bill are that firstly, it provides in clause 5 for the business of the SIO to be divided into four companies. Secondly, the SIO and the Treasurer are required to report to Parliament on the sale of substantial assets of the office. That is also provided for by clause 5. Thirdly, there is a provision to grant indemnities limited to a total exposure of the state to \$40 million — again provided for by clause 5.

Fourthly, proceeds from the sale, except for the ordinary annual dividend of the office each year, which is limited to \$40 million, must be paid to the Victorian Debt Retirement Fund and — subject to what I will say later about debt retirement and the consequences of the sale — committed to the reduction of state debt. Fifthly, the employees of the SIO, who are of course members of the Victorian public service, are given limited options to retain their public service status. That is provided for by clause 10. Finally, clause 11 provides that the Transport Accident Commission (TAC) is precluded from acquiring an interest in the SIO or any business of the office.

Those are the sorts of issues that were being wrestled with. The then opposition was holding the government of the day to account to at least try to get a half-decent sale process even in the fire sale environment under which that sale took place. That is the background to the State Insurance Office legislation which this bill seeks to repeal.

Even more interesting is the Victorian Economic Development Corporation, and the Rural Finance (VEDC Abolition) Act 1993 is another piece of legislation that is being repealed by this bill. I expect that members opposite find the saga of the VEDC even more embarrassing than the saga of the sale of the State Insurance Office. I recommend to honourable members an article entitled 'The state, industry, and money capital: the case of the Victorian Economic Development Corporation (VEDC)' by Michael

Rafferty in the *Journal of Australian Political Economy* no. 32. The article starts at page 75. I will not express any comments on the analysis or opinions of Mr Rafferty, but he provided a useful history of the VEDC:

Established in 1981 by the then Liberal government, the VEDC was revamped and expanded by the Cain Labor government upon coming to office in 1982. The VEDC became a centrepiece of the Victorian Labor government's ambitious economic strategy for restructuring the state's industries. Between 1983 until its demise in mid-1988, the VEDC approved loans and other finance exceeding \$500 million to Victorian-based companies.

...

... The VEDC lost more than \$110 million and VEDC losses —

at the time of his writing —

are helping to undermine the living standards of working people in Victoria. Victorian government liabilities now exceed \$50 billion, and the annual interest costs of that debt are approaching \$2 billion ... An austerity program has become necessary and spending cuts on education, health and welfare are likely to continue for much of the 1990s.

On that latter point, I am pleased to be able to say the writer's gloomy forecasts did not come to pass. The Kennett government was able to stabilise Victoria's finances by the mid-1990s and thereafter was able to substantially increase spending in areas such as education, health and welfare, as the historical figures even in today's budget papers will bear out.

But the VEDC was in a sense the icon, the epitome of the failures of the Cain government and demonstrated its folly and its inability to manage. As Mr Rafferty pointed out:

By the mid 1980s, capital markets in Australia ... were awash with credit. Yet it was precisely during this time that the VEDC was providing most of the roughly \$500 million in finance extended to Victorian-based companies.

It is interesting to look at what history and analysts have been saying about the VEDC and in particular to look at what one of the leading participants in that government has had to say about it. I refer to pages 148–149 of the autobiography of former Premier John Cain, *John Cain's Years — Power, Parties and Politics*. What is striking is that the former Premier still does not get it! He still does not understand or accept responsibility for the failures of both policy and implementation of his government. Mr Cain talks about Dr Peter Sheehan, the Department of Management and Budget chief, who took a particular interest in the VEDC. He wrote:

When the government started to learn of the number of loans made by the VEDC 'going bad', we were told that about 1600 firms had received assistance in the six or seven years up to 1988 and that of these only about 30 had failed to repay loans.

The total losses of VEDC, around \$100 million, need to be seen in the context of overall loss of financial institutions in Australia in the late 1980s. By late 1992 our four major domestic banks had \$30 billion of non-performing loans.

...

If we'd given the money to industry rather than lent it, we would have been hailed as heroes.

Long after its demise, I learned that direction from somewhere in the bureaucracy changed the lending patterns of the VEDC. So far as I can ascertain, no minister was aware of this direction when it was given. It was to move emphasis in lending from 'targets' to 'quotas'. That is, quotas for certain industry categories were set. That meant that lending in some areas went to riskier ventures simply because numbers had to be made up in certain areas.

When we looked at the operation of the VEDC in late 1988 there was no doubt that it was a sloppy one and that its board was not as competent as it should have been. It seemed that management lacked the capacity to assess thoroughly the applicants for loans.

He went on with various justifications for what was going on, and wrote:

Another problem with the VEDC was that the people associated with it had no understanding or sense of the political problems that faced such an organisation because it was seen to be an arm of government. It became known that the Liberals had decided just to go on throwing muck at the VEDC and thus the government, hoping some would stick. This course was supported by some sections of the media and within 8 or 10 months the VEDC had become something of a joke around the commercial and indeed the wider community.

Later on he wrote:

The VEDC finally became synonymous with waste of public money. This in turn did enormous damage to the minister in charge and the government.

So former Premier Cain's attitude was, 'It might have had a few problems but it was basically sound, basically doing a good thing, it was only that the public and the media misunderstood us all that got us into difficulty'. That of course is not the verdict of others on that period of government history, and I refer in particular to volume 1 of the report of the Victorian Commission of Audit of May 1993, the commissioners being Professor Bob Officer, the chairman, who has held a senior office with WorkCover under the Bracks government; David C. Christensen and Russell A. Walker, who has for a long time been with the Victorian Auditor-General's office.

In the executive summary they say in response to the question, 'What is Victoria's financial position?':

At the end of the 1991–92 financial year, the Victorian government had liabilities totalling \$69.8 billion, an amount equivalent to approximately \$47 000 for every household in the state. Of this amount, approximately \$28 000 for every household was owed by the 'budget sector' of the Victorian government — that is, by departments and other entities which are ultimately funded by the state's taxpayers.

The commission has little doubt that the value of the assets owned by the Victorian government exceeds its liabilities. However, due to inadequate record-keeping by government departments, it is impossible to ascertain the full value of these assets.

Later the report says:

Calculated in accordance with recognised accounting standards, the Victorian government's expenses exceeded its revenue by \$3 billion in the 1991–92 financial year, an amount equivalent to approximately \$2000 for every household in the state. This loss was entirely attributable to the budget sector.

That is the finding of the report of the commission of audit of the financial situation at the end of the Cain-Kirner regime. It is no wonder that the current Treasurer is keen to expunge from the statute book legislation that reminds people of those dark years.

As if that were not enough — and in case members opposite want to say, despite the credentials of the commissioners, that that was a commission of audit established by the Kennett government — let me cite also from the report of the independent review of Victoria's public sector finances in September 1992, undertaken by a panel most of whose work was done by Don Nicholls and which was commissioned by the Honourable Tony Sheehan, the then Treasurer of Victoria. The report said, in referring to assets and liabilities at page S5:

Victoria's public sector net debt as measured by the credit rating agency, S & P Australian Ratings, gross state product represents 29.6 per cent of GSP compared with 14.4 per cent of GSP for New South Wales and 14.7 per cent for Queensland.

Victorian public sector net debt totalled \$31.7 billion at 30 June 1992, not including the liability for Tricontinental Holdings, which amounts to \$1.6 billion. An estimated \$18.2 billion of this is held by the budget sector.

It goes on further in a similar vein. When it comes to an analysis of the reasons for the debacle we ended up with, it says at page S7:

While the depth of the current recession in Victoria is partly explained by cyclical factors, other reasons have been advanced. The financial problems of the Victorian Economic Development Corporation undoubtedly affected public

confidence in the government's financial management. The subsequent collapse of several major financial institutions based in Victoria, including the Farrow Group of building societies and Estate Mortgage, have resulted in a reduction in private sector wealth and have had an impact on confidence in the financial sector which has been concentrated in Victoria.

That is probably a masterpiece of understatement. As I say, it is no wonder that the government is more than happy to have these pieces of legislation removed from the statute book and that the Treasurer is extremely coy — if not evasive — in the way he words his limited references to that period of history in his second-reading speech.

The opposition does support this legislation as a piece of housekeeping. We do wonder, as I said at the outset, how much time the Treasurer has devoted to this legislation when there are a whole lot of much more important things that he cannot find the time to do, such as delivering his budget on time, releasing the details of his proposed land tax on trusts or working out how he can table financial reports in this Parliament on a sitting day. In itself, though, the legislation seems unobjectionable. However, even though this legislation is being removed from the statute book, we must make sure that Victorians never forget the damage that can be inflicted on them by financially irresponsible Labor governments and never forget the destruction and misery that was caused in this state by the financial incompetence of the Cain and Kirner governments.

Mr RYAN (Leader of The Nationals) — It is my pleasure to join the debate in relation to the Treasury Legislation (Repeal) Bill. This is somewhat of a tour de force. It tracks legislation over a period of about 130 years, from 1865 through until 1995. It in effect determines to be redundant and removes from the statute book a total of more than 80 acts amounting to more than 900 pages of legislation. As the shadow Treasurer has said, it is instructive to have regard to the content of the bill and the schedules which it contains.

It is very important to use an occasion such as this and the vast array of topics that are touched upon by this bill as a very timely and healthy reminder to all Victorians about what has happened before and what might well happen again if appropriate mechanisms are not in place and given effect to in order to ensure that Victoria does not again sink into the mire in the sense of its financial management. Of course some of the bills were of a conservative nature in their origins; others were of Labor persuasion in their origins. But nevertheless, the various topics upon which they touch are of relevance in today's political spectrum.

In reading through this legislation and giving careful consideration to the content of the bill I had regard to a number of the items referred to and related them in turn to issues which are very pertinent to the interests of Victorians today. For example, there is reference to the Gas and Fuel Corporation (Pipelines) Act 1971, which provides for the transfer of powers, functions and duties from the Victorian Pipelines Commission to the Gas and Fuel Corporation. The explanatory memorandum to this bill states:

The assets and liabilities of the Gas and Fuel Corporation have been transferred to a number of entities by later legislation. The transitional arrangements in the 1971 act are completed and the act can now be repealed. The dispute resolution mechanism provided in that act is no longer required. Any residual rights and liabilities will be preserved by the Interpretation of Legislation Act 1984.

This legislation is instructive, because the issue of gas and its distribution systems throughout Victoria is pertinent to contemporary politics in this state, not only now but in the course of the next few years. The current government, through the Regional Infrastructure Development Fund, originally allocated \$180 million over three years for a variety of initiatives which it said would assist the expansion of activities to do with the development of country Victoria. In its subsequent term of office — the one in which we are now involved — the government changed the structure of that fund so that another \$180 million was allocated, but it was spread over a period of five years, and in practical terms that amounts to a cut of 36 per cent in the fund.

But the government also dedicated \$70 million of the \$180 million to the extension of the natural gas system. It also brought into the capacity to share in that \$70 million the nine so-called interface councils, which provide a crescent around the northern areas of the metropolitan local government regions and connect with the southern aspects of the country local government regions. The government has therefore allowed those nine interface councils to share in that \$70 million fund.

That is having a number of consequences. One is that while the government has made announcements, including an announcement in my own electorate in the past couple of months, about gas extensions, of course various caveats come with those announcements. As I said at the time, the announcement in my electorate was very welcome; it is a \$50 million project with some unknown amount coming from the government out of that \$70 million fund. But it is not going to happen for another four years, and in the meantime, as the government has looked at the capacity for expansion of the system throughout Victoria, it has inevitably

chewed up \$70 million. The whole of that amount of money has been allocated, and we are still 13 months out from the next election.

Worse still, there are towns which were promised before the last election the prospect of having gas connected to them, and they now find to their eternal loss, certainly under this government, that those promises are not going to be kept. I think 22 towns were referred to, and as it now turns out 10 of them are going to miss out. As it happens, only about a week ago I was in Avoca and attended and spoke at a public forum. There was a large crowd in attendance. The issue of natural gas is a matter of huge significance to that community, because the people of Avoca were promised a natural gas extension. The people of Avoca now find that the government has broken a promise. Whilst the Treasurer went there before the last election and made this grandiose promise about the extension of the system to the township of Avoca, that promise — yet another — has been broken and they are going to miss out.

When you look at legislation before the house such the Gas and Fuel Corporation (Pipelines) Act, you cannot help but recall that, whatever might have been intended under the terms of that legislation, it is a healthy reminder of what is occurring — or more particularly, what is not occurring — in the state of Victoria under the current Labor regime. The same principle applies to another piece of legislation that will be repealed by this bill — that is, the Hospital Benefits (Levy) Act 1982. It says in the clause notes:

This act is redundant. It provided for a monthly levy on bodies conducting a hospital benefits business in Victoria. The levy operated until the introduction of the commonwealth Medicare scheme or 1 March 1984, whichever was earlier. The act is now spent.

Of course this is again a healthy reminder to contemporary politics in Victoria because, whatever might have been the perspective which applied at the time that legislation was introduced in about 1982, the situation in Victoria is unfortunately being repeated under this government but in a circumstance where it should be absolutely unnecessary. The act that is being repealed was one that was applied, as the clause notes say, when the levy operated until the introduction of the commonwealth Medicare scheme. In that sense, therefore, one could say there was some justification for it because it was prior to the Medicare scheme and it was thought appropriate to apply the provisions of that legislation to enable that levy to be given effect.

In contemporary political terms, we are having a re-run of this. Under this Labor government, which is

absolutely awash with money, we have seen its budget grow from \$20 billion five years ago to a current figure this year of \$30 billion. Despite that, Labor still cannot make the numbers work. It is an astounding state of affairs by any measure. This government has raided the gaming industry to the tune, initially, of \$1500 per gaming machine, which it did in its first term, to raise \$45 million for the health system, it says. Now, without further ado, it has done it again. It has called in the management of the gaming industry only in the past few months and has duded them again for another \$45 million. You cannot help but think that history does repeat itself. The 1982 legislation presumably was brought in by a Labor government, given the approximate timing, and here we are again with the government of the day doing a similar thing, but in an environment where the prevailing circumstances are extraordinarily different.

Firstly, we do in fact have the operation of the commonwealth's Medicare scheme and therefore the propositions that underpin the introduction of that scheme in 1982 do not exist. Secondly, we have a government which, on the face of it, should be absolutely awash with money and ought to be able to manage its affairs in a manner that does not require it to raid the gaming industry to the tune of, initially, \$45 million and then a like sum again. It is another commentary upon the inability of the Labor Party to manage money.

If we look further to the Rural Finance (VEDC Abolition) Act 1993, we find that here is a story to be told. Unfortunately I have only a relatively limited amount of time to speak. Were that not the case, I am sure we could spend a fair slice of the night talking about the exploits of the Victorian Economic Development Corporation. Suffice it to say the very mention of the VEDC brings a shiver to the spine of all Victorians who have a memory of what eventuated at the time it operated. The shadow Treasurer, the member for Box Hill, has tonight offered some commentary on the exploits of the VEDC from the John Cain memoirs.

Having regard to the incapacity of the current government to manage the enormous amount of money it has coming in, one cannot help but think that if it were given half a chance we would see similar sorts of things occur again. It is very timely that those who sit opposite, particularly on the government backbench, should have regard to these historical facts, because they are an important reminder of Labor's incapacity to manage the finances of the state of Victoria. I can but reiterate that the exploits of the VEDC will live on in infamy in political history for a long time to come.

Look at the State Deficit Levy (Repeal) Act 1995. This legislation was initially introduced by the former government of which I was part —

Mr Holding — Shame!

Mr RYAN — The cry from the minister at the table is, 'Shame!' With due respect to the minister — and I do say this with the greatest of respect — he was probably at about year 9 at secondary college at the time this legislation was passed.

Mr Holding — No, I was not; I was at uni.

Mr RYAN — I beg the minister's pardon; he was at university. I apologise to the house and particularly to the minister. Probably in the course of his no doubt many attendances at meetings of Young Labor at university, of which he may well have been president at some stage —

Mr Holding interjected.

Mr RYAN — The Minister for Police and Emergency Services was not involved with Labor at university. I do not know what happened subsequently, but it was a sorry state of affairs whatever it was.

The ACTING SPEAKER (Mr Jasper) — Order! I ask the honourable member to relate his comments to the bill before the house.

Mr RYAN — Thank you for your guidance, Acting Speaker.

Mr Holding interjected.

Mr RYAN — No, I have moved on from the VEDC, Minister. See, it has even stuck in the minister's mind! He probably did not know about it until I mentioned it tonight. This is a healthy reminder of the importance of being able to provide a learned contribution — with respect to younger members of the Parliament —

The ACTING SPEAKER (Mr Jasper) — Order! The honourable member has have convinced me of the relevance of his comments!

Mr RYAN — Indeed, Acting Speaker. It is a healthy reminder of the quirks and foibles of Labor governments. I was talking about the state government levy. The former government, in its efforts to do something to recover the extraordinarily parlous state of Victoria's finances when it assumed government in 1992, introduced the state deficit levy.

Mr Holding — Poll tax.

Mr RYAN — The minister says it is a poll tax. It is not a poll tax. With due respect to him again, he is demonstrating his ignorance of what constitutes a poll tax. However, I will not be deterred from speaking about the bill. The state deficit levy was introduced as a mechanism to have people across the state make a contribution — it was to the tune of \$100 per title, although I emphasise there were all sorts of qualifications which I will not go into now — to ameliorate the enormity of the debt that had been built up by the previous Labor government. The house, and particularly the minister, needs to be reminded that in 1992 Victoria's debt was about \$34 billion and the recurrent deficit was looking at being about \$2.5 billion for the year under the previous Labor government's last budget.

Mr Holding — And you made councils collect it.

Mr RYAN — The minister says, 'And you made councils collect it', so his complaint is not so much at the necessity for the people of Victoria to cop it in the neck with the \$100 to fix up the Labor Party's mess. His contribution by way of interjection is rather to complain that we made local government collect it. I do not want to go off on that tangent either. If I did I would talk about the impositions on local government that have occurred under the current Labor government such as the matter that was mentioned today in question time. Local government now finds it is going to have to cop the cost of the maintenance of the irrigation infrastructure that was originally looked after by rural water authorities. As I say, I will not be distracted by talking about those issues.

In 1992 the state was facing a mountain of debt it had been left by the former government. In one of many endeavours to try to rein in that debt, the state deficit levy was introduced. I am pleased to say that having played its part in arresting that extraordinarily difficult state of affairs, that act is now able to be repealed.

I turn to the State Electricity Commission (Newport Power Station) Act 1977 and the State Electricity Commission (Tramways) Act 1975. Again, you cannot help but be reminded when you see legislation of that nature of the way the Labor government of the 1980s through until the early 1990s was 'looking after' the State Electricity Commission and the way it was then operating. History will record that the SEC assets were privatised at a return of \$23 billion to the state of Victoria. History will also record that every single cent of that huge amount of money was taken to the bank to pay off, at least in part, the \$34 billion debt that had been accumulated by the former Labor government.

History will record that the current government receives the benefit of \$800 million on a recurrent basis year upon year as the net of the dividend that was otherwise being contributed to the state of the Victoria by the SEC. History will also record, I believe, that when enough time has passed for proper assessments to be made, the actual pricing of electricity to Victorians at large is far better than otherwise would have been the case had it remained under the control of the good old SEC. I might say that history will also record that whereas the former government had built into its pricing structures protections for country Victorian consumers, this government has virtually stripped them bare and taken those subsidies away, which is to the eternal loss of country Victorians. But that is another story for another day.

These are but some of the pieces of legislation that appear in this bill. There is the legislation regarding the State Insurance Office, another fire sale by the former government. I flick over the pages and there is one after another. You could go through them chapter and verse. The essence of this comes down to the fact that when you have a piece of legislation such as this before the house, it is a very handy historical record of the activities of Labor governments. They are palpably unable to manage money. They are hopeless at running the finances of the state of Victoria. Here they are with massive amounts of money coming into the coffers and yet they still struggle to balance the books and return any semblance of a decent surplus.

It is a very useful historical event, particularly for the members of the backbench of the Labor Party and for the younger ministerial membership, to have an opportunity such as this arise so that those who have been here a bit longer can give them the benefit of history's hindsight in an attempt to ensure that, as a matter of principle at least, they can learn from it. Of course history would also say that Labor will never learn from it, because Labor cannot manage money.

Mr STENSHOLT (Burwood) — I am delighted to speak on this bill that is tidying up some 80 acts and some 900 pages of legislation. I am fascinated by the presentation by the Leader of The Nationals who fails to understand that Victoria is well and truly managed properly in terms of fiscal administration and financial management. We have a AAA rating. I note the Leader of The Nationals has even said we struggle to maintain some semblance of a surplus. We have been in surplus all the time we have been in government and we are committed to maintaining that. Just as we are committed to good, sound management of our financial responsibilities in our Treasury legislation, we are committed to maintaining good financial management

of the state of Victoria. Our record is AAA, it remains rolled gold AAA and will continue to remain that way.

This legislation has some fascination for historians as well. A whole range of acts is being repealed and consigned to the dustbin of parliamentary history in terms of both schedule 1 and of schedule 2, which contains some amendments which maintain some minor provisions of longstanding acts. The time spans of the acts range from 1985 to 1995 and beyond and have already been mentioned by the Leader of The Nationals.

We are dealing with the tramway undertakings in Bendigo and Ballarat; the Newport power station; integrating the then new state of Victoria into the monetary system of the British Empire; the statistical data which is gathered in so many aspects of Victorian life; restructuring of the financial relationships between Victoria and the commonwealth going back to the 1920s; delivering fiscal compensation to incapacitated and dying goldminers, which I will come back to; the devastating unemployment and poverty of the Great Depression; and also the raising of funds for the state of Victoria through consolidated, inscribed stock or, what seemed to be very popular at the time, the 3 per cent stock.

Following the Great Depression of the 1890s you could buy 3 per cent stock for about the following 10 years, from 1898 through to 1905. These acts are some 100 years old and belong very much in the past. At the time of the Great Depression some of these unemployment acts were a bit draconian, I must admit. Women were forced into domestic service training to fill a shortage of domestic servants in the 1930s. If they refused to attend the course they were deprived of financial assistance. That reminds me very much of the Howard government of today forcing people into work, forcing single mothers into work, forcing instability on children in poverty in Australia. Since the 1930s the conservative parties have not really changed their spots in regard to the unemployed and the more vulnerable in our society.

Under these acts single, unemployed men were removed from housing shelters and placed in the Broadmeadows Military Camp to prevent large numbers of them gathering in the city. They were subjected to strict discipline. If you go out on the road in western Victoria you might see that the susso men used to build fences there. These men were put out of sight and mind in the Broadmeadows Military Camp and could not even get the radio or newspaper. They were pretty tough times. This is some of the legislation that the Treasury Legislation (Repeal) Bill will repeal.

There is some interesting legislation, and the Scrutiny of Acts and Regulations Committee in its report of 22 February this year suggested that perhaps some of it could be repealed, including the Miners' Phthisis (Treasury Allowances) Act 1938. The recommendations of SARC are being taken up by this bill. Members might wonder what is phthisis. I might add there are nine pronunciations of phthisis — —

An honourable member — What are the other eight?

Mr STENSHOLT — I am not going to go through them because I do not wish to confuse members; I will just use the one. It is very closely related to and very often taken to be tuberculosis, which was the most common cause of death in Queensland, for example, in 1901.

The house might be interested to note that Hippocrates, in his treatise, found phthisis most commonly occurs in men between the ages of 18 and 35. In persons affected with phthisis, if the sputa which they cough up have a heavy smell when poured upon the coals, and if the hairs of the head fall off, then the case will prove fatal. I guess that some thousands of years ago that was his assessment of it, but it was a very important and notable disease, particularly among goldminers.

If anyone read the 150th anniversary publication of the *Age*, they would have seen that in 1887 the paper talked about a meeting presided over by Sir Henry Loch that dealt with having homes for people suffering from phthisis so they could be properly looked after. Dr Walter Summons, a doctor with a large medical practice in Camberwell at the time, investigated miners' phthisis in Bendigo in 1906 which led to the Mining Act of 1907. Parliamentarians like the Honourable Jabez Dodd, MLC, in the Western Australia Parliament fought for many years to come forward with acts very much like the Miners' Phthisis (Treasury Allowances) Act 1938.

Members might note that there is a continuation of this bill allowed for, because one person in Victoria still receives the rate of payment by the Treasurer as an allowance for being a sufferer of miners' phthisis. Through this bill, which was adjusted in 1986, a rate of \$624 per annum, or such greater rate as is fixed by time to time by the government and published in the *Government Gazette*, is provided as relief for people suffering from miners' phthisis, which is silicosis whether or not accompanied by tuberculosis but not tuberculosis by itself.

Other acts repealed by this bill, include, for example, the Mint Act 1958, which goes back to a proclamation by the Queen in 1865. It was duly published in Victoria declaring that the coin issued from the Victorian branch of the mint was to be legal tender for payments within the United Kingdom of Great Britain and Ireland. Any allowances or payments which are residual under that act are maintained by virtue of this bill before the house.

Those are some interesting snapshots and lessons of history, which I have pointed out in terms of their being likely to be repeated by the conservative parties, particularly that of the Liberal Party in the federal government in terms of providing draconian conditions upon single mothers and people being forced into employment. The issue seems to be hanging over them at the moment with threatened industrial relations and other bills being sought to be put into place by the federal government. As other speakers have said, we should learn from history. History applies to everybody, particularly the conservative governments of this day which seek to take advantage of the poor and more vulnerable members in our society.

The bill is a policy-neutral exercise; it removes no existing rights that need to be preserved. It preserves all necessary rights, some of which I have mentioned in the house tonight. Some 20 or 30 stakeholders were involved in the wide-ranging, comprehensive consultations in the preparation of the bill — I will not list them — and there was agreement to the measures in the bill. I commend it to the house.

Debate adjourned on motion of Mr PLOWMAN (Benambra).

Debate adjourned until later this day.

TREASURY LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL

Second reading

Debate resumed from 14 September; motion of Mr BRUMBY (Treasurer).

The Nationals amendments circulated by Mr RYAN (Leader of The Nationals) pursuant to standing orders.

Mr CLARK (Box Hill) — The Treasury Legislation (Miscellaneous Amendments) Bill contains three main provisions: two relate to the Financial Management Act 1994 and one relates to the State Owned Enterprises Act 1992. The two provisions

relating to the Financial Management Act are to allow financial reports to be tabled on non-sitting days at any time of the year, not just when Parliament is in recess as the act currently provides, and to allow the tabling of financial reports to be delayed for up to 30 days in order to be tabled on the day of the budget. The amendment in relation to the State Owned Enterprises Act 1992 is to allow the government to exempt aspects of the VicForests sawlog and pricing allocation model from the commonwealth Trade Practices Act and the competition code.

The opposition has grave concerns about both components of the bill that relate to the Financial Management Act 1994. In taking, firstly, the amendment that allows the tabling of financial reports on non-sitting days at any time of the year, some honourable members will recall that for many years the requirement in relation to the tabling of reports was that they be tabled on a day on which the Parliament was sitting. That was altered a few years ago to provide that when the Parliament is in recess, financial reports could be tabled on a non-sitting day and a mechanism was included in the legislation to provide that the minister had to give one business day's notice to the clerks and the clerks were to notify all members that they had received that notice on the day that they had received it. Subsequently the financial report could be transmitted and made public and made available to members by the clerks, and there is regime for statutory immunity in those circumstances.

That provision was intended to be a departure from the normal rule that applied to cover the long periods in which the Parliament — at least up until recently — did not sit over the summer and the winter. Parliamentary recess is defined in the legislation as it now stands, as being a period when the house of Parliament is adjourned to a date to be fixed by the Presiding Officer.

There was an instance in recent times where the Parliament had been adjourned for a considerable length of time, but had not been adjourned to a date to be fixed by a Presiding Officer and was therefore, technically not in recess. Consequently it was not possible for a financial report to be made public under the relevant provisions. To that extent while holding intact the principle on which the current legislation is based there is a need for an amendment. However, the amendment that is being made by the government goes far beyond that.

The proposed government amendment removes the restriction that reports can only be tabled outside of sittings when the Parliament is in recess and replaces that with the specification that those out-of-sitting-day

mechanisms can be invoked to make a report public on a day on which neither house of the Parliament is actually sitting. That is what is being achieved in clause 3(2) of the bill, which amends section 27D(5) of the Financial Management Act 1994. That dramatically transforms the nature of the provision from one that is a limited departure from the principle that financial reports should come first to this Parliament when the Parliament is sitting to a general liberty for the government to make public financial reports on any non-sitting day that it likes.

We know from the track record of this government in relation to both financial and other reports that it will abuse that power, that it will use it to make reports public on days of its choosing and that when a financial report may contain bad news it will do its best to have that report made public on a day when there might be other news taking up the headlines or other events capturing public and media attention. Indeed it would do it at times and on days that suited its convenience to make it harder for the public, the media and the opposition to scrutinise and respond to what it was doing.

The proposal is a departure from the principle that the government should be prepared to be accountable in this house for its financial reports. As honourable members know, when a financial report is tabled in this house on a sitting day that happens during formal business at the commencement of the day. The document is then available for honourable members, the media and the public to obtain from the papers office, from Information Victoria or from elsewhere, and hopefully from the Internet as well. The government is then able to be questioned on that report during question time on the day on which the report is tabled. That is supposed to be what parliamentary democracy is all about. It is also supposed to be what the current government pledged itself to be committed to, uphold and enhance when it came to government.

It has not taken long for those fine principles to be whitened out, one by one. I have in the past in this house used the analogy of the classic George Orwell novel *Animal Farm*. The principles for the animals to operate under after they had thrown out the farmers were written up on the farmyard wall in bold letters, but subsequently the rest of the animals found that the pigs had been sneaking out at night with a bucket of whitewash and whitening out those principles one by one until they were left only with a principal to the effect that all animals are created equal but some are created more equal than others.

Using the bucket of whitewash to white out the democratic principles is exactly the process in which the current government is engaging with this proposed amendment. So far as we can see it would be even open to the government to make public reports on weekends. It is certainly open to the government to publicly release reports on even a Monday or a Friday of a sitting week. There is no limitation that it has to be out of a sitting week or a certain number of days away from a sitting day. The government can give notice of one business day and make a report available on a Friday after the Parliament has been sitting all week or on a Monday before a sitting week. It is an extraordinarily sweeping provision, and one to which the opposition takes very strong objection indeed.

The second change being made to the Financial Management Act is, as I indicated earlier, to allow the tabling of financial reports to be delayed for up to 30 days in order that they can be tabled on the day of the budget. That is a provision that is cast in very broad terms, as I have described. I gather the government's justification for wanting this provision is related to the quarterly financial report for the third quarter of the financial year — that is, the quarter ending 31 March.

As we have recently discovered, the Treasurer finds himself incapable of delivering the budget at the normal time in early May due to pressing preoccupations such as the Commonwealth Games and a three-day biotechnology conference in Chicago that he wants to attend. Accordingly he is not going to grace the public with his budget next year until 30 May, and accordingly the government will find itself out of time to table the third quarter financial report on the day of the budget, as has been its practice in previous years. By this amendment the government is attempting to give itself a 30-day extension to the period.

It is worth reading the exact words of the proposed amendment contained in subclause 3(1) of the bill and the proposed subsection (3A) to be inserted after section 27D(3) of the Financial Management Act, which is as follows:

Despite sub-section (3), if in any financial year the budget for the following financial year (or, if applicable, the current financial year) is delivered within 30 days after the due date set out in Column 2 of the Table for a document (other than the budget update), the due date for the document is extended so as to allow the document to be transmitted to each House of the Parliament on the day on which the budget is delivered.

There are two points I wish to make arising from that. The first is, as I said, that this provision does not just apply for the third quarter financial report. It can apply to any financial report other than the budget update, and

it does not just apply for the 2006–07 financial year, it applies at large. The government attempts to give itself a 30-day extension for a report wherever it can achieve delivery with the budget within 30 days of the due date.

We had the Treasurer in question time invoking the potential for the budget to be delivered again in spring the way it used to be in past days before former Treasurer Alan Stockdale brought in the very sensible reform that the budget was actually brought down before the financial year to which it related rather than part way into that financial year as used to be the case previously. If the Treasurer were to follow up on what he was indicating in question time was still a real live possibility of delivering his budget in spring, then of course the 30-day extension could apply to a lot of other documents — indeed any financial report referred to other than the budget update.

The second point I make in relation to this provision is about the way in which it is worded. The entitlement of the government to delay the tabling of the document — that is, to extend the due date of the document — only occurs if in any financial year the budget for the current or following financial year is delivered within 30 days after the due date set out in column 2. What I am about to indicate may be a lawyer's point, but nonetheless it is one — —

The ACTING SPEAKER (Mr Jasper) — Order! The time has come for me to interrupt business.

Business interrupted pursuant to standing orders.

Sitting continued on motion of Mr HOLDING (Minister for Police and Emergency Services).

Mr CLARK (Box Hill) — The point I am about to make nonetheless holds true — that the entitlement of the government to extend the due date for the document arises only when the budget is actually delivered, assuming it is delivered within 30 days of the due date.

As a matter of logic, if you look at the period between when the due date expires and when the budget is actually delivered, the government does not have the right under the provision that it itself is bringing to the house to extend the due date for the document. Up until the day on which the budget is actually delivered, the due date for the document concerned remains the due date established by the legislation.

Accordingly the government will be in breach of its own legislation up until the day on which the budget is actually delivered. Of course if the government fails to live up to its expectations to deliver the budget within 30 days of the due date of the financial report, then the

government will be in ongoing breach of its own legislation. I believe that even to achieve the government's own objective, this provision is defective.

As I indicated at the outset, this bill not only amends the Financial Management Act in the way I have described but also amends the State Owned Enterprises Act in relation to the VicForests sawlog and pricing allocation model. Bills that combine separate elements cause a dilemma for the opposition and other non-government members who may take different views about different aspects of a bill. In this instance, as I have indicated, the opposition has very strong objections or reservations about the amendments to the Financial Management Act. On the other hand we would like to see the VicForests part of the bill passed because we support that part of the bill for the reasons that I will come to.

Accordingly I have given notice that upon this house having dealt with the second reading of the bill I will move to have the bill split into two — one being a bill relating to the Financial Management Act amendments and the other being a bill relating to the State Owned Enterprises Act amendment with the intention that the new bill relating to the Financial Management Act will not proceed until we can sort out the problems that I have referred to.

If the government were prepared to do so, we could sit down with it and come up with a reasonable amendment to the tabling provision that would allow reports to become public in periods when the Parliament is not sitting for an extended time, but which would not give the government the liberty to play ducks and drakes with the time of tabling in the way that I have referred to earlier. That is the reason why we will propose that the bill be split. Then the Parliament would be able to pass the new bill that relates to the State Owned Enterprises Act, which this side of the house is willing to support.

I turn to the part of the legislation that relates to the State Owned Enterprises Act 1992. As I have indicated, the government has stated its reasons for this part of the bill — that is, to allow the government to exempt aspects of the VicForests sawlog and pricing allocation model from the commonwealth Trade Practices Act and the Competition Code. In the second-reading speech the Treasurer referred to two elements of the sawlog and pricing allocation model that at least on some legal views might need to be exempted from the Trade Practices Act and the Competition Code.

Those elements were a requirement that buyers process timber domestically — 'domestically' is intended to

refer to within Australia rather than within Victoria — and the preclusion for a period of two years of companies and directors who have completely relinquished their sawlog licences under the voluntary licence reduction program from participating in the initial auctions of timber. Those are two aspects of the model that the government has told the house and the public it wants to exempt from the legislation.

I should say, however, that the way in which the amendment is drawn is not just confined to those two aspects of the model or to those two elements of possible conduct by VicForests. When one looks at clause 5, which inserts proposed section 86A into the State Owned Enterprises Act 1992, one sees that the authorisation that can be given by the Treasurer can apply to:

... an act or thing done by or in relation to VicForests, or any director or officer on behalf of VicForests, that is specified in sub-section (2) ...

Then proposed subsection (2) refers to tendering or auction processes for the allocation and sale of timber resources; contracts, arrangements or understandings entered into in connection with the allocation or sale of timber resources; and giving effect to such contracts, arrangements or understandings or things done in connection with that. In other words, it is a very broad power which the Treasurer has been given.

The opposition supports the model as it understands it to be and as it has been told it is, even though as far as I am aware it has not yet fully been made public. Nevertheless in terms of what the government and VicForests have disclosed as being in it, we support in particular the requirement that buyers process timber domestically. But that is not all that is authorised by the bill, and this house and the public need to take on trust the fact that the government will not abuse the power that is being conferred on it under this legislation in order to authorise a whole range of other potential anticompetitive conduct by VicForests which goes way beyond the model and which could potentially be used by VicForests as a dominant supplier of sawlogs, if not a monopoly supplier of certain classes of sawlogs, to exploit its market position. I certainly hope that the parliamentary secretary, the Treasurer or other spokespersons for the government address that issue and provide assurances to the house that that is not the government's intention.

As I have indicated, the opposition supports the objective of the model as indicated by the government, particularly the requirement that buyers process timber domestically. For that reason we support the legislation to allow that to happen. My colleagues will speak more

fully on the forestry aspects of the legislation, but I should simply make reference to the fact that the opposition forestry spokesperson, the Honourable Graeme Stoney in another place, has raised this issue of the domestic processing of timber at a very early stage. It would seem in large part to be because of his raising of that issue that the government has now modified its original model that did not involve a requirement that buyers process timber domestically to include that aspect for which, as I said, the Honourable Graeme Stoney has been campaigning for sometime.

In conclusion, the opposition is very dissatisfied with the provisions in this bill which relate to the Financial Management Act. We believe they should not proceed and that instead all parties should sit down together to try to come up with amendments that will provide a fair and reasonable tabling regime that will adhere to the principle that financial reports should be tabled in this Parliament except during periods when Parliament is not sitting for an extended period of time. On the other hand, those provisions in the legislation that relate to VicForests and the State Owned Enterprises Act should proceed. Accordingly, I invite the house after the presumed passage of the second reading of the bill to support the motion I will move.

Mr STENSHOLT (Burwood) — I rise to support the Treasury Legislation (Miscellaneous Amendments) Bill, which deals with two aspects — namely, the amendment of the Financial Management Act 1994 and the amendment of the State Owned Enterprises Act 1992. I listened very closely to the contribution by the member for Box Hill. What obfuscation and nit-picking we have had from him. What crocodile tears he has been shedding.

First of all he talked about track records. Let us look at track records when it comes to this issue. What was the track record during the seven dark years of the Kennett government? What did it have? Obfuscation was what it had. It hid a few things in its financial statements, let me tell you!

What did it have? It had a budget and it had an annual financial statement. What do we have in Victoria now in terms of transparency, accountability and proper financial management? We have an audited financial report, and we have a mid-year report. We have quarterly financial reports — and quarterly means four times a year. We have a budget update as well as a financial policy objectives and strategy statement prepared in association with the budget update. That is transparency, that is accountability and that is sound financial management practice. This has been introduced in Victoria and implemented by this

government — and let me assure the member for Box Hill that the finances of this state are well and truly managed. As I said earlier, Victoria has a AAA rating. We have maintained and increased that rating while at the same time the state debt has continued to decline.

We are talking about these financial statements, and there has been a lot of nit-picking from the member for Box Hill. Not only has Victoria introduced these additional reports, but we keep moving the bar higher as we go. The Financial Management Act 1994 was amended in 2003. There was a comprehensive change in 2000 by the then Treasurer, the present Premier of Victoria. At that time the audited annual financial report was to be made available on 27 October, the mid-year report on 15 March and the quarterly financial report on 30 November, with a subsequent report on 15 November et cetera. We have now brought these reports back and put them into line so that they occur on 15 October, 15 March, 15 November, 15 May and 15 December.

We have brought it back to what we did in the first year. We have actually raised the bar in that regard. We have continued to provide strong and accountable financial management. I should have mentioned earlier for the benefit of the member for Box Hill that the budget is also audited; the Auditor-General signs off on the budget. We have fiscal responsibility and proper financial management in Victoria, and it is far more comprehensive than it was under the previous government.

The member for Box Hill talked about the Liberal Party's opposition to the changes to the Financial Management Act. I take him back to the report of the Public Accounts and Estimates Committee (PAEC) in, I think, 1999. The Honourable Bill Forwood, a member for Templestowe Province in the other place, was the chair of the committee at that time and recommendation 5.8 on page 64 recommended that these reporting mechanisms be made available to the house even when it is not sitting. In 2000 the member for Box Hill would have seen from the second-reading speech by the then Treasurer that the bill makes provision for publication of whole-of-government and budget sector financial reports to be made available when Parliament is not sitting.

What did the member for Brighton, who was the opposition spokesperson on finance at that time, do? She supported the recommendation. We have had subsequent changes. The Financial Management Bill included provisions to overcome the current tabling anomaly that allows reports to be tabled only while Parliament is sitting rather than on the relevant due date. Those amendments were to provide the

government with the ability to release reports at any time or before the due date, even if Parliament is in recess.

I do not know whether there is actually division in the Liberal Party — we are probably pretty used to division in the Liberal Party these days — but what did the member for Brighton say on 1 June 2004? She said:

The bill will also modify the dates and allow the minister to table these various financial reports on or before the due date. That would appear to me to be a sensible change the government is introducing.

Maybe there has been a bolt of lightning on the way to Box Hill or something, but suddenly the Liberal Party has changed tack, or else there is extreme division within the Liberal Party on these very minor points that we are discussing now.

Let me make it clear that this bill actually continues the flexibility which was put in place through previous amendments to the act. It provides the flexibility for the tabling and release of documents required under the Financial Management Act consistent with the original intention of the legislation. I do not know whether the member for Box Hill actually wants to change the original intention or whether he has any bright ideas. Maybe he wants to get rid of some of these reports, because if opposition members ever got back into power, they would want to get back into obfuscation and hiding millions of dollars under the carpet, as they used to do.

We have to make changes as well, as has already been explained in the second-reading speech, because Parliament no longer goes into recess. The bill makes provision so we can deal with that situation, and also to make sure that the member for Box Hill gets these reports in a timely fashion. Indeed, as he has probably read in the current act, one day's notice is required to be given to the Clerk that the financial reports are coming. The Clerk will then get on the email and send the member for Box Hill and every other member a message, to say, 'This report is coming and will be available tomorrow'. It is the Clerk's responsibility to then make it available to members in the house. So that system will not change. The intent is not changed. This is a clarification of the circumstances that we need to have insofar as we no longer have a recess because Parliament is now sitting continuously and the dates of sittings are actually made available to members before the house rises.

Another change is contained in clause 3. It inserts into the act proposed section 27D(3A), which was read out by the member for Box Hill. I will not read it out again.

This provision is commonsense. I am really surprised that he is not particularly interested in or supportive of the Commonwealth Games, so it seems, nor is he interested in innovation or business investment.

I am quite ashamed that the Liberal Party does not have that interest in or support for Victoria being an innovative state or to have leadership in terms of biotechnology. Opposition members should be out there attracting business investment and showing leadership not only in Australia but also in the world. As the member for Box Hill should know, Melbourne is one of the world leaders when it comes to biotechnology.

This is a sensible provision. I note the amendments proposed by the Leader of The Nationals. I have pointed out to him privately that perhaps his first amendment may well be a limiting amendment and that perhaps it is not appropriate and should be reworded, because actually it would probably prevent any of these things happening in any year except 2006. I am sure he will probably refer to that when he speaks on this bill tomorrow, as I understand The Nationals are actually not ready.

Indeed, I am sure about the fact that the Liberal opposition is unready as well: it is unready to sit on the Treasury benches because it cannot be trusted with funds. As we have seen, the member for Box Hill, with his financial estimations of savings through slashing and burning, cannot even get the figures right; he does not really understand what is going on; and I am not even too sure if he knows what day it is after hearing what he was saying about proposed subsection (3A).

The bill also contains amendments to the State Owned Enterprises Act and, like the member for Box Hill, we support those amendments, which are driven by public policy objectives. They are very sensible and part of the responsibilities held by the Victorian government. I commend the bill to the house.

Debate adjourned on motion of Mr RYAN (Leader of The Nationals).

Debate adjourned until later this day.

Remaining business postponed on motion of Mr HOLDING (Minister for Police and Emergency Services).

ADJOURNMENT

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

That the house do now adjourn.

Wild dogs: control

Mr PLOWMAN (Benambra) — I raise an issue for the attention of the Minister for Environment. The issue relates to wild dog control in the national park and state forest areas of Victoria, especially in areas between Gippsland and north-eastern Victoria. I ask the minister to introduce an aerial baiting program for wild dogs across the Alpine National Park and the adjoining state forest of north-eastern Victoria.

This request is not new. I have been asking successive ministers for the environment to introduce an aerial baiting program for wild dogs for the last six years. The answer has always been that such a program could not be conducted because an aerial baiting program would kill wildlife, especially tiger quoll. Fortunately, while the Victorian government has been sitting on its hands on this issue the New South Wales government has introduced a trial in New England and shown that tiger quoll were not killed by a poisoning trial.

Furthermore, it is clear that the increasing population of wild dogs is not only killing and eating hundreds of sheep, lambs and calves on the interface of private land but also killing an ever-increasing amount of wildlife. This has been a blind spot for respective ministers in the Bracks government, but as a result of successful trials in the New England district the New South Wales government has determined to expand the number of national parks in which aerial baiting will be conducted to a very large part of the high country of New South Wales.

A report from ABC Online of 14 September states:

Under the new arrangements existing aerial baiting programs will continue in six national parks on the tablelands, while some new reserves may be open to the initiative.

They include Ben Halls Gap, Mummel Gulf and the Washpool national parks. The Mann River, Bolivia and Bluff River nature reserves are also expected to be part of the new program.

...

The decision to allow baiting has been made after a two-year study showed aerial baiting has a negligible effect on wildlife.

I believe this is an opportunity for the government to recognise that there is a real need to bring down the numbers of wild dogs in the breeding areas in the

national parks and state forests in the high country of Victoria. Following the successful trials in New England, the sooner this happens, the better. It is important that the state government do this now before wild dog population reaches greater numbers. The destruction of sheep and cattle is sufficient to require a baiting program, but there is also the destruction of wildlife.

Prostate cancer: awareness

Mr HARKNESS (Frankston) — I draw the attention of the Minister for Health to an apparent lack of awareness amongst many Victorian men of prostate cancer and particularly to the incidence of this form of cancer amongst men in Frankston. I ask the minister to ensure that adequate and appropriate resources are provided to ensure that Victorian men access the treatment they require if diagnosed with prostate cancer and that the Department of Human Services further investigate the causation and treatment of this shocking cancer.

Since being elected to Parliament I have been quite taken aback at the number of men in our community who suffer from prostate cancer or prostate-related problems. In fact prostate cancer is now the most common cancer in Australian men, except for skin cancer. I have a couple of quite telling facts. About 1 in 11 men to age 75 years will be diagnosed with prostate cancer. About three-quarters of men who get prostate cancer will not die from it and the cancer will not progress, but about one in 68 men will die from prostate cancer. In fact in 2003, 3441 Victorian men were diagnosed with this particular cancer and 798 died.

But more common than prostate cancer are non-cancerous prostate conditions, and about one in three men aged over 50 years will experience pain or problems urinating as a result of prostate-related problems. Despite the fact that 1 in 11 men to the age of 75 years will get prostate cancer in their lifetimes, there is little understanding or awareness amongst men about this important health issue. I know that there is a reluctance amongst men to visit their local doctor and have a check-up. We have to generally be dragged, kicking and screaming, to see a GP, but this is a culture we need to change. Whilst medical experts are still unsure about the exact cause of prostate cancer, it is quite clear that the early detection and treatment of prostate problems can reduce the long-term impact of this condition.

Much public education has been conducted about breast cancer in recent years, which has seen a dramatic decrease in deaths from this disease. Women are now

conditioned to look for the early warning signs of breast cancer, with self-examination a very common form of detection. It is not known why men develop prostate cancer. Some do and some do not develop it, but what is known is that the older men get, the more likely it is that they will develop prostate cancer.

Matt Viney, a member for Chelsea Province in another place, and I have started a campaign at Frankston to encourage men to visit their doctors. We believe it is vital that all men, particularly those aged over 45, visit their GPs regularly, because the earlier the problem is caught, the earlier it can be fixed. In speaking to various individuals in Frankston, particularly Ean and Kevin from the Frankston prostate support group, it is quite clear that men need to get involved and see their doctors about this issue.

Aboriginals: Won Wron rehabilitation centre

Mr RYAN (Leader of The Nationals) — I wish to raise a matter for the attention of the Minister for Corrections relating to the proposed indigenous adult residential diversion program at Won Wron within my electorate. The action I seek from the minister is clarification regarding some of the basic elements of the proposed facility. I refer specifically to a letter I addressed to the minister on Monday, 12 September, in the course of which I detailed a series of questions which had been brought to my attention by a number of constituents and which I summarised in an attachment to that letter.

I might say that the concerns that have been raised with me have come particularly from those who live near the site of the proposed facility at Won Wron. These are people who lived in close proximity to the former Won Wron prison. Referring to a variety of circumstances they have detailed to me and to others in our community the difficulties they experienced over the years of operation of the prison at Won Wron. Those problems included visits by prisoners — I use the term ‘visits’ advisedly — at late hours; on occasion items being stolen from their homes and garages; a general air of uncertainty prevailing in the minds of these people over the many years of the operation of the prison; and matters of a similar ilk. They are particularly concerned about the issue of security.

In addition to those concerns, there are a number of matters which have been raised by the general populace of Yarram and the surrounding district concerning elements of the proposed facility. What I ask of the minister is that he address the questions I have put to him. Essentially they fall within three categories. The first goes to the design and construction of the proposed

facility. People want to know where the plans are; what this facility looks like; where on the Won Wron site it is proposed to be built; what is going to happen to the existing buildings which comprise the former prison; what the total cost of the project will be; and when the project is actually going to proceed?

The second category is about issues of security, which is an all-important matter. People want to know what the maximum number of program participants on the site will be; what the arrangements are with regard to the capacity of the police to intervene, if necessary; and whether there will be a curfew. Various other elements are outlined there as well.

Thirdly, there is the issue of the local benefits that it is said will flow prospectively to the community of Yarram and the surrounding district — and I might say there is then a general category that I have outlined for the minister. I seek the minister's response to these various issues.

Narre Warren South P-12 College: leadership program

Mr WILSON (Narre Warren South) — I raise a matter for the attention of the Minister for Education Services. The action I seek is for the minister to meet with year 9 students at the Narre Warren South P-12 College to assist with their leadership skills. The college is currently in its fourth year of operation in the growth corridor that comprises my electorate, with 1719 students ranging from prep to year 10.

The college is embarking on a shift from its traditional teaching methods and curriculum structures for senior students. The model of education focuses on engaging students through curriculum-based experimental learning. The vehicle that drives this transformation is the Students Take Charge program, which is being implemented for years 9 and 10. It creates a transformation in teaching, delivering a curriculum by which the teachers and students are immersed in hands-on, intellectually rigorous activities that engage students and teachers in learning and foster their capacity to lead.

Recently I had the pleasure and privilege of representing the Minister for Education and Training at the college's inaugural youth forum. The forum is part of the year 9 core curriculum that aims to develop and build the leadership skills of students. It was the college's first youth forum in that format, providing students with the opportunity to brainstorm and discuss a range of solutions for issues that they have identified as a concern within their school, their local learning

community and, of course, the global community. To facilitate the day's program the college engaged a broad range of key leaders within their local civic community, community support agencies, Victoria Police and educational leaders.

The central focus of the day was presentations by students to the key leaders panel, of which I was fortunate to be a member. The panel was required to evaluate informally the presentations and suggest actions that may be followed that could lead to a resolution. The range of topics was very wide. Global issues included Third World poverty, war, terrorism, racism and the links between many of those issues. Local issues included vandalism, drug use, and youth activities required in Casey. School issues included harassment, bullying and the environmental maintenance of the school area and surrounding neighbourhood.

It was an extremely productive event, with students rising to the challenge. I congratulate the student leaders involved and, obviously, the teachers and other staff, and the parents. I consider it would be valuable for the minister to meet with many of the students in the program to see its operation first hand.

Mental health: Cheltenham resource centre

Mr THOMPSON (Sandringham) — I wish to raise a matter for the attention of the Minister for Health. The provision of care and appropriate treatment options for people who suffer from mental illness conditions of one form or another are significant matters for all members in this chamber in their respective electorates.

I seek assistance from the minister in responding to concerns raised by a constituent in the Sandringham electorate regarding the delivery of health services at a local resource centre. I was contacted by a constituent who is a regular attendee at the Southern Mental Health Association's resource centre. That great centre was established within the last decade by a group of parents, essentially. In the inner south region there was a lack of provision of a facility for people who suffer from mental illness. Over a number of years parents sought to define an excellent option for their children. A property was acquired in Stanley Avenue, Cheltenham. It is a marvellous building that was later converted into a drop-in centre where a diverse and very broad range of programs are conducted.

My constituent is most concerned that the hours of his attendance at the centre are to be cut back as a result of changes to government funding for the centre. I understand that a new funding model has been

introduced by the Department of Human Services which in effect means that, instead of being funded for the hours of service they provide, agencies will receive funding based on a certain number of hours for each person — which I understand to be 200 hours per year, or 2 hours of structured programs plus a further 2 hours of unstructured programs per week. An expert in the field, to whom my electorate officer has spoken, has confirmed that position and has expressed concerns that it is an arbitrary decision, not based on reasonable data. Accordingly, it does not represent an ideal solution.

Over the past 12 years I have observed some tragic outcomes. People who have not had appropriate options of places to attend have encountered tragic circumstances which have impacted upon not only their own lives but also the lives of their parents and other family members. This is a significant issue which should not be underestimated. I might add that people need a place where they can spend their time and are at liberty to drop in and engage in programs. Staff at the centre have worked hard to encourage clients to join their programs and have provided them with a sense of community which has benefited not only the clients but also their family member and carers. Is there a way forward to ensure that disabled people are not left wandering the streets? This is a key issue I would like the minister to respond to so that everyone has an option.

Disability services: communication devices

Mr LANGUILLER (Derrimut) — Tonight I would like to raise a matter for the attention of the Minister for Community Services. The Bracks government has a terrific vision for people with disabilities. It is a vision that sees people with disabilities as real members of the community, citizens alongside other citizens and members of families, neighbourhoods and communities.

I believe getting help with communication is a critical part of making this vision a reality for many people with disabilities, particularly children. Communication is what connects us and binds us together as people. But communication is not just a simple and straightforward thing. People communicate in different ways, sometimes through different languages and sometimes with the aid of communication devices. Supporting that diversity of communication is therefore a vital part of any inclusive society. Technology has been an enormous asset to people with disabilities who have differing communication needs. Some of the electronic devices that are now available to assist people with disabilities to communicate are just tremendous.

As I have said, this is particularly important for children. When we assist children with their communication, we assist them on the path to the future and their inclusion and participation in community. This is an issue which is important for many children with disabilities in my electorate and around Victoria. But those communication devices cost money. I am aware that some years ago the government provided some generous one-off funding to kick-start a new program called the electronic communication devices scheme for people with disabilities. It is a great scheme but it needs ongoing funding. I ask the minister to take this on board.

I call on the minister to act to provide recurrent funding for the electronic communication devices scheme, particularly to give our children with disabilities a real opportunity to be a part of this great state. You, Acting Speaker, will remember that the state disability plan involved wonderful consultation with people with disabilities. The plan sent a clear message to the government and all political parties in the state. People with disabilities said to us, ‘We want to have equality of opportunity. We want to be inclusive. We want to be a part of the community. We want to be integrated. We want to be able to access education, sports, recreation and have a whole of life approach’. Consequently, this is one of those important programs which make a difference to people with disabilities. In this case, it particularly makes a difference to the life and future of children.

Local government: elections

Mr BAILLIEU (Hawthorn) — I raise a matter for the Premier. It is about the issue of local government elections. I specifically ask the Premier to guarantee that the resources of his ministerial and MPs’ offices will not be used to promote and support candidates in forthcoming elections.

Many of our councils will be facing elections in November this year. On 26 November they will be facing elections under new rules, new boundaries and new electoral systems and many will be facing new challenges. I understand the nomination period is from 21 to 26 October. I wish good luck to all candidates in those elections, but in doing so I note that Labor has already committed itself to taking over local government; it made that commitment at a caucus meeting earlier this year. It has reflected that in an exclusive briefing given to Labor councillors by the Minister for Local Government at a Municipal Association of Victoria forum earlier in the year.

All MPs in this house have an obligation to use their resources in accordance with the parliamentary code. I trust that will be the case. Nevertheless there have been plenty of examples drawn to my attention — and I am sure to other members' attention — of connections among ministers, members of this chamber, existing councillors and candidates for councils. I understand Cr Burhan Yigit, who is a councillor with the Hume City Council, works as an electorate officer for the Minister for Consumer Affairs, Marsha Thomson, in another place. She also has an office with the Minister for Local Government, Candy Broad, in another place.

The infamous Cr Mohamad Abbouche was an electorate officer for the Treasurer. He may have jumped camp. We are not quite sure on this side, but there seems to be some considerable concern about this — —

Mr Mildenhall — On a point of order, Acting Speaker, electorate office budgets are not the responsibility of the Premier. The member, in raising a matter, needs to raise it with the appropriate minister. He is raising the matter of electorate office budgets, and they are not the ministerial responsibility of the Premier.

Mr BAILLIEU — On the point of order, Acting Speaker, it is a classic that the member for Footscray should raise this. I mentioned ministers, and the Premier is directly responsible for ministerial budgets, but given that the member for Footscray has raised it, I note that the electorate officer of the member for Footscray, Stacey Lynn, is standing as a council candidate. She has already used resources which are only available to the member for Footscray. I think the Premier would be wise to start with the member for Footscray.

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

Racecourse Road, Flemington: traffic management

Mr ROBINSON (Mitcham) — Let us have a little bit of sanity in the adjournment debate. I want to raise an issue this evening for the attention of the Minister for Transport. It is a substantial traffic management issue, although I declare to begin with that although it is not actually a traffic congestion point that is located within the Mitcham electorate, it affects many Mitcham constituents because, as we know, in the springtime all roads lead to Flemington. The Spring Racing Carnival attracts thousands of people from the eastern suburbs. With all due respect to Moonee Valley and Caulfield,

no venue in the spring carnival is more important than Flemington.

The most ready form of access for motorists from eastern Melbourne to Flemington is along Racecourse Road, and there are two lanes along Racecourse Road up until the intersection with Smithfield Road. At Smithfield Road the left lane becomes a dedicated left-turn-only lane. In the hour or two prior to the first race at Flemington the road back through Newmarket becomes hopelessly congested because the traffic is reduced to one lane. It is very frustrating, and it is not an ideal situation. It would be better to modify this arrangement by making the left-turn lane an optional left-turn lane or allowing traffic to go straight ahead. This is particularly the case between early October and mid-November.

I am seeking to have the minister conduct some discussions through his department with VicRoads, the Melbourne City Council and the Victoria Racing Club to ensure that we get the matter looked at. As I said, it is a source of some frustration. As somebody who goes out to Flemington from time to time — indeed, I was out there on Saturday — I could say that the delay in the traffic was the reason I did not get there for race 2 and Gonski of course got up. It is a horse the members of the Economic Development Committee spotted in Newcastle not so long ago when we were there on parliamentary business, but I am not going to offer the traffic delay as an excuse, I could have used my phone account, and I foolishly did not. It paid quite handsomely.

An honourable member — Where were we?

Mr ROBINSON — I think we are up to race 3 now. It is important that we examine traffic management around our major racecourses. Flemington is of prime importance through this part of the year, and the suggestion that we might get better traffic flow along Newmarket at that Smithfield Road intersection is one I hope the minister, through his department, can examine.

Bridges: Echuca-Moama

Mr MAUGHAN (Rodney) — I wish to raise a matter with the Minister for Transport, and it concerns the construction of a second Murray River crossing at Echuca-Moama. The action I am seeking is for the minister to initiate action under the commonwealth Administrative Decisions (Judicial Review) Act to have the Yorta Yorta nation's decision not to give consent to the construction of a bridge on the so-called western alignment reviewed by the Federal Court and to invite

the shires of Campaspe in Victoria and Murray in New South Wales to join the government in that action.

It is 10 years this month since I first convened and chaired a meeting between the two municipalities to investigate options for a second Murray River crossing. As the minister will be very well aware, this has been a long, drawn-out process. Both municipalities — supported by the Murray River crossings group, which represents 16 municipalities on either side of the river from Albury to Mildura — and a clear majority of residents in Echuca-Moama support the building of the bridge in the west of Echuca. However, before detailed design of that bridge can even start, it is necessary for VicRoads, on behalf of the minister, to secure under federal legislation the written consent of the Yorta Yorta people. As the minister is very well aware, not only is consent not forthcoming, but the Yorta Yorta people have confirmed in writing their longstanding opposition to the western option.

We therefore have a stalemate. The minister says he cannot build the bridge in the west without the consent of the Yorta Yorta. Members of the local community, through their municipal councils, say they want the bridge in the west and will use every legal avenue to secure it. The general public wants to know why the Yorta Yorta will not give their consent. The Yorta Yorta are not willing to argue their case in public, and under the heritage legislation they are not obliged to do so.

The Nationals, however, have taken the initiative. We have found a way through. We have sought legal advice from a leading Melbourne Queen's Counsel and found that action can be taken under the commonwealth Administrative Decisions (Judicial Review) Act. That act provides that any person aggrieved by a decision such as the Yorta Yorta decision can seek a judicial review of that decision — and the shire and the government are both within the definition of an aggrieved party. As I understand it, there are nine grounds set out in that act on which a review can be sought.

The minister wants to build a bridge; the community wants the bridge and is willing to exhaust every possible option to pursue the western option. I therefore appeal to the minister on behalf of the Echuca-Moama community to initiate a review under the Administrative Decisions (Judicial Review) Act and to invite the shires of Murray and Campaspe to join in that action.

Footscray: transit city project

Mr MILDENHALL (Footscray) — I raise a matter for the attention of the Minister for Major Projects in another place. In light of the significant announcement of the \$92 million Dandenong transit city investment, I request that he move to the next stage of implementation of the Footscray transit city project.

The key starting points for this project are in place. Funding has been set aside for market analysis and a business case. Identification of available government land has been completed. There has been the announcement of a priority development zone, an as-of-right development area. There has been funding for open space refurbishment — \$500 000 for Maddern Square. A structure plan has been completed by Maribyrnong City Council, and skyline visioning has been completed by RMIT University.

The context for this development is very good. The council is very cooperative and a key partner in this. Redevelopment and regeneration is occurring around the designated area. The multicultural setting is ideal for the international investment market and for overseas students. It is a very heavily used rail centre, with a number of suburban and regional services stopping at Footscray. Most of the visitors to the Footscray central business district come other than by private car; it is well accessed by public transport and by foot. The community is keen, and the project certainly will not be controversial as equivalent plans have been in eastern parts of Melbourne. The community is saying, 'Let's get on with this project'.

We now need to bring together the next steps and bring the key parties into a coordinating group. These parties would include Major Projects Victoria, VicUrban, the Department of Sustainability and Environment, Maribyrnong City Council, the Department of Infrastructure, VicTrack and even groups such as Victoria University, which has a lot to offer. People in the community have long talked about a university city as a concept for Footscray, with major campuses at either end of the Nicholson Street hub. We need joint funding for a place manager to bring together available material and coordinate the next phase of activities, and we need to bring together asset investment priorities such as the replacement of the station's pedestrian overpass.

The setting is ideal for a transit city. We have the land; a regenerating, dynamic community; the willingness; partnerships in place; and a policy context and framework established by this visionary state government. This project is poised to proceed. I bring

to the attention of the Minister for Major Projects the need to bring the human and financial resources into place to enable this vision to become a reality and transform this potential into the reality we know it should be.

Responses

Ms ALLAN (Minister for Education Services) — I am very pleased to respond to the matter raised by the member for Narre Warren South, who works very hard in his local community to represent and support the activities of young people in his electorate. I am very familiar with the work he does with the local schools in his electorate, having visited a number of schools with him and having witnessed his very close support for the community. I am delighted to respond to the member's call for action to meet with the year 9 students from Narre Warren South P-12 College to talk with them about the leadership and skills program.

We know that supporting young people, and particularly supporting young people in year 9, which is a critical year of schooling, to develop their leadership skills and their potential is very important, and I am very pleased that the member for Narre Warren South is lending his support to this program. I look forward to working with him and with the school and its students. I accept the invitation to organise a meeting to discuss some of the other opportunities that young people have right across Victoria to be involved in leadership programs, particularly those programs that are supported more directly by the Bracks government.

Mr BATCHELOR (Minister for Transport) — Just like the people of Mitcham, the racing industry has a thoroughbred champion in the member for Mitcham. I only wish he would pass on some of those tips he is renowned for.

Mr Robinson — Demerger.

Mr BATCHELOR — Let the record show that the tip is Demerger in the Melbourne Cup.

However, the matter raised by the member was in relation to line markings and lane use on Racecourse Road in Newmarket. I will take that up with VicRoads and ask it to have discussions with the City of Melbourne about the merits of the suggestion. The member for Mitcham suggests that temporary measures could be put in place during the spring carnival each year with a view to improving traffic flow into Flemington racecourse. From his point of view at that time of year all roads lead to Flemington, and he is seeking to ensure that all lanes on those roads lead to

Flemington. I will take it up with VicRoads and ask it to pursue the matter with the City of Melbourne, and I will get back to the member in due course.

Once again the member for Rodney raised the issue of the Echuca-Moama bridge. The Bracks government is aware that under the commonwealth Administrative Decisions (Judicial Review) Act 1977 it is theoretically possible for various parties to challenge the decision of the Yorta Yorta Nations Aboriginal Corporation to refuse consent to the western alignment of the Echuca-Moama bridge project. In fact, any aggrieved party can pursue this course of action in the Federal Court. It could be the state government, the shires of Campaspe and Murray or any other aggrieved individual or organisation. It is not limited to government bodies.

However, VicRoads has already obtained its own legal advice that this course of action, as suggested by The Nationals, would have a low chance of success. In those circumstances the government does not intend to challenge the decision. For the government to proceed after receiving this type of legal advice would, in my view, be irresponsible; it would be a waste of time and money. However, other parties are able to consider this matter, and how they proceed is a matter for them. They could, of course, use The Nationals barrister, Mr Jim Merralls, QC, to pursue this issue. The councils or any other aggrieved person or body are able to do this under the commonwealth law.

However, before embarking on any legal foray I suggest that it would be very desirable that they get good legal advice at the very outset. It is interesting to note that, after getting legal advice from a QC, all The Nationals have been able to say is that it is possible for a legal challenge to be made under the commonwealth Administrative Decisions (Judicial Review) Act, but they have remained silent as to the likelihood of the success of such legal action.

The government is aware of the legal actions and has also considered the likelihood of the success of taking legal action under the judicial review act. Legal advice has said that the chance of success of such a legal challenge is low. Appeals under the Administrative Decisions (Judicial Review) Act are required to be taken in the Federal Court and are complex and expensive proceedings. A legal challenge under the judicial review act is not an appeal on the merits of the original decision; it is only available to challenge decisions on technical grounds — for example, for a breach of rules of natural justice that occurred or if the making of the decision was an improper use of power. Given that the Yorta Yorta have consistently opposed

the western alignment option, even if the Federal Court were to set aside the Yorta Yorta decision on a legal technicality, the Yorta Yorta could then just go ahead and make another decision refusing its consent on the western alignment. This would lead to a very prolonged stalemate.

Rather than wasting resources on expensive and acrimonious legal proceedings, the government prefers to try to resolve this process sooner rather than later. The more certain and quicker course of action will be to work with the Yorta Yorta people, the shires of Campaspe and Murray and the other stakeholders to secure an agreed outcome to build the second crossing. It is worthwhile remembering that the Yorta Yorta people do not oppose a second bridge crossing. Their opposition has been against the western alignment option — a position they have consistently maintained and articulated. The Campaspe Shire Council and the Murray council will need to decide what position they will take in light of these decisions and in light of their own legal advice. The most sensible decisions for the councils would be to support the government in finding that early decision.

Another option for parties is to wait for the promulgation of the new Victorian legislation replacing the provisions in the commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984. However, this will take considerable time and, if parties choose that option, they do so knowing that it will take many years before that option leads to a new bridge being built. And then there are no guarantees of what the resultant alignment would be. Of course, the Shire of Campaspe and/or the Shire of Murray could start proceedings themselves under the judicial review act, challenging the Yorta Yorta decision, but I am not sure that this would produce a solution, let alone an early solution.

Mr HOLDING (Minister for Police and Emergency Services) — Firstly, in respect of the matter raised by the Leader of The Nationals, he did indeed write to me on 12 September, as he described, in relation to a range of questions that he posed in relation to the Yarram community and the proposed Won Wron adult residential diversion program facility. He has characterised these questions as representing not only but particularly the concerns of those who live in the immediate vicinity of the former Won Wron prison. I will endeavour to answer some of his questions, although I will not answer all of them tonight, and I will send him a letter that will provide a more detailed response than I am able to provide here.

In regard to some of the design and construction issues, I firstly want to emphasise that the use of local materials and workers will be one of the key considerations throughout the concept design and development process. A local contractor has already been engaged to decommission the sewerage system, and a temporary site office is being established, with goods and services being purchased locally. There will be a strong, ongoing preference for utilising local businesses and tradespeople to provide goods and services to the program.

I can advise that the existing budget for the project is \$1.75 million. The project cost will be finalised following the completion of the scoping. It will open in early 2007, and it is expected that construction work will commence in the second half of 2006. The specific design of the facility is yet to be finalised. A steering committee has been established, and it will conduct its next meeting on the site within the next fortnight in order to make some critical decisions that will inform the design development, including the location of the facility on the site. A facility development plan will be created and will be made available for broader consultation as appropriate. A significant reference point for this consultation will be the community advisory group which has already been established and which comprises representatives from the local community. It will be consulted throughout the design and development process. The initial conceptual design for the consultation will be completed within the next four months. It is estimated that the detailed design will be completed in another four months.

In relation to security I will not go through all the material that has already been provided to local residents in relation to the target population for the facility, but I reiterate in response to the specific questions asked by the Leader of The Nationals that the program will accommodate a maximum of 20 residents at any one time, all of whom will be subject to a night-time curfew. Participants will not be locked down within the facility, as their participation will be on a voluntary basis. Nonetheless, measures will be in place to ensure that the whereabouts of residents is known at all times.

While the final staffing arrangements are yet to be finalised, I can advise that a minimum of 15 full-time rostered staff will be employed by the board of management to run the program. The staffing complement will be sufficient to provide for appropriate security and supervision and the delivery of programs. A manager will be engaged well before the commencement of the program, and there will be a

program staff member on site 24 hours a day, seven days a week.

In respect of police involvement, a question was raised at a recent public meeting about whether police would have jurisdiction on the facility. I assure the locals that police will be able to charge any individual on the program, as is the case with any citizen, if they believe that individual has committed an offence. Of course Yarram already has a 16-hour police station, and the Sale police station is also available in appropriate circumstances if that is required. The sentencing provisions will enable a community corrections officer to lay a charge alleging the breach of a community-based order. While there is no provision for police to lay charges in such circumstances, they may arrest an individual if community correctional services has issued a warrant for that person's arrest. The same police powers exist in relation to this program as they do in relation to any other offenders in any other circumstances in any other part of the state.

The program will be overseen by the board of management, which will mainly comprise elected leaders of Victoria's indigenous community but which will also include government representatives. The board will operate the program under a service level agreement which will be funded and monitored by the government. I will provide more specific answers to the full breadth of the questions raised by the Leader of The Nationals. Those responses are being prepared at the moment, and I will shortly provide some correspondence which will address each of the specific questions he raised.

The member for Benambra raised an issue for the Minister for Environment, and I will draw that matter to the minister's attention.

The member for Frankston and the member for Sandringham raised issues for the Minister for Health, and I will draw those matters to the minister's attention for her response.

The member for Derrimut raised a matter for the Minister for Community Services, and the member for Footscray raised a matter for the Minister for Major Projects in the other place. I will draw those matters to the ministers' attention for their appropriate response.

The member for Hawthorn raised a matter for the attention of the Premier. Amongst other things he mentioned a local person in the Footscray area, Stacey Lynn, who also happens to be employed in the office of the member for Footscray. She is a bright, articulate young person who I am sure is capable of making a

significant contribution to local government. I am sure this young person, who is well-regarded in the local area and who has just turned 25, will potentially be a terrific addition to the local council. All members on this side of the chamber wish her all the best in her endeavours to be elected.

We are pleased the member for Hawthorn has drawn that person's attributes and capabilities to the attention of all honourable members. It is disappointing though that he, without any evidence at all, has made the suggestion that in some way she may have improperly accessed resources or whatever. I am certain that is not the case, and I am disappointed that the member for Hawthorn has raised that matter in this chamber.

I would make the point that a number of members of Parliament on all sides employ and have employed representatives from local government in their offices. I know Mr Brideson, a member for Waverley Province in the other place, employs a local government councillor on his staff. I know the member for Hawthorn has employed candidates for public office on his staff in the past. In fact one thing we can be certain of is that any person who is employed by the member for Hawthorn has had their political prospects set back considerably as a consequence of that employment. That is a regrettable thing, which the member for Hawthorn needs to deal with. I will draw the matter raised by the member to the attention of the Premier.

The ACTING SPEAKER (Mr Nardella) —
Order! The house now stands adjourned.

House adjourned 11.06 p.m.

