

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

**Thursday, 8 September 2005
(extract from Book 3)**

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By authority of the Victorian Government Printer

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

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

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

Parliamentary Services — Secretary: Dr S. O'Kane

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FIFTY-FIFTH PARLIAMENT — FIRST SESSION

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Mr R. K. B. DOYLE

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The Hon. P. N. HONEYWOOD

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Mr P. J. RYAN

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Herbert, Mr Steven Ralph	Eltham	ALP	Seitz, Mr George	Keilor	ALP
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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

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Thursday, 8 September 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 189 to 202 and 330 to 350 will be removed from the notice paper on the next sitting day. A member who requires the notice standing in his or her name to be continued must advise the Clerk in writing before 2.00 p.m. today.

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

To the Legislative Assembly of Victoria:

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

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

By Dr SYKES (Benalla) (139 signatures)**Balcombe Road, Beaumaris: speed zones**

To the Legislative Assembly of Victoria:

The petition of the residents of the Sandringham electorate draws to the attention of the house concerns regarding the uncertainty of four speed zone signs within 1 kilometre regulating traffic speed for vehicles travelling in a westerly direction along Balcombe Road in the approach to Reserve Road.

Prayer

The petitioners therefore request that the Bracks government introduce a speed limit of 50 [k]ph in Balcombe Road just west of Dalgetty Road to the point just prior to Reserve Road where the speed reduces to 40 kph during school day hours. This will have the practical benefit of reducing four speed sign designations to two speeds.

By Mr THOMPSON (Sandringham) (10 signatures)**Schools: religious instruction**

To the Legislative Assembly of Victoria:

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

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

By Mr WELLS (Scoresby) (20 signatures)

Tabled.

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

Ordered that petition presented by honourable member for Benalla be considered next day on motion of Dr SYKES (Benalla).

DOCUMENTS**Tabled by Clerk:**

Statutory Rule under the *Victims of Crime Assistance Act 1996* — SR No 106

Subordinate Legislation Act 1994 — Minister's exception certificate in relation to Statutory Rule No 106.

MEMBERS STATEMENTS**Bob and Dot O'Neill**

Ms McTAGGART (Evelyn) — I rise today to pay tribute to Bob and Dot O'Neill. In 1976 Bob and Dot purchased an 8-acre farm in Wandin in the heart of the Yarra Valley. They bulldozed the cherry orchard and went to work transforming the land into an absolutely amazing native garden, known as Katandra Gardens. I recently visited the property and walked around for over an hour viewing many rare and beautiful plants. Bob propagates most of the plants himself, which gives him personal satisfaction and enables him to keep costs at a minimum to replace the species in the garden. I could not believe that this garden has species from all

around Australia — plants from the west such as Geraldton Wax and the rare dryandra browni, which looks like something from the Jurassic period; Davidson's plum from the Daintree in Queensland; as well as many exotic species such as oriental lilliums and tree peonies. There were even avocados, macadamias and bananas growing in this very diverse garden.

Bob was recently awarded Ornamental Gardener of the Year by *Gardening Australia* and Katandra Gardens was also included in the top 10 gardens in Australia by Mike Nelhums in *The Garden*. Dot loves watering the garden, and there are lovely water features including a magnificent 50-metre-wide lake surrounded by water reeds set amongst the most beautiful garden and against a backdrop of the Yarra Ranges. Katandra is home to 85 bird species.

I had the pleasure of seeing many people enjoying the pleasures of this garden. Congratulations to both Bob and Dot for their achievements and for sharing this stunning native and water-wise garden with me and the general public. I invite members of the house to visit the magnificent Katandra Gardens and share in my experiences.

Sewerage: outer east

Mr HONEYWOOD (Warrandyte) — The Bracks government has been playing politics with the environmental funding for the Yarra River. In January this year three kayakers contracted leptospirosis and were hospitalised after swallowing water in the river. Hundreds of eels died. At the time Melbourne Water and Manningham council, in separate water quality tests, indicated the highest levels of E. coli were entering the Yarra River from Ruffey Creek in Bulleen and Mullum Creek in Warrandyte. However, the Minister for the Environment and his lackey, the Environment Protection Authority, were content to blame dog owners further down the river. Melbourne Water's tests showed bacteria readings at 22 times the levels deemed safe for human for swimming at the Bulleen testing station.

Almost 6000 households in these Manningham suburbs are totally reliant on septic tanks, many of which have been found to be leaking, according to Manningham City Council audits. They make up just some of the 17 000 septic tank-reliant households in Yarra Valley Water's jurisdiction alone. Instead of directing scarce Yarra Valley Water authority funding for sewerage connections to any area of Manningham or the outer east, the Bracks government has announced \$300 million for a 25-kilometre sewerage connection

upgrade from Reservoir to Essendon in Melbourne's northern suburbs, where there are no Liberal seats. Based on any criterion other than politics, the funding has been directed at the wrong areas. Suburbs in Manningham have much higher pollution discharges into the Yarra than the northern suburbs, and the outer eastern region is not receiving anything from the \$300 million package because it is made up of Liberal Party electorates. This is political discrimination and pork-barrelling at its worst.

The Yarra Valley Water authority currently has a 40-year plan to eventually replace Manningham septic tanks for connection to Melbourne's sewerage network. We now face the prospect of this becoming a 60-year plan if our households have to pay for this northern suburbs priority project instead.

United Nations 2005 World Summit

Mr STENSHOLT (Burwood) — Next week from 14 to 16 September there will be a special United Nations world summit where the leaders of 170 countries will discuss development, security, human rights and the reform of the United Nations. In particular, they will discuss the implementation of and progress towards the millennium goals. These are to eradicate extreme poverty and hunger, achieve universal primary education, promote gender equality and empower women, reduce child mortality, improve maternal health, combat HIV/AIDS, malaria and other diseases, ensure environmental sustainability and develop a global partnership for development. This program is supported by the International Monetary Fund and the World Bank.

Oxfam: Make Poverty History

I urge Australia's Prime Minister to help make poverty history by raising Australian overseas aid to at least 0.5 per cent of gross domestic product; it is currently at 0.28 per cent. It has fallen to an historic low over the past few years under the federal Liberal coalition government. Oxfam Australia is mobilising community support for the Make Poverty History campaign. People are asked to buy and wear a Make Poverty History wristband this Saturday. There will be a rally at the State Library of Victoria on Saturday morning asking John Howard to play the game, and there will be information stalls in the Bourke Street mall. I urge all MPs to help make poverty history and wear a white band on Saturday because, as Nelson Mandela said:

Like slavery and apartheid, poverty is not natural. It is man made and it can be overcome and eradicated by the actions of human beings.

Wear your white wristband on Saturday.

Weeds: control

Mr WALSH (Swan Hill) — I want to raise concerns about the spread of cactus on a number of sites in the Swan Hill electorate. The rhetoric from the Minister for Agriculture and the Minister for Environment that there is increased investment in weed control is not being matched by actions within their departments. On Sunday I attended a field day at Buckrabanyule run by the Wychitella Landcare group in conjunction with the Loddon shire. Wheel cactus has invaded Mount Buckrabanyule, Mount Kerang and Mount Egbert surrounding farmland and roadside reserves. The heaviest infestations are on private land at Mount Buckrabanyule and Parks Victoria reserves around Mount Kerang and Mount Egbert. The Wychitella Landcare group is in urgent need of funds to control this invasive weed. Its trials have shown that injecting cactus wheels with undiluted glyphosate is the most effective control measure but it is time consuming and expensive.

In the north of the electorate at Natya the Kooloonong-Natya Landcare group is battling Abrojo cactus, which has spread from the Crown land reserves in the old Natya township and VicTrack land onto private land. Again, the control of Abrojo cactus is time consuming and expensive and the Kooloonong-Natya Landcare group needs assistance to carry on with its excellent work. The Landcare groups need money and assistance, not rhetoric from the Minister for Agriculture and the Minister for Environment, so that they can continue their excellent work.

Our Lady of the Sacred Heart College, Bentleigh: stage productions

Mr HUDSON (Bentleigh) — Recently I had the pleasure of attending two one-act plays staged by students at Our Lady of the Sacred Heart College in my electorate. The first play, *Ladies of the Tower*, is set in the Tower of London and features a number of the six wives of Henry VIII, together with other women who are confined to the Tower and eventually executed. Two women who come to scrub down rooms in the Tower are visited by the spirit of the ladies who met their deaths inside. The spirits of these women are essentially captive to their own past unable to move on from the horrific experiences that eventually led to their deaths. The clear message of the play is that unless we can let go of our bitterness about the past we are doomed to be captives to it. The play is captivating. The roles were played with haunting effect by Alison Canty, Alex Hay, Caitlin O'Farrell, Claire de Freitas, Lena

Hume-Twining, Ann Aruluban, Liz Zotti, Melissa Vasil and Pamela Marcou.

The second play, *Bus Stop*, is a hilarious comedy about a group of working-class women who, while waiting at the bus stop, indulge in idle gossip to pass the time of day. They are joined by two very well-dressed women who obviously do not use the bus very often. What follows is an amusing interchange reflecting the obvious class differences in their everyday experience and attitudes to life, observed with sharp wit and humour. The roles of the women were played with great comic effect by Leah Osburn, Lina Grant, Ally Pollard, Melissa Cesario, Michelle Anderson, Libby Salter and Serene Reilly.

Special mention should also be made of the work of the drama teacher, Michelle Fenton, Mrs Rennick, who helped with the costumes, and Mrs Osburn, a parent who assisted the production. The school is very ably led by Mrs Judith Lamb, who is a big supporter of the performing arts in the school and is the driving force behind the artistic development of students at Our Lady of the Sacred Heart College.

Kew High School: senior school centre

Mr McINTOSH (Kew) — Kew High School's application for a contribution from the Community Facilities Fund towards the cost of building a senior school centre is currently before the minister. The Community Facilities Fund was established to support government schools building facilities which can be jointly used by the school and the community. Kew High School's application demonstrates the new centre will enhance the experience of students during their critical Victorian certificate of education year. The centre will clearly provide a facility which the community will regularly utilise. Sixteen local community groups from St Paul's Anglican Church to representatives of the Kew Festival supported in writing Kew High School's application and have already expressed an interest in regularly using the facility.

Not any idle statement; Kew High School has a wonderful relationship with the community. Facilities such as the Renaissance Theatre are constantly used for artistic, dramatic and cultural purposes. Its basketball courts and other school buildings and grounds are regularly used for sporting, educational and religious purposes. The City of Boroondara strongly supports the application. The three local councillors, Luke Tobin, Phillip Healy and Lachlan Williams, all endorse the application. I am grateful for Boroondara officers who regularly attended meetings with government to support Kew High School. The members for Burwood and

Ivanhoe, who have an association with Kew High School, I am sure will join with me to endorse its application as a very valuable community facility. Kew High School, my community, the City of Boroondara, the members for Burwood and Ivanhoe and I call on the government to grant the application as soon as possible.

Statements interrupted.

BUSINESS OF THE HOUSE

Notices of motion: admissibility

The SPEAKER — Order! I have to advise the house that the notice of motion given by the member for Mitcham was out of order, so it will be expunged from the record.

Statements resumed.

Meals on wheels: Geelong electorate

Mr TREZISE (Geelong) — On Friday, 26 August, I had the pleasure of working with the City of Greater Geelong Meals on Wheels team to mark the National Meals on Wheels Day held on 31 August. As this house is well aware, Meals on Wheels is a wonderful organisation that provides cooked meals to many Australians who are elderly or in some way infirm. In fact Australian Meals on Wheels volunteers total 78 750 and deliver more than 14 million meals per annum. In Geelong there are some 20 paid staff and 470 volunteers who service more than 1500 local residents. It is important to understand that Meals on Wheels does far more than deliver a nutritious meal to people in our community.

In having daily contact with elderly or infirm clients volunteers can also assess deterioration in a person's health, either physical or mental and, of course, provide welcome company and a chat. Perhaps an elderly person's only contact with another person on that day will be a volunteer. On Friday I lent my services and had the pleasure of visiting a couple of homes with volunteer Kelly Soderman, who obviously had built up a great rapport with her clients. I take this opportunity to congratulate all volunteers and staff at the Geelong Meals on Wheels program. They do an important task in a very effective manner to the benefit of not only their clients, but also the community of Geelong.

Housing: services tax

Mr CLARK (Box Hill) — The reported Bracks government proposals to impose a \$30 000 services tax on home sites in new subdivisions threatens to impose a

massive burden on young families trying to buy their first home. Such a tax will make it almost as hard to buy a new home in Melbourne as it is in Sydney and will make the great Australian dream of owning a home unattainable for thousands of young families. Already home buyers across Melbourne are being forced to pay \$17 000 in stamp duty on a typical house to help fund the Bracks government's spending blow-outs. This latest proposal will raise the total Bracks government tax bill on many new homes to an amount approaching \$50 000. The government boasts about its \$5000 first home bonus, even though that will end in June 2007, but if this tax goes ahead it will take back from first home buyers six times what the government is giving out in the first home bonus.

This latest new proposal is reportedly being developed by a so-called smart growth committee as part of the Bracks government's Melbourne 2030 planning strategy. Not only are the Bracks government's planning ideologues imposing high-rise, high-density developments across existing suburbs, they are making it near impossible for many Victorians to afford to move out to new suburbs with more space for their children to grow up in. The Premier and his ministers have had repeated opportunities to rule out this services tax, but they have conspicuously failed to do so. The uncertainty being created by the government's equivocation on this issue is putting numerous development proposals on hold indefinitely. The Premier needs to make clear to Victorians whether or not his government intends to go ahead with this new services tax.

Terrorism: national summit

Mr PERERA (Cranbourne) — I believe that the terrorist activities happening around the globe are no different to the 7 July London bombings, the 11 September atrocities in New York or the Bali bombings which took the lives of our own Australians. It must be noted that the depth of feeling that exists in London, New York and Bali is also felt by communities around the globe which are dealing with the impact of terrorism. On the steps of our Parliament on 11 September, the second anniversary of the New York World Trade Centre attack, an anti-terrorist rally has been organised by a number of Sri Lankan organisations, along with other organisations based in Victoria.

Terrorism threatens our lives and the values we hold dear. Terrorism is a global phenomenon without national boundaries. Victoria has a large number of people of Sri Lankan origin who are looking to federal, state and territory leaders to set the agenda for the

national summit on terrorism on 26 September this year to consider terrorism across the globe, since the only way to counter terrorism nationally is through global solutions.

This will not only bring victims across the world together but also force the perpetrators to look for alternative methods if they want their case to be heard by Western democracies such as Australia. This is not an unreal prospect. In Sri Lanka a party that more than three and a half decades ago sought political solutions through terrorist activities has today embraced parliamentary democracy, and at one stage it became a partner in the Sri Lankan government. As a country with Western democratic values and ideals, Australia is well placed to offer assistance to countries such as Sri Lanka to deal with terrorism and other related issues in a more effective manner. In the end, political conflicts can only be resolved through a thoroughly negotiated settlement.

Foxes: control

Mr MAUGHAN (Rodney) — I call on the Bracks government to reintroduce the fox-tail bounty scheme. Members will recall that the very successful scheme, which this government cut, paid \$10 for every fox tail delivered. This provided sufficient incentive for shooters to go out and hunt foxes, and it at least reimbursed some of their out-of-pocket expenses. During the last year of the scheme 170 000 fox tails were handed in. The bounty encouraged shooters to pursue their sport and, used in conjunction with other measures such as baiting, reduced fox numbers, with real benefits for rural communities and the environment.

Since the bounty was scrapped fox numbers have increased, with a consequent loss of small native birds and other animals as well as increased costs and heartache to the farming community because of losses of lambs and young calves. Nationally the loss to the community caused by foxes is estimated at \$36 million. It is about time that the Bracks government did something more than just turning out glossy reports and did something practical to control the feral pests that are causing so much damage. I call on the government to immediately reintroduce the fox bounty scheme and reduce the economic cost to the community of this feral pest.

Skiing: world aerial championships

Ms MARSHALL (Forest Hill) — It was with great pleasure that I represented the Minister for Sport and Recreation in another place last weekend at the 2005

World Cup aerial skiing championships at Mount Buller. This was the eighth time Mount Buller had hosted a World Cup Aerials event, and it is no surprise that it is one of the most popular events on the skiing schedule. Mount Buller's natural beauty provides a picturesque postcard of Victoria's snowfields and is a wonderful venue for the championships. The competition was the first event in the FIS World Cup circuit, the premier aerial event in the world. We were able to cheer our own world champion skiers, Jacqui Cooper and Alisa Camplin, who have both overcome great obstacles to be at this event. Congratulations to Alisa Camplin on her qualification for the Winter Olympics. We now look forward to watching them both at the Olympic Games next year.

I am very pleased the Victorian government is supporting this event. Having so many elite athletes here in Australia provides valuable opportunities to promote skiing down under and around the world. As I experienced at the beginning of my career, seeing the achievements of great athletes so close to home can inspire others to try aerial skiing and benefit from an active and healthy lifestyle, not to mention the adrenalin rush from and challenge of aerial skiing. For the newly inspired Victorian aerial skiers in partnership with the Ski and Snowboard Australia development program, the Victorian Institute of Sport has developed a highly regarded and innovative athlete development pathway.

This program helps elite gymnasts to fast-track their way to an international aerial skiing career. Athletes in this program spend most of the winter training at Mount Buller to improve their skiing skills. Congratulations particularly to the organisers and to Laurie Blampied and Mount Buller Ski Lifts for their efforts in returning Mount Buller to World Cup condition after the gale-force winds and rain earlier in the week.

Planning: Mitcham development

Mr BAILLIEU (Hawthorn) — On 11 August the Court of Appeal, including the chief justice and two Supreme Court judges, dismissed an appeal against the approval of twin high-rise towers for the Mitcham neighbourhood activity centre and upheld the decision of the three-member Victorian Civil and Administrative Tribunal (VCAT) hearing which approved the proposed development. The court concluded that the proposal is consistent with Melbourne 2030. This is a seminal judgment that clarifies for all Melburnians exactly what Melbourne 2030 means. In the name of Melbourne 2030 any activity centre, regardless of whether or not it was identified in Melbourne 2030 and

regardless of local community expectations, may now be ripe for high-rise development.

The court concluded VCAT was correct in its assessment. As a consequence the court has effectively endorsed VCAT's conclusion in regard to Melbourne 2030 that: high-rise towers in neighbourhood activity centres are consistent with Melbourne 2030 — VCAT paragraphs 24 and 46; structure planning was not a prerequisite in activity centres — VCAT paragraph 80; structure planning was not a panacea to activity centre planning issues — VCAT paragraph 72; major development decisions will be motivated by opportunity and profit, not by structure plans — VCAT paragraph 72; numbers in the government's urban development program are speculative — VCAT paragraph 57; development opportunities should not be wasted — VCAT paragraph 57; the hierarchy of activity centres in Melbourne 2030 should not be taken as a definitive guide — VCAT paragraph 65; structure planning of any centre would take a year — VCAT paragraph 70; visual dominance should not be a reason to reject a proposal for high density — VCAT paragraph 97; Melbourne 2030's 20/2020 public transport vision should not be taken literally — VCAT footnote 16; and a reduction in car trips is the aim, not an increase in public transport use.

Melbourne 2030 is seriously flawed. It must be subjected to a full public review.

Schools: reading challenge

Mr CRUTCHFIELD (South Barwon) — Yesterday morning I was with the Premier and the Minister for Education and Training at the presentation of awards for the Premier's reading challenge. Some 58 260 students across the state have each read 12 books or more from a nominated list of authors in six months. A total of 126 705 students from 1375 schools took part and between them have read 1 million books. I congratulate the students who met the challenge and those who read even one extra book. Almost 30 schools with outstanding levels of participation were invited to a special Premier's reading challenge reception at the National Gallery of Victoria. It was a very humorous event which celebrated reading, writing and illustrating.

I would like to thank the 14 Victorian authors and illustrators who were challenge ambassadors and visited schools to foster enthusiasm for reading. The gathering was professionally entertained by the Sweethearts, an all-girl band from Matthew Flinders College in Geelong. The Premier and the minister were

impressed by the quality of their performance. Students from across the state, including Mildura South, Marlo, Colac, Panmure and Queenscliff, and South Barwon's representatives, Clairvaux Catholic Primary School, attended the ceremony — and so they should have. Of the students from the 16 schools in my electorate who read 9694 books, Clairvaux had 279 students who read 3348 books — nearly a third of the total number. Clairvaux was one of the best performers in the state and nearly doubled the number of successful completions of the next closest school in South Barwon. Students William Burkett and Kate Bogacki represented the school along with their proud mothers and a very proud school librarian, Pam Nieuman. Congratulations to the school.

Schools: capital works criteria

Mr PERTON (Doncaster) — I rise to demand that the Minister for Education and Training urgently reconsider the criteria for capital works upgrades for many small Victorian schools. Under current criteria these smaller schools like Birralee primary in my electorate simply fall through the cracks. Other schools that I have visited in recent weeks, such as Middle Indigo and Barnawartha, schools in the electorate of the member for Eltham such as Montmorency South and schools such as Boneo and Traralgon South have missed out under this government. Birralee, for instance, has had no upgrades or major refurbishment since its opening in 1971 and is now looking tired and outdated.

The school has already spent its own funds drawing up a master plan for eight new classrooms and a substantial refurbishment of its core buildings, which includes administration facilities. It estimates this work would cost \$2.8 million but despite requests to the government this excellent small school with its dedicated teaching staff and steady enrolment has not been able to attract the necessary funds. In essence what the government is doing is starving these schools of funds. They are facing a continuing decline in the state of capital and maintenance, and parents and students — —

Mr Crutchfield — Where is the passion?

Mr PERTON — Passion? You ask for passion? You can have passion. The government has betrayed the children of this state. The matter raised by the member for South Barwon in respect of reading is one of the areas: one in five children leave our state school system unable to read. The member should hang his head in shame.

Oak Park Primary School: building program

Ms CAMPBELL (Pascoe Vale) — I was extremely pleased to attend the Oak Park Primary School council August meeting held in the impressive new staff and administration area funded by the Bracks government. This school community appreciates and is indebted to its councillors: parents Paul Mamro, Bronwyn Powell, Gary Barty, Karen Ahern, Peter Gray, Tanya Taylor, Melinda Bruce and Anthony Morse; and staff Gavin Healy, Trevor Daly, Denise Anderson and Jenni Miller.

At the meeting I participated in a presentation by Mr Bruce Baade from BHA Architects, who have been enlisted by the school council to complete full planning of stage 2 of the school's master plan as part of the Department of Education and Training's capital works program. Mr Baade presented some innovative and futuristic designs for stage 2, which includes general purpose classrooms and a new library. Much of the research for these designs was drawn from the Department of Education and Training's proposed planning principles entitled 'Linking pedagogy to space', developed by Dr Kenn Fisher, director, learning futures.

What impressed me was the active discussion among school councillors was not derived from the cost of the project or bricks and mortar but rather how the new teaching space would be designed and built to facilitate improved student learning outcomes for students now and into the future. Within the context of the government's blueprint, particularly 'Flagship strategy 1 — student learning', I was fascinated to hear how teaching and learning principles can be linked to specific spatial settings for individual students and groups of students to provide opportunities for informal learning and activity-rich spaces. It was also exciting to investigate — —

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

Australian Training College: Malaysian partnership

Mr HARDMAN (Seymour) — I rise to congratulate the Australian Training College. I recently attended an event held at Lancemore Hill in Kilmore, where the college launched a new partnership with a Malaysian company, Saiful and Ernest. The Australian Training College is ably led by Berry McSherry and Sally Dimmick. I have known Berry for about seven years. She is a person with great entrepreneurial skills. Berry is very enthusiastic, and what she is doing is fantastic for our local community. She has created this

relationship with Malaysia, where the college is training chief executive officers (CEOs) from Malaysia, providing practical training experiences here in Australia. They will do it at the Lancemore Hill conference centre in our local area, and they are going to create great export opportunities for our area in the future as these Malaysian CEOs come to Australia and create relationships and networks.

The partnership agreement is about creating an international training organisation providing high-quality, nationally accredited training programs for Malaysian students. It has transparent economic benefits. Initiatives such as the Australian-Malaysian training partnership promote mutual respect and understanding between our communities and societies. It is interesting to note that there are three Australian universities in Malaysia and two of them — Monash and Swinburne — are from Victoria. It is fantastic to see this relationship. It is wonderful for Mitchell shire and great for Victoria.

Industrial relations: federal changes

Ms MUNT (Mordialloc) — On 5 August of this year I received an email from Belinda Dulaca. She has titled it 'A letter from a real person'. She writes:

I am writing to express the views of a real person on how the Liberal budget has affected me ...

I am a single mother of a four-year-old son, in receipt of a part pension and also a taxpayer. I work 20 hours per week and have done so since my son was one year old. When I heard the recent budget I immediately got online to read the details. I wondered how I would be affected after all the hype of the election and how we would all be better off — only to find the gap between the rich and the poor was widening.

...

With the new industrial reform, I face the uncertainty of job security. I am being pressured to work full time next year when I only want to work four days school hours to allow me to raise my child and participate in his education. But the Liberal government are ensuring that I do not have a choice — my employer has the power to sack me due to operational needs and I will not have a leg to stand on. I would not be able to afford to fight the case in civil court. What has happened to our basic workers rights? We are returning to the dark ages when our children were sent down the mines to work. If it wasn't for the trade union movement this would still be happening.

... What about those single mums who are not educated and have minimal part-time work in this period — what happens to them when this new system comes into play! Also the new funding for stay-at-home mums to obtain training to return to the work force has been exceeded and is no longer available. It is only August.

... If it wasn't for the prospect of my pension I would have still remained in my violent relationship. What impact does that have on a community and the effect on those children?

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

Croatian photographic exhibition

Mr SEITZ (Keilor) — I rise to congratulate two Croatian-born women from my electorate who last January made a trip back to Zagreb to take photographs and write the story of Croatia after the war. Ten years have passed since the civil war. The exhibition shows the lifestyle and how Croatia has advanced and developed. It also shows the Australian community how Croatia has developed since then. It runs from 3 September to 27 September, from 7.30 p.m. to 10.00 p.m., at the Photographers Gallery, 334 Punt Road, South Yarra.

It is a great achievement by these two young women. They went there and did a great job for the country in which they were born. They are now Australians living in my electorate, but they still want to do something to show the community that Croatia is not just about soccer, landmines and violence. It is a civilised community with beautiful scenery for tourism. The exhibition encourages Australian people to visit Croatia for themselves and see the beautiful coastal towns and beaches on the Adriatic Sea, the mountain ranges and the developments that have occurred since the end of the civil war in Croatia.

Newcomb Football Club: premiership

Ms NEVILLE (Bellarine) — I would like to take this opportunity to congratulate the Newcomb Football Club on winning at the Bellarine Football League grand final last Saturday. This is a remarkable achievement for a club that only two years ago was close to closure. On Saturday the club took on Torquay and led in each quarter, the final result being 15.18.108 to 11.9.75, a good win. Newcomb had struggled to recruit players and maintain membership and sponsorship, and it had struggled to perform on the field. However, the club has significant willpower to survive, and over the last couple of years it has worked very hard to build its sponsorship money and recruit new players. It has brought on board Simon Sutterby as coach and employed a manager, Mike Walmsly. It has also gone out into the local community and rebuilt confidence.

Undoubtedly this hard work has paid off in the best possible way — winning a premiership. I am proud to be one of the sponsors of the Newcomb Football Club. I would like to congratulate the coach, Simon Sutterby,

and the captain, Adrian Saltamacchia, who have built a strong team, the manager, Mike Walmsly, and all the players, who have contributed to a great performance throughout the year. This was a well-deserved victory that the club and the community will, I am sure, continue to celebrate over the coming weeks.

Uncle Jack Kennedy

Mr HULLS (Attorney-General) — It is with great respect that I rise to celebrate the life of William John Kennedy. Uncle Jack Kennedy, as he was affectionately known by his extended family and across the Koori communities of Victoria, passed away peacefully at Dimboola on Tuesday, 6 September, aged 86.

A proud and highly respected elder of the Wotjobaluk people, Uncle Jack was born beside the Wimmera River in his beloved Antwerp not far from the Ebenezer Mission. As a member of the armed services, he was one of the oldest indigenous returned servicemen in the country. He served for six years as a gunner in the Second 11th Field Artillery in the Syrian campaign and won several medals for his service and courage.

Uncle Jack was a great sportsman. He was a direct descendant of Dic-a-dic, a member of the 1868 Aboriginal cricket team that toured England. During the 1930s and 1950s he was a champion footballer and a one-eyed Collingwood supporter.

Uncle Jack spent his life campaigning for Aboriginal rights and social justice, fuelled by the injustices suffered by his community that he had witnessed as a child. In his later life he became a committed advocate for the Wotjobaluk community in their fight for land through the native title process. His aspirations provided a light at the end of the tunnel for all of us.

Today in this place we mark the life of Uncle Jack Kennedy as an activist, a celebrated sportsman, a worker, a family man and a tireless campaigner. There is much to be learned from Uncle Jack, especially from his tenacity, determination and resilience in the fight for the traditions of Aboriginal communities and for political and social justice in his quest for reconciliation.

**CRIMES (CONTAMINATION OF GOODS)
BILL**

Second reading

Mr HULLS (Attorney-General) — I move:

That this bill be now read a second time.

In this state a person must not contaminate goods, threaten to contaminate goods, or make false statements concerning the contamination of goods, with the intent to cause public alarm or anxiety, or economic loss through public awareness of the contamination.

These offences are in place to protect the community from the harmful hype and potentially damaging economic loss which may result from the contamination of goods or the threat of such contamination.

Recently in Victoria we have seen that these threats have extended to the contamination of livestock. The case in mind concerns the introduction of ham into the feed of sheep bound for the Middle East. In that case the defendant was acquitted of a contamination offence because the prosecution could not establish the requisite intent.

It would be inappropriate for me to comment on individual cases which have been before the courts. It would also be inappropriate for me not to listen to calls from the public, including the Victorian Farmers Federation, seeking reform. This government has listened to those calls and is committed to ensuring that the criminal legislation appropriately addresses modern-day threats to the community.

We introduce this bill, as a matter of urgency, to protect the livestock and export industry from further threats.

This bill will amend the current contamination of goods offences to make it clear that contaminating livestock will not be tolerated.

This bill will amend the fault element of the contamination offences from intentionally, to intentionally or recklessly.

The Crown will still have to prove that the defendant contaminated the goods, but they will not necessarily be required to prove that the defendant also intended to cause economic loss or public alarm. Rather, a person may also be guilty of the offence if he or she was reckless as to whether or not the contamination would cause economic loss or public alarm.

For the guidance of members, I note that the model criminal code provides that a person is reckless with respect to a result when he or she is aware of a substantial risk that it will occur and it is, having regard to the circumstances known to him or her, unjustifiable to take the risk. Ultimately the definition of recklessness is a matter for the courts to determine.

The current maximum penalty of 10 years imprisonment or 1200 penalty units, or both, will remain the same as it is still considered appropriate for the worst class of offence.

I commend the bill to the house.

Debate adjourned on motion of Mr McINTOSH (Kew).

Debate adjourned until Thursday, 22 September.

**TREASURY LEGISLATION (REPEAL)
BILL**

Second reading

Mr BRUMBY (Treasurer) — I move:

That this bill be now read a second time.

This bill is an important and timely exercise that will see redundant statutes removed from Victorian law. It will clarify what laws remain relevant in areas of public policy administered by Treasury and Finance.

In total, more than 80 acts amounting to more than 900 pages of legislation will be repealed by this bill.

Only a small number of provisions from less than half a dozen acts will be saved and consolidated.

Most importantly, this reform will be achieved without altering the rights of current and future Victorians. The bill is policy neutral, will have no social effects, will not affect the Victorian economy and will not affect the natural environment of Victoria.

While the bill has no policy implications, it is not without significance. The bill represents the last chapter in various traditions in Victorian law and history, some of which date back to the earliest days of the colony.

The time span of acts affected by the bill ranges from 1865 to 1995. With the passage of the bill Victoria will bid farewell to once important institutions, organisations and programs that were created to help the state through some of its greatest trials. These trials included:

integrating the then new state of Victoria into the monetary system of the British Empire;

gathering critical statistical data to underpin economic and social policy;

restructuring financial relations between Victoria and the commonwealth;

delivering belated fiscal compensation to incapacitated and dying goldminers; and

the devastating unemployment and poverty of the Great Depression.

The bill also brings to a close more recent episodes in the state's history, from the final abolition of outmoded industrial and provident societies, to the repeal of legislation that authorised the sale of the former State Insurance Office.

The bill does not remove, restrict or annul the rights of any future, current or former citizens of Victoria, or other stakeholders. An extensive range of stakeholders in government and in the business community were consulted during the preparation of the bill. They have indicated their support for the bill and the repeal of relevant legislation.

Perhaps the least remarkable acts that the bill will repeal are suites of annual funding acts. These comprise such acts as the:

public works loan applications acts enacted between 1946 and 1957;

water supply loan application acts enacted between 1957 and 1969; and

water supply works and services acts enacted between 1970 and 1979.

The first group of these annual funding acts empowered the governor to issue Victorian government stock and debentures. These were chargeable to the consolidated revenue of the state, to raise money to fund public works.

The second and third groups of these annual funding acts sanctioned the issue and application of loan money for works and other activities relating to irrigation, water supply, drainage, sewerage, flood protection and river improvement. All provisions of these annual funding acts have long since taken effect.

The next group of acts repealed in this bill, which I will briefly describe to the house, relate to affairs of former public utilities that have since been settled. The Gas and

Fuel Corporation (Pipelines) Act 1971 dissolved the Victorian Pipelines Commission, transferring the powers and functions, duties and obligations of the commission to the Gas and Fuel Corporation.

The Gas and Fuel Corporation (Amalgamations) Act 1973 dissolved Colonial Gas Holdings Ltd and allocated property and liabilities of that company and its subsidiaries to the Gas and Fuel Corporation.

The State Electricity Commission (Tramways) Act 1975 ratified payment by the State Electricity Commission of Victoria in relation to the abandonment of tramway undertakings in Ballarat and Bendigo.

Finally, the State Electricity Commission (Newport Power Station) Act 1977 extended the State Electricity Generating System by authorising the establishment of a power station at Newport. The power station was constructed many years ago and any powers conferred in the act that may require retention will not be cancelled by the repeal of the act.

Victorian government stock, debentures and securities acts

The next suite of acts that will be repealed by the bill relate to a more interesting and fundamental period of Victoria's history and government. These are Victorian government stock, debentures and securities acts, dating from 1896 to 1927.

These acts enabled the Victorian government to raise credit secured on the consolidated revenue of the state. The government of the day began, in 1896, to create 'Victorian government 3 per cent stock' with an initial issue of £2.29 million. A Victorian Government Consolidated Inscribed Stock Redemption Fund was used to purchase and repurchase consolidated stock for the redemption of stock and for increasing the amount of secured stock on consolidated revenue. The funds the stock generated were used for such projects as financing railway construction and irrigation and water supply works in country districts. In addition, Victorian government stock and debentures were used to finance repurchasing, redeeming or exchanging of government securities.

Some honourable members may recall that 1927 was the year in which the federal Commonwealth and States Financial Agreement Act revolutionised governance of states financial affairs. During the mid-to-late 1920s, there was widespread concern, particularly in the federal government headed by Stanley Melbourne Bruce and in the business community, about the insecure footing of the Australian economy, and the tendency, as they saw it, of states to finance real wage

stability and infrastructure investment by raising foreign loans rather than by improving productivity. Consequently, the commonwealth and states financial agreement of 1927 established the Australian Loan Council, with the commonwealth as chair. Under the rules of the agreement, states had to submit loan proposals to the council for review and approval. States thus lost the exclusive power to arrange their foreign loans. Shortly afterwards, in 1929, the commonwealth also took over the outstanding balance of the gross public debt of each state.

Honourable members may recall that the Financial Agreement Act 1994 rescinded the original commonwealth and states financial agreement and replaced it with a new arrangement. Following the introduction of the GST, states and territories will take over debt accrued under these arrangements in 2005–06, and all prior legislation from the 1920s and 30s relating to the agreement has become obsolete.

Unemployment relief acts

The intimate connection between the debt conversion agreement acts and the commonwealth and states financial agreement is also reflected in a suite of unemployment relief acts dating from 1932 to 1939 that this bill will repeal. These acts authorised the appropriation of money to fund unemployment relief under state and commonwealth authority and introduced to Victoria the ignominious concepts of working on subsistence wages for the dole and of interning the unemployed in military camps.

Miners phthisis acts

Great industrial struggle and misery also underpinned the development of two other acts from the 1930s that will be repealed in this bill. These are the miners phthisis acts of 1936 and 1938. Members will be aware of course of the huge economic importance of goldmining to Victoria in the early days of the colony. They will perhaps be less aware of the awful physical toll this activity took upon scores of miners, particularly in Ballarat and Bendigo, who contracted the painful, debilitating and ultimately fatal condition of phthisis or silicosis. This condition, a fibrosis of the tissue of the lungs, was caused by inhalation and lodging of mineral dust particles. Silicosis was the scourge of not just gold or quartz but also coal, granite and other miners and cutters across the globe. Victoria was just one jurisdiction that grappled with the challenge of determining what the disease was, how it was contracted and how sufferers of the disease should be provided for.

The nature and effects of miners phthisis were described in this house in 1925 by the then Chief Secretary of the Department of Public Health and Minister for Public Health, Dr Stanley Argyle. Phthisis, Argyle explained, was:

A miner's disease which in itself is merely an irritation caused by a deposit in the lungs of any absorbent particles ... of coal or of any other gritty substance ... that sets up a disease ... that is not necessarily consumption [but which] renders the person who is in that condition much more liable to contract tuberculosis than he would otherwise be ... miners' phthisis is miners' disease plus the tubercular bacillus.

The Miners' Phthisis (Treasury Allowances) Act 1938 was the culmination of more than 30 years effort on the part of miners and some parliamentary representatives to secure legislated compensation for sufferers of phthisis working in the Victorian goldmining industry.

There is now only one recipient of the pension, and the government of course will be ensuring, through an amendment to the Accident Compensation Act, that the pension continues to be paid to the recipient for as long as they remain entitled to it.

With the passing of the Miners' Phthisis (Treasury Allowances) Act 1938, Victoria can bid farewell to an important relic of its industrial past and reflect with satisfaction on the vastly improved provisions for workplace safety and injury compensation that have been developed through the struggles of previous Victorians such as the goldminers of Bendigo and Ballarat.

Mint Act

I would like now to turn to another historic act, the Mint Act. This is the most aged act that this bill will repeal, and it also has its origins in Victorian goldmining. The Mint Act, first enacted in September 1867, dates from the earliest days of parliamentary democracy in Victoria and was intended to maximise the profit to be gleaned from the goldfields by assaying and refining gold and also by producing currency of the British Empire locally.

The operational usefulness of the mint ceased by the mid-1960s, when the federal government established the Royal Mint in Canberra and introduced decimal currency. This mint has no connection with the Imperial Mint. Although a considerable number of Melbourne mint staff accepted positions in Canberra and transferred their superannuation entitlements to the commonwealth government, Victoria has continued to pay the pensions of a small number of ex-employees of the mint, as it did when the mint functioned, since the mint was officially dissolved by Queen Elizabeth II on

1 July 1970. Today a handful of recipients continue to receive the pension they earned in the service of the mint, which is calculated according to United Kingdom superannuation laws that apply to British civil servants. This bill makes provision for the continued payment of these allowances to these pensioners but otherwise brings to a complete close the history of the Royal Mint in Victoria.

Statistics Act

The mint is not the only venerable Victorian institution to be ended by this bill. To the mint we can add the role of Victorian Government Statist, which is to be abolished through the repeal of the Statistics Act. This act originally empowered the Government Statist to collect such information as:

- arable land area
- machinery and manures used in agriculture
- livestock numbers
- dairy produce
- slaughter numbers
- agricultural employment figures
- factory employees hours and wages
- power used in factories
- expenditure incurred by industry
- land used
- capital investment, in Victoria.

The act is irrelevant to the administration of the collection of statistics for economic and various other purposes, which has been devolved to the Australian Bureau of Statistics (and its predecessor) since 1956. Under the Commonwealth Statistics Arrangements with States Act 1956 and the Australian Bureau of Statistics Act 1975, the Governor of Victoria is empowered to enter into whatever arrangements are necessary with the Governor-General to ensure that statistics are gathered from and provided to Victoria. This occurs, among other means, through the Australian Statistics Advisory Council, which reports annually to Parliament under the auspices of the bureau. Under the 1975 act state premiers are authorised to nominate state representatives to ASAC. The Victorian branch office of the bureau also consults regularly with the Victorian government, through the Victorian statistical advisory forum.

The power to collect information relating to births, deaths, marriages and other demographic data, formerly

assigned to the government statist, have been ceded to the Registrar of Births, Deaths and Marriages and the registrar is governed by the Public Administration Act 2004.

Interestingly, different states employed a quite different approach to the collection of statistics, following Federation. Whereas Tasmania and South Australia began divesting responsibility for the collection of statistical data to the commonwealth in 1924 and 1935, respectively, members will be surprised, I am sure, to learn that Queensland continues to maintain its own extensive statistics bureaucracy to this day. Never let it be said that the less populated states do not depend on horizontal fiscal equalisation to maintain vital services.

SIO and SIO (Sale) acts

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. The passage of this bill will bring to a close the connection of this house with the sale of the former State Insurance Office (SIO), as the SIO act and the SIO (Sale) act will now be repealed. The remnants of the State Insurance Office that were not sold to other insurance companies continued to operate until 30 September 1996, when all its residual assets and liabilities were transferred to the Victorian Managed Insurance Authority (VMIA). Amendments to the Victorian Managed Insurance Authority Act 1996 have also made the SIO Act redundant, as anything not otherwise transferred through the Sale Act was transferred to the VMIA at this point. The VMIA has assured the government that it sees no obstacle to the repeal of the SIO acts. Further, the government has established through discussions with the Government Superannuation Office and Suncorp-Metway, the legal owner of several former SIO businesses, that no former staff of SIO still require the legislation for superannuation purposes. The acts have, therefore, been entirely spent.

Gas and Fuel Corporation Acts

Finally, this bill presents the government with an opportunity to continue to clean up legislation governing the gas and fuel industry in Victoria. The Gas and Fuel Corporation (Repeal) Act 1995 has been entirely spent, and significant sections of the Gas Industry (Residual Provisions) Act 1994 will be repealed by this bill. The government anticipates that the remnant of this act and the Gas and Fuel Corporation (Heatane Gas) Act 1993 will have exhausted their use in a few years and will be repealed after this time.

Members will find that the explanatory memoranda fully explain the redundancy of every act in the schedule, and of the sections of nominated legislation that are being amended.

I commend the bill to the house.

Debate adjourned on motion of Mr CLARK (Box Hill).

Debate adjourned until Thursday, 22 September.

LAND TAX BILL

Second reading

Mr BRUMBY (Treasurer) — I move:

That this bill be now read a second time.

The bill is a rewrite of the Land Tax Act 1958 in modern drafting language, with the removal of obsolete provisions and with the Taxation Administration Act 1997 applying to it. The bill is not intended to alter any of the fundamental concepts as to how land tax is assessed, calculated or collected. The bill does not alter land tax rates or exemptions. There are only a few minor policy changes contained in the bill and these almost exclusively reflect existing practice and the current understanding of how land tax operates. The bill does not remove any existing taxpayer rights and there is no expectation that the bill will have any appreciable effect on revenue.

Taxpayers and the tax advising community will welcome the bill. It replaces a convoluted piece of legislation with a modern act that is far easier to understand. It reduces a lengthy act considerably — the bill has more than 50 pages fewer than the existing act.

The Land Tax Act 1958 has been amended numerous times over the years and some provisions still reflect the exact wording of the earlier 1910 act. Many provisions of the act are outmoded in language, obsolete or unclear, making it difficult to understand for taxpayers and their advisers. In some important areas, commercial and business practices have changed radically compared to the language of the act. Without knowledge of how the act is actually administered, taxation advisers complain that the act gives no clear or accurate guidance as to how the tax impacts in particular contexts.

Because of frequent amendments, the structure of the act has also become disjointed and confusing. Amendments have been made to the legislation

regularly to overcome important weaknesses, particularly where legal decisions have supported clarification of the provisions. Nevertheless, there are many deficiencies that are best overcome by a comprehensive rewrite of the act.

The act is the only taxing statute administered by the State Revenue Office that is operating outside the effect of the Taxation Administration Act 1997. Bringing the act within the TAA ensures that all tax lines operate to a common set of administrative provisions, which will considerably reduce compliance costs to taxpayers, their advisers and tax administrators.

The primary arguments in support of a comprehensive rewrite of the act include:

- to facilitate understanding for taxpayers, as modern language will be used;

- to overcome structural weaknesses where related provisions are not clearly linked, thereby causing considerable confusion to taxpayers;

- to remove obsolete provisions, as taxpayers have the impression that the statute is applied in ways that are redundant thereby also reducing technical inquiries and litigation;

- to overcome inconsistencies in wording, which give rise to taxpayer confusion;

- to apply the TAA provisions to the act therefore ensuring that all taxing legislation will operate to a common set of administrative provisions, benefiting taxpayers, particularly those with tax obligations in a number of revenue heads; and

- to respond to calls from two independent reviews (Fordham in 1991 and Harvey in 2001) that the act needs rewriting in clear and modern language.

Completely rewriting the act will ensure that a logical structure is developed, that the act is written in modern and consistent language, that irrelevant and obsolete provisions are removed and that those remaining are made clearer.

The bill builds on the favourable reaction to the rewrite of the Stamps Act 1958 (as the Duties Act 2000) and the enactment of a TAA, which have demonstrated the benefits of legislation being drafted in clearer language and a more logical framework — that is, more readily able to be understood by the taxpayer community, professional groups and administrators.

Other jurisdictions (Western Australia and Tasmania) have successfully rewritten their land tax legislation in recent years to incorporate TAA provisions and to overcome the sorts of defects that exist within the Victorian legislation. These changes have been welcomed and brought tangible benefits to the tax administration of these jurisdictions.

Minor policy changes

The extensive review of the Land Tax Act 1958 brought forward a range of matters, which, although not of integral policy importance, are included in the bill and can be characterised as minor policy changes. These include:

- a minor amendment to expand an exemption to ensure that a charitable trust is treated in the same manner as a charitable institution in certain circumstances;

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

- a proposal that the exemption for land owned and used for outdoor sporting activity will be extended to indoor sporting clubs, and that the exemption complies with existing policy to ensure that the land is primarily used for the primary purpose of the owner at the time the exemption is being claimed.

Each of these minor changes are beneficial to the taxpayer and in the case of extending the primary production land exemption to land owned by a corporate trustee in certain circumstances reflects the current administration of the act, if not a technical reading of the current provision.

Application of the Taxation Administration Act 1997

The application of the TAA to land tax is a logical and welcome step in Victorian tax administration. The TAA provisions are well tested and well understood. This change reflects the government's determination to reduce unnecessary complexity where possible, and to treat taxpayers across the board in the most equitable possible fashion.

The TAA contains all the assessment, objection, refund, interest, penalty, record keeping, investigations powers and secrecy provisions applicable to the taxation laws (except the Land Tax Act). After the enactment of the bill, the majority of TAA provisions will apply to land tax without amendment, as most are consistent with the existing land tax legislation. In some cases the TAA has

minor variations, which either provide clarity or are more explicit in meaning over the equivalent land tax provision. Some TAA provisions are slightly more beneficial to taxpayers — for example, the objections provisions under the TAA permit the commissioner to accept an objection lodged out of time. Taxpayers will therefore benefit by having the TAA applied to land tax.

Deletion of obsolete provisions

As the Land Tax Act 1958 has become so disjointed and complex in structure there are some provisions within it that are actually no longer used at all. Removing these provisions adds greatly to the legislation's readability and will prevent unnecessary confusion.

Examples of provisions that are obsolete and that are not replicated in the bill include:

- the requirement of taxpayers to submit annual returns of property they own. This section has not been used for over 30 years;

- a provision that states that the unimproved value of land shall not be reduced due to any mortgage over the land. This provision was relevant in the early 1900s, but has since been rendered unnecessary by more appropriate definitions;

- that 'share home units' be brought under the principal place of residence exemption, which aligns with existing administrative and valuation practice; and

- various other administrative or evidentiary provisions which have been overtaken by changed practices and are either superfluous or have, in limited cases, a TAA equivalent.

Exemptions

The Land Tax Act contains a broad range of exemptions based on use of the land by the landowner. The key exemptions include principal place of residence (introduced from 1998), primary production land, charitable, Crown land, outdoor sporting, recreational and cultural land, agricultural shows, mines, retirement villages, municipal land, clubs et cetera. A number of these exemptions are qualified to the extent that land is owned and used fully for the purpose specified or that it is used or occupied solely by the owner as defined under the legislation. The bill does not delete any of these exemptions; rather they are clarified, re-ordered and drafted in modern language. In some instances, where necessary, this includes the

insertion of revised definitions, ensuring consistency between exemptions and clarifying certain provisions. Further, as already noted, both the primary production land exemption and the outdoor club exemption are being expanded.

Section 85 statement

I wish to make a statement under section 85(5) of the Constitution Act 1975 of the reasons of altering or varying that section by this bill.

Clause 115 of the bill provides 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 115, 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 Land Tax Act 2005 is a 'taxation law'. A central purpose of this bill is to bring land tax under the Taxation Administration Act 1997. The intent of clause 115 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 land tax. 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 land tax.

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 land tax.

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 land tax 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 land tax 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 land tax under this bill.

Conclusion

It is not intended that the bill be debated and passed by the Parliament until the end of the 2005 session. The government welcomes comments on the draft bill from interested parties. The government calls upon those interested parties to recognise the parameters of this rewrite and to limit their comments accordingly.

The bill continues the government's commitment to a streamlined taxation system that is fair and equitable for taxpayers, that is readily understood, that reflects current legislative standards and that adds certainty to the taxation responsibilities of all Victorians, and I commend the bill to the house.

Debate adjourned on motion of Mr CLARK (Box Hill).

Debate adjourned until Thursday, 6 October.

NATIONAL PARKS (OTWAYS AND OTHER AMENDMENTS) BILL

Second reading

Debate resumed from 7 September; motion of Mr THWAITES (Minister for Environment).

Ms GILLETT (Tarneit) — It is my pleasure today to make a brief contribution on the National Parks (Otways and Other Amendments) Bill. The government is using this piece of legislation to implement its key commitments in the 2002 election policy for forests and national parks to create a new future for the Otways. The government's environmental and sustainability credentials are demonstrated further in this piece of legislation.

The government has endorsed the recommendations of the Victorian Environment Assessment Council for the Angahook-Lorne investigation. It is creating in this bill a new Great Otway National Park of approximately 103 000 hectares. In addition it is creating the Otway Forest Park of 39 000 hectares and has commenced the New Future for the Otways tourism initiative that is delivering 19 tourism projects at a total cost of \$7 million. We have reduced woodchipping and logging in the Otways by 25 per cent in 2003 with the voluntary surrender of major sawlog licences. The bill is also helping the cessation of logging and woodchipping in the Otways by 2008 — major achievements.

The Great Otway National Park will be one of Australia's most wonderful national parks. It will represent all that is special about the Otways — the wonderful coastline, the magnificent flora and fauna, the rainforest and the waterfalls. It is a world-class national park. The bill assists, as will the park, in providing greater protection for the Great Ocean Road and its wonderful assets.

The government is enhancing the parks and reserve systems around Melbourne. Several thousand hectares of surplus Melbourne Water land and other land is either being added to the Dandenong Ranges and Kinglake national parks and the Warrandyte State Park or being included in the new Beaconsfield and Warrandyte-Kinglake nature conservation reserves. This bill adds to the Bracks government's key conservation and sustainability achievements. It complements the creation of a world-class system of 13 marine parks and 11 marine sanctuaries, the expansion of the box-ironbark parks and reserves, the creation of Point Nepean National Park and the cessation of cattle grazing in the Alpine National Park.

Members will know that one of the gateways to this magnificent national park is my electorate of Tarneit. The government in its wisdom has seen it as appropriate to create a new program, adventure or vision for the Werribee Plains. It is a process by which the government will achieve world leadership in sustainable development for that area. The vision takes

into account and adds to some of the wonderful natural and built assets that surround Werribee and Hoppers Crossing. A new regional river park is part of that vision, as is the Werribee Fields residential development.

The government has a great reputation for conservation and sustainable development for the whole of Victoria and I am pleased to say that in large measure the sustainability proportion of the work the government is doing will be translated and delivered in my electorate of Tarneit. With those brief remarks I commend the bill to the house.

Mr PLOWMAN (Benambra) — The National Parks (Otways and Other Amendments) Bill contains a few issues. The two I wish to talk about this morning deal with the forest and water management of those areas that have been included in the Great Otway National Park, together with those areas that will be included under the parks and reserves near Melbourne. I will deal with the water issues first.

The first major issue is the formation of the designated water supply catchment areas. This applies to areas in the Great Otway National Park, and the problem arises in respect of section 17 of the National Parks Act. The bill defines the designated water supply catchment area to mean any Melbourne Water supply catchment area, the Barwon Water supply catchment area and the South West water supply catchment area. The bill also provides that under the management agreements with management water authorities, the secretary may enter into an agreement with any of those three water authorities — Melbourne Water Corporation, Barwon Water and South West Water, which is now Wannon Water. That is fine, but the principal act does not include those water authorities. I refer to section 17(2B)(3) which states:

The Secretary, before exercising any power or performing any function or duty under this Act in a designated water supply catchment area, must, in so far as is reasonably necessary, consult with Melbourne Water Corporation.

Why would you want to consult with Melbourne Water Corporation when the designated water supply area falls under the jurisdiction of either Barwon Water or Wannon Water? This is clearly a mistake in the legislation. The principal act goes on to say:

- (4) It is sufficient compliance with sub-section (3) for the Secretary to have entered into a management agreement with Melbourne Water Corporation under section 32I.

Clearly, as I said, in this bill you have designated water supply catchment areas introduced for Barwon Water and South West Water — that is, Wannon Water —

together with Melbourne Water. You have the opportunity with the substitution of section 32I, through the management agreements, for the managing water authorities to enter agreements with all three of those water authorities. But in fact the government can completely ignore Barwon Water and Wannon Water should it wish to. Under this bill there is no obligation on it to do so. I am quite sure it was the intent of the original legislation that that should happen. This is clearly a mistake, a slip-up in the formulation of this bill, and it is something that needs to be fixed. I suggest the government would do well to correct this mistake while the bill is between houses, when it has the opportunity and the time to do so. If you read it closely, you will find that I am correct and that this actually is a mistake in the drafting.

I would like to go on with the water issues. If you look at the way the protection of water supply catchments is now going to be transferred across from the water authorities to Parks Victoria, you will see you will have the water requirements going to cities like Geelong, Colac, Warrnambool, Aireys Inlet, Anglesea and all those coastal towns, including Lorne, where the water authorities will no longer have the overarching control of the land in those catchments. It is also interesting to note that Barwon Water and South West Water will continue to have water supply management responsibilities but that the secretary will continue to have the overall responsibility. I believe that one of the reasons why we have such good water catchment areas in Victoria is that Melbourne Water — or prior to Melbourne Water's formation, the Melbourne and Metropolitan Board of Works — had responsibility for those catchments and managed them acutely well.

By transferring this responsibility across to Parks Victoria we have the possibility of this land reverting to the sort of management we have seen right across the state. It is not Parks Victoria's fault. It is underfunded and does not have the resources to manage these areas the way it should. We are taking these areas away from a body that has the resources to manage them and giving them to Parks Victoria, so we will see a greater contamination of these areas. Most importantly, we will have a fire risk which will be managed totally differently by Parks Victoria than it would have been by those water authorities. I think this is a serious concern in respect of the future of those water areas.

I will move from water issues to issues regarding the timber industry, which I find even more disturbing. We have a sustainable timber resource in Victoria. This sustainability has been built on the regional forest agreements (RFAs), which were designed to give certainty to the industry and at the same time protect the

forests from overlogging, the logging of steep slopes and the logging of buffer zones along streams and gullies. The RFAs were carefully constructed to meet all these objectives.

The Otways RFA covers the most sustainable forest area and is the most sustainable in terms of timber production of all the RFAs in Victoria. Despite this, the Bracks government stepped in and trampled on that RFA at the last election in order to gain Greens preferences. It tore up all the good work and all the goodwill. The goodwill is the important bit, because of what had been developed between the industry and the government. That was lost in one fell swoop, purely for the sake of those Greens preferences. When you think of the work that had been done over quite a few years to put those RFAs together, that was sacrilege. That was a real mistake by this government.

But it does not matter about the timber industry; it does not matter about the people employed in it or their families; it does not matter about the cartage contractors or their families who depend on it for their income. These catchment management authorities effectively were nullified by the Bracks government.

What about the massive timber and paper imports into this country? We import a net \$3 billion worth of timber and timber products. Much of this timber comes from South-East Asia — from Indonesia, Malaysia and New Guinea. Some of these imports are illegal, and almost all of this timber from South-East Asia comes from rainforests. Due to the fact that the Bracks government is locking up the Otways and effectively throwing away the key, Victoria will share the shame for the needless decimation of thousands of hectares of rainforests. That is the price we all pay for the Bracks government's determination to hold onto Greens preferences at any price.

What about the Green movement. Has it no shame? Does it not realise it is forcing all Victorians to unwittingly accept the clearing of rainforests, which will not regenerate, in place of using our own timber resources which have been proven over many years to be self-generating and totally sustainable? The Green movement is too quick to point the finger at others when on a world scale its members are nothing short of environmental cowards who are not prepared to speak up and say what is really happening to the timber industry in South-East Asia.

In making his announcement at the last state election the Premier clearly identified his lack of understanding of the timber industry. On 7 November 2002 on the Jon Faine radio program the Premier suggested that the blue

gum and sugar gum plantations in south-west Victoria could take the place of the hardwood coming out of the Otways until 2008. That is a complete untruth. That is a complete misunderstanding of the hardwood industry in Victoria. This is the Premier at his very worst. I am not going to say what I would like to say, but I will say this needs to be changed. This is a sacrilege.

Mr STENSHOLT (Burwood) — I am delighted to speak in support of the National Parks (Otways and Other Amendments) Bill. I recommend the member for Benambra gets up to date and looks at the recent agreement with Australian Paper regarding the use of plantation timber — a further excellent initiative. Rather than living in the past with the mistakes of the Kennett government and how it stuffed up the forests, let us look to the future.

This is an excellent bill. It delivers on our commitment in the 2002 election. We promised we would set up the Otways park and that is what this legislation is doing. It is delivering. I am proud to be here today representing my constituents and supporting this bill which will implement a key government policy to enlarge and expand the national park in the Otway Ranges — the Great Otway National Park — and to establish the basis for the Otway Forest Park.

This builds on the enormous achievement of the Bracks government in environmental protection here in Victoria. The member for Tarneit and others have mentioned that we have created 13 national parks and 11 marine sanctuaries in Victoria. The Nationals have not supported any of these, much to their shame. We have changed the face of Victoria over the last six or seven years with the creation of these parks. We have expanded the box-ironbark parks and created the Point Nepean National Park in spite of the opposition and the tortuous policies of the federal government. We have ceased cattle grazing in the Alpine National Park and are preserving that park, which we hope will get a listing in the future in terms of international heritage. We are making sure that the people of Victoria can enjoy our parks and that they are preserved through environmental protection for the long-term future for Victoria. This is what it is all about — having a vision for the future in terms of creating parks and protecting them. Even the member for Benambra acknowledges that much of the world's forests have been destroyed. Here is further evidence of a positive move to protect our forests.

I am proud that action is being taken under this bill to enhance and protect water supply catchments and parks and areas around Melbourne. Melbourne Water land is being added to the Yarra Ranges National Park near the

Badger Weir and also in the Upper Yarra catchment. This additional land being provided to parks by Melbourne Water will certainly make a great contribution to the parks arrangements in Melbourne and the Yarra Valley catchment area.

Parks Victoria does a great job. I have got a park in my own electorate. I invite all members of Parliament to come along to Wattle Day which has been reinstated in the last three years at Wattle Park. In the 1930s we used to get 30 000 celebrating Wattle Day. It is on this Sunday in Wattle Park between 11 o'clock and 4 o'clock and is supported by Metlink. The Melbourne Tramways Band will be playing, and there will be lots of fun to be had. The local school will be represented and the Friends of Wattle Park will be there as well. This is about getting the community to use our parks. They are there for environmental protection but also for the enjoyment of the community. There is a dual purpose — use it or lose it. Under the Kennett government we lost things because people did not use them. We are making sure that we preserve these things for the use of the people.

This bill and other excellent initiatives of the minister in terms of tourism and forest management will ensure that the Great Otway National Park will be a superb gift to the people of Victoria and a marvellous enhancement to national parks in our state.

The ACTING SPEAKER (Mr Smith) — Order! I call the member for Doncaster.

Mr Hulls — He will be there on Sunday.

Mr PERTON (Doncaster) — I thank the honourable member for his invitation to Wattle Day and I shall make every endeavour to be there to celebrate a beautiful park which has been preserved by Liberal, Labor and National governments alike.

It is a delight to speak on this bill. Members might be aware that as the shadow minister for conservation and environment between 1999 and 2002 I spent considerable time in the Otways looking at the existing park and the proposals for this park, walking some of the tracks with the environmentalists and scoring more than my fair share of scratches, bites and leeches attached to my legs.

Mr Hulls — They are people trying to get your seat, mate.

Mr PERTON — Members on the other side would probably be a little bit more expert on people lining up for their seats. The Minister for the Arts is not in the

house today; maybe they are trying to shore up her position.

Nevertheless, I have examined the existing park, which was established and extended under Liberal governments, and had a look at the areas that are proposed to be included in the park under this bill, areas which are already public land. The member for Richmond seemed yesterday to be very confused about the current status of the land. It is all public land that is coming into this park — public land that remains of national park quality because of management by government and, as pointed out by my friend the member for Benambra on many occasions, by the community. We recognise that the government has a mandate to create this park. Having looked at the areas that are to be included in the park I for one recognise that this will be a great park.

It is a park we will need to manage. The member for Geelong yesterday referred to the need for substantial funding. There are pest issues. The impenetrable nature of the undergrowth and the like has preserved the rainforest areas of the park from many pest animals but large areas of the park are the subject of pest animals, weeds and vandalism, as many of our parks are so subject. While there is a certain level of feelgood about the creation of new national parks, over the past 30 years or so — since the great days of the Hamer government when the national parks legislation was brought into effect — Liberal, Labor and coalition governments have been very ready to give land the status of national parks but not to then fund it appropriately so we can protect that land from pest animals, weeds and the actions of vandals.

As we know, this park, stretching now from Anglesea to the Otways, holds many of the most beautiful parts of the state but it is also extremely important to water catchments for coastal communities, for the people of Geelong and for the communities to the north of the Otways. It is very important indeed, as my friend the member for Benambra has said, that we are very careful in managing the water flows and catchment areas and ensuring that the forests are protected from fire. As we know, it is oftentimes in fire and the subsequent regrowth that water flows are reduced and communities suffer.

Mr Plowman — And are contaminated.

Mr PERTON — Indeed. As the member for Benambra says, they can be contaminated.

Yesterday it seemed that every Labor member, reading from cheat sheets, wanted to speak about the great

benefits of this very beautiful park and then have a slap at the Liberal Party.

Mr Hulls — That is our job.

Mr PERTON — As the Attorney-General says, it is their job.

I wanted to place on record again the contribution of the Liberal Party to the national parks system in this state. The early preservation of land in parks owes a lot to the liberals of the late part of the 19th century and the early part of the 20th century. For instance, we could look at Alfred Deakin, who was a minister in this place and later a Prime Minister, for some of the first legislative action to preserve our flora and fauna, and indeed as early as 1908 there were regulations to preserve native species. Pretty much the same sorts of things were happening in the United States at that time.

However, it was in the 1970s that the proud record of the Liberal Party was established. Sir Rupert Hamer, with the strong support of his colleagues, introduced the national parks legislation. I think I can say without fear of contradiction today that the great mass of national parks in terms of acreage and size have been created under Liberal governments, not Labor governments. We set up the structure and the various commission systems for having a look at the creation of these parks in a very bipartisan way. The Land Conservation Council, which was subsequently turned into the Victorian Environmental Assessment Council, was established under a Liberal government so we could create the circumstances in which the creation of parks could be bipartisan.

That has not always been easy. We remember the struggles between environmentalists and mountain cattlemen in the 1980s — we remember the cattlemen on the streets of Melbourne with great community support. However, in the end the Alpine National Park was created as a result of an agreement between Liberal and Labor. There were terrific negotiations and actions in both the lower house and the upper house by both minister and shadow minister — in those days the shadow minister was the Honourable Mark Birrell.

I am not sure I can be as positive about some of the government's more recent work. The marine parks should have been able to be established in a much more conciliatory and bipartisan way. The then Minister for Environment and Conservation, now the Minister for Community Services, seemed to go out of her way to create confrontation with the Liberal Party and The Nationals. When the recommendations of the Victorian Environmental Assessment Council in respect of

marine parks were brought in, two parks were left out. One was at Cape Howe, which strangely enough seemed to affect the interests of the member for Gippsland East. The other was the Ricketts Point sanctuary in the bay — it was also left out because of one of the then said to be allies of the government.

The record of the Labor Party is not as proud as it would make out. The Liberal Party has had a proud record in the area of conservation and environment. It is true that, using the mechanisms set in place by Dick Hamer, Labor has introduced new parks, whether it is the marine parks or this new park. We are recognising the mandate of the government. From my own perspective, I have had the opportunity to have a look at the areas to be included in the park and meet with the environmentalists whom we hope will be the guardians of this park and will keep government honest in providing the resources needed to battle pests, weeds and vandalism, ensure the environment is kept as pristine as possible and ensure those areas which are degraded are rehabilitated as well as possible.

When the next Liberal government is elected in November next year it will do its best to take the park created by this legislation and make sure it is well managed and that it contributes to tourism. The members for Prahran and Richmond spoke a lot about tourism and the like in national parks but we often find that Labor's management of parks — for instance, burn-offs in Wilsons Promontory — is not conducive to national parks playing their role in economic development. The Liberal Party will manage this park well in the interests of the people of Victoria.

Ms LOBATO (Gembrook) — It is with much pleasure that I rise to speak in support of the National Parks (Otways and Other Amendments) Bill. I would like to briefly talk about the benefit to the Otways and then speak specifically about the amendments that affect my electorate of Gembrook. I want to comment briefly on how significant this bill is in terms of the protection of the Otways and the natural resources there. The bill will obviously benefit our children and grandchildren who rely on these areas for their wellbeing and survival.

The bill seeks to create the Great Otway National Park through the expansion of the existing national park and end logging in the national park. The park will be expanded by more than 60 000 hectares, increasing the total size to over 100 000 hectares. Through the creation of this environmentally significant park our many diverse, varied, endangered and significant flora and fauna to both nation and state will be protected. I will continue to feel very proud to be able to take my

children to this very special place and to know that the government of which I am a part — —

Mr Hulls — An integral part!

Ms LOBATO — An integral part — that is exactly right. It has saved and protected this haven for the benefit of all Victorians and the many local and international visitors it will attract. I would like to congratulate everybody who was involved in its survival. I know there were many people in the gallery yesterday and perhaps today who wanted to take part in this momentous occasion by witnessing the debate on this legislation.

The previous speaker, the member for Doncaster, had a bit of a la-la at the fact that some Labor members were commenting on the lack of environmental credentials the Liberal Party has. I really do not want to dwell on its lack of environmental credentials, but I want to mention the fact that The Nationals said that there is nothing wrong with logging in the Otways. We all know that if a coalition were returned it would be slashing and burning the trees in the Otways.

I want specifically to comment on the two amendments that benefit the people of Gembrook, but first I want to comment on the addition to the Dandenong Ranges National Park of approximately 320 hectares. I have a special interest in that area because it borders my electorate and I grew up only metres down the road from the Dandenong Ranges National Park. I know the member for Monbulk is very happy about that addition, as are his constituents.

The first amendment that affects my electorate of Gembrook regards the disused Beaconsfield Reservoir that is located in a rapidly growing area in the south-east corridor. I had the pleasure quite some time ago of being taken up to the Beaconsfield Reservoir by the Cardinia Environment Coalition along with the Minister for Environment. I could not believe what I was looking at. I have described it before as the jewel of Beaconsfield. It is a magical place and most people do not even know it is there. It is just up the road from a massive housing development. You walk in and feel like you are in another world. The environment there is completely untouched; it is totally fenced off and has many significant environmental attributes.

The Cardinia Environment Coalition came to me with a proposal that I considered was very much pie in the sky. It had a vision to see this area transferred into a model it had seen developed in New Zealand, the Karori Wildlife Sanctuary. That had also been a disused reservoir. Certain local community groups and councils

got involved to redevelop and revegetate the area and assist rare and endangered species revive. They transformed over 250 hectares. Using that model the coalition put a proposal to me that the Beaconsfield Reservoir be transferred into community ownership from Melbourne Water and that it be transformed into a type of wildlife sanctuary, a haven and a place that will survive for future generations. We presented that proposal to the Minister for Environment. He was as inspired as I was and within a year the land will be transferred.

It is pleasing that the Cardinia Environment Coalition will become the committee of management. That is quite rare because generally land parcels are transferred to Parks Victoria. The coalition has really impressed upon government how successful and beneficial it is to the local community and it will do a fine job. It would like to congratulate the coalition and all other stakeholders who have played such a massive role in this coming to fruition.

I want to comment briefly on the other amendment that affects the electorate of Gembrook. It protects the Upper Yarra area around Warburton. It is the O'Shannassy aqueduct which is owned by Melbourne Water. The O'Shannassy aqueduct is a 30-kilometre stretch and has always been used as an unofficial walking track. It is very popular but very unofficial, and there are lots of liabilities there, I guess, in terms of health and safety risks. That will be transferred into the hands of Parks Victoria, which will create a magical walkway so that people can be safe when they are walking along it. Also we have had many representations from bushwalking groups which say that they are absolutely ecstatic about this. I have had many representations over the last three years about this very parcel of land. It is significant that it is going back into community ownership and that it has a secure future.

I recently went to Warburton to make this announcement, where I was joined not only by Parks Victoria and Melbourne Water representatives but also by over 30 local community members, who expressed their absolute delight at this transfer. It will obviously improve tourism opportunities for the Upper Yarra. Needless to say the area has many, many opportunities right now, but this will increase them also. On that note I just want to remark on a comment made by the Minister for Agriculture, and that is that Victoria is indeed a great place to plant a tree. Through the introduction of this legislation Victoria will also be the healthiest place to raise a family.

Mr MERLINO (Monbulk) — I am also very pleased to rise in support of the National Parks (Otways and Other Amendments) Bill. This is important, historic legislation, and it builds on the great record of the Bracks government regarding the environment in general and our parks system in particular. The bill amends a number of acts to achieve our goal of leaving for future generations a legacy of a greatly enhanced and significantly larger system of national parks, state forests and conservation reserves.

As the bill's title suggests, its main focus is the massive expansion of the Otway National Park and issues related to that. Later in my contribution I also want to talk about improvements in the bill that relate to the Yarra Valley and the Dandenong Ranges in my electorate and also to a place, the Cape Liptrap Coastal Park, that my family has enjoyed as a holiday destination for the past 20 years. The bill will implement the creation of the Great Otway National Park, as recommended by the Victorian Environmental Assessment Council. The Great Otway National Park will comprise 103 000 hectares, an increase of more than 60 000 hectares. We are not hearing much from the opposition about how great and significant that increase is. In addition the Otway Forest Park, containing 39 000 hectares, will also be created under the Crown Land (Reserves) Act, which is a magnificent outcome.

The bill will provide environmental benefits not only in the form of creating and expanding these parks but also in the form of ceasing timber harvesting in these areas. Sawlog and pulpwood harvesting will end in the forest park by the end of 2008. It is an indication that the future is in tourism. The Great Ocean Road and the Otway Fly, which I visited a couple of weeks ago, are just outstanding tourist destinations and terrific experiences.

Mr Crutchfield interjected.

Mr MERLINO — Particularly when I went on the cantilever and there was nothing underneath! It was quite an experience.

The value of tourism is recognised in this legislation by preserving the Great Ocean Road and the surrounding environment so that it remains one of the great touring routes in the world. Tourism is a great driver of the economy, and its potential is enormous. Tourism has increased by 45 per cent since the Bracks government was elected in 1999, from \$7.3 billion in 1997–98 to around \$10.6 billion in 2002–03. It employs 158 000 Victorians, including 61 000 in regional Victoria.

I mentioned that I wanted to talk about the Cape Liptrap Coastal Park, which is covered in a small section of the bill. There is an additional 24 hectares, including the end sections of three roads that lead to the beach at Venus Bay and a small area of Crown land. Cape Liptrap is a 4175-hectare park, protecting the environment between Point Smythe at Venus Bay and Waratah Bay at Walkerville. It is a beautiful part of the world that my family enjoys, and I am very pleased that I am actually heading up there tomorrow night to have a lovely weekend. I am pleased this improvement has been incorporated into the bill.

There is also great news for the parks in the Dandenongs and the Yarra Valley, the region that I represent. Approximately 3450 hectares will be added to the Dandenong Ranges, Kinglake and Yarra Ranges national parks. The bill also provides, as the member for Gembrook said, for the new Beaconsfield Nature Conservation Reserve, the Warrandyte-Kinglake Nature Conservation Reserve and additions to the Warrandyte State Park.

In terms of the Dandenong Ranges National Park in my electorate of Monbulk, this legislation provides for an increase of 322 hectares, principally through the addition of Melbourne Water land near Kalorama that was originally acquired for the Silvan no. 2 Reservoir, which is no longer needed. This is a significant boost and has been made on the recommendation of the former Land Conservation Council. When you actually have a look at the map of the Dandenong Ranges National Park and the area that has been added to the national park, you can clearly see that it is very significant in that it connects the wildlife corridors. That will better protect native plants and animals such as the powerful owl, the regent honeyeater, the brush-tailed phascogale and the common bent-winged bat. It will also improve our water catchments and recreation opportunities. I want to take this opportunity to congratulate and thank Betty Marsden from the Save the Dandenongs League, who has worked very hard during the consultation process to have this land added to the Dandenong Ranges National Park. I know when I made this announcement locally she was extremely pleased with the outcome and with the legislation we are debating today.

I congratulate the Minister for Environment and all the community and organisations involved in developing this legislation and the additions to these parks across Victoria. That is in stark contrast to the Liberal Party. We heard the member for Doncaster give quite a lengthy defence of the Liberal Party's environmental policies. In relation to that I and other members acknowledge the terrific work of the Hamer

government, but let us speed things up a bit to recent and current-day policies. It should not be forgotten that the Liberal Party's policy leading into the last election was that it was going to continue to allow logging in the Otways. From the comments we have heard across the chamber during the debate on this bill it is quite clear that if the coalition were re-elected it would resume logging in the Otways, and it should be ashamed of that. The contrast is there to see, and I commend the bill to the house.

Ms DUNCAN (Macedon) — It is also my great pleasure to speak in support of the National Parks (Otways and Other Amendments) Bill this morning and to congratulate the government for this addition to the national parks we have in Victoria, which are world standard and the best you will see anywhere.

I would also like to make some comments about the position of the Liberal Party. When I came into the chamber this morning, and having listened to bits of the debate yesterday, I was uncertain actually whether members opposite were supporting it or not. You certainly could not have picked that up from listening to individual opposition members speaking on the bill. In fact having listened to the contribution from the member for Benambra, I was absolutely sure the Liberal Party was clearly opposing this bill. Apparently it is not. I think it makes a distinction between opposing and not supporting a bill. Opposition members say they are not opposing it. They do not necessarily support it, but they are not opposing it. I guess that is the only way they can keep the broad church of the opposition together.

Members would have read comments in the newspaper some time ago that demonstrate the sort of division which is occurring not just within the Victorian Liberal Party but also among their federal colleagues, with different statements being made by the federal member for Corangamite at various times. In the lead-up to the last state election the Leader of the Opposition said that the Liberal Party wanted logging to continue in the Otway Ranges, so it is very difficult to know exactly where the Liberals sit on this matter. It is another example of saying one thing and doing another. The basic philosophy seems to be, 'Don't do as we do, but do as we say'. It is very difficult to know where they sit on this.

The other point I would make in regard to some of the comments made by the member for Benambra — and I think it is what generally the community accepts — is that the Otways is a unique part of Victoria. Its location near the coast along the Great Ocean Road really does make it iconic and critical to tourism along the whole

southern coastline of Victoria, and it is difficult to imagine having activities that are inconsistent with tourism — namely, commercial logging — occurring in that iconic place. I believe this move from the government is visionary and is for the long-term benefit of future generations.

Of course we support a timber industry. It was this government that invested an enormous amount of money and took some political pain to ensure that all native forest logging in Victoria was brought to a sustainable level. We saw that in the government's forest policy in the first term. This is consistent with that and it is consistent with the view that we do need to move to plantations. The timber industry will increasingly look to plantations for its timber resource, and this government has contributed \$9 million over four years in a Victorian plantation incentive strategy to ensure that we do have a sustainable timber industry increasingly relying on plantation timber.

One of the features of this legislation is introducing a new category of park called a 'forest park'. This provides for a broader range of recreational activities than you would find in a national park, including bushwalking, horseriding, walking dogs. This is in recognition of the interface between the towns near there and the national park. This new category of forest park will complement the national park very well, and I commend the Victorian Environmental Assessment Council (VEAC) for appreciating and listening to the submissions made by people living there and recommending the creation of this new category of park. It also contradicts some of the comments that have been made by the federal member for Corangamite about people being angry that they would not have access to some of these park areas — and that is the purpose of this forest park, which will be 40 000 hectares adjacent to the national park.

The legislation does a number of other things. It enhances many of the parks around Melbourne, and they should not be overlooked in looking at this legislation. This bill is not just about the Otways, although that is obviously the significant aspect of it. This legislation adds several thousand hectares of surplus Melbourne Water land and other land to the Dandenong and Kinglake national parks and Warrandyte State Park, all being included in the new Beaconsfield, Warrandyte and Kinglake nature conservation reserves. Not only is it making the south coast of Victoria a great place, it is also enhancing the parks and reserves systems around Melbourne to ensure that Melbourne remains the most livable city. It complements beautifully the marine national parks

system that was introduced by this government, with 13 marine national parks and 11 marine sanctuaries.

This morning I was at a Friends of Tourism breakfast. One of the participants spoke about the value to ecotourism of our marine national park system and said that all of this as a package for Victoria is really a huge boost for tourism and a huge boost for our environment. I believe it is very visionary on the part of the government.

I would like to congratulate the Victorian Environmental Assessment Council for the process it went through of having several years of consultation and receiving something like 1800 submissions. I guess that demonstrates the level of interest Victorians have in the Otway Ranges, the Great Ocean Road and the Victorian coastline. I believe VEAC has listened very well to the community and to its wishes and has taken into account many of the concerns that were raised through that process. VEAC is very exhaustive in the way in which it goes about its business. It is to be commended, as this bill is to be commended. I wish it a speedy passage.

Ms BARKER (Oakleigh) — I am absolutely delighted to make a small contribution to the debate on the National Parks (Otways and Other Amendments) Bill. As has been said, the main feature of this bill is the creation — —

Ms Asher interjected.

Ms BARKER — The member for Brighton indicates that my contribution on this bill is a filibuster. I can assure her that it is not. The main feature of the bill is the creation of the Great Otway National Park. This implements a key government policy as outlined in its 2002 forest and national parks election policy, which committed to an expanded Otway National Park and therefore the moving of sawlog and pulpwood harvesting out of the native forests in the Otways by 2008. This commitment was widely endorsed in the Oakleigh electorate. The residents of Oakleigh electorate care very much about protecting our very precious environment and creating a sustainable future. I recently surveyed the whole electorate and had a very high response, which I am very pleased with. It was interesting that 7 per cent of the respondents to the survey indicated environmental issues as their no. 1 priority and above a number of other issues, which I did not anticipate, such as local roads and public transport, which I thought would have listed much higher. It is a very important issue to the people in my electorate and to me.

This wonderful new national park will incorporate the existing Otway National Park and the Angahook-Lorne, Carlisle and Melba Gully state parks as well as areas of state forest and other Crown land. This will mean that the new national park will cover 103 000 hectares. The new park will be nine times the size of the existing park and will become the largest on Victoria's coast. In creating the new national park the government is endorsing the recommendations of the Victorian Environmental Assessment Council (VEAC) on the Angahook-Otway investigation. I, and a great number of my constituents, am extremely pleased that logging across Victoria has been cut by one-third and that woodchipping has ended in the Wombat Forest. The reduction of woodchipping and logging in the Otways by 25 per cent in 2003 was also very much welcomed, as is the complete phasing out of logging and woodchipping in native forests in the Otways by 2008, which I know will be very well received. The Great Otway National Park will be one of Victoria's great national parks and will offer a great deal to all. I do not think it can be put any more eloquently than as outlined in the second-reading speech where the minister indicated:

A new era for the Otway forests will begin.

The new national park will represent all that is special about the Otways: the tall wet forests, ancient rainforests, the drier forests of the inland slopes and the very diverse heathlands and heathy woodlands, fringed by a spectacularly rugged coastline and studded with some of Victoria's most striking waterfalls and other attractions.

Mr Ryan interjected.

Ms BARKER — The Leader of The Nationals said there should be music in the background. I totally agree, so if he would like to hum along I would welcome his interjections. In the second-reading speech the minister goes on to say:

Internationally and nationally significant geological features, beautiful streams, tall trees, old growth forest, spectacular wildflower displays, rare plants and animals, and significant cultural heritage sites will all be protected.

As I said, it could not be put any more eloquently and beautifully than how it was described in the second-reading speech. The bill also defines the Great Ocean Road, which is one of the world's great coastal drives and is a very pleasant and spectacular way to get to the Otways.

I am pleased about the provisions in this bill in regard to the Great Otway National Park, but the bill also has a number of other features. It will also enhance the parks and reserves systems around Melbourne by extending the Dandenong Ranges, Kinglake and Yarra Ranges

national parks and the Warrandyte State Park. It will also create the new Beaconsfield and Warrandyte-Kinglake nature conservation reserves. This extension of parks and creation of new reserves will include approximately 2800 hectares of land currently owned by or vested in Melbourne Water which is surplus to its requirements and will increase designated water supply catchment areas. The water catchment areas are extremely important. Another one of the great commitments and achievements of this government has been in securing our water for the future, which has been an important priority. Of course we have launched and are implementing the Our Water Our Future policy. It is pleasing to note that since the launch of that policy water usage has reduced by 19 per cent. That part of the bill is also extremely important.

I am very proud of this bill, as it will increase the protection of our very precious environment for our children and grandchildren and future generations. This builds on our other environmental achievements — 13 marine national parks, 11 marine sanctuaries, the expansion of the box-ironbark parks and reserves system, the creation of Point Nepean National Park and the cessation of cattle grazing in the Alpine National Park. As I indicated previously, this is an issue of great importance to the Oakleigh electorate, with the reduction of logging in Victoria, the ending of woodchipping in the Wombat Forest, and the phasing out of logging in the new Great Otway National Park by 2008. The Bracks government — and I am very pleased to be part of this government — is making decisions to ensure a very healthy environment and sustainable future. It gives me great pleasure to say that I commend the bill to the house.

Mr RYAN (Leader of The Nationals) — It is my pleasure to join the debate on this legislation. The Nationals have indicated an intention to oppose the bill, and others within our party have espoused the reasons why. I must say that one of the things of great interest in this whole discussion is the way in which it can be said the government sees the issue of national parks and the treatment of the environment as it sits in the political spectrum, as opposed to as it sits on the merits.

As members well know, the notion for the development of the Great Otway National Park in its original form came about during the course of the election campaign in 2002. Members will be well aware that it was in about the second or third week of that campaign that the Premier took himself down to the Otways to make the announcement about the establishment of the national park. Of course that happened in a blatant endeavour by the government to pursue Greens preferences in the metropolitan area. What the

government effectively did, without any further ado, to the hardwood timber industry located in the Otways was to utterly gut it. It went down there in the face of a regional forest agreement which had been tortuously negotiated over a period of literally years, and tore the agreement up.

I remember that the locations at which photographic opportunities were offered for the Premier — and I think the Deputy Premier might have been there as well — were in areas where there was said to be old growth forest, and all that sort of whimsical and musical stuff. But in the background was the stump of a hardwood tree that had been felled for the purposes of the hardwood industry — a demonstrable example of the ridiculous rhetoric offered by the government of the national park being established in virgin countryside.

Of course now the area of the park is effectively being doubled from the original figure of around 50 000 hectares, which coincidentally is approximately the size of the Wilsons Promontory National Park. If the government were releasing other areas of land, which would be otherwise used differently, and if we ended up with a net benefit for the state of Victoria, The Nationals would be much more relaxed about it. But the problem is that the government's eyes are bigger than its tummy. Firstly, it approaches these issues from the political perspective that will best suit it. Secondly, and this is even worse in a sense, it never provides the appropriate resources to enable these national parks — either those it has at the moment or the ones it is now establishing — to be dealt with so that the necessary pest plant and animal controls are able to be enforced et cetera. This has of course given rise to the notion out there in the general community that the worst form of neighbour is the government, because these important issues on Crown land and national park areas are simply not being appropriately policed.

The other issue that flows from that is, apart from the national parks, the government's inability to properly fund land protection programs and land protection offices on the ground to provide that sort of essential local service is now well known in country communities. In my own electorate that discussion is proceeding at this very moment. Since about 1983 Ian Brown has been located in the Yarram office of the department doing excellent work and providing assistance to farmers in the immediate region and the Alberton area. I understand he is probably going to be moved out of there to the Maffra office of the department. This will mean another job will be gone from the town. More particularly, it will be another instance where this government says one thing yet does another. It is removing from the community a fellow

who provides fantastic local benefits to not only the farming community but to the community generally.

Into the bargain we have the ongoing saga surrounding Wilsons Promontory National Park and the unfortunate fire that occurred earlier this year. This is a cleft stick for many of us who have a great interest in this issue. The Nationals have been amongst those at the forefront urging that preventive burns be undertaken. We strongly support that principle. We strongly support departmental initiatives which achieve that result, but on the other hand the concept of doing these things carries with it a clear obligation on the part of the government and the department to ensure that nothing goes awry.

When the department set out with the best will in the world to do a preventive burn of a maximum of a couple of hundred acres that then turned out to be 6000 hectares, one has to say, 'It got out of the bag a bit'. A recent report produced by the South Gippsland Shire Council indicated that losses in the region total about \$7.5 million to local businesses. We are still trying to grapple with the fact that so many of those businesses took such a body blow at that time. Yet the government is refusing to assist. Evidence of that comes from the Premier's response to my question to him in question time only recently. There are a variety of ongoing inquiries in regard to the circumstances surrounding that fire, but the totality of the position is a cause of great dissatisfaction in the South Gippsland communities that I represent.

All in all The Nationals are opposed to this legislation because we do not believe that the management of this crucial aspect of Victoria's resource is being appropriately accommodated by a government that likes to play the politics of these things. When push comes to shove, it is very poor on delivering on the outcomes which these important issues deserve.

Ms BEATTIE (Yuroke) — It gives me great pleasure to rise in support of the National Parks (Otways and Other Amendments) Bill. I was very saddened to hear the Leader of The Nationals — or whatever it is calling itself this week — talk about the environment with such disdain, calling it 'soft music stuff'. It is very sad to hear that sort of thing, and I hope people are hearing what the attitude of The Nationals really is on the environment — that is, they think it is just there to chop down and clear for the sake of only some people, when the environment is there for our future. There is a new future for the Otways.

The Leader of The Nationals was right on one thing. He talked about the 2002 election, and this was a key part

of our election commitment. I am very proud to have been a part of the 1999 government that made that promise going into the 2002 election and to see it delivered today. The Leader of The Nationals talked about that with some disdain, saying it was just a blatant election promise that would deliver votes. Of course it did! We have 62 members on this side of the house. People liked that policy: they wanted us to look after the environment and to conserve it for the future — for our children and grandchildren and the generations beyond that. The Leader of The Nationals was quite right: people liked that policy! We have delivered: it was not only a commitment, it is now our policy.

The government has endorsed the recommendations of the Victorian Environment Assessment Council on the Angahook-Lorne investigation, and we are creating a great new national park of over 100 000 hectares. We are also creating the Otway Forest Park, comprising approximately 39 000 hectares, and we have commenced a new future for the Otways tourism initiative, which is delivering 19 tourism projects at a total cost of \$7 million. I will talk a little more about those tourism projects later.

One of the great things we have done is to have reduced woodchipping and logging in the Otways by 25 per cent in 2003, with the voluntary surrendering of major sawlog licences, and we will cease logging and woodchipping in native forest in the Otways by 2008. The Leader of The Nationals talked about his electorate. I can only assume that he has never been out of his own electorate and gone down to the Otways to see how that area has been scarred and pillaged by the cutting down of old-growth forest. It is a tragic sight. But there is great joy down there, because we now have the Otway Fly, which I went to and had a walk around with the Deputy Speaker. It was a fantastic day out. I am sure the member for South Barwon will agree with me that it is a fantastic project. He has been down there too, and I know he has a great interest in the area.

The Great Otway National Park will be one of Australia's great national parks, and I am convinced it will be the pre-eminent national park in Victoria. It will represent everything that is special about the area — the beautiful, rugged coastline and world-class scenery that the Great Ocean Road is renowned for; the beautiful, tall forests; the old growth forests; the rainforest; the coastal headlands; and of course the unique flora and fauna. We must not forget the spectacular waterfalls and the interesting cultural heritage sites. In addition it adjoins two of Victoria's world-class marine national parks.

I want to talk about the scenery for a while, because the people on the other side of the house say that wind farms take away from it — but then they want us to log a national park and take away the view of those great, rugged forests. They are totally hypocritical about it, and I will tell you how hypocritical they are. In the *Geelong Independent* of Friday, 16 May 2003, Stewart McArthur, the federal member for Corangamite, was reported as saying:

... constituents in the area were angry that a national park would exclude them from accessing public land for recreational activities.

In the *Sunday Age* of 10 November 2002 the Leader of the Liberal Party and Leader of the Opposition was reported as saying:

... the Liberal Party wanted logging to continue in the Otway Ranges, a direct challenge to Premier Steve Bracks's announcement that he would phase it out by 2008.

'If the science says it's sustainable, then we should be able to log it ...

Then again in the *Colac Herald* of 16 May 2003 what did Andrea Coote, a member for Monash Province in the other place, and the member for Polwarth say? The member for Polwarth said the Liberal Party was united in its approach to planned national parks, and he went on to say:

Where logging is sustainable we totally and 100 per cent support it, and our opinion has not changed in that regard.

There we have it: the Liberal Party supports logging in national parks.

I would like to talk a little bit about tourism, but before that I want to mention our other achievements with national parks, which I am sure members will be very interested in. We have seen the creation of 13 marine national parks and 11 marine sanctuaries, the expansion of the box-ironbark park and the reserve system, the creation of Point Nepean National Park and the cessation of cattle grazing in the Alpine National Park — and what a great day it was when that bill went through.

In the little time I have left I will talk about recreation and tourism in the Otways. At a breakfast I went to this morning that was hosted by Tourism Alliance Victoria they were talking about the wonderful job this government has done with its national parks. They were absolutely supportive of the Minister for Tourism and his backing of national parks and tourism in those areas, as well as this government's view of national parks. We have the \$14 million package tourism initiative called 'A new future for the Otways', which includes a new

\$7 million program to promote investment in nature-based tourism, generate employment opportunities and deliver economic benefits to the region. By encouraging people to visit the new parks, that tourism initiative will therefore help communities in the Otways to prosper. Those 19 projects are all eco-friendly tourism initiatives and are appropriate for high-level conservation areas. The government expects these public land investments to further stimulate employment growth in the Otways hinterland tourism industry.

We have the \$1.2 million redevelopment to Triplet Falls, which is almost complete; and we have the upgrade of the short walk opportunities at Erskine Falls and the other falls areas, with preliminary planning, further designing and construction imminent. I do not have enough time to go through all those projects, but I do want to say — and let me be absolutely positive on this point — that we have done the right thing by declaring this national park, and we have done what the community supports. The community had the chance at the 2002 election to reject this policy, but it did not. Instead they re-elected a Bracks government with a record majority. The community has spoken!

Mr SEITZ (Keilor) — I support the National Parks (Otways and Other Amendments) Bill. I want to firstly respond to some of the issues that have been raised in this bill by the opposition. The Bracks government has allocated \$45 million to address issues relating to weeds and feral animals across the state. This funding has been directed to a range of programs, including the weeds and pests of public lands initiative and the weeds on private lands initiative, which means that the government has committed itself to addressing the points raised by the opposition. We also have a natural values management component in the new initiative.

We have the sustainable management of Victorian parks program, the continuation of the good neighbour program, the wild dog and fox management program, the box-ironbark initiative and the healthy rivers program. So you can see that we are not as a government declaring national parks but not committing any funds to manage them. That is the important part that needs to be realised. I have listened to speakers opposed to the bill raising all those issues and saying, ‘The worst thing that can happen to you if you have a property is to have a national park as your neighbour’. The government has committed money and land to control weeds and feral animals which are affecting adjoining farms, and that needs to be kept in mind.

It is also about two-way communication between private property owners and park rangers and about their working in conjunction to deal with concerns about the edges of the parks and the work that needs to be done in these regions. That is very important for us. As we can see, weeds in particular can cause a problem. The eradication or minimisation of weeds is a job that is done by Parks Victoria. It also involves water catchments. Extending the parks will also provide further water catchment areas, and then it is about making agreements with the water authorities about accessing the water resources and carrying out the works that are needed.

In listening to the debate one may be led to believe that the government has unilaterally declared national parks, state forests and so on to stop logging, but it has gone much further than that. It is about developing and maintaining national parks for the future. This is an important program for Victoria, particularly for the tourism industry. I have camped at Wilsons Promontory, at the Otways and at Lake Eildon. I have seen those parks and enjoyed them. A previous speaker mentioned the Otway Fly. I have visited that as well. I wonder how many other members have used, enjoyed and looked at our forests and national parks.

The Wombat Forest is the area that is closest to my electorate. A lot of people would pass it when travelling along Ballarat Road or going to Bendigo. They should look at that forest so that they can appreciate and understand the value it has to our environment and tourism. It is important that we preserve our native flora and fauna in those areas. That is what national parks are about. Money has to be allocated to maintain and manage them properly. We all feel sorry about the mishap that occurred at Wilsons Promontory with the back-burning that took place. Even with the best of experts, and no matter what one tries, these things can happen. We all remember the hue and cry when the government stopped alpine grazing. People said weeds would come back and other things would happen. Recently we had fires in that area.

The Bracks government is committed to extending national parks for all Victorians and for visitors in the future. What we do now will save these areas for future communities so they can use these facilities. We do not appreciate what we have and we should use these places for our economic benefit. I am sure with the Commonwealth Games next year many overseas tourists will visit our national parks to see, for example, the old-growth forests. They may want to drive down the Great Ocean Road, or through the Black Spur and so on. That is not something you can see in every country. It is only because of foresight by this

government and previous governments that we have provided and maintained our natural heritage. I support the bill. It covers amendments and changes to other national parks, forest reserves and water catchment authorities. It has the support of the community and I commend it to the house and wish it a speedy passage.

Mr HARDMAN (Seymour) — It is a pleasure to join the debate on the National Parks (Otways and Other Amendments) Bill. This bill is important because it implements the 2002 major election promise to extend the Otway National Park by about 60 000 hectares to 100 000 hectares. It is important for the future that we protect our streams, tall trees, old-growth forests, wonderful waterfalls, wild flowers, rare plants and animals. There are a lot of cultural heritage sites in the Otways and it is important that the government protect it for our children and their children.

Members have spoken about a number of additions to the new park. One of the things members have raised is the Otway Fly. I am amazed at the number of people who have talked to me about the Otway Fly and who have said what a great experience it is and how pleased they are that the Bracks government has created the Great Otway National Park. These people are not raging greenies or environmentalists; they are certainly not at the extreme like The Nationals who do not seem to have much respect for the environment. It is the responsibility of the government to ensure that we protect our national parks for the future.

The major reason I wanted to speak in the debate is to refer to the other amendments contained in this bill. They are very important to the Seymour electorate. The bill extends the Kinglake National Park by adding an area around the Tourourrong Reservoir and an area around Buttermans track at St Andrews. The Kinglake National Park is a wonderful place for people to visit. People go bike riding, horseriding and walking. People live in the Kinglake area because they know it is a great place to live and raise a family and visit the national park. There are significant additions to the Yarra Ranges National Park with the Dom Dom Saddle, Fernshaw and Badger Creek. They are important additions. There is an extra 1533 hectares in that area, where Melbourne Water land has been transferred into the park. I have a brochure about the Yarra Ranges National Park which shows how important this park is to the Seymour electorate and the communities within it. It is important for tourism, the economy and the general lifestyle to make the area a great place to live and raise a family.

Some of the examples that can be seen in the Seymour electorate are at Badger Weir, which is a beautiful park.

I took the children from Flowerdale Primary School there a few times when I was principal after swimming lessons at the Healesville swimming pool. It is an amazing experience for people to see lyrebirds and other animals roaming around that are free and protected. Lake Mountain is an important part of the national park. You can see the fantastic changes in the flora, starting at the bottom with the mountain ash, and as you go higher you get to alpine ash and closer to the top you have the snow gums and other smaller plants. It is important that we protect these areas. Most people would agree that driving through the Black Spur is one of the most beautiful drives with the ferns and tall trees. The Cathedral Range State Park is also worth visiting.

I commend the Minister for Environment and the government, because not only do they recognise the importance of protecting these areas through the creation of national parks, but also in the 2005–06 budget we have said it is important to manage our parks. We all recall the dreadful mismanagement and reduction in services and park rangers during the Kennett years when the Liberals and Nationals wreaked havoc on the state of Victoria. This latest budget helps to redress some of that.

It is important that the weeds and pests in those areas are dealt with properly. The government has allocated \$19.3 million over four years for weeds and pests, with \$5.4 million being ongoing investment to eradicate weeds and pests in national parks and also neighbouring properties that have suffered partly because of those dreadful years of the Kennett government when our parks suffered because of the sacking of staff.

I note also that \$49.4 million has been allocated to replace and repair assets in those national parks. That is really important too, because when people get there, the visitor experience is what counts. With reasonable facilities, and even just tracks and roads and walkways in the parks, people can get to enjoy them much more and more people can get access, including disabled people and others, to the whole park. That is a fantastic thing this government has done. I commend this bill to the house.

Mr CARLI (Brunswick) — I rise to support the National Parks (Otways and Other Amendments) Bill and am very pleased to do so. I represent an inner urban seat that would not necessarily be associated with national parks, but it has an incredibly high environmental consciousness. Its community has worked very hard to reclaim the natural habitat, which can be seen when we look at the work done along the Merri Creek, the Moonee Ponds Creek and at the

Centre for Education and Research in Environmental Strategies community environmental park.

Therefore it was not surprising in the lead-up to the 2002 election that there was a lot of debate in our community about national parks. I participated in a number of meetings and, along with people from my electorate, I made a number of visits to the Otways and also to Goolengook in eastern Victoria to look at and address some of the forest and park issues. While I might represent an inner urban electorate, it is one that has a very high environmental consciousness and strong community support for national parks.

With that background, I am very pleased to support this bill and particularly the creation of the Great Otway National Park, a park of 103 000 hectares, and also the creation of the Otway Forest Park of 39 000 hectares. We went into the 2002 election with the parks issues, and they were certainly strongly discussed and debated in my electorate. The response from the community was incredibly strong. It was strong because of the recognition of the importance of the rugged coastline and world-class scenery. Clearly, much of it abuts the Great Ocean Road, which is one of the state's major tourist attractions. There is the tall forest, the rainforest, the coastal heathland and unique flora and fauna, and the spectacular waterfalls and bushwalks. The Great Otway National Park is of national significance and will be tremendous for our tourist industry and for the recreational pursuits of Victorians, including people who come from the city and from the inner urban areas, who enjoy the bushwalking and scenery and get much pleasure out of regional tourism. This is an important bill, inasmuch as it enhances the state's forests and national parks.

Leading up to the introduction of this bill there was much debate about woodchipping and logging in the Otways. This bill will reduce that and result in the voluntary surrender of major sawlog licences. By 2008 there will be a cessation of logging and woodchipping in native forests in the Otways. We have resolved what has been a very contentious issue that has raised a lot of passion, including in my electorate. We have resolved it in a way in which we will eventually see the end of logging in native forests in the Otways. We see initiatives both in supporting those workers who have been displaced and in supporting tourism in the Otways.

I remarked before that the Otways is an important area in terms of its habitat, its scenery and the surrounding cultural life. It also adjoins two world-class marine national parks. One of the things that makes me very proud to be part of the Bracks government is that this

bill further complements the world-class system of marine national parks we have created in this state. It further expands our national forests.

We have done such good work since we have been in government in terms of the box-ironbark parks and reserves system, the creation of the Point Nepean National Park and the cessation of cattle grazing in the Alpine National Park. These are all initiatives that enhance the natural environment of the state and that I am very proud to support as a member of Parliament. They are initiatives that have been very well received in my electorate. It is really important when we discuss the issues of our environment that we recognise their importance for Victorians right across the state. These are obviously areas of statewide and national significance. It is very pleasing for me to be part of it.

I noted while listening to the member for Seymour that this bill also adds areas to the Dandenong Ranges, Kinglake and Yarra Ranges national parks and Warrandyte State Park under the National Parks Act, further enhancing not just the Otways but other state and national parks and particularly those adjoining metropolitan Melbourne. I am very pleased to support this bill, and I wish it swift passage.

Mr JENKINS (Morwell) — This is a good bill, a wonderful bill and one that should have the support of all members here. Sadly, we have wishy-washy support from the Liberal Party and we do not have the support of The Nationals.

An honourable member — What is the bill called?

Mr JENKINS — It is the National Parks (Otways and Other Amendments) Bill. This represents a missed opportunity for The Nationals to get their heads out of the sand and start to represent country Victoria. Members of The Nationals claim to be the party of country Victoria, but they do not represent the overwhelming majority of people in country Victoria who care about our environment, about national parks and about the future. The people I represent in country Victoria and the people who, for some reason, are still represented by the last vestiges of The Nationals are people who care about the environment. They care about the sort of environment we pass on to the next generation.

The Nationals have missed another opportunity to demonstrate that they have finally come of age, that they have finally decided they are going to work with their community. They are troglodytes. They just cannot seem to catch up to the rest of the people in country Victoria. This is a missed opportunity for The Nationals to stop

selling country Victoria and country Victorians short, a missed opportunity for The Nationals to get up and apologise to the people of country Victoria for their sell-out and their irresponsibility while in government. We hear some of The Nationals talk about timber communities, but they closed their schools, they closed their hospitals and they closed their rail lines. They closed five rail lines. They had an opportunity in this bill to get up and apologise to the people of country Victoria. They refused to do so. They should start to get their heads out of the sand — —

The ACTING SPEAKER (Mr Seitz) — Order! The member should come back to the bill.

Mr JENKINS — They need to apologise to the people of country Victoria. As explained by other speakers, this bill has impacts on the timber industry, which was brought to the brink of extinction by The Nationals in government and by the irresponsible way its members allowed the timber industry to continue on without any safeguards, without any regard for the future or for making the timber industry sustainable, which is what it now is under the Bracks government. Under this government timber communities across Victoria will remain great places to live and work in and raise a family. It is about time Nationals members realised the track they were headed down was one of extinction for timber communities. Fortunately the extinction of The Nationals is only a matter of time.

Timber communities and the timber industry will remain in Victoria, as highlighted last week with the \$600 million development for Australian Paper in my electorate. This shows that you can have national parks, a responsible timber industry and at the same time deliver for the environment in Victoria. That is what the Bracks government does. It makes sure that not only timber communities but places like the Latrobe Valley and Gippsland will remain great places to live and work and raise a family. In areas such as Cape Liptrap some modifications will ensure that there is accessibility and improvement to the great national park in that area through consultation, discussion and agreement with the South Gippsland Shire Council. The council can represent people in country Victoria. Why can The Nationals not move on? Local government in country Victoria has moved on, but not The Nationals! It gives me a great deal of pleasure to commend this bill to the house and wish it a speedy passage.

Ms GREEN (Yan Yean) — It gives me great pleasure to join the debate on the National Parks (Otways and Other Amendments) Bill. This bill delivers on the Bracks government's promise made prior to the last election to create a greatly expanded

national park, the Great Otway National Park, to establish the Otway Forest Park and, most importantly, to ensure the end of sawlog and pulpwood harvesting in the Otway forests. We have nailed our colours to the mast, and the community knows where this government stands on the establishment of parks. It was the Bracks government that established our world-renowned marine parks, and we are doing even more in this bill. Members of The Nationals have made it clear that they are opposed to this bill. We know where they stand, and the community has judged and will judge them. They claim to understand country Victorians. I think the number of country Labor members in this house shows that to be a fallacy.

I grew up in south-west Victoria in a family of farmers who are still farming and making a living using good environmental management systems. My family of farmers and tourism operators is passionate in its support for this park. I am sure he will not mind me telling the house this but a number of years ago my cousin William travelled from the family farm in Simpson to protest against logging in the Otways and found himself being arrested in support of his beliefs. I think actions such as that show that country people and farming people support the environment and support the establishment of this park.

This park will be an economic boom for the area, focusing on nature-based tourism. A number of other members have talked about the wonderful Otway Fly. I and my family have been there a number of times. The huge numbers who go to this attraction are just amazing. It links so well with our beautiful Great Ocean Road.

I turn now to some other aspects of the bill which affect my electorate in a most positive way. I feel really fortunate to represent an electorate that is so blessed with natural beauty and parks. The northern boundary of the Yan Yean electorate is overlooked by the beautiful Kinglake National Park. It is great to see some additions being made to this park from Melbourne Water land, particularly at the Tourourrong Reservoir. For those who do not know, that is the location of the Australian Platypus Conservancy. This area will protect the headwaters of that important Yarra tributary, the Plenty River, which is the spine of my electorate. On the southern boundary of my electorate is the beautiful Warrandyte State Park, which will receive some additions at Wonga Park to ensure a continuous park along the Yarra River.

One aspect of the bill which is particularly welcome in the Yan Yean electorate and by families living there is the establishment of the Warrandyte-Kinglake Nature

Conservation Reserve. It will traverse the eastern boundary of the Yan Yean electorate and create a unique wildlife corridor to join up the Kinglake National Park and the Warrandyte State Park. I would like to take this opportunity to pay tribute to the many local residents who have shared their passion for this park with me. They are very passionate about the local environment. They are great custodians of the local environment and take care of the animals which live there.

I would particularly like to mention the Bend of Isles community association, including Frank Pierce and Janet Mattiske, Mick and Marg Woivod and Alan and Carole Bonney for their passion in pursuing this reserve in the decades since the recommendations of the late 1970s. I look forward to a big celebration with them, and hopefully an adjacent commemoration of Neil Douglas who was one of the fathers of the environmental movement in the area.

Like a number of other members I attended the Friends of Tourism and Victorian Tourism Alliance breakfast this morning. I came away very inspired and thinking about the bill. A number of the participants at the breakfast talked about our wonderful parks, our networks of parks and the tourism potential of them. I have made a pledge to myself and my community that I want to maximise the number of people able to see these wonderful parks and visit the tourist attractions like the lovely wineries in our green wedges. The green wedges are the lungs of Melbourne and I think the future of protecting those areas is to have lots of tourism. My family and the families which live in the Yan Yean electorate are so fortunate. The Shire of Nillumbik has the greatest life expectancy in the state and I think these parks play an important part in that.

I mentioned The Nationals earlier and said I was a bit dismayed by their opposition to this bill.

Mr Maughan interjected.

Ms GREEN — I have given The Nationals a whack so I think I will give the Liberals a whack now. One of my neighbouring members, the member for Warrandyte, talks about his support for the environment. That is laudable but it is deeply regrettable that others like the member for Benambra have been wishy-washy in their contributions. It sounded more like the member was opposing the bill rather than supporting it. I note in the *Sunday Age* of 10 November 2002 that the Leader of the Opposition made a commitment to continue logging in the Otway Ranges. Were the Liberals to come back in, that would be a direct challenge to this park.

I thank the house for the opportunity to speak on this bill. It is a fantastic initiative for the state of Victoria and I wish it a speedy passage.

Mr Nardella — You are passionate for it.

Ms GREEN — Yes, I am passionate about it!

Mr NARDELLA (Melton) — I support the bill before the house. This bill does a number of things like extend and safeguard the Otways national park for generations to come, for evermore. It is in stark contrast to the two-faced, hypocritical position taken by The Nationals.

The Nationals come in here on the establishment of the Great Otway National Park — a further achievement in the environmental and ecological footprint of Victoria, something done only by the Bracks Labor government — and all they do is criticise it. Their policy is that there should be an expansion of national parks, but only if you get rid of another national park so that it is a zero-sum game. That was the position put by the honourable member for Rodney yesterday. The Nationals have this hypocritical position of saying that if we build the Great Otway National Park, we have to get rid of the weeds and the pest animals — everything that is a public pest weed or animal. They never talk about the private pest weeds and the private rabbits and private foxes — they are always on public land. What did the member for Rodney do in the seven long, dark years he was a member of the coalition government?

Mr Hardman — He privatised the rabbits.

Mr NARDELLA — Yes, he privatised the rabbits, absolutely. The first action they took in 1993 was to slash the budgets, slash the workers and slash the resources for conservation and the environment in the 1993 budget. Here come the hypocrites, here come the people with double standards, saying that we should fix up the problem they could not fix. To make it worse, they took resources away. It is part of The Nationals' psyche, just as it was part of their policy to close five rail lines in country areas and close 370 schools, the vast majority in country areas. They also closed 12 hospitals. Where? In country areas. Yet they have the gall to come in here and talk about national parks and looking after country people. They should apologise not only for their own actions but for the actions they were complicit in, that they collaborated with the Liberal Party on when they were in office in coalition. This bill demonstrates their hypocrisy on these matters.

The Nationals want to talk about resources; I will give the house some figures on resources. I have been in opposition and it is an ugly place. However, when you are in opposition you get briefings and when you go to briefings, you can ask questions. I advise The Nationals to take my advice and go to these briefings and ask questions because they will then get some answers. When they ask the stupid questions, when they come in here and say the resources have been taken out by the Bracks Labor government, they are wrong. They are telling porky pies in this place. It is absolutely incorrect that they come in here and do that.

I will give the house some figures in regard to funding for national parks. New rangers — \$13.1 million increase over four years in the last budget. Seventeen new staff. Where? For the Great Otway National Park. Members of The Nationals come in here and say there are no resources but we are putting in 17 new staff for the Great Otway National Park and forest park. Parks Victoria — an increase of \$19.3 million over four years, including \$5.4 million for pest weed and pest animal control. Of that \$5.4 million, \$1.4 million is for national parks and forest parks. There will be a \$49.6 million increase over the next four years to replace and repair park assets. The list goes on.

Yet the ecological vandals come in here and want to put the case that they did it so well, that over their seven years they got rid of the rabbits and the weeds. What did they do? They slashed and burned, and they hurt country Victorians — and they amalgamated all the councils. Yet they have the gall to come in here and say they stand up for country Victorians. They are a disgrace. Their primary vote has gone from 7.4 per cent in 1982 way down to 2 per cent today. On that basis I support the bill before the house.

Mr Maughan — On a point of order, Acting Speaker, I seek your guidance as to what this has to do with the bill before the house, which is on the Otways national park. Whatever The Nationals may or may not have done has nothing whatever to do with this legislation.

The ACTING SPEAKER (Mr Seitz) — Order! I have listened carefully to the member for Melton. Contributions by previous speakers to this debate have been wide ranging. I will, however, caution the member for Melton. If he digresses any further, I will call him back to the bill. I do not uphold the point of order.

Mr HERBERT (Eltham) — That was an excellent ruling, Acting Speaker!

I rise to speak on the National Parks (Otways and Other Amendments) Bill. Let me say from the start that I am immensely proud of what my government has achieved with the creation of this park and the other great environmental initiatives it has undertaken in the last six years.

The new Great Otway National Park will be a massive 103 000 hectares in size. It will adjoin the Otway Forest Park of 39 000 hectares. Together with reduced woodchipping and logging, leading up to a total ban in 2008, and the \$7 million for tourism projects, this represents one of the greatest boosts that we have seen in this state. It will boost jobs in the region and give positive support to Victoria's general environmental heritage. It is something every Victorian should be proud of — certainly everyone on this side of the house is proud of it.

It adds to the other tremendous achievements Labor has made over the last six years. These massive achievements include 13 world-class marine national parks; 11 marine sanctuaries; the expansion of the box-ironbark parks; the creation of Point Nepean National Park; the cessation of cattle grazing in the Alpine National Park; and the protection of Melbourne's green wedges. There is more — there is the massive amount of work we have done along the Yarra River. Look at what we have done in cleaning it up and you will see the water quality is better. Up my way you can certainly swim in it. What we have done with the Merri Creek is absolutely sensational. There are very few places in Victoria where you can walk nowadays without seeing the legacy of the environmental benefits this government has put in place.

The green wedge protection is very close to my heart. It is part of my electorate and something that most of the residents of Eltham are extremely proud of. They do not just support the green wedge which is on their doorstep; they support all the other environmental initiatives because they know a safe and clean environment is the key to their children's future prosperity and happiness.

This great new park and our other conservation efforts will ensure that the beauty of Melbourne's rural areas and forests are protected; that diverse and beautiful flora and fauna is protected; and that magnificent, even breathtaking, parts of our world are maintained for the benefit of future generations. When looking at legislation here we do not always think about our magnificent flowers, the great vistas, the absolutely sensational snow gums, and our ability to walk through rural native untouched areas with our children and

experience magnificent beauty which many places in the world simply do not have. The fact that we are protecting it now is one of our great achievements.

Mr Nardella — We are passionate about it.

Mr HERBERT — The member of the Melton says we are passionate about it, and we are, because we know the future of our state is tied up not just with the economic benefit but with the environmental legacy we leave. It is easy to wipe out the parks, to log all forests and not have green wedge areas. It is harder to protect them. That is what we are doing, and we are doing it for good cause.

It is a pity that the Liberals have had such a wishy-washy approach to this debate. I am a bit disappointed personally that they did not give more solid and vigorous support to this great national park. I understand they have tensions, but it is a pity that they have not come out and been honest and said it is a great thing for Victoria. As for The Nationals, as other members have mentioned, their redneck attitude to conservation and environment and their opposition to this park is really quite disgraceful. But it is not something that is new.

When I heard they were opposing the park I went back and had a look at a few newspaper articles. I found one from 31 March 2003 headed 'VicNats wary of Liberals new environment stance'. I do not know what the Liberals new environment stance was — it was not that powerful as far as I can see. I had a look at their 2002 environment policy. The only thing I can see of any substance in it is their intention to stop the flow of water in the Snowy River. If they are wary of that, I hate to think what their environment policy is. It is time The Nationals had a change of heart, taking into consideration the changing nature of the Victorian public's view of protecting the environment. They need to address the needs of their constituents and their desire to protect the environment.

I commend this bill to the house and I particularly commend the efforts of the Minister for Environment for his fantastic efforts not just in creating this park but in protecting Victoria's future for my children, your children and the community.

Mr LANGDON (Ivanhoe) — I wish to make a very brief contribution to the debate on this bill, as I realise the minister is here to sum up. I also share the passion of the member for Eltham for the national park. I know the member for Bundoora — the Minister for Community Services, who is also at the table — shares that as well. The people of Bundoora, Eltham and

Ivanhoe share an enormous passion for the environment. I know that locally we do a lot for it. In establishing the Great Otway National Park, the marine national parks and other parks this government has done an outstanding job. The two ministers at the table, the current Minister for Environment and the former environment minister, should both be congratulated on the establishment of the Great Otway National Park.

Mr THWAITES (Minister for Environment) — I would like to thank all those members who contributed to the debate. I particularly thank members on the government side for their passionate support for the new Great Otway National Park. This will be one of the great parks in Australia, if not the world. It is a park that has been sought by many people for such a long time, and it is a park that we should all be proud of.

I also welcome the backflip by the Liberal Party, which for so long opposed all the steps we were taking to end logging and to set up this great new park. I well recall the comments of the Leader of the Opposition, who said that logging was sustainable and should continue. The member for Polwarth told his constituents that the Liberal Party would support logging. But now our government, the Bracks government, has had the foresight and the courage of its convictions to bring this bill into the house. I am very pleased that it will now be passed through the Legislative Assembly, and I look forward to its successful passage in another place.

I know many members of the community have passionately supported this project. I will not be able to name all of them, but I would like to mention the members of the Otway Ranges Environment Network. This is a group of people who have campaigned for this for many years. They have not always agreed with what this government has done, but they put forward an outstanding case for this national park and for the end of logging in the Otways. That case was successfully put, and now we have this result. I think it is a good demonstration of a community that has been able to articulate its position very clearly and advocate for it very strongly, and as a result we have a great outcome and a great achievement.

I would particularly like to pay tribute to the Premier, whose vision and commitment to this project have been unwavering. This is a project that the Premier has personally been not only interested in but passionate about, and the former environment minister, who I know loves the region — —

Dr Napthine — She got lost in the Otways!

Mr THWAITES — So much so that she spent an additional night camping in the region! It showed her commitment, as the then environment minister, in the lead-up to the election, which we are now seeing being fulfilled.

A lot of work has also been done by the Department of Sustainability and Environment and by Parks Victoria in establishing the park. I am also very pleased that local government in the region is now working closely with the government on taking the next step for the future of the Otways, which is around tourism and visitation. Some magnificent tourism opportunities already exist there. These will expand even further with this park. There are some new initiatives, like the Old Beechy rail trail, which I understand will be officially opened in just a few weeks.

Dr Napthine — I travelled on the last Beechy train.

Mr THWAITES — The member for South-West Coast travelled on the last train. Now he will be able to cycle or walk through that region, and it will be a magnificent experience for him. Of course we have the Otway Fly, which is outside the park area but which is a very positive private sector development. Next to or very close to that the Triplet Falls area is being restored and upgraded after the terrible vandalism there. There will also be a new walking path through that area.

The geological history of the Otways is also fascinating. I hope that in future years more public attention will be paid to that and that people will take up the great opportunities that exist to learn about our geological past.

A number of issues were raised in the context of the debate, and I will briefly refer to some of them. The Deputy Leader of the Opposition claimed that clauses 17B and 17C of the national parties act — sorry, the National Parks Act —

Mr Walsh — We are synonymous!

Mr THWAITES — There is a fair gap between the National Parks Act and The Nationals, although interestingly once national parks are established The Nationals come on board too. If you look at a place like the Grampians National Park, which was opposed by a number of people, you can see that since its establishment it has been generating millions of dollars — I think it is now more than \$200 million — of economic development every year. That is just another example of how national parks have huge economic benefits for the state. I am glad the local member has now come on board too, and I hope The Nationals —

Honourable members interjecting.

Mr THWAITES — Maybe they will rename themselves again. They have gone from being the National Party to the VicNats and to the Nats, and now maybe to the National Park Party!

Mr Walsh — It's a long bow, mate.

Mr THWAITES — It is a long bow — but I can only hope. Before I was diverted I was referring to the claim by the Deputy Leader of the Opposition that this bill amends clauses 17B and 17C of the National Parks Act to the effect that the authority involved in protecting and managing these water catchment areas will be Melbourne Water. He tried to score some political points on that basis, but as, I am afraid, we have become somewhat accustomed to in this house, the deputy leader got it wrong again. The legislation does not amend clauses 17B and 17C of the National Parks Act; but more importantly the legislation does not make Melbourne Water responsible for protecting and managing the water catchment areas in the Otways.

What the legislation does is confirm that Melbourne Water is the responsible authority in the Kinglake and Yarra Ranges national parks, but it specifically states that the water authorities responsible for the management of the Otways park are Barwon Water and the successor of South-West Water, Wannon Water. The deputy leader had asked me to respond on that issue. All I can urge him to do is to read legislation a little more carefully before he makes allegations like that.

The Deputy Leader of the Opposition also claimed to have been told that there would be a 100-metre buffer zone on freehold land between the creek area and the area of private land that people are allowed to use. There is no buffer zone on freehold land. He might have been told that, but if he had checked the legislation he would have found that that is incorrect.

A number of members on our side of the house emphasised the huge importance of this new national park. They pointed out very eloquently that this park is very much part of the future of the whole region and that there will be great economic spin-offs as a result. I should also indicate that the government is making a financial commitment in the establishment of the park, which will see extra park rangers, extra funds for weed control and for managing the natural values. I am pleased to say that the extra funding was part of a major boost to parks funding in the 2005–06 budget. The government was able to invest more than \$100 million in extra funding for parks, state forests and Crown land

to better manage those natural assets and to ensure that we can replace assets as well.

I would like to heartily thank all those members who spoke during the debate. I thank particularly the Geelong members of the government and the Parliamentary Secretary for Environment in the other place, who has, over a long period of time, been a passionate supporter of the park and who has personally been involved in all the discussions and deliberations about the park. Other members of this house have also been very strong advocates and worked with me and the previous minister and the Premier in the establishment of the park. I am very pleased to be able to sum up this debate and look forward to the official opening of the new park very shortly.

House divided on motion:

Ayes, 75

Andrews, Mr	Languiller, Mr
Asher, Ms	Leighton, Mr
Baillieu, Mr	Lim, Mr
Barker, Ms	Lindell, Ms
Batchelor, Mr	Lobato, Ms
Beard, Ms	Lockwood, Mr
Beattie, Ms	Loney, Mr
Bracks, Mr	Lupton, Mr
Brumby, Mr	McIntosh, Mr
Cameron, Mr	McTaggart, Ms
Carli, Mr	Marshall, Ms
Clark, Mr	Maxfield, Mr
Cooper, Mr	Merlino, Mr
Crutchfield, Mr	Mildenhall, Mr
D'Ambrosio, Ms	Morand, Ms
Delahunty, Ms	Mulder, Mr
Dixon, Mr	Munt, Ms
Donnellan, Mr	Naphine, Dr
Doyle, Mr	Nardella, Mr
Duncan, Ms	Neville, Ms
Eckstein, Ms	Overington, Ms
Garbutt, Ms	Pandazopoulos, Mr
Gillett, Ms	Perera, Mr
Green, Ms	Perton, Mr
Haermeyer, Mr	Pike, Ms
Hardman, Mr	Plowman, Mr
Harkness, Mr	Robinson, Mr
Helper, Mr	Seitz, Mr
Herbert, Mr	Shardey, Mrs
Holding, Mr	Smith, Mr
Honeywood, Mr	Stensholt, Mr
Howard, Mr	Thompson, Mr
Hudson, Mr	Thwaites, Mr
Hulls, Mr	Trezise, Mr
Jenkins, Mr	Wells, Mr
Kosky, Ms	Wilson, Mr
Kotsiras, Mr	Wynne, Mr
Langdon, Mr	

Noes, 9

Delahunty, Mr	Ryan, Mr
Ingram, Mr	Savage, Mr
Jasper, Mr	Sykes, Dr

Maughan, Mr
Powell, Mrs

Walsh, Mr

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

Sitting suspended 1.01 p.m. until 2.02 p.m.

DISTINGUISHED VISITOR

The SPEAKER — I welcome to the chamber the Deputy Chief Minister of Punjab, India, Mrs Rajinder Kaur Bhattal.

QUESTIONS WITHOUT NOTICE

Biotechnology industry: government assistance

Mr CLARK (Box Hill) — My question without notice is to the Premier. I refer the Premier to his support for the use of the superannuation of public servants for a Victorian Economic Development Corporation-style biotech bailout and I ask: given that the Treasurer this morning has opposed such a plan, why did the Premier repeatedly tell the Committee for Melbourne that he supported it?

Mr BRACKS (Premier) — I thank the member for Box Hill for his question. I indicate that, as the Treasurer mentioned today, the government does not support the Committee of Melbourne proposal. We get a lot of proposals made to us. I also indicate to the member for Box Hill that we were not contacted about the article in the paper, so we were not able to make a comment. I can make a comment today. This is a proposal, and the government gets many proposals from many organisations. This proposal from the Committee for Melbourne is not supported.

I reiterate to this house and publicly that we will not be instructing superannuation funds on how to apply their investments. That is a decision, a prudential decision, for superannuation organisations to decide in relation to the benefits that will accrue to the members of those funds, and that is what will remain in the future. I also say on — —

Mr Doyle interjected.

The SPEAKER — Order! The Leader of the Opposition!

Mr BRACKS — I also say on biotechnology more broadly that Victoria is doing extremely well worldwide in relation to our ambition to be amongst the top five biotechnology precincts in the world. If you look at the research and development that occurs in Australia, about 40 per cent of the research and development in biotechnology occurs here in Victoria. If you look at the listed biotechnology companies, about 40 per cent of the listed biotechnology companies are here in Victoria.

There was reference today to venture capital. I indicate that we now have some of the biggest venture capital companies deciding to establish themselves in Victoria, including some of the largest venture capital firms — Starfish Ventures, a \$138-million venture capital fund; and GBS Venture Partners, a \$300-million fund. They are established and have been set up in Victoria. That is a great achievement and shows that the efforts the government has put in over the last five and a half years are bearing fruit. We are taking a leadership position, not only in Australia but worldwide. We are a state that prides itself on innovation and research and development and on ensuring we can capitalise on and get the commercial benefits of it. We do have some success to show that, and we will continue to pursue what is an exciting industry for Victoria in the future.

Commonwealth Games: Plan Australia partnership

Ms GILLET (Tarneit) — My question is to the Premier. I refer the Premier to the government's commitment to making the 2006 Commonwealth Games the best games ever and ask the Premier to detail for the house how the government's announcement of a goodwill partner for the games will contribute to delivering on this commitment.

Mr BRACKS (Premier) — I thank the member for Tarneit for her question, and I thank her for her work as parliamentary secretary assisting the Minister for Commonwealth Games in relation to the preparation of the Commonwealth Games. I also welcome the Deputy Chief Minister from India and note that the Commonwealth Games following Melbourne's Commonwealth Games in 2006 will be in Delhi, India. We welcome the delegation that will be here from India to not only be present at the closing ceremony but also collect the Commonwealth Games flag for their own Commonwealth Games in 2010. I certainly indicate that we will work closely in collaboration to assist and support, just as we have received assistance and support in the preparation of our own games for Melbourne in 2006.

I also indicate that we expect this to be the biggest and best Commonwealth Games ever. We are expecting representatives from the 71 commonwealth nations to be attending, and we are expecting some 4500 athletes and more than 90 000 interstate and overseas visitors. We expect something like 1.5 billion viewers worldwide to see the Commonwealth Games, and the showcasing of Melbourne and Victoria. What we have to offer in staging one of the best events ever — and certainly the biggest event that Victoria has ever held — is that it will be bigger in scale and size than the 1956 Olympics. Such is the nature of these events over a period of time.

I indicated to the house in May this year when there were 300 days to go until the Commonwealth Games that we would be announcing a goodwill partner for the Commonwealth Games — the first time ever for a sponsor city organising the Commonwealth Games to have a goodwill partner — to assist the Commonwealth of Nations in supporting people who find themselves in need of support from other countries. I am very pleased to inform the house that the selection process has been completed and we have selected Plan Australia as the goodwill partner for the Commonwealth Games in 2006 in Melbourne. Plan Australia is one of the largest and most prominent child-focused development organisations internationally, and of course we are very pleased that it was selected to be the official Melbourne 2006 Commonwealth Games Goodwill Partner. It will work with the 2 billion people who are in the Commonwealth of Nations, the 71 nations.

I remind the house that the objectives of the goodwill partner will be to raise awareness of the issues facing children in developing commonwealth countries; encourage Australians to be a part of the solution to reducing poverty by either sponsoring a child of the commonwealth or supporting a project in the commonwealth, as part of its work; educate people about Plan Australia's child-focused work and efforts more broadly; create long-term tangible benefits for the children of the commonwealth; and celebrate the values of a Commonwealth Games — humanity, equality and destiny — which are the values which have been established for the Commonwealth Games more broadly and also for Melbourne in 2006.

In addition to the child sponsorship and support arrangements which Plan Australia will be offering as part of its goodwill sponsorship arrangements, it will also be developing four particular and unique projects in the Commonwealth of Nations, including projects that are available for one-off donations. Those projects are for Africa, which will have a HIV focus and emphasis; for Bangladesh, which will have an

education focus as part of the work planned by the goodwill partner; for India, in relation to early childhood care and development-focused activities; and for the Pacific, in relation to youth-focused activities as well.

I would like to congratulate Plan Australia and welcome it to the Melbourne 2006 Commonwealth Games family. We are very pleased that Plan Australia was able to take up the opportunity available to it. We are pleased with the proposals and the work that it will be undertaking. It is unique that we will have the first Commonwealth Games ever to have a goodwill partner. I welcome Plan Australia as our partner for 2006.

Hazardous waste: Nowingi

Mr RYAN (Leader of The Nationals) — My question is to the Premier. How many job losses, how many millions of dollars in lost economic activity and how much social dislocation does the government consider to be acceptable in exchange for dumping Melbourne's toxic waste near Mildura?

Mr BRACKS (Premier) — First of all, thank you to the Leader of The Nationals for his question. The assumptions made by the Leader of The Nationals are unfounded. These are matters which will be established as part of the environment effects statement (EES), and they will be examined as part of the environment effects statement. The government will proceed on the location at Nowingi for a long-term containment facility dependent on the results of that EES.

Commonwealth Games: schools program

Ms BARKER (Oakleigh) — My question is to the Minister for Education and Training. I ask the minister to detail to the house the steps the government is taking to involve Victorian schoolchildren in the upcoming Commonwealth Games.

Ms KOSKY (Minister for Education and Training) — I thank the member for Oakleigh for her question and her interest in the participation of schools in the Melbourne 2006 Commonwealth Games. The games provide us with an exciting opportunity within our schools for students, teachers and school communities to be closely involved with an international event that will be held on our doorstep. It is a fantastic opportunity for our schools to be involved in both an international sporting event and an international cultural event. We are making the absolute best of the opportunities available for our students in our schools to be involved.

As a government we have provided \$2 million to ensure that we have a very detailed and comprehensive Commonwealth Games schools education program. The package encourages all students in all schools across the state to learn about the cultural, historical and political issues, as well as the sporting issues, in the 71 nations that make up the commonwealth.

There is a whole range of resources and programs that are focused within and outside the classroom. The resources include ComPASS, which is a learning program which enables primary school students to take a virtual trip around the commonwealth. They are provided with Commonwealth Games passports and receive visas as they complete activities focused on each country. We also have a program called Starting Blocks, which provides an introduction to the Melbourne 2006 Commonwealth Games. It includes a brief history of the games and an overview of all the countries that are involved, as well as information about the 16 sports. Another one of the programs, which is a software program, is called 'Let the Games Begin'. The Premier and I saw it in action at a school we were at recently. It is a model of ethical decision making —

Mr Smith interjected.

Ms KOSKY — It is something the member for Bass would do well to find out about. It gives students the opportunity to solve possible dilemmas around the sporting arena, such as who to select when a country's team is chosen. When a promising athlete becomes available, do they drop someone from the team or do they keep someone who may not be as good an athlete but who has performed well in a particular event at one point in time? Another program is Beyond Cost, where a small community is faced with the ethical issue of a rifle range being built near their town. We are really trying to involve students in some of the critical issues that communities are confronted with as a result of the Commonwealth Games or other sporting events.

Other programs include the School2School friendship program, which I have mentioned in the house before and which will involve connections between schools here and in other countries; and the Art4Athletes program, where students will be providing posters — and 30 visually impaired students will provide three-dimensional tactile gifts — to all athletes as they arrive, which is a terrific program. We hope the Queen's baton relay will incorporate visits to schools as people take the baton around the state. We will also provide the Commonwealth Games flag to every school around Victoria, so they will be able to participate in the program.

I encourage all members of this house to encourage their schools to be involved in all these activities associated with the Commonwealth Games. It will be a very exciting time. We have already started the education program within our schools so that students will be well versed and very much part of the Commonwealth Games when they arrive here in March.

Port Phillip Bay: channel deepening

Mr HONEYWOOD (Warrandyte) — My question is to the Minister for Environment. I refer to video evidence that clearly shows that rock has been excavated from the Port Phillip Heads at a depth of 19.5 metres instead of the maximum 14-metre depth allowed for in the trial dredging program, and that boulders and rocks have been left to litter the seabed instead of being transported elsewhere. I ask: given this clear breach of the trial dredging program and the lack of appropriate scrutiny by the port authority, the Environment Protection Authority or the so-called independent scientific advisory group, what action will the minister take to ensure this environmental destruction stops?

Mr THWAITES (Minister for Environment) — I thank the Deputy Leader of the Opposition for one of his rare questions. Of course, he is an expert on videos! The opposition asked a question about videos, and I think the Deputy Leader of the Opposition spent some \$100 000 on the preparation of a video of himself — —

Honourable members interjecting.

Mr THWAITES — Was it more?

The SPEAKER — Order! I ask the Minister for Environment to come back to the question.

Honourable members interjecting.

The SPEAKER — Order! If the minister had been listening he would have heard me asking him to return to answering the question. I ask him to do so now.

Mr THWAITES — I was waiting for the point of order, Speaker.

On this side of the house we have been very clear about the channel deepening project being of great economic benefit to this state — 80 000 jobs depend on it.

Honourable members interjecting.

The SPEAKER — Order! The member for Bass and the member for Doncaster!

Mr THWAITES — Yet on the other side of the house we have these interjections, and you cannot determine which side of the fence they are on. The member for Nepean opposes the project; the Deputy Leader of the Opposition opposes the project; but the Leader of the Opposition says he supports it.

Mr Dixon interjected.

The SPEAKER — Order! I warn the member for Nepean.

Mr Perton — On a point of order, Speaker, the minister is clearly debating the question. The question is quite clear — that is, it relates to the destruction of the environment during the trial dredging. The minister should address that question and not debate aspects of opposition policy.

The SPEAKER — Order! I uphold the point of order and ask the minister to return to answering the question.

Mr THWAITES — Channel deepening, as I indicated, supports some 80 000 jobs in this state. It is the gateway for our exports; it is relied on — —

An honourable member interjected.

Mr THWAITES — He says, ‘You are the Minister for Environment’.

Mr Doyle interjected.

The SPEAKER — Order! The Leader of the Opposition will be quiet and allow the minister to answer the question.

Mr THWAITES — It is the gateway for our exports; it is relied upon by our farmers for their exports; it is relied upon by our manufacturers for their exports; and it is relied upon by all of us for our imports. It is fundamental to Victoria’s future as a successful, outward-looking economic state, and yet what do we hear from the other side?

Mr Doyle interjected.

The SPEAKER — Order! I ask the Leader of the Opposition to stop that continual interjection.

Mr Plowman — On a point of order, Speaker, the minister is allowed a certain degree of preamble before he answers the question, but I ask you to bring him back to answering the question, which was about the destruction caused by the dredging, the environmental outcome and what the minister is going to do about it. I ask you to bring him back to that question.

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

Mr THWAITES — As the government has always indicated, this project has to be subject to proper environmental controls. That is why we have established a full environmental effects statement process. As a result of the recommendations of that whole process we are now engaged in a supplementary environment effects statement process. One of the key recommendations of the panel was that there should be trial dredging, and that is exactly what we are doing.

The outcomes of the trial dredging will all be considered by the supplementary environment effects statement process. I should also say that the trial dredging process is being overseen by the Environment Protection Authority (EPA), which independently monitors all aspects of the trial dredging process.

Honourable members interjecting.

Mr THWAITES — It is very interesting. The opposition is talking about facts. There are allegations being made by some people which will be independently assessed. The EPA will assess it and the independent panel will assess it, but it seems that opposition members want to go to the business community and say that they support channel deepening but then want to go to the Blue Wedges coalition and say they oppose it.

Mr Perton — On a point of order, Speaker — —

Mr Helper interjected.

The SPEAKER — Order! The member for Ripon will be quiet.

Honourable members interjecting.

The SPEAKER — Order! If a member rises to his feet to raise a point of order, I would expect other members, including the Deputy Leader of the Opposition and the Deputy Premier, to cease talking across the table at each other.

Mr Perton — Speaker, the minister is debating the question again. You have brought him back to order three times, and three times he has defied your ruling. I ask you to bring him back to order and to ask him to answer the question on the destruction alleged to have occurred as a result of the trial dredging.

The SPEAKER — Order! I remind the house that question time is not the opportunity to attack the

opposition. I ask the minister to return to answering the question.

Mr THWAITES — Let us be quite clear: on this side of the house we believe this is a very important project. However, we have stringent environmental controls that are independently assessing — —

Mr Doyle interjected.

The SPEAKER — Order! I have spoken to the Leader of the Opposition twice already during question time. I ask him to stop ceaselessly interjecting. I ask him again to be quiet and allow the minister to answer the question.

Mr THWAITES — The Deputy Leader of the Opposition was on radio recently saying that he opposed trial dredging — —

The SPEAKER — Order! I have asked the minister to answer the question and not attack the opposition — —

Mr Thwaites — It's a fact, not a — —

The SPEAKER — Order! I was not asking the Deputy Premier to respond across the table to the Speaker. I advise the Deputy Premier, in case he is unaware, that question time relates to government business, not opposition business, and I ask him to constrain his answer to that, or I will sit him down.

Mr THWAITES — I guess there is one sentence that sums all this up, and I will quote it: 'I want to see the project proceed, but I want to have my cake and eat it' — and that is the Leader of the Opposition!

Commonwealth Games: tourism

Mr LONEY (Lara) — My question is to the Minister for Tourism, and I ask: can the minister — —

Mr Doyle interjected.

The SPEAKER — Order! The Leader of the Opposition! I will warn him if he continues in that manner.

Perhaps the member for Lara could start his question again so members can hear it.

Mr LONEY — My question is to the Minister for Tourism, and I ask: can the minister outline to the house government initiatives that will maximise the benefit of the 2006 Commonwealth Games to the Victorian tourism industry?

Mr PANDAZOPOULOS (Minister for Tourism) — I thank the member for Lara for his question, and I thank him and the other members of Parliament who attended the Tourism Alliance Victoria breakfast with the government's Friends of Tourism group this morning, which was very successful. There are only 26 Sundays to go to day one of the Commonwealth Games — the biggest event that Melbourne and Victoria have ever staged, in a year when Victoria will be staging more international major events than any city anywhere else in the world has ever done. What a big year we are going to have — and there are only 26 Sundays to go! We are expecting about 90 000 tourists, the majority from interstate and many from overseas.

The government is providing \$7.6 million to deliver tourism outcomes that are not only about bringing visitors to our state during the games but also about building our brand awareness around Australia and overseas. This will build on tourism visitations in the future and help us get more tourists than the record number we are getting at the moment. The focus is on a domestic campaign around Australia and an international campaign. The domestic campaign is what we call 'Wave 4', which is about profiling Melbourne as the host city of the games and the things there are to see and do so close to Melbourne, which is one of the advantages of compact Victoria.

There are Qantas holiday and games travel packages available for people wanting to come down to Melbourne, and they are certainly selling very well. Next month we are launching, as part of phase 4, the next part of the campaign — and I want to inform the house about that. It is an advertising campaign entitled 'See the games we play'. This is about Victoria's reputation as the sports capital and also about the other things about our state, including travelling around our state. There is a second part of that campaign, called Share the Moment, which is focused on what we call in tourism the visiting friends and relatives market, asking and reminding Victorians to share this wonderful, unique games experience with their families and friends, to invite people from regional Victoria and to invite family and friends from interstate and overseas — and there is still time to get some extra tickets.

There is also, as part of this campaign, a 12-page games touring magazine supplement, which is being distributed in Brisbane, Sydney and Adelaide as part of this package of reinforcing the message in domestic tourism. It is about not only attending the games but also highlighting the touring opportunities. When you do not have tickets for an event, you can get out and see

some of the wineries. If you are coming from Adelaide, you can drive down the Great Ocean Road; and if you are coming from Sydney, you can take the coastal drive from Sydney or the Hume Highway.

We have, of course, our regional campaigns. Only two weeks ago, along with Governor Landy, I launched the Great Ocean Road marketing campaign, which is focused as the road to the games. This is the marketing tag that the Great Ocean Road region is being given to attract that market out of Adelaide to see more of Victoria than just Melbourne.

The other part of the campaign is the international campaign. That is providing huge opportunities for us. The publicity we are getting as a result of the Commonwealth Games has been unprecedented. I have previously reported to the house that the London cabs are still driving around London promoting the games, and they will be until December. The London cabbies are doing a great job for us promoting travel from the United Kingdom. As we speak, the Queen's baton relay is in Canada; together with Commonwealth Games Canada, Tourism Victoria has been able to use the opportunity with the baton relay to raise the profile of Melbourne and the games even more than has been done in the past.

In the United Kingdom on Saturday week there will be a 12-page advertising supplement in the *Saturday Telegraph*. We hope people will stop being distracted by the cricket. I can see the resurgence of Australian cricket starting tonight. When we are over that on Saturday week people will look at the 12-page supplement promoting the games. There are tactical campaigns under way in Singapore, which follows from our billboard campaign in their public transport system. Games packages have also been launched in South Africa, India and Sri Lanka. We expect a very busy time — in fact the busiest time Melbourne has ever seen for tourism in Victoria's history. They are just some of the things we are doing. International conferences are coming. We have a cultural festival as part of the program. Business is part of the program and the federal government is — —

Mr Plowman — On a point of order, Speaker, the minister has been speaking for 5 minutes and I ask you to ask him to conclude his answer.

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

Mr PANDAZOPOULOS — People need some patience, because there are so many things happening with the Commonwealth Games. Even the federal

government is working with us as part of the agreement to promote Melbourne, Victoria and Australia as an events destination for all sports and conferences in the future.

Australian Football League: Victorian teams

Mr SAVAGE (Mildura) — My question is to the Premier. Given the fact that there are only two Victorian football teams, St Kilda and Geelong, remaining in this year's Australian Football League finals and the interstate interlopers have won six out of the last eight premierships, what measures can the government introduce to disqualify interstate teams?

Mr BRACKS (Premier) — This truly is a question without notice. I indicate this is a hypothetical question because it would be much sweeter winning as a Victorian team without any legislative backing to ensure we win a grand final. I am confident, just as last year when we had the two best Victorian teams in the finals, St Kilda and Geelong, that the two best Victorian teams will come through. One of them will be there and my prediction is it will be the Cats!

Commonwealth Games: cultural events

Mr LUPTON (Pahran) — Will the Minister for the Arts advise the house what cultural events visitors and families will be able to enjoy in Melbourne and regional Victoria as part of the 2006 Commonwealth Games program?

Ms DELAHUNTY (Minister for the Arts) — I thank the member for Prahran for his question.

Honourable members interjecting.

Ms DELAHUNTY — I like blue, I am partial to blue! In 1956 Melbourne hosted the world's first Olympic arts festival. It was big. It had a budget of about £4000. There were puppet shows for the kiddies and the Melbourne Symphony Orchestra performed on a stage suspended above the Olympic diving pool. We are not going to put the MSO above the diving pool in 2006, but we are going to host the biggest cultural festival in Australia's history. There will be 2000 performers of all types and 500 separate events. The world's best artists and performers will be in Melbourne and in regional Victoria alongside the best athletes.

The key to this is that it will be free and open to everyone who wants to go: families, visitors and particularly young people. There will be something for everyone. Under the performing arts program the MSO will be at the Myer Music Bowl, with free concerts

every night. There will be Scrap Arts Music from Canada, military musicians from Tonga, acrobatics from Kenya and a bit of Bollywood from India. There will be live sites all over the city. The Alexandra Gardens will be the family precinct; Docklands will be the youth precinct; and Federation Square will be the pulsing heart of the festival and the games. Every night something will be on and there will be a terrific buzz around the city. At Docklands, 71 young artists will light up the laneways and streets of our city.

What is making this festival really special — I know the Leader of The Nationals will be very interested in this — is that we are sharing the festival with regional Victoria. I know the opposition thinks the arts stops at Toorak Road, but we are sharing it right across regional Victoria. I know the member for Narracan and his local community in Moe are very enthusiastic about the special festival that community is developing. The members for Geelong, Ballarat and Bendigo are excited because those local communities will have festivals to complement the games.

Festival Melbourne 2006 will kick off in the weeks leading up to the games. We have a great coup that I would like to share with the house. The commonwealth writers prize will be presented in Melbourne before the Commonwealth Games. That will showcase Victoria. We will also have a conference on creative cities in February. As the *Canberra Times* said, it will be fun and games for the Commonwealth Games in 2006.

Office of Police Integrity: staff

Mr WELLS (Scoresby) — My question is to the Minister for Police and Emergency Services. I refer to investigations within the Office of Police Integrity regarding an OPI employee who impersonated a police officer, an OPI employee who personally accessed and used law enforcement assistance program data to intimidate a police officer who was investigating her son's involvement in a car accident, and — wait for it! — an OPI employee who recently sideswiped two cars and left the scene of an accident and is now facing police charges. What disciplinary action has been taken against these people?

Mr HOLDING (Minister for Police and Emergency Services) — The member for Scoresby does not seriously expect me to speculate on a series of allegations or assertions that he has made about events he claims have occurred. I do not propose to do so.

Economy: performance

Mr WYNNE (Richmond) — My question is to the Treasurer. I refer the Treasurer to the government's commitment to growing the Victorian economy and creating jobs. I ask the Treasurer to inform the house of any recent independent economic data that demonstrates how the government is delivering on that commitment?

Mr BRUMBY (Treasurer) — I thank the member for Richmond for his question. Last week we had the great announcements of significant investment in Australian Paper, the oil investment off the Gippsland coast and this week's announcement at Hazelwood — \$1.4 billion of new investment. Earlier this week we had building approvals information for the last three months. For May, June and July Victoria's building approvals were worth \$4.5 billion — \$1 billion more than New South Wales.

It may be of interest to the house to know that there have been more building approvals over the last three months in Victoria than there have been in Singapore or New Zealand. Yesterday, we had the national accounts figures.

An honourable member interjected.

Mr BRUMBY — You need to get on the Internet. Seriously!

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

Mr BRUMBY — The Victorian final demand figure was 2.4 per cent for the June quarter. All of this is great economic news for Victoria.

Today, in more good economic news for the state, the Australian Bureau of Statistics (ABS) labour force data was released. I am pleased to advise the house that the data — the August data — shows that over the past month employment in Victoria grew by 0.9 per cent, 23 000 jobs, which was the highest increase in Australia. The figures show that during August, 7 out of every 10 jobs in Australia were generated in Victoria. This is great result for our state. If you ask which state is leading on state final demand, the answer is Victoria. Which state is leading in terms of building approvals? The answer is Victoria. The unemployment rate is of course down 0.2 per cent to 5.2 per cent.

An honourable member interjected.

Mr BRUMBY — It is called the ABS!

The SPEAKER — Order! I do not intend to remind the Treasurer again to answer his question through the Chair.

Dr Napthine interjected.

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

Mr BRUMBY — Next year, the Commonwealth Games will be a huge boost to the Victorian economy and to the Australian economy. The Commonwealth Games will generate something like 13 000 additional jobs across the Victorian and national economies. I am also pleased to advise the house that on the basis of the ABS figures released today the total number of new jobs generated in Victoria since the election of the Bracks government has broken through the 300 000 barrier; it is 305 000 new jobs. If you were to add up the population of the city of Bendigo, the city of Geelong and the city of Ballarat, you would see that 300 000 is not much short of all of those cities put together. It gives you an idea of just how strong the jobs growth has been under the Bracks government. This is a great achievement.

One of the industries which is driving jobs is innovation. It is a great industry for our state. We have strong growth, for example, in our biotech sector. We also have major international companies that are investing here — for example, many German companies such as Robert Bosch, Siemens VDO Automotive and Schering AG. German companies are investing here because of the climate of innovation and investment and jobs.

Mr Thwaites — German companies?

Mr BRUMBY — German companies.

Mr Honeywood — On a point of order, Speaker, I refer to your ruling that ministers answers should be succinct. The minister has now been going for just on 4 minutes, and I would ask you to adhere to that ruling.

The SPEAKER — Order! The ruling does not say you have to stop right on the dot of 4 minutes; it is about the average time. I think the minister is drawing towards the conclusion of his answer, and I ask him to continue.

Mr BRUMBY — I was just making the point that we are a great hub for innovation activity and for many German companies. When people think of German companies they think of the reunification of Germany, and they think of that great book *Three Hundred and*

Twenty-Nine Days! On 9 November 1989, travel restrictions for East — —

The SPEAKER — Order! Has the Treasurer completed his answer?

He has. The time for questions has now expired.

PRIMARY INDUSTRIES ACTS (FURTHER AMENDMENT) BILL

Second reading

Mr CAMERON (Minister for Agriculture) — I move:

That this bill be now read a second time.

The Primary Industries Acts (Further Amendment) Bill 2005 makes amendments to two acts within the agriculture portfolio: the Domestic (Feral and Nuisance) Animals Act 1994, and the Prevention of Cruelty to Animals Act 1986.

Amendments to the Domestic (Feral and Nuisance) Animals Act 1994

The bill introduces amendments to the Domestic (Feral and Nuisance) Animals Act 1994 to improve the administration and enforcement of that act and thereby enhance the management of the domestic cat and dog population.

The act currently requires councils to provide the owners of cats and dogs with an identification marker at registration to facilitate the return of cats and dogs to owners. It is a requirement under the act that animal owners ensure their dog or cat wear their identification marker when not on the owner's property. However, many cat owners consider collar identification markers to be unsafe and as a result, there are low levels of compliance with this requirement. Also, cats and dogs often lose their collars. Microchipping ensures that cats and dogs are permanently identifiable.

The act is to be amended to provide that councils, subject to any exemption they make, may only accept new registrations of cats or dogs if they are microchipped and may make orders requiring microchipping for all registrations, including renewals. Microchipping provides a permanent identification method that assists in the identification of owners in the event that an animal is lost or impounded. Councils will have the power to exempt, including the power to exempt a particular animal or class of animals, from the requirement to microchip, for example, where

veterinary advice indicates the animal should not be microchipped on medical grounds.

In order to allow pet owners time to arrange for microchipping, the act will only require that animals be microchipped for new registrations from 1 May 2007. Therefore, registration of an animal that is not microchipped may be renewed where that animal has been previously registered, unless the council makes an order requiring all cats and dogs to be microchipped.

It should be noted that councils already have the power to require microchipping by the use of local laws or alternatively provide microchips as an 'identification marker' under the act. However, this provision gives clarity to the law as well as setting a default starting date of 1 May 2007. Councils prefer that there be a default starting date across Victoria rather than not have one.

To further encourage the microchipping of dogs and cats, the act is also to be amended to provide that it is an offence to sell or rehouse a cat or dog from a domestic animal business that has not been microchipped. All cats and dogs to be sold from pet shops, breeding establishments, pounds and shelters will have to be microchipped. Microchips are becoming more reliable with modern technology and the government is in the process of introducing standards for microchip registries. These standards will be in operation prior to commencement of the new microchipping initiatives contained in the bill.

There have been significant improvements within the community in the management and identification of dogs. However, the Department of Primary Industries estimates that over half of the cats in Victoria are not registered. The new initiatives contained in this bill form the next phase in improving the identification and registration of domestic animals, particularly for cats.

A requirement that each council develop a domestic animal management plan is to be inserted to further serve the animal management objectives of the act. Specifically, the management plan is intended to address the problem of the overpopulation of unowned cats in many municipalities. It will also provide greater transparency for the use of funds collected through registration fees and will be directed at managing domestic cats, dogs and businesses from which councils collect annual registration fees. The plan will be required to include the council's policies on the administration of the act and regulations and other mechanisms for the management of the domestic animal population.

Management of the cat and dog population, and reduction of the unowned cat overpopulation problem, is to be encouraged. This bill affirms that councils have the power to require the compulsory desexing of cats and dogs for registration or renewal of registration. Councils already have general powers to make such an order as a local law, therefore, this is not an expansion of council powers. However, it is considered appropriate to insert a specific power under the Domestic (Feral and Nuisance) Animals Act as the act which regulates domestic animals.

It has been identified that some council officers are allowing seized dogs and cats to be given away without ensuring that these animals are wormed, vaccinated, desexed or temperament tested, contrary to the code of practice for the management of dogs and cats in shelters and pounds. Therefore, the act is to be amended to clarify that seized animals must be either sold in accordance with the requirements of the code or destroyed.

The act will also be amended to require that councils accept surrendered cats or dogs at council pounds. The majority of councils already accept surrendered cats and dogs, however some do not. This puts unreasonable financial pressure on charity-based shelters with limited resources to accept and rehouse or destroy surrendered animals. While this amendment will increase costs for councils that are not currently accepting these animals, councils may fund such services through the annual dog and cat registration fees.

To ensure that council shelters and pounds meet the requirements of the act, the minister has the power to revoke or suspend the registration of a council owned and operated pound or shelter. However, this power does not extend to situations where a council contracts out these services to an external service provider. Approximately 50 per cent of council pound services are provided under contract. There is a concern that the accountability of contracted providers is inadequate as councils are reluctant to take action against their contractors. Therefore, the act will be amended to provide that the minister may revoke or suspend the service provider's registration where it has failed to comply with the act, regulations or a relevant code of practice.

In light of community concern, it is proposed to tighten controls under the act for dangerous, restricted breed and menacing dogs.

Desexing of dangerous and restricted breed dogs will be made compulsory as a prerequisite to registration or renewal of registration unless a dog has been exempted

by the council on veterinary advice. Failure by an owner to ensure his or her dangerous or restricted breed dog is desexed will be an offence carrying a penalty of 10 penalty units. Further, an undesexed dangerous or restricted breed dog may be seized and destroyed. This amendment will not apply to dangerous dogs kept as guard dogs for non-residential premises or dangerous dogs that have undergone protection training.

The act will also be amended to allow councils to set registration fees specifically for dangerous, menacing and restricted breed dogs other than guard dogs and protection-trained dogs. This will allow councils to offset the increased cost associated with undertaking regular inspections to ensure that these dogs are kept and controlled according to the requirements of the act.

Under the amended act, it is intended to prevent the keeping of restricted breed dogs whilst maintaining the rights of those who own a restricted breed dog prior to the commencement of these provisions. Therefore, registration of restricted breed dogs will be prohibited. However, previously registered restricted breed dogs may have their registration renewed. In the case where a dog owner reasonably believed his or her dog was not of a restricted breed, the animal may be registered. Where council refuses to register such a dog, the dog owner will have access to Victorian Civil and Administrative Tribunal procedures to review the decision.

It will be an offence to acquire or keep a restricted breed dog in Victoria unless that dog was kept in Victoria prior to the commencement of the relevant provision in the act. Additionally, penalties for failing to declare a restricted breed dog and providing false information in relation to a restricted breed dog will be increased.

Further amendments to the act will improve the function of certain existing provisions.

Currently the act provides that councils may make an order confining cats to their property in a municipal district. However, the act does not provide for such an order to apply to part of a municipal district, for example, an environmentally sensitive area within a municipality. The act is to be amended to allow councils to make confinement orders applying to a specified part of a municipal district.

The definitions of 'domestic animal business' and 'pound' are to be amended to include businesses carrying out activities with regards to dogs or cats or both. This will remove any possibility of an interpretation that finds the act does not apply to

businesses providing services to only one type of animal.

The act will also be amended to allow for documents to be incorporated into the regulations 'as amended from time to time'. This will avoid the need to amend the regulations each time an incorporated document such as an Australian standard or code, is amended or updated.

Amendments to the Prevention of Cruelty to Animals Act 1986

Amendments to the Prevention of Cruelty to Animals Act 1986 will improve provisions relating to cruelty offences, inspectors' powers, provisions relating to the granting of rodeo permits and other provisions to enhance the administration and enforcement of the act.

Certain cruelty offences have been identified as insufficiently addressing instances of cruelty due to inappropriate or inadequate wording of the provisions. Therefore, these offences are to be amended to ensure they apply to appropriate instances of cruelty.

It is an offence under the act to overload or overcrowd an animal. It is clear that the act applies where two or more animals are confined. However, there is a concern that the offence does not apply to a single animal that is excessively confined. This offence will therefore be amended to ensure that it applies if a single animal is kept in a space which causes, or is likely to cause, unreasonable pain or suffering to the animal.

It is an offence under the act to fail to provide an animal with sufficient food, drink and shelter. However, the word 'and' could be interpreted to indicate that it is only an offence if all three are not provided. Therefore, where only one item, for example food, is not provided, the offence may not apply. This offence is to be amended to clarify that it is an offence to fail to provide sufficient food or drink or shelter.

Certain cruelty offences apply where the offender knowingly or negligently does or omits to do an act. Prosecutions under these sections have failed due to an inability to establish the defendant's intention to offend despite objective evidence of unnecessary, unjustifiable or unreasonable pain and suffering being caused to the animal. The element of these offences describing the defendant's intention to offend is to be replaced with an objective standard for the defendant's conduct.

The offence to do or omit to do an act with the result that pain or suffering is 'caused to an animal' is to be amended to include where pain or suffering is 'likely to be caused to an animal'. This will serve the purpose of the act in preventing cruelty to animals, rather than

waiting for it to occur, and allow successful prosecution where there are multiple possible causes of the animal's pain and suffering.

Inspectors' powers under the act are also to be amended. Where an inspector finds an animal carcass on a property, they have the power to take a sample of the carcass for analysis. The inspector is required to split the sample into three parts — one for analysis, one for the owner, and one to be left untouched for future comparison. However, in some situations it is necessary to analyse a sample intact, for example, an entire organ. Also, splitting the sample on site may damage the sample. The amendment will retain the animal owner's right to a sample but the sample will only be provided where the owner requests it, and where the division of the sample is practicable and will not affect the analysis.

Where an animal is seized under a warrant, an inspector must take reasonable steps to return the animal when the warrant ceases to have effect. However, there is no power to deal with an animal where its owner cannot be located. The act is to be amended to provide that the animal may be sold or destroyed where its owner cannot be located.

There is currently no power to impound and deal with an animal that has been abandoned on private property. The act will be amended to provide this power for inspectors.

The act will also be amended to provide that a magistrate may authorise an inspector to take photographs, video recordings and sketches when entering a person's premises under a warrant.

The act is also to be amended to improve provisions relating to the granting of permits to conduct a rodeo or rodeo school. The act currently provides limited grounds on which the department head may refuse to issue a permit. These grounds are to be expanded to allow refusal where the application is not lodged 28 days before the proposed event or the applicant has been found guilty of animal cruelty or non-compliance with the regulations relating to rodeos. The act will also be amended to enable the department head to place special conditions on permits. This will address the situation where inspectors have advised stock contractors of particular problems with the management of rodeos which have not been rectified at the next rodeo.

A range of provisions under the act apply to the person 'who is the owner of or who has possession or custody of the animal'. Relevant provisions are to be amended

to refer to the 'person in charge' of the animal in order that responsibility for an animal can be attributed to the appropriate person in all cases. The definition of 'person in charge' will expand the class of responsible persons to include the custodian of the animal, an agent of the animal owner and, in the case of a stock animal in a saleyard, the owner or lessee of the saleyard.

The minister may serve a notice on a person if the minister reasonably believes that an animal is in such a condition that is likely to become distressed or disabled. This notice is a precursor to potentially seizing the animal. However, where the owner or custodian cannot be located, there is no provision for serving the notice. It is proposed to amend the act to provide that where the owner or custodian cannot be located, notice is deemed to be served if it is posted to, or left at, his or her last known address.

I commend the bill to the house.

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

Debate adjourned until Thursday, 22 September.

SUSTAINABILITY VICTORIA BILL

Second reading

Debate resumed from 7 September; motion of Mr THWAITES (Minister for Environment).

Ms ECKSTEIN (Ferntree Gully) — As I was saying when this bill was last before the house, the impacts of global warming and climate change will continue to escalate unless we begin to address the issue of sustainability in a serious and concerted way. Carbon dioxide levels in the atmosphere are increasing at alarming rates — as much in the last 10 years as during the last 10 000 years. It is astounding that these sorts of increases are happening and most of us are not aware of it. The five hottest years ever recorded have occurred since 1998. These are not insignificant changes which we can just ignore or put down to the normal variations and fluctuations in our climate. They are extremely serious and we all need to make an effort to change our behaviour and the way we respond to sustainability issues.

These changes also have implications for our water resources into the future due to less rainfall and reduced river flows. Since European settlement of this continent, inappropriate and indiscriminate clearing of native vegetation has led to degraded land and water courses. The salinisation of farming land due to similar

practices and inappropriate clearing et cetera is an increasing problem. We may never fully appreciate what the continuing extinction of plant and animal species, both in this country and globally, may mean for our future wellbeing and the ecosystem of not only our own country but the entire planet.

I am very pleased that this government, of which I am proud to be a part, has made a significant contribution to addressing the issues of sustainability and the environment. Our comprehensive water policy has been an outstanding success. I am pleased to report that my community in the electorate of Ferntree Gully has made an outstanding contribution to water saving and has taken on the challenge with a vengeance.

Melbourne households are now using an average of 19 per cent less water than in the 1990s. People are actively engaged in reducing water use, minimising water wastage and recycling practices. We have reduced the amount of waste dumped in our landfills, with 50 per cent of waste now being recycled compared with 26 per cent a decade ago. That is a fantastic achievement, but we need to do more.

We have established 13 marine national parks and 11 marine sanctuaries. We have banned cattle grazing in our precious Alpine National Park and increased the flow of the Snowy River. Melbourne 2030 and the green wedge strategy will manage and control urban growth sprawl. These are just some of the initiatives that this government has taken in relation to sustainability issues. But although the Bracks government has an exemplary record in addressing these issues, there is still much more to be done.

We all need to play our part in this. I believe the Victorian community and my community in Ferntree Gully will rise to the challenge. We need to work on maintaining and restoring our natural resources and assets and on using them in sustainable ways. That means using our resources far more effectively and efficiently than we have used them in some cases to date. We need to reduce our overall and individual impact on the environment to sustainable levels.

Sustainability Victoria will play an important role in leading, supporting and coordinating Victoria's efforts to achieve a sustainable future and in ensuring that Victoria continues to be the best place to live and raise a family. With those comments I commend the bill to the house and wish it a speedy passage.

Mr MAUGHAN (Rodney) — This is an important piece of legislation. I have listened with interest to the contributions of members, and there is a great deal of

bipartisan support for a sustainable Victoria. The bill before the house creates a new authority called Sustainability Victoria by merging two existing authorities, Sustainable Energy Authority Victoria and EcoRecycle Victoria. The new body will adopt the combined functions of those two constituent bodies, which play such an important role in sustaining Victoria's water resources.

I note the comments about savings in the use of household water. As a person who was born and bred in the country and who has lived there all his life, I have always regarded water as an important resource. Those of us who live in the country treat water as such and use it very carefully. I am pleased to note that there have been significant changes in the behaviour of people who live in urban areas in terms of not wasting water and using it more wisely. But there is still a long way to go. For example, we can reduce the amount of water we use in our showers, which is a relatively simple thing to do. We are used to streams of water coming down, but by putting in a small device we can significantly reduce the amount of water we use and still have an enjoyable shower. Those sorts of things make a difference. When we turn on the shower in our own household we catch the water and use it in the garden. It takes a bit more effort, but it reduces the amount of treated water we use in our household. If everybody did those relatively simple things, then we would collectively save a large amount water.

The authority will have a board of seven to nine members appointed by various ministers, and there will be at least three: the minister responsible for the Electricity Act 2000, the minister responsible for the Water Act 1989, and the minister responsible for the Environment Protection Act 1970. Conceivably there could be three different ministers each appointing members to that board.

The principles that will guide the operation of this new authority are set out in clause 4 of the bill. There are seven different principles, and I want to comment on just three. One that has already received some comment is clause 4(b), which says:

if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation ...

That is a sensible provision: if the science is not there to necessarily prove it, let us err on the side of caution. I sound a note of warning that we need to be careful that the clause is not used by bureaucrats or the government to ensure that the things they do not want to happen do not go ahead on the basis that the science is uncertain.

There is a need to be responsible in interpreting that principle. The same is true of clause 4(d), which talks about:

the need to develop a strong, growing and diversified economy which can enhance the capacity for environment protection ...

That is a very sensible provision that I fully support. Around country Victoria you often hear farmers who are suffering economic hardship say that it is hard to be green if you are in the red. That applies to governments as well. We need a strong, growing and diversified economy so that we can be environmentally responsible and do all we need to do to protect the environment.

Clause 4(e) refers to:

the need to maintain and enhance international competitiveness in an environmentally sound manner ...

We all subscribe to that. We want to retain our international competitiveness, but we need to do it in a sustainable manner.

Before going any further I want to pay tribute to those that have been involved with the two constituent organisations, EcoRecycle Victoria and the Sustainable Energy Authority Victoria, for the work they have done up until now. They have undertaken some very useful work for the state and, of course, their duties will now be subsumed into this new authority. We need to acknowledge the great work they have done leading up to this point.

We all know that it is important to use our resources in a responsible and sustainable way. Until early in this generation we have probably used resources as if they were there forever and we could just go on using them. We now realise very clearly that we cannot go on doing that. We do need to use resources in a responsible manner so that future generations also have sufficient resources to live the sorts of lives that we have been able to live using the resources that have been left to us by our forefathers. Recycling is an important part of ensuring those resources are there and I will expand on that later.

Global warming is mentioned in the minister's second-reading speech. We need to acknowledge that global warming is a reality. There is clearly some difference of opinion about what the main causes are of global warming, but I think we need to take note of comments by, for example, CSIRO and responsible groups of scientists around the world that the atmosphere is changing and the temperature is rising and there will be consequences of that. Irrespective of how much greenhouse gases have caused that, they

certainly have had an adverse effect, and therefore we need to do something about reducing greenhouse gases as much as we can, without going overboard and suggesting that greenhouse gases are the sole cause of global warming. Depending on which scientists you listen to and how much credence you give them, the percentage contribution from greenhouse gases varies enormously. Some would argue there are natural climatic changes going on that are the major contributor. Others would have us believe that by far the major contributor is greenhouse gases. But there is no doubt we have to do much more about controlling greenhouse gases.

The level of CO₂ emissions has risen alarmingly and there will be serious consequences if we do not control that. All around the world, and particularly here in Victoria, work has been done on how we are going to deal with those CO₂ emissions, and I think that is encouraging. The debate is by how much and when we reduce those CO₂ greenhouse emissions without wishing to disadvantage Australia.

We cannot continue to consume resources at the present rate. We should maximise our use of renewable resources, and timber is one of those. In the debate yesterday we obviously had some differences of view on that, but I would argue today, as I did yesterday, that if properly managed forests can provide renewable resources and at the same time provide young growing forests that take up more of the carbon dioxide, or the carbon monoxide, than a mature forest does. There are some advantages from an environmental point of view in having a young growing forest compared with a mature forest; and likewise by increasing the amount of natural vegetation. I pay tribute to Landcare groups and individual farmers that have done a great job in planting trees and natural vegetation.

I note that we are creating 8 million tonnes of waste per year. It is a frightening figure, with 50 per cent of that going to landfill, and that must be reduced. But we have made significant progress in recycling glass, aluminium, paper, plastics and a whole range of other products. I note Victoria leads the world in recycling newspapers. I welcome the government's publication *Our Water Our Future* and note that Melbourne has reduced household water consumption by 19 per cent as compared with 10 years ago. There are a whole range of other things that I could speak about on this particular bill, but I simply want to conclude by saying that I support the legislation before the house.

Mr LONEY (Lara) — I wish to make just a few brief comments on the bill. I believe it is an important piece of legislation in this Parliament. It is very much

about the future and is quite visionary in its aspects. It continues a focus on sustainability that this government has pursued. In 2002, prior to the last election, the Bracks government committed to making environmental sustainability a priority, and that is precisely what this legislation is doing. Since coming to office the government has continued to pursue that objective at great length. In fact, as the minister said in the second-reading speech, the government has carried out the most comprehensive environmental reform agenda in the state's history.

The framework for environmental sustainability was released in a ministerial statement in this Parliament in April this year. Part of that was the creation of Sustainability Victoria, which will accelerate the implementation of that framework. This bill is effectively aimed at providing an one-stop-shop for sustainability services for energy waste and water and the provision of those services to businesses and households. As has been said, effectively what it does is combine the Sustainable Energy Authority Victoria and EcoRecycle Victoria into one unit. Like the member for Rodney did, I also commend the work that was previously done by those two bodies.

By setting that up this legislation will serve Victorian communities and businesses, very much affecting the everyday lives of Victorians. There are two key aspects of this legislation about which I would just like to make a few comments — that is, waste and water. In debate on the bill yesterday the shadow Minister for Environment said in the house he hoped the Towards Zero Waste policy would see the light of day. The light of day must have escaped him because that policy was released by the minister on 1 September. It was highly publicised at the time and it included a quite comprehensive document to go with it. If the shadow minister has not yet become aware of that some seven days later, perhaps he should contact the minister. I am sure the minister would be happy to send him a copy of the press release and the document.

On the waste issue, much good work has been done on waste management in local communities right across the state. In the Geelong area the Barwon Regional Waste Management Group has an outstanding record. Great work is being done under the leadership of Enzo Bruscella and the current chairman, Cr Rob Binnie, who have been instrumental in waste reduction in the region through a number of innovative programs. It has been the driving force behind the three-bins program in Geelong. The member for Rodney talked about recycling. That has been a great initiative in our area which allows households to differentiate between household rubbish, paper and plastics, garden waste

et cetera and put them out in separate bins and so aid the recycling program.

The Barwon Regional Waste Management Group has been involved in other innovative programs, including the Victorian coastal butt litter prevention strategy, which was a major piece of work where the group coordinated projects involving 16 councils, 4 waste management groups and 4 local interest groups along Victoria's coastline to clean up those pesky cigarette butts that get put in all the wrong places. That was a great program the Barwon group coordinated and one that was very effective.

The Barwon group also led a Don't Waste Our Roadsides campaign, which was very effective. Another effective program was where four litter hot spots in the Barwon region achieved a massive 67 per cent reduction in litter thanks to the strategic regional roadside campaign, which was an innovation of the Barwon Regional Waste Management Group. Other programs that the group has run include the Waste Wise Health Care Network, Waste Wise Tourism and the Waste Wise Business program. Each of these programs encourages a specific area of the local community to think about its waste and to assist it to implement waste reduction strategies. This is great work that is going on.

I want to also briefly mention the water side of things. As a nation, as a community, we have a history of being fairly wasteful with our precious water resources, which has led to huge problems in this community, not the least of which are salinity problems and the loss of precious wetlands. The government earlier this year released the Our Water Our Future policy to focus on the way in which we use water, to ensure that use is sustainable and to guarantee its future. Part of this policy, and part of the charter of this new authority, is the promotion of recycled water — an area in which we can do much more.

In my electorate both Barwon Water and Melbourne Water are working towards recycling water on a much larger scale. There are some good recycled water projects going on in my area — for example, at the Werribee market gardens, in which the member for Tarneit has a huge interest and had a huge involvement in getting up. There are domestic water recycling projects — for example, at Manor Lakes — and prospective collaboration between the Shell refinery and Barwon Water for a northern area treatment plant. The government needs to encourage those programs and encourage more innovation around recycled water. It has great benefits for our community and there is still much more that we can do.

In my contribution I have left out the energy aspect of this bill, but it is equally important. Energy savings in our community must be pursued. As I said at the outset, this is very important and visionary legislation. It is legislation, as I understand it, that has the complete support of the house. It should have the complete support of the house and, indeed, the entire community.

Dr SYKES (Benalla) — I rise to speak on the Sustainability Victoria Bill. I wish to declare that I am a very strong advocate of sustainable development in Victoria and of recycling. I commend the many people and organisations that have been involved in both sustainable development and recycling. In particular, I commend the people at EcoRecycle Victoria.

I wish to focus on some of the key principles outlined by the Minister for Environment in his second-reading speech and, in particular, the principles that have been applied to water management. Whilst recognising that water management is absolutely vital to our future sustainable development, we should not overlook other threats — in particular, salinity. I should say that a lot of effort and a lot of money have gone into combating salinity, and I believe we are well on the way to managing that problem.

Another problem that looms large and is yet to be addressed in any satisfactory way is acidity. Soil acidity is a particular problem in north-east Victoria. We need a massive research effort and a massive commitment to address that problem, otherwise we are going to lose hundreds of thousands of hectares of productive land due to soil acidity.

In looking at the threats we should also not ignore the achievements that have been made by land-holders over many decades of conservation activities by land-holders. Benalla is an outstanding example of community and land-holders working together to protect and enhance our environment. The regent honeyeater project, led by the passionate Ray Thomas, has resulted in the planting of tens of thousands of trees over thousands of hectares, recreating a habitat for the endangered species such as the regent honeyeater, the sugar glider and many other native animals.

I will now focus on the principles and would like to outline a couple of them. The decision-making process should effectively integrate both long-term and short-term economic, environmental, social and equity considerations. Further, the lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. The third principle I wish to focus on is that Sustainability Victoria will recognise the importance of facilitating

community involvement in decisions and actions on issues that affect the community.

Let us have a look at the Bracks government's track record. The farm dams legislation, introduced about two and a half to three years ago, impacts severely on the ability of land-holders in north-east Victoria to use the rain that falls on their land. This utilisation has been frustrated by overzealous and inconsistent implementation of the legislation — in particular, the all-embracing definition of a waterway. That has meant that almost every dam built in a high rainfall area in north-eastern Victoria will be on a waterway. As a result of that, land-holders will have to jump more hurdles than Jana Pitman.

Mr Baxter, a member for North Eastern Province in the other place, is adamant that this approach oversteps the intent of Parliament in passing the legislation, and senior Department of Sustainability and Environment staff agree. I should say that it is to the credit of Goulburn-Murray Water that it is now addressing many of those issues. This follows a workshop between concerned land-holders and Goulburn-Murray Water, which I chaired. I call upon the minister to take on board the issue of the definition of a waterway and in so doing listen to the commonsense and practical advice offered by land-holders in north-east Victoria. If the minister does this, he will be able to lay claim to involving the community in the decisions and actions which impact on them — albeit belatedly.

The second-reading speech makes the point that there has been a commitment by the government to boost the flow of the Snowy River from 6 per cent to 28 per cent. This has been brought about by the decision to decommission Lake Mokoan, which was made on incomplete and flawed information and makes a mockery of the government's commitment to economic, social and equity considerations. As I have said, I accept the principle that a lack of full scientific certainty should not be used as a reason for postponing measures designed to prevent environmental degradation. But when a decision of this magnitude — the decision to decommission Lake Mokoan — is made on the basis of a few sums done on the back of an envelope, it shows gross managerial incompetence by the Bracks government.

What about the social and economic impacts when Benalla floods as a result of Lake Mokoan being decommissioned because it will no longer be possible for it to work in conjunction with Lake Nillahcootie to reduce flood levels? Only last week we had an example of this system working. We had heavy rains — up to 100 millimetres — in the Upper Broken catchment.

Because Nillahcootie had some reserve capacity it was able to absorb the first 20 000 or so megalitres of water that came down, and Mokoan was able to take the top off the water coming out of the Holland Creek. The net result was that Benalla did not get flooded. But the government says that Mokoan and Nillahcootie have little impact on the flooding of Benalla. You tell that to the people in Benalla when they are flooded after Mokoan is decommissioned.

I also note that the minister's second-reading speech makes reference to Melbourne households now using an average of 19 per cent less water than was used in the 1990s. I commend the citizens of Melbourne for that achievement. However, I must ask a couple of questions: at what cost has this been to individuals and businesses; and what was the starting level? I suggest that the starting level was one where there was a gross wastage of water and that the savings have been made principally as a result of behavioural change and at little direct cost to people and businesses.

In contrast, irrigators in Victoria have each been investing tens of thousands of dollars — and in some cases, hundreds of thousands of dollars — to achieve water savings over many, many years. Irrigators have invested in the laser grading of properties and in the installation of pivot-irrigation and drip-irrigation systems. So whilst it is great in its own right, the Melbourne achievement needs to be put in perspective, given what has been achieved by irrigators. As a consequence of that, future financial incentives need to recognise previous investments in water savings by individuals and organisations.

In conclusion I make the plea that we work together to achieve a sustainable development of Victoria. I call on the government to not just talk the talk but walk the walk and to implement the principles outlined in the minister's second-reading speech. In particular, I call on the government to listen to the commonsense and practical arguments of country Victorians, who have been caring for the environment for decades and generations.

Ms GILLETT (Tarnet) — It is my privilege to be able to make a brief contribution on the Sustainability Victoria Bill. Providing a bit of background to the piece of legislation before us might be useful. The Minister for Environment launched the framework for environmental sustainability in a ministerial statement in this place on 20 April this year. The creation of Sustainability Victoria will provide a vehicle to support that framework. It will bring together expertise and knowledge on environmental sustainability from across government. It will provide a one-stop shop to facilitate

environmental sustainability programs like the wonderful Werribee Vision, which operates in my community in Werribee and Hoppers Crossing and beyond. It will provide practical and tangible assistance to individuals, communities and businesses interested in improving their environmental sustainability or, with innovative environmental sustainability, improving technologies and processes.

I would like to report to the house that we have seen in my community some vast improvements in attitude and culture — and I always think the hardest thing to change is somebody's mind. Werribee South farmers have for many months now been using grade A recycled water for irrigation, and they are working very closely with the water authorities on monitoring the water quality. I can report to the house that there has been a vast uptake, which points positively towards an excellent change in attitude and culture — which, as I say, is the greatest battle we have.

I look forward to working with Sustainability Victoria on all of the projects involved in the Werribee Plains vision so that I will be able to come in here and proudly boast that my community leads the world in sustainability. I commend the bill to the house.

Ms DUNCAN (Macedon) — I am also pleased to speak on the bill, which establishes Sustainability Victoria. As we have heard, the purpose of it is to tackle sustainability in a more holistic way and to create, if you like, a one-stop shop. I have the privilege of being a member of the Environment and Natural Resources Committee. In our last inquiry we looked at how we could reduce waste and the use of energy and water in the household. One of the things that was highlighted was the importance of people having the information they need at the time they need it. I believe that with the amalgamation of Sustainable Energy Authority Victoria and EcoRecycle into one statutory authority we will go a long way towards achieving that goal.

I will refer to some of the statistics which we are all aware of. I point out that we are on a very dangerous path, because if we do not — all of us — dramatically reduce the way we use water and energy and deal with our waste, we will see more of the sorts of things we have seen recently, even in America. For example, in the past decade — the past 10 years — the carbon dioxide level in the world's atmosphere has risen as much as it did in the previous 10 000 years. These are really scary statistics.

One of the purposes of Sustainability Victoria will be to focus on changing behaviour. In our inquiry we saw how difficult behavioural change is. One of the ways

this government has been acting to try to bring that about is through the solar hot water rebate. The Victorian government has spent \$15 million since July 2000 to support the installation of solar hot water heaters in Victoria. Some 70 per cent of recipients say that the rebate was an important factor in their decision to switch to solar water heating. This is just another example of what the Bracks government is doing to try to reduce the footprint of Victorians. We would need four planets to maintain our current resource consumption. This is another step towards sustainability, and I commend the bill to the house.

Mr HUDSON (Bentleigh) — It is a great pleasure to speak on the Sustainability Bill, because there is probably no greater issue confronting our planet than the sustainable use of our resources. We know that in the Western world we have an ecological footprint which, in the long term, is unsustainable, and we also know that if we continue at the current rate we will exhaust our natural resources in a very short period of time. If the rest of the world followed us in that ecological footprint, then we would deplete those resources very quickly.

In Victoria we face some very substantial environmental challenges that arise from the fact that we have, for example, cleared 65 per cent of our natural vegetation, which has led to many of our animals and birds being driven towards extinction — and I refer to birds like the helmeted honeyeater and the red-tailed black cockatoo, of which there are less than 1000 left in Victoria. Land clearing has had a substantial impact on rising levels of salinity in the state, which has led to a decline in our agricultural productivity.

Our rivers have become degraded. We now have a situation where one-third of our major rivers are in poor or very poor condition. Only one in five rivers is in good or excellent condition. It has to be noted that the Bracks government has taken some courageous steps to reverse this trend. The commitment to restore 28 per cent of the original flow of the Snowy River is one of the first examples in the world of a government committed to reversing the environmental damage caused by damming a river. I felt privileged to play a role along with the Acting Speaker in putting the agreement together which led to this great result. It shows that through sensible measures — contrary to what the member for Benalla said — you can find sensible water savings which can all be put towards good environmental outcomes for our rivers and can also lead to a more productive agricultural sector.

We also face huge challenges to reducing our energy consumption and greenhouse gas emissions. We know

that average global temperatures are rising. The international scientific community agrees that most of the global warming over the last 50 years has been caused by greenhouse gas emissions arising from human activity. This week alone we faced a very tough decision regarding the Hazelwood power station. The station was privatised by the Kennett government at premium prices. It is one of the most polluting power stations in Australia; however, it provides 20 per cent of our base-load electricity and employs 800 workers. The Bracks government has capped the emissions from that station to progressively reduce them over time and required the company to invest in cleaner energy production technology which will lead to a good environmental outcome and ensure we secure our energy supply in Victoria. I welcome that and the fact the government is providing \$83.5 million for a new power generation demonstration plant trialling clean brown coal technology in the Latrobe Valley.

There are ways in which we can improve the energy efficiency of our electricity use. There are ways in which we can improve our agriculture production without destroying our natural soils and natural habitat. There are ways in which we can utilise our water resources more efficiently without depleting them unnecessarily and destroying the ecology of our rivers. It is important that we do this. We must invest in ways which improve environmental sustainability. I note in passing that when the opposition was the Kennett government, it abolished state-of-the-environment reporting while it was in office. That was to its shame. It was the only state government at the time to abolish state-of-the-environment reporting.

This government has reinstated state-of-the-environment reporting and has appointed the first commissioner for environmental sustainability, Dr Ian McPhail, who will produce future state-of-the-environment reports. These will provide us with an important vehicle for assessing our progress against the targets we have set in our environmental sustainability framework which I am very proud of and support. This bill also contributes to that. I commend the bill to the house.

Mr LOCKWOOD (Bayswater) — I also rise to support the Sustainability Victoria Bill. As has been discussed, the bill sets up Sustainability Victoria as a result of merging EcoRecycle Victoria and the Sustainable Energy Authority Victoria. Those organisations have done great work in the past. Sustainability to me is basically leaving a place in the same state as we found it or better. Obviously the state or the nation will not stay constant. We are under constant pressure for change. But we can think globally and locally. We can even think about how to save

water, plant more trees, minimise garbage, waste and wastewater in our backyards. All of those things help at the individual, state, national and international levels. All of these things are important.

Sustainability is important because really it is matter of survival. It is not an option. We cannot put it off for another 50 years. Looking after our environment is extremely important, because if we do not take care of how things are running now it really determines whether or not we survive into the future and whether our children and grandchildren will have a quality of life. We have to ensure that we have a sustainable environment. Of course there are many examples of unsustainable activities — for example, the \$7 billion toll buy-out policy, with 329 days of no detail, is definitely not sustainable development. Sustainability Victoria will do great things, and the government has been doing great things already.

We need to look after the health of our land. As we have heard, land degradation has already led to a 5 to 10 per cent reduction in productivity in Victoria. We need to restore the land and remove salinity. Only a quarter of our rivers are healthy, and 35 per cent of our wetlands have been totally lost. Of our native plants, 44 per cent are extinct or threatened, as are 30 per cent of our native animals. Australia has one of the highest greenhouse gas emission levels per person. We need to take care of all these things. Victoria produces around 8.3 million tonnes of waste a year. Although Victorians are recycling more waste than ever before, waste levels still need to be reduced. We all need to recycle, reduce waste, save water and contribute to sustainability.

Ms NEVILLE (Bellarine) — I am pleased to support the Sustainability Victoria Bill. The state government continues to make a significant contribution both to the debate about ensuring our community is more environmentally sustainable and to the development of practical projects to ensure that we are achieving real results, whether it relates to water saving rebates, which I know my community has embraced, or strategies to deal with environmental flows — and the Snowy River is one example.

One of the issues confronting my community relates to Lake Connewarre. The health of that lake has been impacted upon by river flows. With the assistance of the Minister for Environment I have been able to establish a local working group, along with people from Leopold, the catchment management authority, Parks Victoria and the Department of Sustainability and Environment, to develop a health report card for the lake. It will look not only at the current state of the lake — the flora and fauna, recreational uses

et cetera — but also at some of the systemic issues that are impacting on it.

It has been an interesting debate. The local community is concerned about the build-up of sediment, and in the process of trying to understand the situation with the lake people are also coming to understand that there are systemic issues in terms of the build-up of sediment further down the Bowen River. Those are the issues that we are particularly trying to focus on, and I congratulate the local community of Leopold for showing such leadership in coming to the table and working with us to improve the future of the lake.

This bill is another example of the practical ways in which this government is attempting to tackle the issue of sustainability. The establishment of a new body, Sustainability Victoria, will provide for a holistic approach, whether it is in relation to water, recycling or sustainable energy. As result of this bill Victoria will continue to be the best place to live, work and raise a family. I commend the bill to the house.

Mr LUPTON (Pahran) — I am very pleased to be able to speak in favour of the Sustainability Victoria Bill, which builds on the framework for environmental sustainability that was launched by the Deputy Premier and Minister for Environment on 20 April. The creation of Sustainability Victoria comes about through the amalgamation of two previously separate bodies — EcoRecycle Victoria and Sustainable Energy Authority Victoria. Recycling and landfill were principally looked after by EcoRecycle Victoria, while the sustainable energy authority was responsible for the promotion of renewable energy in this state.

The bill will bring together under one umbrella a new amalgamated body that will have a clearer focus on ensuring that sustainability issues are built into everything we do here in Victoria. It is important to make sure that we build sustainability into everything we do. If we do not raise the importance of sustainability to the very pinnacle of our economic and social organisation in this state, we will continue to run down and deplete our resources, making them unsustainable. We will not be able to hand over our guardianship of the state and planet to future generations. It is a very important principle and one I am pleased to support wholeheartedly, along with the Bracks government.

Examples that we might mention of the Bracks government's record on sustainability are many and varied. However, I want to concentrate in my comments on such things as the introduction of 5-star energy efficient homes in Victoria and the introduction

of solar hot water rebates and water efficiency rebates for householders. Over the last five years we have seen a 20 per cent reduction in water use in Melbourne, which shows that the people of Melbourne have genuinely embraced the need to reduce water consumption and understand the importance of sustainability issues.

Speaking particularly about the operation of EcoRecycle Victoria, we have seen something of the order of a 50 per cent reduction in the amount of materials going into landfill over the last five years, which indicates that EcoRecycle has been effective in its job, but it also shows that the combination of the sustainable energy authority and EcoRecycle will be able to further improve on those great gains made over the last five years.

In my electorate of Prahran I have also seen the introduction of recycled water for public housing estates as well as the introduction of solar hot water for all the public housing estates in the Prahran electorate, and I have been a great supporter of those particularly good initiatives.

This legislation is supported across the board by organisations and industry groups such as the Australian Industry Group, the Municipal Association of Victoria and Environment Victoria. It is another example of the way the Bracks government is putting together a sustainable future for Victoria, one that I believe we will be very proud of as years go by and where we build sustainability into everything we do here in Victoria.

Dr NAPHTHINE (South-West Coast) — I rise to speak on the Sustainability Victoria Bill, which brings together Sustainability Energy Authority Victoria and EcoRecycle Victoria. I wish to raise a couple of issues in relation to those two headings and the general heading of environmental sustainability. The first is to do with recycling. We are very proud in Victoria of our high percentage of recycling. It has been a bipartisan approach and well supported by both sides of the house. Victoria has a very good track record of recycling. Anything we can do to promote that ought to be encouraged.

The second issue I wish to raise is that of commingling. This has been raised with me by industry and is of serious concern. It is not an issue that I originally would have noted as an issue. We note that many municipalities — for example, the City of Melbourne, where I have a property — have moved towards what they call commingling of their recyclables. You have two bins: one is for your rubbish, which presumably

goes to landfill; and the other is for all your recyclables which go in together — bottles, jars, tins, plastics and newspapers. It is all together whereas previously it was handled separately.

I am advised by the people who use that recycled paper that they have noticed a deterioration in its quality. I visited Norske Skog, which is just across the border in Albury. It is a large producer of paper that is used for newspaper. As an international company it believes this is an international problem, because commingling is an international trend. It said to me that in recent years it has been using less forest product, whether it be from native forests or plantation forests, and has been using more and more recycled paper as part of its newsprint production process, to the point where it is nearly using 100 per cent recycled paper as a source for newsprint.

However, it is finding that it cannot get access to enough recycled paper because the paper that comes through the commingling process is contaminated to the point where it cannot be used for that quality of paper; it can only be used for cardboard. While that may be useful for producing egg cartons or cardboard boxes, it is not of sufficient quality to make into paper for newspaper production. This is an enormous problem. Here is a company that wants to use more and more recycled paper but cannot because of the contamination caused by commingling. It advised that one of its senior executives had been to a conference in America purely to discuss the problems of commingling affecting the quality of recycled paper.

This is a serious issue. I would urge that the new organisation, Sustainability Victoria, addresses it, because if we are going to encourage recycling, we want to make sure that we are doing the right thing along the whole recycling chain to encourage the best value return for that recycled paper. If we are inadvertently, by commingling, making it easier to collect but causing the quality of the paper to deteriorate, that is to the detriment of the whole recycling process. I would urge that that be looked at.

Another issue I wish to raise is completely different, but it is under the same heading — that is, the old Tidy Towns concept. Tidy towns in Victoria and across Australia have been a great tradition. They are associated with the Keep Australia Beautiful campaign. The late Dame Phyllis Frost, who was an absolute dynamo in a whole range of areas, had a particular interest in the Keep Australia Beautiful and Tidy Towns campaigns.

Tidy Towns has been the stimulus, particularly in many regional and rural towns, for environmental

improvements, for tidying up the place, for making a town more presentable and for addressing issues such as recycling rates, managing local tips so they are more presentable, and getting schools and young people involved. Tidy Towns is a great process. I am concerned that this government does not seem to be as interested in Tidy Towns as previous governments have been. This government has not provided support for the Keep Australia Beautiful Council, and it has not provided appropriate support for Tidy Towns. I urge the government in a bipartisan way to renew its enthusiasm for the program, because there is an increased enthusiasm for Tidy Towns across Victoria. It is important not only to many places in country Victoria but also to suburban and metropolitan areas. There should be more support for the Keep Australia Beautiful Council and for Tidy Towns.

May I say in passing that I am very proud that Heywood in my electorate is currently Victoria's tidiest town and has competed effectively at the national level. Tidy Towns has been good for my electorate. During the time I have been the local member I have seen Macarthur, Portland and Heywood win the award, and before that Horsham had a great track record, winning several years in a row. These towns have taken great pride in being involved in the Tidy Towns competition and in achieving results. It has a significant effect throughout the community, promoting environment management and recycling.

I make one other comment regarding plastic bags. Being somebody who regularly enjoys a walk beside the sea it is hugely disturbing to see the amount of rubbish that is washed up on our beaches, which reflects badly on us as a community. Unfortunately some of the greatest offenders in that regard are plastic bags, whether they be shopping bags or other bags of various descriptions. They end up in landfill, being blown around the place, or on beaches, and they cause enormous damage to our environment. There needs to be concerted action to address the issue. While we have had some success in promoting environmental bags for supermarket shopping, there should be more innovative ways of looking at the plastic bag issue.

The government ought to give serious consideration to South Australia's levy on bottles and cans. I know this is not popular with the industry, but when you drive around the roads of South Australia, as I do, you can see that the roadsides are enormously cleaner. It is a great way to raise funds for the local scouts, guides and local community groups. I urge the government and Sustainability Victoria to give serious consideration to imposing the same system South Australia has, whereby you have deposits on bottles and cans and you

achieve a good recycling level of both. That would clean up our roadsides, and we would all benefit from it.

Mr LIM (Clayton) — I think it was in Alexander Solzhenitsyn's autobiographical novel, *Cancer Ward*, that he drew the analogy between two maggots boring their way through an apple and the way that mankind is using the resources of the earth. The most ignorant peasant in the most remote province of the Soviet Union, he said, could tell you that those maggots cannot continue eating an apple forever without eventually using it all up. It sometimes seems that the most obvious and simple truths are the hardest for people to grasp. However, there are many in the world — and I am not simply thinking of those on the opposition benches — who carry on their lives in a state of seeming blissful ignorance, much in the manner of Solzhenitsyn's maggots, without giving a thought to the future of the world we live in.

To take just one example, it is perfectly obvious to everyone, I would have thought, that the world is running out of oil. The recent oil price increases are part of this phenomenon. All of the easily exploited resources are gone, many of the newer oilfields are in remote regions, and most of the rest are in areas of the world that are politically unstable. Yet still the federal government refuses to sign the Kyoto protocol, and still we are bombarded with advertisements for newer, bigger and more powerful cars. Fortunately in this chamber we have the chance as legislators to do something about the problem.

This bill is part of a suite of measures that reflect credit on the Bracks government for its commitment to conservation and sustainability. It builds on this government's major achievements over the past six years in this area. I commend the bill to the house.

Mr HELPER (Ripon) — It gives me great pleasure to spend the last few minutes of the debate on this bill supporting it and recognising it as a great piece of legislative work that creates an organisation called Sustainability Victoria. I commend the bill to the house on the basis that it will, in creating Sustainability Victoria, build on the proud record Victoria has, which the member for South-West Coast referred to, of recycling and of being conscious of using resources in a most effective and efficient way. I sum up by reconsidering the points I have made. This bill creates a body called Sustainability Victoria and builds on Victoria's incredibly proud record over many years of recycling and of being conscious of the need to use resources more wisely. I commend the bill to the house.

Business interrupted pursuant to sessional orders.

The ACTING SPEAKER (Mr Ingram) — Order! The time set down for the consideration of items on the government's business program has arrived.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

Remaining business postponed on motion of Ms GARBUTT (Minister for Community Services).

ADJOURNMENT

The ACTING SPEAKER (Mr Ingram) — Order! The question is:

That the house do now adjourn.

Firearms: central registry

Dr NAPHTHINE (South-West Coast) — I wish to raise a matter for the Minister for Police and Emergency Services. The action I seek from the minister is the upgrade of the computer system at the central firearms registry to provide better service for firearms owners, better services for firearms dealers and a more secure and efficient firearms registry to improve community safety in Victoria.

All registered firearms dealers must advise the central firearms registry of all gun purchases and gun sales they make as well as the persons to whom they sell firearms and the licences they hold. The information must include appropriate firearms registration numbers. This has previously been done by computer, and the material has been sent directly from the firearms dealer to the firearms registry. Recently my attention was drawn to a case where a firearms dealer in south-west Victoria upgraded his computer system to Windows 2002 from Windows 97, not the most up-to-date computer system in 2005, and not exactly a state-of-the-art computer system.

Having moved to Windows 2002 he has now found he is unable to send data electronically to the firearms registry, despite being able to do so when he was operating on Windows 97. He has been advised by the central firearms registry that several other dealers across the state have exactly the same problem. The firearms registry recognises it is a problem, but the registry cannot fix it. It has said to the dealer that what

he needs to do is go back to providing handwritten advice about sales and send it by fax.

Let me give another example of the problems with the firearms registry. A person in south-west Victoria got a letter dated 18 October 2004, entitled 'First and final reminder of renewal of firearms licence'. He was surprised to get this on 18 October 2004, because his licence expired in April 2005. But he was told he had 21 days to renew his licence — or else. He was surprised further on 6 January 2005 when he got a final payment notice for his firearms licence. It states:

A check of our records indicates that you are currently not licensed because you have failed to pay for your firearm licence.

Yet his licence expired in April 2005. He still had three months to make the payment, but he was being told that if he failed to make it by the specified date he would be subject to a fine of up to \$24 000 or a maximum of four years imprisonment. His firearms licence expired in April 2005, and he got this letter on 6 January 2005 — so there are clear problems with the firearms registry. It is out of date and needs updating. The government can spend \$50 million on replacing the law enforcement assistance program, yet our firearms registry is not up to date, and that is also putting people in Victoria at risk.

Daylesford child-care centre: funding

Mr HELPER (Ripon) — The issue I raise is for the Minister for Children. The action I seek is that the minister reassure the Hepburn shire community of the Bracks government's commitment to child care in the face of an unprecedented attack on the sector by the commonwealth government. The tale I wish to tell is of the Daylesford community child-care centre. The child-care centre was part of a broadband funding review which was commenced some two years ago and reported its outcomes in February. As a consequence of that review the child-care centre was presented with two choices. One choice was to lose cumulatively \$103 000 in funding. The other choice — much more palatable but nevertheless a very bitter pill — was to lose \$79 000 in funding and subsidies to the services provided by the centre.

The commonwealth government then very kindly provided the centre with a consultant to facilitate its meeting these incredible funding cuts. The consultant, Ernst and Young — and I do not wish to speak ill of the consultant — came up with a report which made, as one of its recommendations, the most deplorable recommendation imaginable. The consultant's report suggested that the centre use \$155 000 worth of its cash

balance to fund renovations at the centre and thus create more places. The problem with that, and the reason it is such an outrageous suggestion, is that the \$155 000 represents the reserves that the child-care centre very diligently sets aside for staff entitlements.

Here we have the commonwealth government, through a consultant, recommending that a community child-care centre — an enterprise — use employees entitlements to fund renovations. The child-care centre should understandably be very concerned about this because, as I understand it, the centre does not have a relative of the Prime Minister on its board of management. As a consequence, if it were to become insolvent it would not be bailed out by the commonwealth government.

An honourable member — Penney and Lang!

Mr HELPER — As with the Penney and Lang abattoir in Carisbrook, of course — a very important issue.

Dr Napthine interjected.

The ACTING SPEAKER (Mr Ingram) — Order! The member for South-West Coast!

Mr HELPER — The member for South-West Coast might be doing a half-decent job at becoming a wit!

Fuel: prices

Mr JASPER (Murray Valley) — I raise a matter for the attention of the Premier. I seek action from the Premier to relieve Victorians of the imposition of the goods and services tax on fuel within this state. The Leader of The Nationals raised this issue with the Premier in question time earlier this week. The escalating price of fuel is becoming a major factor for all of us in Victoria, and particularly those of us living in country areas of this state. What we need is consideration of relief by the government in regard to the imposition of GST on the cost of fuel. In response the Premier indicated that there is, of course, an excise of approximately 38 cents per litre on fuel charged by the federal government. I remind the government that this was fixed in 2001 by the coalition government. We saw the automatic increases in the fuel excise since the early 1980s continue to be imposed by the federal Labor government through those years.

The state government is receiving money out of that 38 cents per litre as well, but now GST is being imposed not only on that 38 cents per litre excise duty but also on the price of fuel, which is escalating at a

level which is bringing in to the Victorian government approximately \$35 million for every 10 cents a litre that petrol rises in the state.

We have reached a situation where the government needs to consider action to relieve Victorians of the imposition of GST on fuel and bring it back to a more realistic level, recognising the importance of fuel to everything that happens within the state of Victoria. Whilst in the earlier part of this year people accepted that fuel was an increasing factor in the cost of everything we do, now we are in a position where people are really starting to hurt and many are reviewing what they are doing in their businesses and their activities on the basis of the high fuel cost. We want action from the government to assist in relieving the pressure for all Victorians through reduction in the imposition of the GST.

The matter particularly affects those in country Victoria who do not have access to public transport which is available for those living in metropolitan Melbourne. On the radio this morning it was said that more people are using the public transport system because of the escalating price of fuel, but people in country Victoria do not have any options. This is a very big issue which is becoming a major one for those of us in country areas. With the escalating price of fuel and the escalating amount of money being collected by the state government, the Premier needs to consider a reduction in the imposition of a GST to give some relief to those of us in country areas and to all of us who rely on fuel.

Monash Gallery of Art: funding

Ms MORAND (Mount Waverley) — I raise an issue with the Minister for the Arts. The action I seek is the minister's ongoing commitment to adequate funding for the Monash Gallery of Art through the Public Art Galleries program. Monash Gallery of Art is a highly successful outer metropolitan gallery and an important cultural institution attracting 55 000 visitors a year from the south-eastern suburbs and wider metropolitan area. The gallery is well known for its nationally significant collection of Australian photography and has a permanent collection of over 1200 works. It is located in a beautiful landscaped environment in Wheelers Hill. Designed by Harry Seidler and opened in 1990, the gallery is a beautiful building in its own right. The City of Monash undertook a major redevelopment of the gallery in 2002 which doubled its size and was in keeping with its original design.

The gallery recently announced that ConnectEast would sponsor it over the next five years, allowing free

admission for the first time. This great support will no doubt further increase the number of visitors and allow more people to enjoy the wonderful exhibitions that are held there every year. The gallery has an interesting history. It was under threat in 1997 when Monash City Council decided it would no longer support the gallery and voted for its closure. The community voiced its strong opposition to the closure, and due to the work of the Friends of Monash Gallery of Art in mobilising support, the decision was overturned at a subsequent council meeting. What a great victory for the community and the arts.

The gallery has since gone from strength to strength. It mounts over 20 exhibitions a year and currently has four travelling exhibitions. Recently I had the pleasure of attending its 15th anniversary function which was held in the gallery amongst the wonderful Tracey Moffatt exhibition on display at the time. I take this opportunity to congratulate the director of the gallery, Jane Scott, and her staff on the great job they do at the gallery, the chair of the committee of management, Bill Bowness, and all the committee members on their role in ensuring the ongoing success of this great institution.

Finally I pay tribute to the Friends of Monash Gallery of Art, who currently number over 800 and play a really important role in supporting the gallery. I particularly commend the work of the current president, Barbara Thompson, in her crucial role over the entire history of the gallery, starting from her time as mayor when the gallery opened. In conclusion I ask the minister to ensure that this great cultural asset continues to be supported by Arts Victoria.

Balcombe Road, Beaumaris: speed zones

Mr THOMPSON (Sandringham) — I raise a matter for the attention of the Minister for Transport. In Balcombe Road, Beaumaris, between Dalgetty Road and Reserve Road, there are four speed sign designations within a distance of less than 1 kilometre. A constituent, Dr Bridget Hage, has written to me and a number of others expressing her concerns regarding road safety issues in relation to this stretch of Balcombe Road, which gave her the impetus to prepare a submission expressing her concern, which she sent to the regional manager of VicRoads and a number of other authorities, including the Bayside traffic management unit for law enforcement matters and Victoria Police.

There have been a number of accidents in the precinct. Dr Hage is a nearby resident, and she and her neighbours are concerned about the speed of vehicles travelling down that stretch of road. Ideally she would

seek a reduction in the traffic volume of heavy transport vehicles along that road, but failing that there may be a practical solution open — that is, consistency in the speed sign designations between the roads that I mentioned. There are currently four speed signs in that zone. A reduction from four to two along with a consistent speed of 50 kilometres per hour in the approach to Reserve Road could ameliorate the problem.

The situation is exacerbated by a concave bend with protrusion towards the southern aspect of approximately 45 degrees in the south-west end and 35 degrees in the south-east end. The road appears to be cambered the wrong way, sloping to the outside rather than the inside. There is a non-right-angled junction with Reserve Road which slopes to the southern aspect. The consequences of this are an inherently unsafe road service at current speed limits of 60 kilometres per hour through the intersection on non-school days, the danger being exacerbated on winter and wet days; and an accident-inclined black spot at the Reserve Road and Balcombe Road junction where motorists are unprepared for a non-right-angled intersection.

Over the past decades major accidents on Balcombe Road occurred mostly outside rush hours and were all associated with approaches to the section between Dalgetty and Reserve roads. There are major issues in terms of the transportation of goods around Melbourne and major road access areas, but taking into account the road conditions, the camber and angle of the road, the danger in wet conditions and the confusion for motorists caused by four speed sign designations within less than a kilometre, I ask the minister if he could review this matter to see whether the problem can be solved through the implementation of a 50-kilometre speed limit between the junctions mentioned.

Schools: broadband access

Ms GREEN (Yan Yean) — I wish to raise a matter for the Minister for Information and Communication Technology in another place. The action I seek is for the minister to take urgent action to do all in her power to lobby the federal government to ensure that Plenty Valley Christian School in Doreen can have access to high-speed broadband.

Plenty Valley Christian School is a prep to year 12 school serving the Plenty growth corridor. The school has 700 or so students and is located approximately 25 kilometres from the central business district of Melbourne. On my recent visits to this wonderful school, including to talk to students about the Premier's reading challenge, I was disturbed to learn of the

appallingly slow dial-up Internet connection that the students are forced to rely upon. Regrettably this snail's pace Internet meant that the school overall was unable to participate in the reading challenge as they simply could not register all the students online. This is not good enough for a school so close to the centre of a city in a modern Western country. The principal, Doug Peck, has advised me, and in fact the minister when she visited Doreen last year, that the school has been told by Telstra that broadband Internet access at this school is not possible and is not ever likely to be.

I am proud of this government's achievements in expanding broadband Internet access to every government school in Victoria. For Plenty Valley Christian School to also have this access we urgently need action from the federal government before Telstra is privatised. We have heard much from the National Party senator from Queensland, 'Backdown' Barnaby, in his wheeling and dealing for rural and regional Australia. Conversely we have had utter silence from the federal Minister for Small Business and Tourism and member for McEwen, Fran Bailey, in advocating the telecommunication needs of families, schools and businesses living and working in the rural-suburban interface.

I am quite frankly disgusted with the member for McEwen, who promised in 1996 to never vote to sell Telstra but now appears set to break her promise. It seems that we have a backdown member in our backyard who has forgotten about the needs of the people who elected her. It seems that now she has reached the heady ministerial heights, her electorate and those in it are no longer important to her. Therefore, I urge the Minister for Information and Communication Technology in another place to make urgent representations to the federal Minister for Communications, Information Technology and the Arts on behalf of Plenty Valley Christian School so that the students may have decent, modern access to the Internet.

Building industry: warranty insurance

Mr BAILLIEU (Hawthorn) — I raise a matter for the Treasurer to do with builders warranty insurance. I once again ask the Treasurer to take whatever steps are necessary to eliminate the intimidation of witnesses to the Victorian Competition and Efficiency Commission (VCEC) inquiry on housing regulation. This is the Treasurer's own inquiry, being conducted by the Victorian Competition and Efficiency Commission.

On 10 August I raised for the Treasurer in an adjournment item the serious matter of intimidation of

the Builders Collective of Australia (BCA) and the legal action threatened by Vero Insurance, another witness to that inquiry. The legal action was threatened against the builders collective. That action sought to restrain the builders collective in the content of its submissions, both oral and written, to the VCEC inquiry. I am sorry to report that the Treasurer has failed absolutely to respond to my adjournment item — no response at all. Unfortunately we now have a further attempt by Vero Insurance to intimidate the BCA in its giving of evidence to the VCEC inquiry. Two letters of demand have been received by the BCA from Vero's solicitors. Both letters were dated 2 September. The letters are similar in their concluding paragraphs, which I will refer to. The solicitors invite the BCA to:

- (a) confirm that you and the collective are prepared to provide the attached undertaking ...

The undertaking is onerous in its attempts to guarantee that the BCA will not speak or submit on certain items.

- (b) provide us with a copy of the collective's revised submission to the VCEC;
- (c) provide us with a copy of any material received from the ACCC to support the position set out in your letter dated 22 July 2005; and
- (d) confirm that your posting dated 8 May 2005 has been removed from the web site.

It goes on to say:

We note that you have provided copies of our earlier correspondence to other parties. Our correspondence with you is confidential. Parties who receive confidential information have certain obligations. You may wish to seek advice about this. We confirm that this letter is not for publication.

I have sought advice on that paragraph and that is a load of cobblers. This is another attempt to intimidate witnesses to a government inquiry. The failure of the government to act and prevent this intimidation is compromising the inquiry.

When it comes to builders warranty insurance, government members simply do not get it. That was proven in the debate on the House Contracts Guarantee (Amendment) Bill. The BCA has written to many members on the government side who contributed to that bill, and they have been embarrassed to have pointed out to them their flaws. The *Australian Financial Review* gets it and Consumer Affairs Victoria gets it. They made a submission: they get the problem with builders warranty insurance.

Tourism: Melbourne Cup trail

Mr ROBINSON (Mitcham) — I want to raise an issue this afternoon for the attention of the Minister for Tourism but also in his capacity as the Minister for Racing. I am asking the minister to examine the viability of establishing a Melbourne Cup tourism trail in Victoria. This would be an appropriate thing to examine in the 75th anniversary of Phar Lap's great win. I believe a tourism trail of this sort would be a positive addition to our tourism industry, as well as building on what is an iconic event.

The idea occurred to me while reading once again this excellent history of the Melbourne Cup by the late Maurie Cavanaugh. I was struck by the number of connections between the great race and locations in suburban and regional Victoria. I might just run through some of those associations for the benefit of the house. The winner of the Melbourne Cup in 1861 and 1862 was Archer, a Sydney horse which while in Melbourne was stabled at the rear of the Botanical Hotel in South Yarra — an establishment which might be well known to a few members. The horse was trained in the park opposite.

Two years later Lantern won the Melbourne Cup. It was owned by Victoria Racing Club committeeman Hurtle Fisher, the Squire of Maribyrnong as he was known. He operated a 350 acre stud farm and training facility on the banks of the Maribyrnong River. In 1865 a horse opposition members would no doubt be familiar with called Toryboy got up. He defeated Panic — what a great quinella Toryboy and Panic is. However, he was an old gelding who had hopeless form and very few supporters — not much has changed.

Dr Napthine — But he won.

Mr ROBINSON — It was a very poor field. He was trained at South Melbourne. In 1870 Nimblefoot won. He was owned by Walter Craig, a renown publican at Ballarat. Legend has it that Craig dreamed some months before that cup that a horse wearing his colours would win but the jockey would be wearing a crepe armband. It came to pass that Craig died before the race and his horse won with the jockey wearing the said armband.

In 1874 Haricot won the cup. It was owned by the Chirnside brothers who operated a renowned property at Werribee, which exists today albeit in different ownership. In 1889 Bravo won, having been trained up at Darling Forest at Ballarat. In 1939 it was Rivette — bred, owned and trained by Harry Bamber who farmed on a soldier settlement block at Scoresby; that was a

very good race. In 1941 Skipton was owned by a publican at Hamilton, and in 1963 Gatum Gatum was bred in western Victoria and named after a railway siding.

There are many connections and I believe that although the Melbourne Cup is a great international racing event the associations with local settings in Victoria could be celebrated in this way.

Taxis: multipurpose program

Mrs SHARDEY (Caulfield) — I raise a matter for the Minister for Transport. I ask him to grant an exemption to the multipurpose taxi program cap for Mr John Henry Barnett, who lives in Caulfield North. I can give the minister this gentleman's details. This gentleman has applied for an exemption with the support of his doctor because he is paralysed by a most dreadful disease which he has had since about the age of 20. He also has damage to his lung and his heart from this disease.

Mr Barnett wrote to me saying that due to his gross physical disability he has been a constant user of the multipurpose taxi program since its inception. He was the 35th member of the program so he started very early in the piece. He describes his condition thus:

I have massive skeletal deformity which prevents me from bending or using my limbs in the usual way, and necessitates my constant use of crutches. The only way I can travel in a taxi ... is to be assisted across the back seat, taking up the whole of the seat, and to be assisted again to leave the cab. I have to have substantial assistance from the driver in getting in and out.

I have met this gentleman, and I can attest to the fact that he is the worst instance of this case that I have ever seen. He writes:

I live in my own home vitally assisted by 32 hours a week attendant care ...

I have had previous correspondence, all unsuccessful, with the Minister for Transport and the Victorian Taxi Directorate seeking to be granted the same status as wheelchair users in respect of the MPTP — that is, to have an uncapped account and to be exempted from each year having to argue for additional subsidy on account of work and health. In using taxis, the assistance I need is equivalent to that of a wheelchair user although my rigidity prevents me from using one.

I have had 24 years full-time employment in the public service. Currently I hold an assistant director position in a commonwealth government department located in Melbourne. Because of medical instability my orthopaedic specialist has authorised me to work full time, but only if I travel by taxi; I was formerly using the train and a cab to get to and from work.

This man is one of the most deserving cases I have come across for a full exemption on cabs. He is dreadfully debilitated, but he does his best to participate, to work and to make a contribution to the community. I have spoken to him on numerous occasions. He used to live full time in a hostel, but he has moved to independent living with support. I ask the minister to look at this case. Mr Barnett, who lives in Hudson Street, Caulfield North, has applied for an exemption.

Western Highway: bypasses

Mr NARDELLA (Melton) — My adjournment matter is for the Minister for Transport. The action I seek is for the minister to urge the federal Minister for Local Government, Territories and Roads, Jim Lloyd, to speed up the construction of the Deer Park bypass and the construction of the Leakes Road overpass. The minister at the table, the Minister for Manufacturing and Export, would certainly support this call.

Last week I was with the Western Highway Action Committee in Melton when it met with Senator Kerry O'Brien, who is the federal shadow transport minister. The councils that were present ranged from Melton, with mayor Sophie Ramsay and chief executive officer Neville Smith; Brimbank, with Natalie Suleyman and chief executive officer Marilyn Duncan; Mooroolbark, with mayor Peter Russell, who is also the chair of WHAC — he is fantastic in that role and takes it extremely seriously — and chief executive officer Robert Dobrzynski; Ballarat, with mayor David Vendy; and others from local government. Catherine King, the federal member for Ballarat, Julia Gillard, the federal member for Lalor, and Brendan O'Connor, the federal member for Gorton, were also present.

We discussed this important matter for our region and the need for the upgrade for economic reasons to alleviate congestion for ordinary commuters and users of the Western Highway and also to connect the fastest growing region in Australia for freight companies and private operators going up and down the highway. They travel to South Australia, Ballarat, Maryborough, Ararat, which the member for Ripon represents, Western Australia and western Victoria. It is the economic lifeblood of this region. It is a severe bottleneck, and anybody who uses it understands the problems.

The federal government has \$450 million in forward estimates it can use to start this project. WHAC wants to start this project not in 2007 and 2008 with allocations of \$40 million — —

Mr Helper — Get on with it!

Mr NARDELLA — It should get on with it, as the member for Ripon says. It is one of the most important road projects in Victoria, with the cost-benefit ratio being extremely high. WHAC is going to go to Canberra to lobby again. I urge the minister to assist in this process.

Mr Baillieu — On a point of order, Acting Speaker, I did not want to raise it during the contributions, but it goes to the matter of what constitutes action. There seems to be an increasing trend for members to make very obscure requests for what constitutes action. We have heard in this afternoon's debate a call for something which is already going well to continue. If that constitutes action, so be it.

I am raising a point of order to invite the Speaker to look at the requests for action that have been taken in recent adjournment debates and to consider again what constitutes action.

Mr Haermeyer — On the point of order, Acting Speaker, in the 13 years that I have been in this house there has generally been a fairly broad definition taken of what is required when administrative action is required by the minister. I have heard some very wide-ranging requests in terms of administrative action from both sides of the house and all parties. If we are going to try to narrow this down, it will cut both ways.

The reality is if someone seeks continued funding for a project or facility in their electorate, that is not an unreasonable request to make of a minister. We should be trying to broaden the capacity for people to speak out on behalf of issues in their electorates, not narrow them. I recall in the days of the previous government the standing orders were used in such a way as to stifle debate in this chamber. That has changed quite dramatically, and I would like to see it continue. If the honourable member wants to know what constitutes inaction, I suggest he look at the web sites of some of the various spokespersons on the opposition side.

The ACTING SPEAKER (Mr Ingram) — Order! I am willing to take up the point of order raised by the member for Hawthorn. There are a number of rulings indicating that matters raised must be within the direct responsibility of a state minister. A number of the matters raised on the adjournment are very close to the rulings that have been made by previous Speakers, but I will pass it on to the Speaker to make a more definitive comment on those issues.

Responses

Ms GARBUTT (Minister for Children) — The member for Ripon raised with me the issue of funding for the Daylesford community child-care centre and asked me to reassure the Daylesford community that the Bracks government remains committed to delivering child care. We are absolutely committed to delivering child care and to other early childhood services such as kindergartens, maternal and child health and so on. In contrast the commonwealth takes a market-driven and very hands-off approach which says that child care is very similar to running a bakery or a butcher shop.

Mr Nardella — A bakery?

Ms GARBUTT — Yes, they were the words the federal minister has used, saying the commonwealth government would not intervene to ensure that the number of places increases in low-income areas or in any other areas that are currently missing out. Of course the consequences of the market-driven approach are a lack of places and high fees, and some areas are simply missing out. On top of that we have the disgraceful situation at Daylesford where the last remaining assistance to community-based child-care committees seems to have been absolutely slashed. That has had a devastating impact on the viability of the Daylesford centre, which it has been able to maintain to date, although with some difficulty, but now its future is absolutely threatened. The suggestion the commonwealth government consultant has made, that it rob workers entitlements to make up for commonwealth government cuts, leaves me gobsmacked. I think it is illegal.

Mr Helper — It leaves Daylesford gobsmacked.

Ms GARBUTT — And Daylesford is right to be gobsmacked. It is a shameful situation which has been deliberately, knowingly and without any care forced on the Daylesford community by the commonwealth government and which has left the community reeling.

This government is absolutely committed to improving early-year services across the board. We have in place a \$16 million program to deliver children's centres to various places throughout Victoria, and that usually includes child care. It brings together a range of facilities — typically, kindergarten, maternal and child health, and child care — and provides better services to parents. It is certainly more convenient, because they are all in the one place, but the services are also better because they are able to change and adjust to meet new community needs as they emerge. We are playing our part, which, although it is not to fund child care, means

we are stepping into the breach in some cases through our children's centres, because we believe in them, because we have a commitment to the early years and because we recognise how important they are. We are absolutely committed to making Victoria a great place to raise a family. Unfortunately the commonwealth government is letting us all down.

Mr HAERMEYER (Minister for Manufacturing and Export) — Strange as it may seem, Acting Speaker, the first item I have been asked to respond to is from the member for South-West Coast, who asked the Minister for Police and Emergency Services about the firearms registry. Can I assure the member that the firearms registry has vastly improved its systems and resources over the years since members opposite were in government. But I will draw to the attention of the Minister for Police and Emergency Services the particular complaints the member has raised, and I am sure the minister will ensure they are fully investigated.

The member for Murray Valley raised a matter for the attention of the Premier asking the Victorian government to reduce the GST on fuel. Let me say, firstly, that the GST was an initiative of the Howard government. Let me say, secondly, that the vast majority of the tax impost on fuel is 38 cents a litre in federal excise.

Mr Jasper — You don't know enough about it.

Mr HAERMEYER — So really if anybody is in a position to reduce the price of fuel in country areas it is not the state government but the federal government.

Mr Jasper — I thought I directed my matter to the Premier, not you.

Mr HAERMEYER — I suggest that the member for Murray Valley has a conversation with his colleagues who form the federal government.

Mr Baillieu — Are you going to refer the matter to the Premier?

Mr HAERMEYER — I will refer the matter to the Premier.

Mr Jasper — Thank you very much!

Mr HAERMEYER — You're welcome!

The member for Glen Waverley raised a matter for the attention of the Minister for the Arts, requesting adequate funding for the Monash Gallery of Art. Certainly that gallery is highly esteemed out in the east

of Melbourne. I will certainly draw that to the attention of the minister.

The member for Sandringham raised an issue about the number of speed signs operating in a 1-kilometre stretch of road in his electorate, suggesting that the speed across that whole area should be scaled down to 50 kilometres an hour. I will make sure that is drawn to the attention of the Minister for Transport.

The member for Yan Yean raised a matter for the attention of the Minister for Information and Communication Technology in the other place, seeking help with gaining broadband Internet access for the Plenty Valley Christian School. I have to say that having previously represented the area that that school falls into I find it amazing that an area so close to Melbourne cannot be provided with broadband access. The federal government says Telstra is ready for sale. What hope do people in genuinely remote areas of Victoria have of getting broadband access when you cannot get it in an area that is barely 25 or 30 minutes from the central business district? I will certainly make sure that that is drawn to attention of the minister.

The member for Hawthorn raised a matter for the attention of the Treasurer regarding what he alleged is some intimidation of witnesses before the Victorian Competition and Efficiency Commission inquiry into builders warranty insurance. I will ensure that that is drawn to attention of the Treasurer.

Mr Baillieu — You're going to be involved in that too. It has to do with small business.

Mr HAERMEYER — Come and talk to me. I am happy to talk to you.

The member for Mitcham asked that the Minister for Tourism, who is also the Minister for Racing, examine the viability of establishing a Melbourne Cup tourism trail. I am certainly aware of the member's abiding interest in horseracing, and I will make sure that is drawn to the attention of the minister.

The member for Caulfield raised a matter for the attention of the Minister for Transport, seeking a full exemption of the multipurpose taxi cap for a constituent. I will ensure that matter is brought to the attention of the minister.

Finally, the member for Melton raised an issue for the Minister for Transport. He asked the minister to approach the federal government to speed up the construction of the Deer Park bypass. I have to say, both in my capacity as the local member for the area through which that bypass would go and in my capacity

as the Minister for Manufacturing and Export and the Minister for Small Business, that that is why — —

Mr Baillieu — Is he a good local member?

Mr HAERMEYER — The member for Melton is an excellent local member. And the member for Kororoit is also an excellent local member!

Mr Baillieu — Are you going to support him at preselection?

Mr HAERMEYER — Absolutely.

Honourable members interjecting.

The ACTING SPEAKER (Mr Ingram) — Order! The members for Hawthorn and South-West Coast!

Mr HAERMEYER — May I say that the Victorian government has made the Deer Park bypass its no. 1 road infrastructure priority. Despite the fact that this is actually a federal road, the Victorian government has put up a substantial amount of money to encourage the federal government to bring forward this vitally important project. What we are talking about here is the major road between our heavy industry heartland and our ports and our transport and distribution infrastructure. It is also the major highway between the two major manufacturing states of this country. You could not conceive of a more important bit of road infrastructure in terms of improving the access of our manufacturers and primary producers to markets, ports and so on.

Unfortunately, Victoria does not get anything like the share that it contributes to the road taxes the federal government collects. Victoria does not get its fair share. Even though this is a federal government road, a national highway, the Victorian government is putting serious money on the table to try to bring that project forward. Unfortunately, we have a federal government that has its head in Sydney, and all the money goes everywhere else but Victoria. It is a federal government that treats Victoria with absolute contempt, and it really should not be lecturing the states about the provision of infrastructure. I will make sure that matter is drawn to the attention of the Minister for Transport.

The ACTING SPEAKER (Mr Ingram) — Order! The house is now adjourned.

House adjourned 4.43 p.m.

QUESTIONS ON NOTICE

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 Questions have been incorporated from the notice paper of the Legislative Assembly.
 Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.
 The portfolio of the minister answering the question on notice starts each heading.*

Tuesday, 6 September 2005

Health: Hampton hydrotherapy pool

757. Mr THOMPSON to ask the Minister for Health with reference to the closure by the Government of the Hampton Hydrotherapy pool in December 2002 — noting the length of time since the pool was closed, what arrangements have been made to construct a new hydrotherapy pool to service the residents of Bayside.

ANSWER:

I am informed that:

The capital planning process for the future redevelopment of facilities on the Kingston Centre site has commenced and includes provision for a hydrotherapy pool. Arrangements have been made for Kingston Centre patients to use the new Hydrotherapy pool at the Dandenong Hospital until the development of the hydrotherapy pool at the Kingston Centre has been completed.

Health: Kingston Centre hydrotherapy pool

767. Ms ASHER to ask the Minister for Health — what is the total amount from the proceeds of the sale of the Hampton Rehabilitation site to be used for the proposed development of the hydrotherapy pool at the Kingston Centre.

ANSWER:

I am informed that:

Both the Department of Human Services and Southern Health have always indicated that the development of a Hydrotherapy pool at the Kingston Centre is a high priority. \$3.25 million from the sale of the Hampton Rehabilitation Hospital site have been outlaid to upgrade facilities at Kingston Centre. It is anticipated that Southern Health will make a contribution to the cost of developing the Hydrotherapy pool at the Kingston Centre.

The total cost of the Hydrotherapy pool will be determined through the capital planning process for the future redevelopment of facilities on the Kingston Centre.

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Wednesday, 7 September 2005

Health: Highett courthouse

738. Mr THOMPSON to ask the Minister for Health with reference to the former Gas and Fuel Corporation land in Nepean Highway, Highett, and the proposal to build a \$28 million court house —

- (1) Does this site have potential to be utilised for a regional health facility.
- (2) What plans does the Minister have to review the possible use of this site for the strategic delivery of health services in the Southern Region.

ANSWER:

I am informed that:

The Department of Human Services is aware of the site in question. We understand that the proposed Magistrates Court will occupy 0.91 hectares of the 7.24 hectare site.

While the Department currently doesn't have current plans for a new health care facility in the area, it has advised the Victorian Property Group that the site may be suitable for the development of health facilities. This will ensure that health services are given priority consideration in determining any future use for the remainder of the site.

In planning for new health and community services there is always consideration of the use of existing assets and suitable new sites given the type of services to be provided.

ANSWER:

Tourism: Melbourne Convention and Visitors Bureau

741. Ms ASHER to ask the Minister for Tourism —

- (1) List the names of the conventions/conferences secured by MCVB from 1 June 2004 to 1 June 2005.
- (2) Are any conventions/conferences secured by private sector operators listed on MCVB's list of conventions/conferences secured in Melbourne; if so, list how many were secured by private sector operators and by whom from 1 June 2004 to 1 June 2005.
- (3) What is MCVB's process for advising conference service providers of potential conventions/conferences available for bidding.

ANSWER:

I am informed as follows:

As the Minister for Tourism, I have no statutory responsibility for the operations of the Melbourne Convention and Visitors Bureau which is a private company.

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Thursday, 8 September 2005

Employment and youth affairs: Office for Youth

536. Mr KOTSIRAS to ask the Minister for Employment and Youth Affairs with reference to the Office for Youth and each agency and authority within the Minister’s administration —

- (1) What are the details of all advertising campaigns indicating the purpose and total costs of each campaign since 1 June 2003.
- (2) From 1 June 2003 to date, what are the details of all publications produced, indicating in each case the —
 - (a) title of the publication;
 - (b) date of issue/distribution;
 - (c) cost of production;
 - (d) quantity printed;
 - (e) name of the printer;
 - (f) details of distribution, including numbers and cost;
 - (g) purpose of production.

ANSWER:

1) I am informed that the details of Office for Youth Advertising Campaigns since 1 June 2003 to 14 September 2004 are as follows:

Date	Name of Campaign	Purpose	Cost
June 2003	FreeZA	Advertisement for tender	\$2,763
November 2003	Advance Program	Advertising the opening of the application process	\$1,000
November 2003	National Youth Week	Public Notice	\$2,660
January 2004	FReeZA Central	Advertisement for tender	\$3,490
May 2004–August 2004	FReeZA	Early General News — Advertising events	\$18,744
August 2004	Advance Program	Advertising the opening of the application process	\$2,815
September 2004	FreeZA	Early General News — Advertising Events	\$2,133

2) I am informed that the details of Office for Youth publications since 1 June 2003 to 14 September 2004 are as follows:

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a) Title of Publication	Advance Guideline for Government Schools 2004	Advance Brochure	Advance Handbook for Government schools (included learning modules and support materials)	Advance Guidelines for Govt Schools 2005	Taking Young People Seriously (3 hand books)	FReeZA applications and guidelines 2005
b) Date of issue/distribution	December 2003	December 2003–February 2004	February 2004	August 2004	October 2004	September 2004
c) cost of production	\$200	\$1,221	\$8,970	\$4,662	\$68,532	\$1,900
d) quantity printed	Web based only	5000 copies	400 copies	1000 copies	22,500 (7,500 copies of each handbook)	300
e) name of printer	N/A	Kinko’s International	Worldwide Online Printing	Design	Finsbury Printers	I-Print
f) details of distribution including number and costs	N/A	Multiples provided to all Victorian Government secondary schools delivering Advance and the partnering community organisations for distribution through their networks. Distribution costs are included in cost of production.	Provided to all Victorian Government secondary schools delivering Advance and the partnering community organisations. Distribution cost approx. \$450.00	Provided to all Victorian Government secondary schools, community organisations who have expressed interest in participating in Advance. Distribution costs included in cost of production.	Expected to be provided to all Victorian secondary schools, Youth service providers and local governments	Sent to all local councils, current and past FReeZA grant applicants
g) purpose of production	Promotion and provide schools with information on Advance.	To promote Advance to young people, parents, schools and community organisations.	To provide program materials and resources to schools and community organisations to assist in the delivery of Advance.	To provide information to schools about Advance the expression of interest process to enter the program.	Practical handbooks designed to increase young people’s participation in their communities	Promotion and application for FReeZA grant scheme

Police and emergency services: Country Fire Authority vehicle fleet

603. Mr WELLS to ask the Minister for Police and Emergency Services — at each of 30 June 2003, 30 June 2004, and 31 December 2004 —

- (1) How many operational vehicles were deployed across Victoria.
- (2) How many tankers were deployed across Victoria.
- (3) What was the average age (years of service) of the tankers deployed.
- (4) How many pumpers were deployed across Victoria.
- (5) What was the average age (years of service) of the pumper fleet.

ANSWER:

I am advised that:

CFA Vehicle Fleet

	30/6/2003	30/6/2004	31/12/2004
*Total number of operational vehicles deployed	2066	2034	2026
Total number of tankers deployed	1282	1295	1308

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Thursday, 8 September 2005

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	30/6/2003	30/6/2004	31/12/2004
Average age of tankers deployed	11.24	11.84	11.68
Total number of pumpers deployed	238	251	268
Average age of pumpers deployed	13.83	14.19	13.92

* Please note that the information includes Brigade owned vehicles and other vehicles.

