PARLIAMENT OF VICTORIA

PARLIAMENTARY DEBATES
(HANSARD)

LEGISLATIVE COUNCIL
FIFTY-FIFTH PARLIAMENT
FIRST SESSION

7 May 2003
(extract from Book 7)


By authority of the Victorian Government Printer
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JOHN LANDY, AC, MBE

The Lieutenant-Governor
Lady SOUTHHEY, AM

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Deputy Premier, Minister for Environment, Minister for Water and
Minister for Victorian Communities .................................... The Hon. J. W. Thwaites, MP
Minister for Finance and Minister for Consumer Affairs ............ The Hon. J. Lenders, MLC
Minister for Education Services and Minister for Employment and Youth
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Minister for Sport and Recreation and Minister for
Commonwealth Games .................................................... The Hon. J. M. Madden, MLC
Minister for Gaming, Minister for Racing, Minister for Tourism and
Minister assisting the Premier on Multicultural Affairs ............. The Hon. J. Pandazopoulos, MP
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(Assembly): Mr Cooper, Ms Marshall, Mr Maxfield, Dr Sykes and Mr Wells.

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

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(Assembly): Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

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

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

(Assembly): Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

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

**Scrutiny of Acts and Regulations Committee** — (Council): Ms Argondizzo and the Hon. A. P. Olexander.  
(Assembly): Ms D’Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

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**Council** — Clerk of the Legislative Council: Mr W. R. Tunnecliffe  
**Hansard** — Chief Reporter: Ms C. J. Williams  
**Library** — Librarian: Ms G. Dunston  
**Joint Services** — Director, Corporate Services: Mr S. N. Aird  
Director, Infrastructure Services: Mr G. C. Spurr
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Deputy Leader of the Government:
Mr Gavin Jennings

Leader of the Opposition:
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Deputy Leader of the Opposition:
The Hon. Andrea Coote

Leader of the National Party:
The Hon. P. R. Hall

Deputy Leader of the National Party:
The Hon. D. K. Drum

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Wednesday, 7 May 2003

The PRESIDENT (Hon. M. M. Gould) took the chair at 9.33 a.m. and read the prayer.

TRANSPORT (MISCELLANEOUS AMENDMENTS) BILL

Introduction and first reading

Received from Assembly.
Read first time on motion of Ms BROAD (Minister for Local Government).

BUDGET PAPERS, 2003–04

Mr LENDERS (Minister for Finance) — By leave, I move:

That there be laid before this house a copy of the following 2003–04 budget papers:

(a) Treasurer’s speech (budget paper 1);
(b) Budget statement (budget paper 2);
(c) Budget estimates (budget paper 3); and
(d) Victorian budget overview.

Motion agreed to.
Laid on table.
Ordered to be considered next day on motion of Mr LENDERS (Minister for Finance).

PAPERS


MEMBERS STATEMENTS

Rail: gauge standardisation

Hon. J. A. VOGELS (Western) — On 15 May 2001 the Treasurer announced that $96 million was to be spent upgrading and converting 2000 kilometres of dilapidated broad-gauge line into standard-gauge line connected to the national rail network, thereby providing a major boost to regional development as well as to Victorian export industries that operate in the national and global economies.

Everyone in south-west Victoria who had been working towards this outcome applauded and there was dancing in the streets. Not to be outdone, the then Minister for Energy and Resources and Minister for Ports, Ms Broad, chipped in and said that a key priority under the regional freight link program would be providing a standardised rail link between Mildura and Portland to secure the development of the mineral sands industry in Victoria’s north-west by providing efficient freight links to the port of Portland.

On 18 June last year the Minister for Transport announced that more than 300 tonnes of steel rail line had already been delivered and a further 2000 tonnes was on the way. The minister said 12 contracts had been awarded for the project and concluded by saying:

Standardisation is a vital project for regional economics.

What has changed? This is still an excellent program. The money has gone. The Bracks government should change the title of its web site to www.vic.gov.con.au.

Breast cancer: web site

Hon. H. E. BUCKINGHAM (Koonung) — I would like all members of this house to advertise the following web site in their newsletters to constituents. The web site at www.thebreastcancersite.com is having trouble getting enough people to click on it daily to meet its daily quota of donating at least one free mammogram a day to an underprivileged woman. It takes less than a minute to go to the site and click on to ‘Fund free mammograms’ to donate. It is the pink window in the middle of the screen, and it does not cost anything. The site’s corporate sponsors and advertisers use the number of daily visitors to the site to calculate the number of mammograms they will donate in exchange for advertising.

I commend this site to members who would like to support this most worthy of causes, and I ask them to advertise this information in their electorates.

Anna Smith

Hon. D. KOCH (Western) — I would like to draw the attention of the house to the remarkable achievements of our young people who are contributing to the advancement of science in Australia. In particular I want to share with you the endeavours of a young lady from Hamilton. Anna Smith is currently attending the Canadian World Science Fair, the only student from Western Province to do so.

Anna, a year 12 student and co-school captain of the Hamilton and Alexandra College, attended the National
Youth Science Forum held in Canberra earlier this year. From the 288 students who attended the forum, Anna was one of six students Australia wide chosen to attend the Canadian World Science Fair.

The benefits of attending this fair are significant. Anna will gain a greater knowledge in the field of science on a worldwide level and she will be able to give input, as well as receive valuable information to enhance her career aspirations.

At the end of year 12 Anna plans to study biomedical engineering, a field where Australia desperately needs more researchers in a rapidly changing field of medical research. To be selected as an ambassador for Australia to attend the Canadian World Science Fair is indeed an honour for Anna. Along with Anna and her parents I believe this will be an immensely valuable experience for her.

Dingley bypass: government commitments

Mr PULLEN (Higinbotham) — I am most concerned at the continued diatribe emanating from Liberal members of this Parliament in the other house regarding the Dingley bypass. The three members do not represent the area.

Firstly the Honourable Ron Bowden raised this matter in this place on 9 April. He was supported by the Honourable Andrew Brideson. Mr Bowden said:

Before the 1999 election it —

that is, the Labor Party —

went to the electorate and said, ‘We will build a Dingley bypass’, but it then reneged on that promise. It welched on the promise and took money from the Dingley bypass and used it to extend the East Burwood tram line. The East Burwood tram might be a good thing, but I suggest that the promise to build the Dingley bypass should also have been met.

Mr Bowden was strongly supported by Mr Brideson in the same debate.

The most disgraceful statement regarding the Dingley bypass was made by the member for Sandringham in another place, when he said:

The Bracks government has betrayed not only its own back bench but the motorists of Victoria. It is a government without vision and without policy — and tragically for the people of Victoria it is a government without scruples.

After the Labor Party went to the last election making it clear that it would not build the bypass the Liberal member was booted out of Mordialloc and the wonderful Janice Munt was elected. However, back on 27 March 1996 — yes, 1996! — I received a letter from Mr Geoff Leigh, the then member for Mordialloc. He said that the government had agreed that it would build the Dingley bypass during the next — —

The PRESIDENT — Order! The member’s time has expired.

Honourable members interjecting.

The PRESIDENT — Order! If there were less noise in the chamber the member would have heard that about four seconds ago I called his time and he should have sat down. I ask all members in the chamber to lower their voices so that Hansard can record and members can be heard.

Budget: North Eastern Province

Hon. W. A. LOVELL (North Eastern) — I rise to condemn the Bracks government for its city-centric budget that has ignored the needs of country Victorians, particularly those in my electorate of North Eastern Province. So blatant is Labor’s rejection of country Victoria that more than 10 towns in the north-east do not even rate a mention in the budget papers. These include the Rural City of Wangaratta, Nathalia, Yarrawonga, Rushworth, Heathcote, Tatura, Beechworth, Chiltern, Corryong and Yackandandah.

The Bracks government has broken key election promises made to communities in the north-east such as the $40 million to upgrade irrigation systems throughout the Goulburn irrigation region, $7 million for the stage 1 redevelopment of the acute facilities at the Echuca hospital and $5 million to expand the emergency department of the Goulburn Valley base hospital. These have now been listed as projects to be considered in future budgets. We call this Labor’s never-never list because these are projects that Labor will never, never deliver.

Other broken promises include rebuilding the aged care facility at Yarrawonga and new police stations at Kyabram and Tungamah. Despite the government allocating $70 million for the extension of reticulated gas it is unlikely that any of the towns in the north-east will benefit from this.

Honourable members interjecting.

The PRESIDENT — Order! I call for less chatter in the chamber!

Hon. W. A. LOVELL — The Bracks government has clearly turned its back on country Victoria.
Churchill Island Working Horse Festival

Hon. J. G. HILTON (Western Port) — I commend to the house the fifth annual Churchill Island Working Horse Festival, which took place recently on Phillip Island. Over 5000 people attended the two-day event, a record number. Over 100 volunteer exhibitors demonstrated their skills with displays ranging from blacksmithing to butter churning, with many participants entering into the spirit of the occasion by wearing period costume.

Thirty working horses were also involved in demonstrations of ploughing, log pulling and seed sowing. Also included for the first time was a sheep-to-shawl competition, which involved teams of four combining shearing, spinning and knitting skills to make a shawl from scratch. The winning team managed this feat in just over 2½ hours. I commend all people involved in the event, particularly Sally O’Neill, the event organiser from the Phillip Island Nature Park.

Budget: hospitals

Hon. D. McL. DAVIS (East Yarra) — My matter today concerns table 7.4 in budget paper 2 headed ‘Labor’s financial statement 2002 asset investment funding to be considered in future budgets’. This is Labor’s never-never. This is the set of projects that will never ever be delivered. It includes the Royal Women’s Hospital redevelopment — the $190 million that is not being spent this year; the Northern Hospital — the $23 million that is not being spent this year; Monash Medical Centre — $10 million; and stage 1 of the redevelopment of acute facilities at Echuca hospital — to be considered in the future, not spent this year. This is Labor’s never-never list. This is the list of projects that communities will have to fight for in future budgets. These projects will have to negotiate the budget process in the future. There is no guarantee that any of these projects will get through this budget process; there is no guarantee that any of these projects will ever be delivered. The Premier should hang his head in shame.

Centre for Grief Education

Hon. C. D. HIRSH (Silvan) — I commend today the Centre for Grief Education, which is based near McCulloch House at Monash Medical Centre. This excellent organisation, which is run by the director, Christopher Hall, offers a broad range of programs, not just grief education. It offers free counselling, particularly in cases of sudden death and suicide. It also offers a series of educational programs right through the metropolitan area and regional areas. It runs seminars and workshops, and also a great deal of interstate training because it is so well thought of right across Australia.

It has run seminars on how to deal with a person who has been bereaved. Often we become very quiet and do not know what to say to someone who has suffered a bereavement, so those sorts of courses are very useful. It offers support for grieving adolescents. Often the difficulties faced by adolescents in a state of grief can be different from those faced by adults or young children. I highly commend that program in particular.

Gas: Nathalia supply

Hon. W. R. BAXTER (North Eastern) — Members will recall that in the last parliament I often raised with the then Minister for Energy and Resources, Ms Broad, the matter of natural gas extensions to the township of Nathalia. Nathalia was on the list to be supplied with natural gas under the arrangements put in place so eminently and adequately by the coalition government. The gas got as far as Numurkah, where the pipeline stopped and has not gone any further since. The minister consistently washed her hands of my request and the contractual and moral obligations that I believe remain to extend gas to Nathalia.

On 19 November I attended a meeting in Nathalia. There were more than 300 people present, which is some 20 per cent of the population of the town — a very big turnout. The Labor candidate for Rodney at the last election made an unequivocal commitment there that if the Bracks government was returned Nathalia would get natural gas.

I alert the house to the grave disappointment that is evident in Nathalia today following the bringing down of the budget yesterday, which saw natural gas extensions to Bairnsdale and to towns on the outskirts of Melbourne but no suggestion that Nathalia would
ever get natural gas. That is a reneging of the unequivocal commitment given by Labor’s candidate.

Budget: outer suburbs

Mr SOMYUREK (Eumemmerring) — I rise to congratulate the Treasurer on the excellent budget he delivered for the outer suburbs of Melbourne last night.

The 2003–04 budget continues the Bracks government’s commitment to building stronger suburbs. This budget demonstrates emphatically the commitment the Bracks government has made to improving services and infrastructure in outer suburban Melbourne. It is doing this rather than building monuments in the city and patronising suburban residents, as Jeff Kennett did before the 1999 state election when he offered to make Dandenong a tourist attraction should its residents vote for a Liberal Party candidate.

My constituents in Eumemmerring Province and other outer suburban constituents will benefit from new and improved roads, schools, hospitals and police stations across the suburbs, and public transport initiatives totalling $171 million as part of the government’s Linking the Suburbs program. In addition to these initiatives the people of Melbourne’s south-eastern suburbs will have a vital transport link in place by 2008, and I speak of course of the Mitcham–Frankston freeway.

The Bracks government’s commitment to innovation and excellence in education and training will see suburban schools benefit. The suburbs will also share in a massive $1.4 billion boost to hospital services and health facilities over the next four years.

National Accreditation Authority for Translators and Interpreters

Hon. KAYE DARVENIZA (Melbourne West) — I want to say how delighted I was to open the 2003 National Accreditation Authority for Translators and Interpreters conference last Saturday. NAATI is an invaluable service to the language services industry in Australia. It provides national standards for interpreting and translating and raises awareness of the need for qualified interpreters and translators. I was very pleased to have the opportunity to report to the conference that the Bracks government has provided $2 million over four years to improve language services in Victoria: to improve the supply and quality of interpreters and meet the demand for language services, as well as monitoring that demand. We are also improving the structural arrangements in government departments and agencies.

I want to take this opportunity to congratulate Mr David Wheen and Ms Sherrill Bell, the chair and chief executive officer of NAATI, on the success of last Saturday’s conference.

Motor vehicles: theft

Hon. S. M. NGUYEN (Melbourne West) — As a member of the Drugs and Crime Prevention Committee I would like to congratulate the Minister for Police and Emergency Services on the one-third reduction in vehicle thefts in Victoria in the past 12 months. This was an innovative program by the minister in the fight against car theft. The reduction in the theft rate is a good result and shows the minister’s policy is a good one.

The Drugs and Crime Prevention Committee conducted an inquiry into motor vehicle theft last year. It undertook a lot of consultation with the public and visited other states to look at how they deal with the problem. We would like to congratulate the minister, who has taken our report seriously in an effort to find a way of handling this matter. I was very surprised but the result was very encouraging — —

The PRESIDENT — Order! The member’s time has expired.

PRISONS: MANAGEMENT

Hon. R. DALLA-RIVA (East Yarra) — I move:

That this house condemns the Minister for Corrections for his inability to manage the prison system which has led to the minister neglecting the responsibilities of his portfolio.

I was given responsibility for the corrections portfolio after the last state election which left only 32 members in the parliamentary Liberal Party. Since then the Leader of the Opposition has seen fit to provide each Liberal member with a responsibility so that portfolio responsibilities are covered. New members other than myself have also been given that opportunity.

Can I say from the outset that when I was given the corrections portfolio I thought I would need to deal with one or two issues in a 12-month period, maybe issues relating to minor matters that came up. Over the last six months, however, it has been anything but. Issues have come up not only from my research and investigations but also from the media, and it has become quite apparent to me and to members on this side that the prison system has been operating at a significant level of crisis. This goes to the point of the
motion: that the minister responsible for corrections has failed in his capacity to manage the prison system.

The prison system, as I will address later, was operating at a level of capacity that was meeting the needs of the growing prison population. I will bring forward a raft of other concerns in speaking to this motion.

The first thing I wish to talk about is the pre-release and post-release programs. The Minister for Corrections was reported in the Sunday Herald Sun of 2 February as saying that the government had committed $43.5 million over four years to pre-release and post-release programs. I must say on the record that I commend the fact that significant amounts of money have been allocated to these programs for prisoners, because they are an important part of the rehabilitation process, ensuring that prisoners re-engage in the community such that they do not reoffend and do not commit further offences that would lead them back into the prison system and into a never-ending cycle.

The frustrating point is that despite the expenditure of roughly $10 million each year organisations such as, for example, the Travellers Aid Society of Victoria are needed. Based at Spencer Street Station, the Travellers Aid Society reported earlier this year that approximately 450 prisoners or their families had gone to them seeking financial assistance to return home to outer metropolitan Melbourne or regional cities. So while on the one hand the minister tells us that the government is spending over $43 million in four years — roughly $10 million each year — we have a situation where in one year 450 prisoners or their families have gone to one organisation alone to seek some financial support just to get home. The assistance they sought could be as simple as, for example, a $12.10 train ticket to Bendigo.

That makes you wonder what we are doing with the prisoners in this whole process. We are providing a program but we are fundamentally missing the point when it comes to releasing into the city prisoners who have reached the end of their term of imprisonment if it is less than four weeks.

Hon. T. C. Theophanous — What has this got to do with the minister? What has it got to do with his inability?

Hon. R. DALLA-RIVA — The minister interjects, ‘What’s this got to do with the minister?’ The minister was reported in the Herald Sun as saying that the government is spending $10 million each year on pre-release and post-release programs, yet he cannot organise things — and prisoners being released into the city do not even have $12.10 to get a train home.

The minister is failing his portfolio responsibilities because he fails to understand that when prisoners are released into the community under programs that will have $43 million spent on them over four years the minister’s portfolio should organise them to ensure that prisoners are not being dumped.

Hon. T. C. Theophanous — What does that have to do with the program?

Hon. R. DALLA-RIVA — The minister is responsible for the program, and it is disconcerting that what could be an inexpensive and effective program, such as providing financial support to prisoners on their release from jail, has been let go by the minister. The other point I make is that we have —

Hon. T. C. Theophanous — Is that it? I hope you are going to come up with some evidence.

Hon. R. DALLA-RIVA — On that one, Minister Recently the minister has referred to the Adult Parole Board. I know the minister has been vocal about the board as an independent body, and I agree with him, but I put the minister on notice that over the last three years the Adult Parole Board has seen a significant growth in the number of parolees, which has grown by more than 70 per cent. That exponential growth over last three years must be of concern to the Victorian community.

Clearly the minister has a problem with the prison system being absolutely overcrowded and now releasing prisoners in excess of previous numbers. Unfortunately, that is now placing other independent organisations, such as the Adult Parole Board, under pressure. If you look at the number of parole releases under the current minister’s responsibility, from 1999–2000 there was a 26 per cent increase from the previous year; from 2000–01 there was a 10 per cent increase; and from 2001–02 there was a 22 per cent increase. Over the period 1998–99 to the last reported period, 2001–02, there was a 70 per cent increase in the number of prisoners being released on parole.

This leads to the fact that in its current form the prison system is slowly and surely grinding to a level of significant crisis. An independent body such as the Adult Parole Board is recognising this by releasing more and more prisoners each and every year, and is now releasing on parole record levels of prisoners.

The concerning point — and this falls within the responsibility of the minister — is the number of...
breaches occurring while people are on parole. The
more prisoners released into the community the higher
the breaches of parole. The Adult Parole Board’s
annual report for 2001–02 shows that the number of
breaches of parole where no action was taken had more
than tripled. The situation is that prisons are in crisis
and that is growing. The parole board is trying to deal
with this issue by releasing more prisoners into the
community, and what is happening is that there are
significant breaches of parole.

Of concern is that where there have been breaches of
parole insufficient action has been taken. This must be
of concern not only to the correctional services officers
who see the prisoners but also the Victorian community
and, of course, the minister must have some
accountability for the breaches of those on parole.

I will now move to what I have classed as education in
the prison system. I refer to the sentencing guidelines in
the Sentencing Act 1991. We discussed recently the
requirement to sentence someone to a term of
imprisonment, because it is important in setting the
framework of what the jail system is about. Under
section 5 of the Sentencing Act the sentences to be
imposed are to provide punishment, deterrence,
rehabilitation, denunciation and protection. I must say
the prison system in Victoria adequately covers those
areas in ensuring protection for the community.

An important guideline for the imposition of sentences
as stated in section 5(1)(c) is:

  to establish conditions within which it is considered by the
court that the rehabilitation of the offender may be
facilitated …

So the act goes towards ensuring that the offender or
the person so incarcerated is rehabilitated. We need to
go to a number of recent issues that have arisen under
the administration of this minister to see how effective
the rehabilitation process has been.

I refer to a previous issue from late 2002, when a
convicted killer, Gregory Brazel, had been operating a
TAB telephone betting account out of his cell. I do not
know what the minister thinks about having prisoners
operate TAB betting accounts, but from reports I think
Mr Brazel acquired something like $30 000 over the
period of those years.

Hon. Bill Forwood — Good on him! Kept him
occupied.

Hon. R. DALLA-RIVA — Indeed it may have kept
him occupied, but I do not think that is part of what the
rehabilitation process should be within the jail system. I
question whether the Victorian community would
expect that — —

Mr Viney — On a point of order, President, I know
Mr Dalla-Riva is new to Parliament but I look at the
motion and note that it condemns a minister, which
makes it a very serious motion before the house. I point
out that the motion before the house condemns the
minister in a very general way in one sense but in quite
a narrow sense in another.

I refer to page 317 of the House of Representatives
Practice, which gives an example of the Senate
condemning and censoring ministers. In each case it
appears that those motions of condemnation or censure
included specific examples. I note that this motion
condemns the minister’s inability to manage the prison
system. I have been listening carefully to
Mr Dalla-Riva and so far he has discussed the parole
board, a $40 million program, breaches of parole,
education in the prison system, sentencing criteria and a
prisoner allegedly operating a TAB account.

President, I seek your ruling on the motion before the
house. The substance of the motion and the only real
thing that could be debated here is the question of the
ability of the minister. The motion before the house
condemns the Minister for Corrections for his inability
to manage the prison system. I ask that you rule that
this debate be held to the words of the motion in
accordance with standing order 9.21, which states:

  A member’s speech must be relevant to the question under
discussion.

Hon. P. R. Hall — On the point of order, President,
I put to you that there is no point of order and that
Mr Viney’s statement is a ridiculous comment. The
motion is clearly about the management of the prison
system and the minister’s responsibilities in that regard.
So far Mr Dalla-Riva has spoken about three subjects
all relevant to the management of the prison system. He
has spoken about pre and post-release programs, the
role of the parole board, and the education system in
prisons; three subjects which are clearly about the
management of the prison system. I put to you,
President, that the comments of Mr Dalla-Riva are
absolutely relevant to the motion before the house.

Hon. Andrea Coote — Further on the point of
order, President, Mr Dalla-Riva is only just developing
his speech. He has 1 hour. He may be new to this
chamber but so is Mr Viney. The issue is that he is
developing his speech, he is working through and
putting a framework of the minister’s responsibilities,
and there is no point of order.
Hon. T. C. Theophanous — On the point of order, President, this is a serious motion. When you put up a motion in this house condemning a minister you do not do it lightly. When you move a motion in this place condemning a minister for his inability to manage the prison system and for neglecting his responsibilities in his portfolio, it is serious. The member needs to put up substantive argument which links the minister to actions he can identify that the minister has taken which indicate that he has somehow abrogated his responsibility. In relation to at least — —

The PRESIDENT — Order! Can the minister come to the point of order and not debate the matter.

Hon. T. C. Theophanous — Yes, President. I will give an example. In relation to the Adult Parole Board, which the member went on about for about 5 minutes — —

The PRESIDENT — Order! Can the minister not raise debate in arguments but raise the point of order.

Hon. T. C. Theophanous — I am not trying to debate it, I am simply — —

Hon. E. G. Stoney — You are.

Hon. T. C. Theophanous — I am not, I am making this point. The member indicated that the Adult Parole Board was an independent board.

The PRESIDENT — Order! It is a debating point.

Hon. T. C. Theophanous — It is not.

The PRESIDENT — Order! I asked the minister to raise the point of order and not a debating point. Quoting what the member has said with respect to the arguments he has put as part of his contribution is debating. The minister should make comments further to the point of order; otherwise I will rule on the point of order.

Hon. T. C. Theophanous — Let me make this point. If the minister has become involved in directly trying to interfere with an independent board, then that is a matter which goes to the minister’s conduct.

The PRESIDENT — Order! The minister is still debating and not speaking further to the point of order, so I will rule on the point of order raised by Mr Viney.

The motion before the house at the moment is wide ranging, and the member is able to canvass his views in a wide-ranging way. It has been pointed out that we are nearly 20 minutes into the 1 hour that is available for the member’s contribution. The member is entitled to develop his arguments. The motion before the house talks about the prison system as a whole. I ask the member to continue with his contribution. I do not uphold the point of order.

Hon. R. DALLA-RIVA — Thank you, President. To clarify my statements on the Adult Parole Board, it is important to note that I particularly said there were a significant number breaching parole. I referred to the Department of Justice annual report for which the Minister for Corrections has responsibility and which covers community-based offender supervision. That is an area for which the minister has direct control and responsibility, and that is within the Department of Justice annual report.

Getting back to education in the prison system — and I mentioned Gregory Brazel — I also want to talk about some of the other issues raised over the past months. A couple of those relate particularly to Julian Knight. Members may recall that Julian Knight was found with an array or cache of records, pornography and other paraphernalia. It is interesting to note that when it comes to rehabilitation under the requirements of the Sentencing Act, the minister has the responsibility to ensure prisoners within the system are being adequately protected and rehabilitated. I am putting forward to the house that issues relating to Julian Knight and Greg Brazel indicate that the minister is clearly not on top of his portfolio.

I also refer to recent matters relating to Jason Roberts. As members are aware Jason Roberts was placed on a mentoring program when he was still on remand. It goes to the point that we have a system that allows a person who is on remand, charged with the murder of police, being allowed to undertake a program to support the rehabilitation of other prisoners. I put to the house that the minister needs to be totally aware that the system of rehabilitating prisoners in Victoria is failing. In terms of the responsibility of the minister I question what other matters in relation to the education and rehabilitation prisoners we will find out in the future. That is a concern.

The other point I move to is the significant issue of the overcrowding of prison institutions. This is an ongoing bugbear of the minister. The facts and realities are, as I will present the evidence to the house, that under the previous Kennett administration the prison system was meeting its average daily prison capacity utilisation rate. In particular, on 9 May 2002 the Minister for Corrections said:

We have planned our prison strategy for the next 10 years. We know what the demand is going to be and we are providing infrastructure to meet it.
That sounds great, but the fact is that for the past four years the prison system has been allowed to continually grow and grow to the point where it is now at bursting point. The house will hear other speakers talk about the fact that the prison system has been growing and growing. The minister can talk about what will occur in the next 10 years, but the realities are that the minister has neglected his responsibilities, because he should have been dealing with the prison system for the last four years. The realities are that prior to his becoming the Minister for Corrections the prison system was never at the point it is now. This is part of the argument that I will put forward.

One of the concerns is the closure of Won Wron prison. I know the National Party will speak at length in relation to that, so I will not go further on that. I refer to the 2000–01 annual report of the Department of Justice. This is under the direct control and responsibility of the minister. It states on page 9 of the report that the average daily prison design capacity utilisation rate for 2001–02 was 119.6 per cent. That means the prison system was 20 per cent above its design capacity. That is a great tragedy. On page 9 the Department of Justice statistical profiles for the Victorian prison system refer to the average daily prison capacity utilisation rates between 1995–96 and 1999–2000. I will read them out. For 1995–96 it was 93.8 per cent; 1996–97, 93.3 per cent; 1997–98, 94.2 per cent; and 1998–99, 99.3 per cent.

Hon. T. C. Theophanous — Where do the figures come from?

Hon. R. DALLA-RIVA — Read Hansard because I gave the source. I refer to the figures for 1999–2000 when the minister took over direct responsibility for corrections and prisons, including prison capacity rates. In 1999–2000, the figure was 106.5 per cent; in 2000–01, 113.9 per cent; and in 2001–02, 119.6 per cent. If we continue going down that path we see that on 3 April this year we have the highest prison population ever in Victorian jails, with the prison population growing to 127.9 per cent. When we departed from office the average daily prison design capacity utilisation rate was 99.3 per cent; Now, less than four years later under this minister the present rate is 127.9 per cent.

Hon. T. C. Theophanous — On a point of order, President, the member keeps reading a whole lot of figures in relation to the operation of the prison system. I asked him to identify the source of those figures, and he said he was reading from the Hansard. I ask him to identify which part of Hansard and who exactly he is quoting in relation to the figures, because there are rules in the house about what can be quoted from Hansard.

The PRESIDENT — Order! The request is reasonable. All members know they should identify the source when they are quoting something. Will the member identify the source? It is quite simple.

Hon. R. DALLA-RIVA — President, I was not quoting from Hansard. Before I went on to discuss the issue of the average daily prison design capacity utilisation rate I said the source was page 9 of the annual report of the Department of Justice and the statistical profiles for the Victorian prison system between 1995–96 and 1999–2000. President, I identified the source, and when the interjection from the other side was made I told the member to read Hansard.

When the Labor government was elected in 1999 and the present minister was given responsibility for corrections, the average daily prison design capacity utilisation rate was at 99.3 per cent, but less than four years later, as at 3 April this year, the rate is 127.9 per cent. That is important because it goes to the minister’s responsibilities.

If one looks at page 40 of the 2001–02 annual report of the Department of Justice, one finds that the average daily prison design utilisation capacity rate under the heading ‘Prisoner supervision and support — provides constructive containment of prisoners’ has a target of 120 per cent.

We have the situation in our prison system, which is the minister’s responsibility, where the annual report says the proper containment of prisoners within the correctional services system should be 120 per cent — which is the figure at which the supervision of prisoners can be maintained — yet the prison system is currently running at 127.9 percent. I am happy to say that the recent figures I have from 3 April indicate there were 3673 prisoners, and the utilisation rate had dropped to 123 per cent. That is still above what the minister’s annual report says.

Ms Hadden — By 3 per cent!

Hon. R. DALLA-RIVA — Yes, 3 per cent it may be, but the realities are that 3 per cent may mean the difference between providing adequate support for the prison system or having a system that is in crisis. That is the concern I have: each year it has grown and grown to the point where it is now at bursting point. I will not say too much about the budget figures, but when we do debate them honourable members will hear...
how the figures have changed. What the government is doing is just changing the figures.

The other interesting point is that when the minister was asked a question in relation to the prison system he said that ‘he’, meaning me, had not acknowledged that we were at 127 per cent of design capacity.

Ms Hadden — On a point of order, President, the member appears to be reading from Hansard. That is not the accepted practice in this house. He has already been given a subtle warning by this side of the house, and I ask you to rule on the matter.

The PRESIDENT — Order! My ruling is that the member has identified the fact that he is quoting from the Hansard record of question time in the other place yesterday. That is acceptable to this house, therefore I do not uphold the point of order. The member, to continue.

Hon. R. DALLA-RIVA — The other important issue to bring to the notice of the house is how the minister actually manages the prison system and the fact that our prisons are bursting at the seams, as has been frequently reported in the newspapers. The Age of 24 April 2003 quotes the minister’s spokesperson as saying:

Bunk beds had also been implemented where appropriate.

Bunk beds! The prison system is groaning under a crisis, as I indicated in my speech. Each and every year the system has deteriorated compared to what it was when the Liberal Party was in government, and the minister’s solution to the problem of overcrowding in the prison population is to put in bunk beds. I am not too sure what type they are, but the reality is that when you have a prison that has been designed to accommodate one person in one cell and you put two people in one cell that demonstrates a level of crisis. It demonstrates that the minister could and should have addressed the problem of a growing prison population rather than sitting on his hands and not moving on this issue.

I now turn to the cost of the prison system to the Victorian community under this minister. I refer to the commonwealth Productivity Commission’s corrective services report dated February 2003, and in particular to figure 7.14, table 7A.34. I also refer to the annual report of the Department of Justice 2001–02, page 40, for clarification. Under this minister’s regime in the last financial year the cost of keeping prisoners in Victorian jails has grown from $47 000 to $53 901.

Mr Viney — On a point of order, President, the member has now been speaking for more than half of his allotted time, even allowing for about 5 minutes of points of order. I accept the President’s ruling earlier that there is the capacity for a wide range of discussion in the debate; however, a motion condemning a minister requires that when the member moves such a motion the debate should be relevant so as to create at least some semblance of — —

The PRESIDENT — Order! I have already ruled on the subject of this point of order. It is a wide-ranging debate. The member is now quoting statistics and figures about the prison system from, I think, the Productivity Commission. It is within the realms of the motion before the house. I do not uphold the point of order, and I ask the member to continue.

Hon. R. DALLA-RIVA — As I was saying, the cost of maintaining prisoners in Victorian jails over the last financial year has grown by 13.1 per cent. If you take into account the inflation rate and the fact that the consumer price index was only 2.8 per cent, and also take into account the commonwealth Productivity Commission’s report that the average recurrent costs per prisoner had only increased by 6.6 per cent, we have a situation where not only is the prison system growing and trying to compete with an oversaturated prison population but on top of that the cost to the Victorian taxpayer has more than doubled the national average in one year. This is telling in terms of the minister’s approach in his dealings within the prison system.

Another important point worth noting is that whilst I said that the cost of the management of prisons had grown by 13.1 per cent per prisoner over the last financial year the reality is that the total cost has grown by 19 per cent, because the number of prisoners has obviously increased. In 2000–01 the total cost per year was $156 million and in 2001–02 it had grown to $185 million, an increase of $29 million or 19 per cent. The Victorian public should be concerned that the prison system is in substantial crisis. It is not only oversaturated but its financial management, which is the responsibility of the minister, is clearly not being addressed.

It is also important to note that these issues were brought to the media’s attention in relation to that. It is a shame that the minister has overseen that.

There are a number of other issues to touch on briefly. Obviously we have seen, again from somebody independent — that is, the state’s Health Services
Commissioner, Beth Wilson — a call for urgent action to improve holding cells. She described them as cages. This related to the practice and the number of complaints that her department has received from prisoners. It has grown substantially as was reported in the Age on 18 March. The commissioner put forward her concerns to the minister relating to the transfer of prisoners and their treatment. Again, that demonstrates that when the prison system continues to grow and grow other problems will come up as a result.

I move on to what I would class as the catalyst for the minister’s responsibility in terms of the home detention law. I know this has not been debated yet so I do not wish to move further on it, but it is clear in my view that the minister, having failed to meet his obligations and responsibilities, has now looked at an easy out in terms of home detention. That will be a significant impost to Victoria, but I will not talk as much as I could on that issue.

It is clear the Victorian prison system is currently in crisis. It is clear that the Minister for Corrections is unable to manage the prison system. I have demonstrated over the past 30 or 45 minutes that there is a portfolio responsibility that theoretically, as I indicated earlier, should have been one where one or two stories may have been an issue but for which there would not be the sorts of problems we see under the current minister. It concerns me that we have the current situation.

As I said, the prison system was at its worst on 3 April where it was sitting close to 130 per cent of its capacity. That will concern the Victorian community in the management of the prison system, but in turn I think we also need to reflect on the work of those dedicated correctional services officers who every day provide correctional support and must deal with our prison system. It is incumbent on the minister and it is his responsibility not to neglect them in terms of this overall process. We can debate this motion today which condemns the minister, but at the end of the day it is important to put on record the work that the correctional services officers have been trying to do. It is important to acknowledge that they work under enormous strain because the minister just cannot seem to get it right.

As I said, the prison system has grown each and every year during the time of the minister’s responsibility for the portfolio. It is not something that was unknown, and it is remiss of the minister to assume that bunk beds are the solution in terms of ensuring that those prisoners who are subsequently released from the prison system will feel that they have at least undertaken some level of rehabilitation. I truly believe that where you have two prisoners in a room that is clearly designed for one prisoner you are courting disaster. The minister is well aware of it because he raised in the press the issue of bunk beds being an appropriate measure.

In Hansard the minister is quoted as saying a level 127 per cent above the prison design capacity is acceptable. I put it to the house that the minister has failed to adequately deal with his responsibilities. The minister has failed to meet the requirements of ensuring a proper and appropriate prison correctional system. It is important to acknowledge that his is a portfolio where there should be no long-term concerns, but there are long-term concerns, and by expressing his spin about 10 years the minister will not in the immediate, short or even medium-term sort out the problems.

The minister has not addressed these issues. Over a period of four years the government’s position has been one of drift, spin and promises — ‘We will rebuild. We will do this and we will do that’. The fact of the matter is, as I have demonstrated to the house through statistical information, that the minister has not adequately understood his portfolio responsibilities, and on that basis I reiterate the motion:

That this house condemns the Minister for Corrections for his inability to manage the prison system which has led to the minister neglecting the responsibilities of his portfolio.

I commend the motion to the house.

Ms MIKAKOS (Jika Jika) — Given that the Honourable Richard Dalla-Riva has moved such a dramatic motion condemning the Minister for Corrections, I find his contribution on this issue quite extraordinary. We have all encountered an astounding exercise this morning: having a speech that has gone for 45 or 50 minutes in which the shadow spokesperson produced a total of zero evidence to substantiate the dramatic motion he has moved.

I will seek to outline in my contribution why the opposition’s position and motion is so ridiculous in view of the very significant achievements that the Honourable André Haermeyer has achieved whilst he has been the Minister for Corrections in the other place. At the outset, I congratulate him for his very fine work and his demonstrated commitment to turning around the mess in the corrections system that the Kennett government left as a legacy and which the Liberal Party spokesperson has very conveniently forgotten this morning.

We need to be a little bit understanding of the difficult position that the honourable member is in. He has come
into Parliament and as a new member has been appointed as the spokesperson for corrections. I congratulate him on that appointment. However, it is interesting that he, as a new member, is moving a motion of this nature about a highly complex portfolio. It is quite clear, unfortunately, that the Liberal Party spokesperson is not on top of the facts in the corrections portfolio.

It is interesting that the Liberal Party has not even found it appropriate to appoint the member as a shadow minister. That clearly reflects the value the Liberal Party places on the portfolio. It is apparent that it values the corrections system very little — that is why it spent barely a cent on corrections during the seven years of Liberal-National Party administration in this state. We know that the Liberal government spent barely a cent on the prison system in this state — they barely opened a new bed and had no long-term strategy for prison management. It is interesting that the honourable member has completely failed to make any mention of these facts during his contribution.

Ms Hadden — He’s gone! Mr Dalla-Riva just walked out!

Ms MIKAKOS — I hope that the Liberal Party spokesperson will sit in the chamber and listen to what I have to say in my contribution because it is a very important issue and one which this government is very much committed to.

I want to turn firstly to the issue of police cells, which the honourable member made reference to in his own contribution. I note that during the term of the Kennett government an increasing number of offenders were put into police cells rather than the existing formal prison situation.

Ms Broad — That was a terrible situation.

Ms MIKAKOS — That was a terrible situation. I note in particular that for many years the Preston police station, which is a very old police station — and I am very grateful to the Minister for Corrections, wearing his other hat as Minister for Police and Emergency Services, for undertaking to build a new police station in the Preston electorate — has accommodated prisoners in its cells in what are quite appalling conditions because it is such an old police station. I am very pleased that that situation will now be rectified.

I remind the honourable member that at any one time during the Kennett administration there were as many as 344 people in police cells. By contrast, under the Bracks government that number averages 109 people in cells — that is the figure I have for March 2003, and we expect a similar number for April. That represents a decrease of 55 per cent from March 2002 and nearly a two-thirds reduction from March 2001.

I note that on 28 March the number was as low as 78, which is a very low figure indeed. It is very pleasing to see this reduction in the number of offenders being held in police cells because, as we know, police cells were not designed to be anything more than holding cells for a few days; they are not intended to be prison cells.

The government wants to free up police from being jailers and to put people into the formal prison system. That is what we are doing: we are building more permanent beds — we are putting significant funding into capital works in the corrections system. I will outline what those works are and the nature of this government’s commitment to our corrections system. But firstly I want to turn to the assertion of the Liberal Party spokesperson about the issue of prisoner numbers in the prison system.

Mr Dalla-Riva has issued a number of media releases claiming that we have too many prisoners and that the system is bursting at the seams. He did this again today in his contribution. He trotted out the line that the prisons are bursting at the seams but in the same breath he said that we are spending too much money on corrections. I am not quite sure how you can reconcile those two positions. We still do not know what the Liberal Party’s corrections policy is; I will come to that in a moment. How can you reconcile claims that there are allegedly too many people in the system and not enough beds with claims that we are also spending too much money?

Ms MIKAKOS — Perhaps Mr Smith is correct and the Liberal Party’s solution is to slash police numbers as it did under the Kennett administration so they cannot arrest people, cannot prosecute people and cannot see them convicted and have them put into our prison system.

Mr Smith — Problem fixed!

Ms MIKAKOS — Correct, Mr Smith — that fixes the problem. Perhaps that is the Liberal Party’s policy and that is how it plans to fix up this so-called crisis in the corrections system.

I point out that to this day we do not know what the Liberal Party’s corrections policy is; it is open to speculation. We can surmise what that policy might be from what Mr Dalla-Riva said in his contribution. I note that on the Thursday before last year’s election the
then shadow Minister for Corrections and member for Wantirna — now the member for Scoresby — in the other place debated the Minister for Corrections on Jon Faine’s program on ABC radio. During this interview the member for Scoresby was asked where the Liberal Party’s corrections policy was and he advised listeners that there were still a few days to go in the election campaign and that he would release the policy. Do members know what actually happened? It was never released. Here we have a party which claims it is the alternative government but which fought an election campaign — —

Hon. R. Dalla-Riva — On a point of order, President, while it is great for members opposite to bathe in the glory of the last election, we are actually talking about the Minister for Corrections in the current government and the member is debating a program from before the election last year.

The PRESIDENT — Order! Ms Mikakos is the lead speaker for the government. It is a wide-ranging motion and she is entitled to some latitude. I do not uphold the point of order.

Ms MIKAKOS — It is interesting to see how touchy the opposition is every time we come to the question of its policies. Members opposite are very touchy because they have no policies. We know that from the election campaign and the fact that most of the opposition’s policies were pie-in-the-sky stuff. It is amazing that the Liberal Party did not even bother to put out a corrections policy. To this day the people of Victoria do not know what the Liberal Party stands for in the area of corrections. We look forward to Mr Dalla-Riva outlining those policies in the coming months. I hope he will be able to fill the policy vacuum left by his predecessors in this area.

By contrast, the Bracks government has very clear, well-defined policies and strategies in place. I seek to outline some of those policies and strategies. I note that in his argument Mr Dalla-Riva talked about the issue of overcrowding. As I indicated, he has put out some media releases in the past few weeks on this issue. He has been talking in particular about overcrowding in terms of the design capacity of prisons, which is the number of prisoners the prisons were originally designed to hold. We have to note that in the seven years it was in government the Kennett administration added only 100 beds to the corrections system. The Kennett government left the prison system bursting at the seams — that is the legacy it left for the Bracks government to fix. It is for that reason that the system is currently over the design capacity — because of this lack of responsiveness by the Kennett government in its
term of administration. However, the system is at only 92 per cent of total capacity because the government has taken a number of measures to deal with this issue. The government has implemented a temporary bed strategy that has put in 940 beds across the system.

The Bracks government has acknowledged that the temporary beds are not a long-term solution. However, it had to take some short-term measures to alleviate the pressures that arose in the system as a result of the Kennett government’s failure to act on this issue. In terms of looking to the future the government has implemented the corrections long-term management strategy. This strategy comprises a number of components, including an infrastructure program and the redevelopment of community corrections.

I draw the attention of members to the existence of the Building a Responsive Corrections System — Corrections Long-term Management Strategy — The Next Five Years document, which is quite significant. It is the first time since the Cain-Kirner government that a state government has actually developed a long-term strategy for Victoria’s corrections system. This strategy looks at the different ways we can comprehensively provide for a safer community and offer prisoners and offenders genuine opportunities for rehabilitation. I will come to this long-term strategy a little bit later in looking at our capital infrastructure spending.

I note that on 24 April Mr Dalla-Riva issued a media release saying that the prison system was bursting at the seams with too many prisoners.

Mr Smith interjected.

Ms MIKAKOS — I do not know if anyone did bother to read it, Mr Smith. I was able to locate this release through the Internet.

At almost the same time as Mr Dalla-Riva issued this release the Minister for Corrections was opening a total of 109 new prison beds at Barwon and Port Phillip prisons. Mr Dalla-Riva forgot to mention that in his media release. To date, under the Bracks government’s $334.5 million corrections long-term management strategy, more than 600 extra beds have been opened in the prison system, with hundreds more to come. As Mr Dalla-Riva knows, when this strategy is completed there will be 1073 extra permanent beds in Victoria’s prison system. As I indicated earlier, the government is committed to a long-term strategy of replacing temporary beds in the system with permanent beds.

The new beds that have been opened during the term of the Bracks government to date include 34 beds at Port
Phillip Prison, 50 beds at the Dame Phyllis Frost Centre, 75 beds at HM Prison Barwon, 68 beds at the Fulham Correctional Centre, 70 beds at HM Prison Loddon and 22 beds at Tarrengower. There have also been significant upgrades to Ararat and Langi Kal Kal prisons.

In addition to the new beds that have already been put into the system we are committed to building three new prisons under this strategy, including a 120-bed minimum security prison at Beechworth, which is currently under way, a 300-bed medium security correctional program centre at Lara adjacent to the Barwon prison, and a 600-bed remand prison at Ravenhall adjacent to the Dame Phyllis Frost Centre. It is quite clear from this that the Bracks government has a strong commitment to fixing the mess left to it by the Kennett government and putting a real effort into the corrections system. It is not just about opening new beds, important as that is; it is also about a series of other initiatives such as the redevelopment of community correctional services and pilot programs such as the bail advocacy support program.

I will quote from the document I referred to earlier, "Building a Responsive Corrections System — Corrections Long Term Management Strategy — The Next Five Years", in respect of the important issues of bail advocacy and support services. It is very important that we provide adequate support to prisoners to ensure that proper rehabilitation can occur and that we keep people out of the correctional system. The document states:

Continued funding for the bail advocacy and support service will be provided at the cost of $400,000 each year. The service works in partnership with community agencies to conduct accommodation assessment and referral of defendants who would otherwise be denied bail by the courts and therefore placed on remand.

A number of strategies referred to in the document are specifically designed to break the cycle of crime. I note that since July of last year Victoria’s crime rate has dropped 8 per cent. Clearly the more than 800 police we have put into the system are having an impact. Members will be aware that in the budget handed down yesterday the government has committed to put a further 600 police onto the streets to make Victoria a safer community. That is all part of the Bracks government’s commitment to redressing the decimation of police numbers that occurred under the Kennett government and to making Victoria a safer place to be.

Victoria has the lowest crime rate in Australia, and we should congratulate the minister in his capacity as the police minister and the Bracks government for achieving that outcome. It is important to put those results on the record because Mr Dalla-Riva spoke earlier of spending too much money on the corrections system. The government does not apologise for the fact that it has increased funding in the corrections system to introduce innovative programs of this type. We are turning things around from the mess the Kennett government left us with.

There is a number of independently determined criteria for assessing the health of the state’s corrections system. Mr Dalla-Riva did not refer to any of those criteria, demonstrating the fact that he had no evidence to substantiate his motion. The Steering Committee for the Review of Commonwealth/State Service Provision, which is a national committee, publishes every year a report on government services. This report includes national performance data on the efficiency and effectiveness of service delivery in corrective services.

The latest data for 2001–02 was published this year in a report, and I will indicate some of the findings because they are important. It was found that in 2001–02 compared with other jurisdictions Victoria performed best on the percentage of eligible prisoners employed — 84 per cent compared to the national average of 78 per cent. Victoria also performed best in serious assaults on staff — indeed, there were no such serious assaults on staff during that financial year.

In 2001–02 Victoria performed well compared to other jurisdictions in terms of the cost per prisoner per day in this state, which was determined to be $145, the third lowest after Queensland and below the national average of $149. Victoria continues to have the lowest total cost for corrective services per head of adult population per year, and it is far below the national average.

On the issue of serious assaults on prisoners the report found that the Victorian rate was the same as the national average; however, Victoria’s less serious prisoner assault rate was about half the national average. The rate of deaths of prisoners from apparent unnatural causes in Victoria was half the national average.

On the criteria of successful completion of community corrections orders, Victoria was slightly above the national average, which is important in ensuring appropriate rehabilitation for offenders. The completion rate for reparation, or community work-type orders, was 78 per cent, the second-highest after Tasmania. Victoria’s rate of prisoners returning to prison within two years of release, effectively the recidivism rate, is 33.7 per cent, which is below the national average of 37.4 per cent.
On all these independently determined criteria on which we could objectively assess the performance of Victoria’s corrections system, Victoria is way ahead of the national average on a number of them. The evidence demonstrates that Mr Dalla-Riva’s motion is completely unsubstantiated. In fact, the contrary is true — the corrections minister is doing an excellent job which is quite apparent from the national data that shows that Victoria compares extremely well with other states and is way ahead of the national average on a number of those independently assessed criteria.

I turn to some of the other initiatives the government has developed as part of its long-term management strategy for the corrections system, in particular the program that relates to Victoria’s prison drug strategy. This is an important initiative and demonstrates why Mr Dalla-Riva’s assertions that we are spending too much money is a silly argument because clearly we are allocating spending into very productive and needed programs.

The Office of the Correctional Services Commissioner has undertaken an extensive campaign to review and improve the Victorian prison drug strategy, and this strategy was implemented on 26 March 2002. The new strategy aims to improve ways to keep drugs out of prisons and reduce drug use by prisoners. It also aims to prevent or minimise the health problems and harm caused by drug activity.

Funding of $4 million over four years was made available in the 2000–01 budget to support the introduction of new measures to deal with drug-related problems in Victorian prisons. This funding has resulted in the introduction of additional drug detector dogs, a strengthened drug-testing program and the implementation of harm reduction programs for prisoners.

This strategy is very important because it seeks to ensure that people can stay drug free while in the corrections system and can clean themselves up and embark on a process of rehabilitation. Apart from the initiatives this funding has provided, the program also includes a bridging-the-gap program, a methadone program, a Victorian prison drug fund, a Turning the Tide program and other initiatives.

That is an indication of the real commitment the Bracks government has to rehabilitation to ensure that our correctional system is working properly. The government has made a very real commitment for those types of programs, such as the drug initiative and other programs, and also the very real commitment to capital funding of over 1000 new permanent beds into the system. It is clear that Mr Dalla-Riva has engaged in some good old-fashioned grandstanding. We are accustomed to the opposition not standing for anything and not having any policies. The Liberal Party has no corrections policy. We are accustomed to getting a whinge from the opposition on an issue every day, and this happens to be today’s whinge.

It is important that Mr Dalla-Riva when he no doubt has another go at a later time looks at the details and the national data, for example, and that he acknowledges the positive work the Bracks government is doing in the corrections system.

The motion moved by the opposition is ludicrous. The member who moved the motion has not demonstrated any commitment to fixing the corrections system. There is no Liberal Party policy for corrections. It is a ludicrous position to be in and then in this chamber to move a motion of the nature that has been moved. It is for that reason, I move:

Omit all words and expressions after ‘That this house’ and insert —

‘notes that the Minister for Corrections has overseen a series of initiatives to manage the prison system in a far more professional and humane way than during the Kennett government including:

(a) 1073 additional permanent beds being constructed;
(b) introduction of a prison drug strategy which has resulted in a reduction in positive drug tests;
(c) a program which has reduced deaths in custody by more than half; and
(d) $50 million to improve cell safety

and believes that such initiatives have resulted in a more efficient prison system under the present government’.

I shall speak briefly to the amendment. It is a very reasoned amendment, one that clearly reflects the initiatives that I have already indicated that the Minister for Corrections has been responsible for implementing during the last three years. As I indicated earlier, the Bracks government has committed $334.5 million to the corrections long-term management strategy, which has already delivered more than 600 extra beds in the prison system. There will be a total of 1073 new permanent beds in the corrections system when that strategy is completed.

The amendment also acknowledges the important prison drug strategy, which is seeking to introduce a drug-free environment. That is important in ensuring that prisoners are able to engage in rehabilitation programs while they are in the corrections system and
also to ensure that harm reduction strategies are put in place to reduce the health risks for staff and prisoners and to ensure that a range of measures is put in place to detect drugs in the prison system.

I have indicated some of those initiatives. The major initiatives also include the purchase of 13 breathalysers to test for alcohol across the system and also the purchase of an ion scanner to strengthen drug-detection efforts. That acknowledges the important work the government is doing on its prison drug strategy.

I regard the amendments in paragraphs (c) and (d) as very important parts of the government’s corrections program. As the chair of the Aboriginal Justice Forum, which is currently reviewing the recommendations of the royal commission into Aboriginal deaths in custody, I note that that royal commission report that was handed down close to nearly 12 years ago found that Aboriginal deaths in custody was a very important issue across the whole country. It is therefore essential to seriously address this issue.

This government has been very much committed to minimising these terrible tragedies of people taking their own lives while they are in the correctional system. For that reason it has engaged in a number of initiatives, in particular committing $50 million to improve cell safety and programs that have reduced deaths in custody by more than half. Those programs and that outcome are very important, and it is important to acknowledge the very fine commitment of the government in this respect and its tremendous achievements in reducing deaths in custody in Victoria’s correctional system.

In conclusion, the Liberal Party’s motion should be opposed. It is a clear demonstration of the opposition’s political grandstanding. The opposition clearly has no corrections policies of its own. All it is prepared to offer is a contradictory position arguing on the one hand that there is an alleged crisis in the prison system and on the other hand that we are spending too much money. It is apparent that the only logical conclusion to be reached from that contradictory position is that the Liberal Party wants to see fewer police on the streets and fewer people put in the correction system as a way of alleviating these pressures.

I urge members to oppose the motion moved by Mr Dalla-Riva and to support the amendment I moved earlier.

The ACTING PRESIDENT (Hon. J. G. Hilton) — Order! Debate is now on the motion and the amendment.

Hon. P. R. HALL (Gippsland) — I want to start by thanking Mr Dalla-Riva for bringing this matter of concern to the attention of Parliament and providing us with the opportunity to have a worthwhile debate on this subject. Wednesday mornings provide the Legislative Council the opportunity to debate a diverse range of subjects that individual members feel are of importance beyond the government’s business program. It is an important part in the way this house works and provides an important opportunity for members to raise issues.

This morning we have had so far a general discussion about matters associated with the prison system, which is more than appropriate; it is the role of this Parliament to discuss matters of public interest as we are doing this morning with this motion moved by the honourable Richard Dalla-Riva.

What annoys me is that people start getting petty about some of the debates that take place on this particular subject. The points of order taken during the contribution of Mr Dalla-Riva were petty. They proved to be, as the President said, completely out of order and were nothing but a distraction for him, which I think was the Labor Party’s intent in moving them. Indeed, Ms Mikakos spoke about the same sort of issues — programs in the department. The motion talks about the management of the prison system, for goodness sake! So we talk about issues relevant to the prison system and how the minister manages those, and Mr Dalla-Riva was within his right to raise those very important matters as he did.

I even welcome Ms Mikakos moving her reasoned amendment, because it gives us the opportunity to talk about some of the things she would like addressed during the course of this debate. I was invited by Mr Theophanous to take a point of order on the amendment, because it is a direct negative of the motion. It probably is and we probably could take a point of order, but I for one will not be doing that...
because this has to be a sensible debate, and we all should have the right to raise matters relevant to the motion before the house. I therefore welcome both the motion and the reasoned amendment being moved and incorporated for discussion during the course of this morning’s debate.

I will talk in general about some of the issues related to prisons. I will also talk about a particular decision taken by this government that relates to the management of the prison portfolio. This debate is timely, because yesterday was the second anniversary of the Bracks government’s announcement that the Won Wron prison in South Gippsland would close. A statement was made in the 2001 budget that both Won Wron and Beechworth prisons would close, and that the government would rebuild minimum security prisons somewhere around the state.

I know, and Ms Mikakos stated, that the construction of a replacement prison at Beechworth was under way, but certainly no announcements have been about the future of Won Wron prison. I will talk about that this morning, because I believe the minister has grossly mismanaged this aspect of his portfolio. The government’s announcement in the 2001 state budget to close Won Wron continues to confound me, as it continues to confound the people of Yarram and district, because there is simply no logic whatsoever in that decision. I can report to the house that the Yarram community is absolutely galvanised in its opposition to this government’s decision.

The closure is also illogical because the government has a problem with prison capacity and prison numbers. Even the government’s own budget papers, which were tabled in this Parliament yesterday, point out that there is a problem. I refer to the budget because I want to discuss a couple of things which are related to corrections in particular and which were not mentioned by Ms Mikakos when she spoke about the budget.

I refer firstly to page 204 of budget paper 3, where under the heading ‘Review of 2002–03’ dealing with the Department of Justice it says:

> Budget and subsequent budget reviews concerning the early implementation of the government’s priority election commitments have been either successfully implemented or substantially progressed including …

And there is a number of dot points. One of the dot points relates to prisons. It says:

> progress on the implementation of the corrections long-term strategy. The prison capacity is almost complete and the construction of new prisons (while slightly delayed) is being managed.

Two things strike me about that paragraph. Firstly, I do not know what the first part of it means. Perhaps subsequent government speakers can explain to me what ‘the prison capacity is almost complete’ means. What does that statement mean? If it is talking about a building program or an accommodation program perhaps that would make sense, but I simply do not understand what ‘the prison capacity is almost complete’ means. Perhaps somebody will explain it to me.

There is also an admission that things are not progressing as they should:

> ... the construction of new prisons (while slightly delayed) is being managed.

Somebody from the government can perhaps explain that delay and why its commitments given in 2002 and 2003 are being delayed.
I will continue to refer to the budget papers on the issue of prisons. I refer to the section ‘Outlook for 2003–04’ on page 205 of budget paper 3. Under the same heading on page 206 it talks about prisons under two dot points. The first says:

alternatives are being developed to divert low risk offenders from custodial sentences to appropriate and effective community supervision and treatment orders, and provide enhanced pre and post release support to reduce the likelihood of released prisoners returning to the correctional system; and …

It then goes on to the next dot point. I guess we will have debates about that in the Parliament over the next few months because I read that the government was looking to introduce home release for prisoners, which is an issue of great controversy in the community. One can hardly but think that the government is trying to address the problem of overcrowding in prisons by the release of prisoners back into the community. I do not think our communities really want that. It is a way of solving a problem, but it will not be acceptable to the people we represent.

The next dot point says:

existing prison facilities will be expanded to meet projected growth in prison numbers and ensure that the Victorian prison system provides safe, secure and humane correctional facilities and an environment conducive to rehabilitation.

The government says that prison facilities will be expanded, but I looked through the documents and I cannot find anywhere in the budget papers where there is a dollar commitment to actually expand prison facilities. If I am wrong I would love to be corrected and given a direction to where in budget papers 1, 2 or 3 there is a dollar commitment towards building new prisons.

Ms Hadden — I will address that in the budget speech. This is a motion.

Hon. P. R. HALL — It is a motion related to prison operation and prison capacity.

Ms Hadden — To be heard at the appropriate time.

Hon. P. R. HALL — I think there is a challenge to the government today when the lead government speaker talks about the budget. She could only talk about police numbers in the budget, I note; she could not talk about prison facilities in the budget. If the lead speaker for the government wants to talk about the budget let us have a full debate about prison issues as well as general Department of Justice issues in the budget. I would love subsequent speakers to identify exactly where in the budget papers there are dollars to expand — —

Ms Hadden — It is for the budget speech.

Hon. P. R. HALL — It is not for the budget speech, it is on the motion before the house today about prison facilities, and it is relevant that this government is not — —

Ms Hadden — It is relevant for another time.

Hon. P. R. HALL — It is not relevant for another time, it is pertinent to the motion before the house today. Let me continue and not be distracted by interjections from Ms Hadden.

I refer to page 233 of budget paper 3, where it talks about prison utilisation rates as one of the output measures of the Department of Justice. A table on page 233 refers to ‘Average daily prison design capacity utilisation rate’. It says that the actual for 2001–02 was 119.6 per cent. I interpret that to mean — and once again I am absolutely sure I am right — that our prisons were overfilled by 19.6 per cent. The target for 2002–03 was 117 per cent — not much more. They were a bit above target. What really alarms me is the target for 2003–04. It says the target is 117 per cent to 123 per cent. It is expected that in the next financial year our prisons will get more crowded because the government is expecting almost 25 per cent overcapacity in Victorian prisons. Yet what are we doing in this budget to address that problem? Absolutely nothing, because there is no expenditure for additional facilities.

I looked everywhere in the budget papers. I looked to the balance sheet performance on page 243. I looked at the new initiatives for 2003–04 within the Department of Justice, and there is funding for new police stations in Bairnsdale, Bendigo, Brunswick, Caroline Springs, Pakenham and Warragul. I see funding for stage 6 of the rural police station replacement program. I see funding of $1.7 million for the police forensic laboratories. I see capital costs related to the new firearms regulatory framework of $3.6 million, and a new Moorabbin court complex to be constructed. But I do not see one single initiative in 2003–04 related to prison capacity. No new prisons are being built.

The government, on its own figures, admits that the overcrowding and the incapacity in our prisons will get worse in the next 12 months, and that by the end of 2003–04 there will be 23 per cent overcapacity according to the government’s own budget estimates. That is why Mr Dalla-Riva has moved this motion. It is extremely poor management. There is a need there and
it is not being accommodated by the minister or the government. That is a second reason why I say the decision to close Won Wron prison is illogical. Clearly the government has admitted through the budget papers that it has a problem, yet it is hell-bent on closing one of our fine prisons in Victoria. It simply does not make sense.

On this issue I turn to some correspondence I received from the Minister for Corrections. I have written to the minister on numerous occasions since that decision was announced in the 2001 budget, pleading with him to reverse that decision, to have a rethink, to reconsider it, because it simply does not make sense. I have chosen one of the replies I received from the Minister for Corrections because I want to talk about aspects of it. It was a reply I received on 11 December 2001. In part the letter says:

The closure of Won Wron prison was one of the recommendations of a 10-year plan for Victoria’s prison system which aims to redress some of the shortcomings of the existing system, including the replacement of outdated and inefficient facilities. In the case of Won Wron, the physical infrastructure of the prison is poor and the accommodation — primarily small dormitories — is inappropriate.

I agree with the statement that the facilities and infrastructure at the prison are desperately in need of replacement — they are poor. The letter continues:

Rebuilding the prison was considered; however, the site and its location are also problematic.

I will come back to that issue later in my contribution. His letter further states:

An effective prison system also requires a proper balance of prison types and locations across the state. The Gippsland area is well served by the Fulham Correctional Centre. A new 68-bed unit is to be constructed at this prison, and an additional 50-bed relocatable unit will also be built as a temporary measure to alleviate overcrowding within the prison system. These initiatives demonstrate the ongoing commitment of this government to maintaining infrastructure in regional Victoria in locations where an effective correctional service can be delivered.

I will come back to a couple of those comments later. Further on he states:

Won Wron prison will remain open until additional permanent prison capacity becomes available during 2003–04.

A member interjected before, ‘Well, we haven’t closed Won Wron prison yet’. Golly, there is confirmation in this letter, and nothing has changed whatsoever. The government has not come out and said, ‘No, we will not close it any more’. The most recent advice I have received is that it will close sometime next financial year. Finally, the minister says in his letter:

In the interim, the departments of Justice, Treasury and Finance, and State and Regional Development will be working closely with the local community to implement strategies to minimise the impact of the prison closure.

I look now at three aspects of the minister’s reply.

Firstly, I go back to the comments that the site of Won Wron prison and its location are problematic. I ask: why? It has never been explained to me why that particular site is problematic. Yes, I agree, the facilities need an urgent upgrade. There is no doubt about that. I would have thought it would have been much cheaper for the government to rebuild and refurbish an existing prison facility than to acquire land and build a totally new facility. It seems to lack logic.

I also say — perhaps it is problematic because it cannot attract staff to that facility. I know Won Wron prison operates on staffing of around 40 prison officers, and never to my knowledge has there been any difficulty in attracting staff to that prison. So the siting and location of it does not seem to be a problem in terms of staffing.

Perhaps the site makes it problematic to usefully employ the prisoners in activities. I know this is one of the real issues in our prisons — to keep prisoners occupied. That is why we have prison industries. Won Wron prison is ideally located to enable the prisoners to do worthwhile work. They do forestry work, a lot of environmental work and other work in the community. They do an excellent job, and their efforts are greatly appreciated. I will refer to some letters of appreciation shortly in my contribution. In terms of prison industry — things to keep the prisoners occupied — Won Wron is well located and is blessed with an abundance of work the prisoners can usefully undertake. Is the site problematic because it is not accepted by the community? Absolutely not. I have said that. This community is galvanised in its efforts to retain the prison at its current site at Won Wron. The prison generates something like $3.5 million a year to the local economy so no wonder the local community is keen to retain the facility.

The last thing to say about the work of the prison is that each year it performs the most worthwhile function in terms of raising money to assist young people with disabilities in the community. Annually Won Wron prison has an excellent event called Prisoners on the Run. It is like a fun run-type activity. During the history of Prisoners on the Run I have personally competed on two occasions. It was held at Morwell River prison farm, and now it has been transferred across to Won Wron. During the history of the run I have participated...
It is a torturous 11 kilometre fun run. I have managed to beat the 60 minutes on each occasion, so I have been happy about that, but the important thing is that the money raised goes directly to the local community to help young people acquire aids for the disabilities they have — for example, computers for kids with disabilities in schools. It has bought all sorts of aids for those who have impairments. They have been doing this for something like 15 years through the Morwell River prison farm and now the Won Wron prison.

By closing this facility we will take away this event from the community. Do the prisoners run? Mostly they man the checkpoints, provide drinks and assist with accommodation and so on. Not a lot of them run, but I think some of them do. It is a great community event and it is the sort of spirit that operates in a prison facility like this which would not operate if it were located in Melbourne or anywhere else. It is so successful because it is located in a country community where there is a sense of country and community connection to the prison. That is why the community is so upset that the government and the minister are closing this prison in 2003–04. It simply does not make sense.

Hon. Andrew Brideson interjected.

Hon. P. R. HALL — Yes, they do a lot of woodwork, and there are environmental programs. They have a raptor program where they rescue local birds of prey such as hawks and eagles that may be damaged. They rehabilitate them and release them again. They do a wonderful amount of work like that.

I go to another aspect of the minister’s letter. He says we will have relocatable units built at the Fulham Correctional Centre as a replacement for Won Wron prison. What a kick in the backside that is. Fancy having relocatables, portables, stuck in prison yards in place of this fine facility that is being closed. That simply does not make sense.

The last comment I want to make is the claim in the minister’s letter that other areas of government are working with strategies to minimise the impact of the prison closure. There is no evidence that any work is being undertaken at this point of time. Certainly no job replacements have come about since the government announced the prison closure. It is not easy to create jobs in country Victoria. When we have a facility employing 40 direct jobs and many more indirect jobs the best thing we can do for the community is to retain those jobs rather than try and go out to attract new industry to come to the area. It is not an easy task to achieve.

I want to talk quickly about some of the strong community views in respect of this issue. I refer to the South Gippsland Landcare Network. The prisoners do a most worthwhile function in assisting with Landcare and environmental projects. In a letter addressed to the minister dated 18 July 2001 the network states:

Bush gangs from Won Wron have played a major role in environmental remediation projects on public and private land across South Gippsland. Their activities have included fencing, tree planting, spraying noxious weeds, track construction and native seed collection. Besides controlling noxious weeds, they have also been very active in removing environmental weeds, such as hawthorn, boxthorn, pittosporum and pine.

The value of their activities in our region has been estimated at more than $1 million per annum (9397 man days at 7.6 hours times $15 an hour).

That is how they reach the figure of $1 million per annum. It continues:

In the absence of Won Wron bush gangs, the workload would revert to private individuals, who are already fully committed with managing their farms and their own environmental projects.

In summary, the scale of work currently accomplished would not be achieved.

Similar comments and glowing tributes were received from the Yarra Yarra Catchments Network, a member of a Landcare program, about the work being performed by prisoners.

I repeat the point that one of the main difficulties for the prison system in Victoria is finding useful activities for the prisoners themselves during the day. There is not a shortfall of useful activities for prisoners at Won Wron prison. There is an abundance of useful work they fulfil now and could do so in the future if the government had some sense and kept the prison open.

I must also say that Wellington Shire Council is incensed that this particular prison will close and representatives from the council have been to see the Minister for Corrections on numerous occasions. They intend to fight to the bitter end. A press release of 21 May typifies the council’s view on this subject. It states that:

The closure of a major employer like Won Wron prison is a slap in the face to claims the Bracks government cares about country Victoria.

That is the view of Wellington Shire Council on this issue.
As I said at the outset, I have used Won Wron prison and the government’s decision in the 2001 budget to close that prison as an example of the illogicality of the government and the mismanagement of this system. It seems to me totally inane that we are closing a good prison in country Victoria when the government has admitted in its budget papers tabled yesterday that there is a problem with overcrowding in our prisons. There will be 23 per cent overcapacity by the end of 2004. It is stupid. That is why it is appropriate that Mr Dalla-Riva has been given this opportunity to highlight the many problems that do exist and the many improvements that are needed within this portfolio.

Mr Dalla-Riva has done it well. I started by thanking him for moving the motion, and I finish by congratulating him on the way he raised these important issues. So far we have not heard any really response apart from political rhetoric from the government. I hope the next speaker from the government responds to some of the issues that I have raised — the absence of issues in the budget papers. Perhaps the government will elaborate on exactly what funds are available to improve the correctional system and to create new facilities, as the minister has indicated the government would; and perhaps it could give us a firm indication of what is being planned.

In respect of the reasoned amendment moved by Ms Mikakos, once again it is a direct negative to this motion and therefore it was inappropriate that it be moved. It was fine to discuss those issues but inappropriate to move such a motion. I will not be voting for the reasoned amendment, but I certainly support the motion. I conclude by congratulating Mr Dalla-Riva for raising this important issue in Parliament this morning.

**Hon. ANDREA COOTE (Monash)** — I rise to speak on the motion put to the house by the Honourable Richard Dalla-Riva that the Council:

...condemns the Minister for Corrections for his inability to manage the prison system which has led to the minister neglecting the responsibilities of his portfolio.

We have just seen a budget handed down that is very light on as far as corrections and prisons are concerned, and I congratulate Mr Dalla-Riva on bringing a very pertinent motion to the attention of this house and to the people of Victoria at this time.

Mr Dalla-Riva covered a whole range of issues very effectively, encompassing the government’s neglect of the prison system and the fact that the minister is not coping with his portfolio. He spoke in depth about pre and post-release programs, the Adult Parole Board, accommodation and education in the prison system. He went on to concentrate on the overcrowding of our prisons, and he did that extremely well. In fact he did it so well that we saw members raise points of order to try to curtail his speaking time and to try to fluster him. I think that indicates clearly that the government is very concerned about this. It has something to hide. We have obviously struck a chord, we have pinpricked an area that it is sensitive about. In fact the government is so sensitive that it has moved a reasoned amendment.

I will only touch on this because it does not merit a lot of time being spent on it. I must say to Ms Mikakos that it was a really nice try! It was an example of the government being extremely sensitive and trying to use its numbers to bulldoze something through the house and capitalise on a situation where the Honourable Richard Dalla-Riva had brought to the public’s attention something very worth while. It is only because it is sensitive about this issue that the government has brought this up.

In her reasoned amendment Ms Mikakos talked about the assault rate. I believe she said that there were no assaults. Of course we cannot really believe anything that Ms Mikakos said because the annual report of the Department of Justice for 2001–02 mentions the very assaults that she said were not a result of the overcrowding that the minister is overseeing in these prisons. The report says that the rate of assaults on other prisoners in the last five years was at its highest level in 2001–02 — and these are serious assaults, not minor assaults — and in fact the rate of assaults on prisoners by other prisoners was 17 per cent. I suggest Ms Mikakos have another look at this report before she quotes statistics so she can get it right next time.

The reasoned amendment talks about additional beds. Mr Hall spoke at length about a prison in Gippsland that is facing closure, and he commented on how appalling that was. Mr Olexander will talk later in more detail about drug testing and deaths in custody.

I also want to speak about deaths in custody, but in particular I want to concentrate on suicides in prisons. While the government in its reasoned amendment talks about a program reducing by half the number of deaths in custody, it does not matter how many deaths there are, one is too many. It is incumbent on us to be mindful of the fact that we are dealing with people’s lives. I refer to a report by the Australian Institute of Criminology of August 1999 entitled *Deaths in Prison Custody 1980–1998 — A National Overview*. It says that the number of deaths — and these deaths can be from natural causes, accidental and homicide, as well as
suicide — in Victorian prisons in 1998 was 13. The number of suicides was 6; therefore, as a percentage of deaths suicide accounted for 46.2 per cent. That percentage is far too high. The government should not be just talking about halving this figure, it should be talking about getting rid of it altogether. The fact that Ms Mikakos did not address this issue is shameful.

Suicide is a very worrying trend throughout our community and a sad situation for everyone involved. It is sad not only for the families, friends, supporters and others involved, but also the prison staff affected.

In my contribution I will speak on this aspect and about the minister’s lack of addressing this issue. I speak more in sorrow than in anger. I speak in sorrow at the lives that are lost and the fact that the minister is not looking more carefully at and not putting more funds into programs to address this issue, which is very relevant. It is incumbent on all of us to be mindful of the people who are under our care. What did I just say? Some 46 per cent of prison deaths are suicide? It is not good enough. One death is not good enough when those people are in our charge.

An article from the Australian Institute of Criminology in August 1999 refers to a book by David Biles which was published in 1994. Mr Biles wrote that a range of experts within the system share the responsibility for the welfare of those in custody. No. 1 on his list is politicians. I remind all the people in this chamber of the ramifications of this, and I put the Minister for Corrections right up there. He is not doing enough or looking into this situation. He is sitting there talking about police numbers, not looking into programs and not addressing this issue of suicide.

David Biles lists other people in his book, including police, prison administrators, representatives of the law, psychologists, psychiatrists, sociologists, anthropologists, criminologists, medical practitioners and researchers. I place the emphasis on researchers, because I believe that is something the minister has not even thought about.

Briefly, we are dealing with suicide in prisons, so we should listen to what happens. Once again, I encourage the minister and the government to understand exactly what is going on and to do something to address the problem. The government should not just address the problem by putting money into research. It should fund and make certain that those people in our care are not being driven towards suicide by overcrowding and by the impossible situations in our prisons at the moment.

Demographic findings indicate that 96.5 per cent of those who suicide in prisons are male and 14.4 per cent are indigenous, which is an overall Australian statistic, but it is important to understand some of the details I am going to speak about. The mean age is 29 years at the time of suicide. Eighty per cent of deaths in the 17 to 19-year-old age group are from suicide. Sunday is the most likely day for suicide, and January and November have the highest numbers of suicides. The time they are discovered is fairly evenly spread over a 24-hour period, and 85 per cent of prison suicides occur in the cells. Twenty per cent of those who suicide have been sentenced for homicide and 14 per cent for assault. The legal status of prisoners shows that 48 per cent were on remand.

It is an indictment of all of us that those figures are replicated in Victoria. It is a very sad situation. We have heard from the Honourable Richard Dalla-Riva about overcrowding and the solution for the government. In her contribution even Jenny Mikakos spoke about the fact that the beds and bunks that Mr Dalla-Riva spoke about were temporary measures. I wonder how temporary ‘temporary’ is going to be. I suggest it is going to be full time, full on and forever. It is another one of those promises that we will never see again. Overcrowding is one contributor to suicide, and it is imperative that the government does something about it.

In addition it is imperative that the people being held in cells in suburban police stations be looked at too. The incidence of suicide is on the increase, and it is difficult for policemen at the stations and for everybody concerned. It is simply not good enough for the minister to leave prisoners there for as long as they are being held at the moment.

We have seen that very little research is being done. There seems to be a correlation between self-harm, which unfortunately is prevalent both in our prisons and in prison cells in police stations. The self-harm issue is a very important precursor to what happens with suicide. It would seem that no active research is being done in this area. Self-harm is prevalent in prisons. I encourage this minister to have a very good look at what this correlation is, because if we can understand these problems and understand the reasons for them then the end product, which in this instance is sadly and tragically suicide, can be avoided. We need to have a concerted look at and have some proper research done into why people feel they have to harm themselves, which can lead to suicide within our prison system.

We have a situation in this state which is unacceptable. We have a minister who does not care and who is more
interested in police numbers than looking at what the program should be, looking at these people and seeing how they leave the prison system.

We heard from Mr Dalla-Riva how people leave prisons without being adequately funded to get transport to where they need to go. They go back to areas where they are not properly supervised. The incidence of suicide after people have left prison is still relatively high. It is too high for any government, for any community and for us as politicians to find acceptable. It is not acceptable. Sufficient care is not taken for these people who are in our custody and under the responsibility of the minister. It does not seem to be relevant or come into the whole realm of what this government is doing.

The government is very keen on increasing police numbers. As we have seen, the police are being given additional responsibilities for fines. We saw it in the budget yesterday. They are not concentrating on dealing with prisoners or being certain that prisoners are not living in overcrowded cells and in overcrowded prisons. Police are being told that they have to go out and collect more fines. We are now going to see police in this state getting hundreds and hundreds of millions of dollars in fines as revenue for the state, because this government cannot manage its budget and cannot find the money in the budget to promote and put in more excellent country and rural prisons, as Mr Hall spoke about. The government is not providing enough money to address the issue of suicide and the problems within our prisons. It is absolutely shameful!

As I said, it is more in sorrow than anger that I speak. I believe government members have been talking about how clever they are and about getting a fourth term. We have heard the minister himself talking about a whole range of things but not addressing the proper issues. This minister does not like scrutiny. As we have seen, he does not like to be scrutinised. If he liked scrutiny he would be prepared to come in and listen to this debate. Instead we have a reasoned amendment which tries to refute and to put on record a whole range of things that are light on — very light on. That is why the Liberal Party will not support the reasoned amendment. As I said, it is obviously an attempt by the government to show how sensitive it is. It was a really nice try. The government tried to alter the whole motion. The Clerk advised me that it was not a double negative. However, as Mr Hall said before, it very closely tests the limits. The Liberal Party opposes the amendment and commends the excellent motion brought into this chamber by the Honourable Richard Dalla-Riva.

I conclude by quoting, yet again, this excellent motion and advising the minister to have a very sharp look at this program, to address suicide, to have a look at what he is going to do and to make certain the government funds the issue of suicide in the prison system and among those people who are living within our care. It is simply not good enough. He needs to have a very good look at himself and do something because the people of Victoria will be watching. I support the very good motion the Honourable Richard Dalla-Riva moved today, and praise him, on behalf of all of the people of Victoria, for alerting us to the inadequacies of this minister.

This minister has about another three years to go — we all know we are going back to the ballot box in 2006. I have to say that if he keeps this up he will be very much criticised by the people of Victoria.

I totally agree with and reiterate the motion, which is:

That this house condemns the Minister for Corrections for his inability to manage the prison system which has led to the minister neglecting the responsibilities of his portfolio.

The minister is simply not good enough.

Ms HADDEN (Ballarat) — I rise to speak against the motion moved by Mr Dalla-Riva. The reasoned amendment moved by Ms Mikakos is appropriate and very relevant to what the Bracks Labor government has been doing, especially during its first term, in this very important portfolio and what it has committed to do in the current term.

The motion moved by Mr Dalla-Riva is a grubby tactic. I would have expected more from him, given his previous life. It is a grubby tactic to move such a scandalous motion against the Minister for Corrections.

Here we have Mr Dalla-Riva, who has served six months, I think, in this chamber. I do not know what his position is within his party — whether he is the spokesperson, the shadow minister or a quasi-shadow minister, but it is shameless for the opposition to put up a backbencher to move such a scandalous motion against a minister of the Crown.

This motion is a very serious matter and, with the greatest respect to Mr Dalla-Riva, during his nearly 60-minute contribution he did not satisfy me one iota about any issue he claimed to support his motion. I will speak on a couple of the issues Mr Dalla-Riva used to support his motion which:

…condemns the minister for his inability to manage the prison system which has led to him neglecting the responsibilities of his portfolio.
As I said, that is a scandalous motion, it is blatantly and clearly wrong, and Mr Dalla-Riva’s points were irrelevant and in fact tedious most of the time. Mr Dalla-Riva used the example of the Adult Parole Board of Victoria to support his motion.

Hon. R. Dalla-Riva interjected.

Ms HADDEN — The Adult Parole Board, Mr Dalla-Riva — I suggest you might like to read some history of the Adult Parole Board and its annual reports, the last of which was 2001–02 — is an independent statutory body. Its decisions are free from political or bureaucratic involvement. It was set up that way back in 1908 and that is as it should be. It was established in 1957 as it currently is under the Penal Reform Act 1956.

The Adult Parole Board is an independent body and is free from political and bureaucratic involvement and intervention. I should also tell Mr Dalla-Riva that it has responsibilities under the Corrections Act to submit reports to the Minister for Corrections and recommendations on any prisoner as requested by the minister.

The Adult Parole Board’s role is to make independent and appropriate decisions regarding the release of prisoners on parole. Its powers extend to cancelling orders of parolees as well as, and as I said, submitting reports as required by the Corrections Act to the Minister for Corrections. It is clearly wrong for Mr Dalla-Riva to use the Adult Parole Board as one of his grounds for condemning the minister because, as I said, the board is independent and its decisions are free from political involvement and interference and from bureaucratic involvement and interference, as they most properly should be.

In relation to another point Mr Dalla-Riva raised, trying to shoot sentencing guidelines home to the minister as a sign of his so-called neglect of the responsibilities of his portfolio, I suggest that Mr Dalla-Riva also read the Sentencing Act. Section 5 specifically provides sentencing guidelines for judges — it has nothing to do with the minister. We are in a Westminster system which means there is a clear separation between the executive and judges, as it should be. Perhaps Mr Dalla-Riva should go back to school and study a little bit of history or go into the library — there is a lot of reference material there and I would be more than happy to assist him in that regard, because he is clearly wrong.

Mr Dalla-Riva commented on three particular prisoners. I think it was scandalous, inappropriate and totally unnecessary for Mr Dalla-Riva to use those three prisoners’ names in this Parliament under parliamentary privilege based on so-called Herald Sun reports and allegations and then shoot that home as a responsibility of the Minister for Corrections. It was totally inappropriate and scandalous of Mr Dalla-Riva to do that. I will not stoop so low as to mention those three prisoners’ names.

Mr Hall spoke at length about the Won Wron prison farm in Gippsland and the minister’s response to it. All I wish to say on that matter is that, as the minister has said at length, the site is problematic, it is old and it needs urgent and serious monetary upgrades. Therefore, it is more appropriate that new beds come on stream at the Fulham Correctional Centre. I will make no further comment on that. The minister has been responding to Mr Hall and his constituents; it is not as though they have been ignored.

I can assure Mr Dalla-Riva that the Minister for Corrections is a very competent minister who understands the prison system and the responsibilities of his portfolio extremely well. Mr Dalla-Riva issued a media release on 24 April in which he said the prisons were bursting at the seams with too many prisoners. I recall a speech Mr Dalla-Riva made in this place last week when he said on the one hand that we have too many prisoners and on the other hand that we are not doing enough to keep people out of prisons. I would suggest that the response of Jack or Jill out in Bourke Street would be, ‘The justice system is working’ — people are being imprisoned if that is required under the sentencing guidelines to which a judicial officer refers.

The Minister for Corrections has opened a total of 109 new beds at Barwon and Port Phillip prisons. That is a fact, and Mr Dalla-Riva can read the minister’s press releases if he wants any further information. This government opened 600 prison beds in its first term, as opposed to the Kennett coalition government which in seven years had a net increase of just 100 beds. That government also sacked more than 1000 police and then had the temerity to blame the former Chief Commissioner of Police and former serving officer at Ballarat, Neil Comrie. Mr Kennett had the gall to attack Mr Comrie and blame him for his government’s sacking of police. Shame on the Liberal Party.

That this minister has taken his responsibilities seriously is shown in the dramatic fall of 8.4 per cent in the overall crime rate. Our Chief Commissioner of Police, Christine Nixon, has attributed that to more police being on the street. This government put 800 police back on the streets 18 months ahead of
schedule during its first term in office. The chief commissioner said in the *Herald Sun* of 1 May that:

> The figures —

the reduction in the overall crime rate —

reinforce Victoria’s standing as Australia’s safest state.

**Hon. R. Dalla-Riva** — I have a point of order, President. This is similar to the previous point of order. The member is talking about the minister as the Minister for Police and Emergency Services, not in his capacity as Minister for Corrections. It is wonderful to talk about the chief commissioner and everything else, but we are debating the motion before the house.

**Ms HADDEN** — On the point of order, President, I was not referring to the minister in his capacity as the Minister for Police and Emergency Services; I was referring to the government and ministerial portfolio decisions which have contributed to a reduction in the overall crime rate. That has been confirmed by the chief commissioner of this state, and I cited the article in the *Herald Sun* of 1 May.

**The PRESIDENT** — Order! The honourable member raised a point of order suggesting that the member was straying from the motion. As I have indicated to the house previously in rulings, this motion is a wide-ranging one to do with prisons and the prison system. I ask the member to come back to the motion and speak on it and the amendment before the house.

**Ms HADDEN** — As I have said and I should repeat, this is a grubby and scandalous motion to move in this place. Nothing Mr Dalla-Riva said in his contribution confirmed the terms of his motion. It is such a scandalous motion that the opposition should have the courage to vote on it and complete the matter today.

As I have said, in its first term this government put 800 police back on the streets and built 65 new police stations at a cost of $125 million. We have put 600 beds back into the prison system. We are building new prisons and we are also providing state-of-the-art safety equipment including bulletproof vests and metal detectors to our police. In relation to its capital works program this government has expanded prison capacity by more than 1100 prison beds across three new prisons: a 600-bed remand prison at Ravenhall; a 300-bed medium security prison at Lara; and a 120-bed minimum security prison near Beechworth. It is evident that the government is on track and on time with these capital works projects.

In relation to the current budget, as I said to Mr Hall by way of interjection, I will speak on those issues at the appropriate time. Briefly, $300 million has been provided in the fight against crime and terrorism, and $126 million has been committed for an extra 600 police to be put back on the streets in our current term in office. The government has committed $66 million for 16 new and replacement police facilities in regional centres and small country towns and $18 million for a new court complex at Moorabbin.

In relation to Mrs Coote’s criticism of this government and her attempt to sheet home the suicide figures as being the fault of the government and the minister, she quoted Australian suicide figures, which quite simply are not relevant to Victoria, because there is nothing in those figures that relates to the suicide numbers in this state and what they are attributed to.

In the few seconds I have left I repeat that this is a grubby tactic by Mr Dalla-Riva on behalf of the opposition to move this scandalous motion. He has not produced any facts or figures to support the motion condemning the Minister for Corrections. It is totally inappropriate, grubby and scandalous. I do not support his motion.

**Hon. A. P. OLEXANDER** (Silvan) — The only thing that is grubby and scandalous about the debate we are having today is the way government members have handled it. We have seen a torrent of personal invective directed towards my friend and colleague Mr Dalla-Riva. He has had the courage to come into this place and hold the government accountable. That is exactly what the government cannot handle in this context. The government and the minister need to be held accountable. This minister and the government have failed in the prison system, and they need to be condemned for that. That is why I rise to support this motion and my colleague and friend Mr Dalla-Riva. This motion is a good motion.

Another scandalous thing the government has tried to do is use its numbers to completely negate the intention of the opposition’s original motion. This is a constant tactic we see coming from the government benches. The government has got the numbers for the first time in 150 years, so it seeks to use them. That is what is scandalous about this debate, and that is what is grubby.

Opposition members have some extremely important points to make about mismanagement by this government and the lack of a strategy or plan to deal with the prison system in this state. It is a serious issue and is constantly trivialised by the government.

Government members in basing their contributions on
attacking the man and not on attacking the issue are failing in their responsibility to govern and failing the people of Victoria. Mr Dalla-Riva has raised an extremely important issue on behalf of all Victorians, particularly those who are residents within our prison system, and I commend him for that.

I would like to focus my comments on issues related to the scourge of drugs in our prisons. This is also part of the government’s amendment, which I call the obfuscation tactic of the government. Paragraph (b) of the government’s amendment lauds and praises the Minister for Corrections for the:

... introduction of a prison drug strategy which has resulted in a reduction in positive drug tests …

In order to argue that the government’s prison drug strategy is somehow magically working the government relies on a statistic showing a reduction in positive drug tests. Members on the opposition side reject that assertion completely, and I refer members to comments on the matter by the Minister for Corrections himself — and there is no-one better to quote.

In 1998, while still in opposition, he made the claim that certain individuals actually wish to enter the prison system so they can wean themselves off drugs. He also described the prison system as an educational institution for crime, which we largely agree with. Prison sentences and other criminal sanctions, he said, would not reduce drug abuse or drug-related crime. That is still the situation today.

According to a report launched by the Fitzroy Legal Service and reported in the *Melbourne Times* of 16 April this year, authorities need to address the ‘underlying despair that motivates drug use’. We on the opposition side agree with that view. Sam Biondo, community development officer at the Fitzroy Legal Service, was quoted as saying that about 75 per cent of people going into prison have used drugs illegally the week before entering the prison system and that once they are in prison the drug use continues. And yet we are told in the government’s proposed amendment that the prison drug problem is on the decline. That is simply not true.

Rather, we have a series of statistics which government members are seeking to use to completely mislead and obfuscate and to distract us from the real issue. I have the relevant statistics here. Prison service statistics reveal in the containment and supervision section of the table that in 1997–98 the percentage of positive random drug tests in prisons was 6.3 per cent and that in 1998–99 it fell to 4.8 per cent — so it was on the decline under the previous government. However, in 2001 and 2002 there was a quite sudden and pronounced fall in the percentage of positive random tests in prisons. One might be forced to ask the question, ‘How has that occurred? Has it occurred because there are less drugs in prison, against the evidence of the Fitzroy Legal Service and what everyone in the system knows?’ No, it has not. What has happened is that the testing regime for drugs in prisons has changed, and the government has sought in classic style to mislead us, even by an amendment proposed in Parliament, about what the true situation in our prisons is.

The truth is that in our prisons, which are hopelessly overcrowded — a phenomenon that has occurred over the last three or four years under Labor’s administration, not under the administration of the Kennett government — drug testing has been badly affected. The testing program is not comprehensive and is not systematic, and as a side-effect of the overcrowding and the poor working conditions of prison officers the random drug testing regime is no longer as comprehensive as it once was. As a result of that the statistics which we are shown and which the community is given are false and unreliable. The government obviously does not want to address that matter, and it is an extremely important point. Drugs in prisons are a huge issue.

When the Minister for Corrections was opposition spokesman on corrections he said:

It takes three to six months to get a prisoner under a community-based order onto a drug treatment program, whereas if the prisoner is put into the prison system he or she can get onto a drug treatment program in three weeks.

He said that back in 1998 when there were adequate and very quick responses to the drug problem in prisons. What is the rate today? It is a very interesting question. Is it three weeks for a prisoner today? No, it has blown out to almost double that under the Bracks government over the last three years. That is another issue that is completely ignored by government members.

At the time when the minister was opposition corrections spokesman he went on to say:

That is why our prisons are overcrowded. It is false economy. At a cost of $50 000 per prisoner per year, it is a very ineffective use of funds.

We agree. He further said:

Once we put somebody into the prison system, we are putting them into an educational institution for crime.

Has the minister changed the situation he was complaining about in 1998? It is clear that he has not.
Hon. R. Dalla-Riva — It’s got worse!

Hon. A. P. OLEXANDER — As Mr Dalla-Riva pointed out very clearly, it has got worse. Everything the minister said in 1998 is still true, but he is not prepared to admit it, and government members through the amendment today, are not prepared to admit it. There is a big difference between what Labor says in opposition and what Labor says in government. Often it says the opposite. Today we have had a perfect example of that.

What we would like to do in moving the motion is draw the attention of the Victorian community to a serious problem which is still not being addressed. Government members can seek to attack the individual who has moved the motion in a grubby and scandalous way, or government members can seek to obfuscate and distract from the real issues of this motion. They are using all those tactics in a very tawdry and predictable way.

Opposition members obviously are not impressed by that approach, and at the end of the day those who work in the sector and the people of Victoria will not be impressed by that approach, because these issues have to be resolved. The government can try to get away from the hopelessly overcrowded conditions in our prisons which have presided since the election of the Bracks government and can try to distract from that by using a number of other strategies. Government members can say that there should be greater use of community-based orders, that prisoners should be part of a revolving-door prison scheme where they are released back into the community and can wear bracelets and walk the streets and do anything a normal community member can do. They can release them back onto the streets, increase community-based orders or fill our police lock-ups in our suburbs, like the lock-up in Preston in Ms Mikakos’s province. The government can fill those up to bursting capacity with people who should be in the prison system.

Under the Kennett government we did not have these problems. Government members cannot claim that is the case, because the government’s own statistics show what happened under the period of the Kennett government. The prison utilisation rate, the daily capacity rate, is a simple arithmetic exercise that even members opposite can handle. It is calculated with the average prisoner population over the average prison design capacity and represented as a percentage. It is a simple average calculation.

Under the period of the Kennett government from 1995–96 right through to 1999 we were well within the 100 per cent capacity rate in our prisons, indicating clearly that there was not an overcrowding problem. The government’s own statistics let it down on this. What have we seen since the Bracks government came into power? In 2000–01 it jumped over the 100 per cent mark to 113.9 per cent — that is, 114 per cent capacity. Already the overcrowding has occurred. In 2001–02 it jumped to 120 per cent capacity under the Bracks government. The pièce de résistance: what was that rate on 3 April this year?

Mr Smith — What was that?

Hon. A. P. OLEXANDER — I would expect you to know, Mr Smith, because prison employees are all obviously members of the union. It was 130 per cent of capacity. No wonder the Bracks government is seeking to get people out of the prison system and back onto the streets with a very poorly thought-through proposal — the bracelet proposal. We will very much like debating that legislation when it comes to the Parliament. No wonder the Bracks government is trying to hide prisoners wherever it can — in police lock-ups and by putting them back onto the streets. At the same time it uses the same old predictable tactics — blame the Kennett government; it is its fault. The Kennett government is responsible for the hole in the ozone layer, the Kennett government is responsible for Armageddon, the Kennett government is responsible for sunburn on little children on beaches — the Kennett government is responsible.

But the facts show in a clear manner that it is the Bracks government over the last four years that is responsible for the prison system in the state. The Bracks government is responsible for the outrageous increases in the usage and utilisation above the capacity of prisons to cope. The Bracks government is responsible for overworked people in prisons and the inadequacy of drug-testing regimes in prisons. The system is getting worse.

The Bracks government increases taxes and spends, but the Bracks government fails to deliver the outcome. It taxes, it spends and it fails to deliver outcomes in the prison system, and it stands condemned. The minister stands condemned.

Unfortunately until members on the other side of the chamber are prepared to acknowledge that the government has responsibility for prisons we will probably not see an improvement. All we will see is Bracks taxing and lies and more lies. Unfortunately the time is drawing very close when government members will no longer be able to blame the Kennett government. After four years in government it is time members took responsibility for their own actions and

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their own lack of action. This incompetent minister stands condemned not only by us, but by the sector and by the Victorian community.

Hon. KAYE DARVENIZA (Melbourne West) — I am pleased to have an opportunity to make a contribution in this debate to speak against the motion moved by Mr Dalla-Riva and to speak for the amendment moved by Ms Mikakos. The hypocrisy that comes from the opposition in these debates never ceases to amaze me, particularly debates on Wednesday morning during opposition business. Opposition members have the nerve and audacity to criticise ministers and the job they are doing and the good job the government is doing in Victoria. To be critical particularly of the Minister for Corrections is outrageous.

The opposition when in government placed no value on correctional services. It still does not place much value on correctional services. It does not even have a policy. It is all right for Mr Olexander to say we blame the government is responsible for. The Kennett government — your lot — left a mess. It was the opposition’s failure when in government to look after the correctional system.

Honourable members interjecting.

The PRESIDENT — Order! Interjections are unruly, but they are not acceptable when members are out of their places.

Hon. KAYE DARVENIZA — The opposition when in government failed to look after the correctional system in any reasonable way. I will point out how it failed, what the Bracks Labor government has done and the fantastic job the minister has done since he has been the minister. All the opposition has now is a spokesperson —

Hon. A. P. Olexander interjected.

The PRESIDENT — Order! Mr Olexander has had his opportunity to contribute. He should now listen to Ms Darveniza.

Hon. KAYE DARVENIZA — Very good idea, President! He should listen to me and listen to me more often, because I have a lot of good points to make and a lot of good news to tell him about what our minister and the government are doing to clean up the mess the opposition left us after seven years of the Kennett government. The opposition does not have a policy on correctional services or even a shadow minister. Its spokesperson, the Honourable Richard Dalla-Riva, is a spokesman, but he is not even part of the shadow cabinet. That is the sort of value the opposition puts on the portfolio.

Where is the opposition’s policy? Let it show us the policy. It does not even have one. When is the opposition going to give me a copy? I look forward to seeing it. I can tell the house I will not hold my breath waiting for it though. The former government placed absolutely no value on it when it was in government. It barely spent a cent on correctional services, it barely spent a cent on prisons and it had no long-term strategic management plan for how it would look after correctional and prison services. What did we end up with? An extraordinary number of prisoners being held in police cells!

I know people have spoken a bit about this in previous speeches, but when we came to government in 1999 at any one time on average in excess of 300 prisoners were being held in police cells. It was an outrageous set of circumstances. I visited the Mildura police station soon after we came to government and was absolutely appalled at the conditions in which those prisoners were being held. The police officers were doing the best they could under very trying circumstances. It was an old police station, and they were old police cells that were certainly not set up to hold prisoners. There were no recreational facilities, amenities such as bathrooms and the like were inadequate, and people were living, sleeping and bathing in one small room without any daylight. It was absolutely appalling, and it was an awful set of circumstances for the police officers, who certainly were not trained to be prison officers and had many other responsibilities.

One of the things that the Bracks Labor government has done, through its minister, André Haermeyer, is reduce the number of people who are having to be held in police cells. He has done that by increasing the number of beds in and the capacities of our correctional facilities. I will go through the averages. In March 2003 we had gone from 300 to 109, a decrease of around 55 per cent or almost two-thirds in the number of prisoners being held in police cells since 2001, which is a very significant decrease.

I have heard a number of the members of the opposition, particularly Mr Dalla-Riva, carrying on about the temporary beds. We accept we are currently over the design capacity — and why? It is because of the state of the system when we inherited it from the former Liberal government. You cannot fix these things overnight. You cannot supply all the things that should have been looked after over seven years as soon as you come to office. During the Liberal years the Kennett
government added only 100 beds to the system — 100 beds in seven years — and yet members opposite have the nerve to put up a motion that condemns our minister. Shame on them!

Our response was to put a temporary bed strategy in place, which provides 940 temporary beds right across the system. We then implemented the correctional long-term management strategy, which has a number of components, including infrastructure programs and additional beds as well as community corrections over a period of time.

I will go over some of the things that we have done since we have been in government to clearly demonstrate how wrong Mr Dalla-Riva’s motion is, because our minister and our government are doing such a good job in implementing changes to our correctional service that go to meet the needs of our community. Under the Bracks government $334.5 million has been spent in corrections on a long-term management strategy; more than 600 extra beds have been opened in the prison system, with hundreds more to come. When the strategy has been completed there will be more than 1000 extra permanent beds in Victoria’s system.

We have a strategy, we have a plan, and we are implementing that plan. Sure, some of that has been done on a temporary basis but not without a long-term plan being put in place and not without that strategy being there and everybody being aware of what that strategy is. We have opened a whole range of new beds to date. They include 34 beds at the Port Phillip prison, 50 beds at the Dame Phyllis Frost Centre, 75 beds at the Barwon prison, 68 beds at the Fulham Correctional Centre, 70 beds at the Loddon prison and 22 beds at the Tarrengower prison. There are also plans to build new prisons under a strategy we have in place that is based on our policy — a policy the opposition does not have, a strategy it does not have, a plan it does not have — yet opposition members come in here and dare to criticise the government and its minister. How dare they, when they should be hanging their heads in shame given their past record.

The plans are to build: a 120-bed minimum security prison at Beechworth, and that is currently under way as Mr Hall alluded to in his contribution; a 300-bed medium-security correctional program centre at Lara, adjacent to the Barwon prison; and a 600-bed remand prison at Ravenhall, which is adjacent to the Dame Phyllis Frost Centre. These are all part of our long-term strategy, part of our plan. They are built on our policy. These are the things we are doing, not just the things we have already done and which we have already spoken about — the money we have spent and the things that are already done. These are part of the long-term strategy.

We have also embarked on a series of initiatives such as the redevelopment of community correctional services and pilot programs.

I will speak quickly about the drug issue, which has been raised in the debate, and say that this government has a Victorian drug strategy initiative which is about looking at decreasing the use of drugs in prisons. I will quote the accurate figures of prisoners who are testing positive as part of a random general program, from which we can see that there has been a decline over the years. In 1997–98 the number of people who tested positive in the random general drugs program was 6.3 per cent. That decreased to 4.8 per cent in 1998–99, to 4.5 per cent in 1999–2000, to 4.2 per cent in 2000–01 and to 3.2 per cent in 2001–02. I do not have time to go into the details about the programs, but the ones we are putting in place are the methadone, Turning the Tide and Bridging the Gap programs.

The figures I will read now are just to counter the evidence that Mr Olexander put forward. Let me tell honourable members that of all the random general positive drug tests in 2000–01, 50 per cent were positive for cannabis, 26.4 per cent were positive for benzodiazepines and 19.8 per cent were positive for opiates. When you look at all the random positive drug tests in 2001–02 you see that the figure goes down 73.9 per cent for cannabis, 13.8 per cent for the benzodiazepines and 8.1 per cent for opiates. So the results show that there is a very real decline because of the programs and initiatives put in place by our minister, Mr Haermeyer, who is doing a fantastic job, and the Bracks Labor government. They are programs that we have designed; they are our strategies. Our long-term vision is working and is working well.

In closing, I condemn the opposition for its motion. In relation to Mr Hall’s questions on the Won Wron prison, again it is part of the long-term management strategy. It is a 127-bed minimum security prison. There are problems with its physical infrastructure; it is very poor. There are problems with its accommodation, because primarily it contains small dormitories and it is not the style that is most appropriate. Rebuilding on the Won Wron site was not considered viable given difficulties associated with the location to do with family and friends being able to visit and to give support to family and friends in prison. There is certainly a lack of room for expansion. I condemn the opposition. I do not support the motion. I support the amendment.
**Hon. W. A. LOVELL** (North Eastern) — I rise to contribute to this motion today that condemns the Minister for Corrections for his inability to manage the prison system which has led to the minister neglecting the responsibilities of his portfolio. I thank the Honourable Kaye Darveniza for highlighting some of the inadequacies of the prison system at the moment.

As Liberal spokesperson for women’s affairs I have a particular interest in the state of women’s prisons in Victoria and the treatment of women in those prisons. Women are serving longer sentences for more serious crimes, and this is fuelling an alarming rise in Victoria’s women prisoner population. While women prisoners accounted for only 7.2 per cent of the prisoner population in 2002, this represented a dramatic increase from previous years. In 1998 there were only 153 women in Victoria’s jails, while at 30 June last year, under the guidance of the current minister, that number had swollen to 254. That represents an increase of 66 per cent in just four years — 66 per cent in the term of the Bracks government. With 26.1 per cent of these women aged between 17 years and 24 years, this is a whole new generation of women with their whole lives ahead of them who are so desperate that they have turned to crime. So disillusioned today are they under this Bracks government that they have now turned to crime.

Perhaps the most worrying aspect of the rise in women offenders is the 73.9 per cent increase in offences against the person. Robbery and extortion offences should also give cause for alarm as the rate among women tripled. This is an important issue facing the state, and the Minister for Corrections should be more than just alarmed.

With the rise in the population of women in prisons, it needs to be noted that women have special needs that must be taken account of. That is not to say that women should be treated differently to males, but the minister needs to be aware that the incarceration of women often has ramifications that involve children and the community, both during their incarceration and on their release.

According to the October 2001 Criminology Research Council report on prisoner release, the matters that ultimately led to imprisonment may remain unresolved and so are still capable of influencing the life of a newly released prisoner. Compounding the problem is the very fact that imprisonment may itself raise new issues that need to be addressed. These two types of categories work together, thereby dramatically amplifying the difficulties of prisoners released from custody.

The Minister for Corrections has failed to ensure that prisoners on release from prison pose no threat to public safety in the immediate hours following their release. Inmates who spend less than four weeks in jail receive no financial assistance on release in contrast to those who have served longer terms. These prisoners who are being released into the community without any support resort to begging or petty theft in order to pay for their return home.

I highlight the plight of prisoners from my own electorate of North Eastern Province who are incarcerated in facilities not close to home. The cost of a V/Line full fare to Shepparton is $27.20; to Wangaratta, $43.20; and to Wodonga, $45.40. For less than $50 the minister could assist these prisoners on release so they could at least return home to their loved ones. Accommodation is central to any genuine attempt at reintegrating newly released prisoners. The cost of four weeks bond, one month’s rent up front, plus electricity and telephone connection is often beyond the financial capacity of people immediately leaving prisons. When prisoners are returning to living conditions worse than those they lived in when they originally offended, the government can hardly act surprised when they reoffend.

Too often prisoners leave prison with no fixed addresses to return to and no family or friends to support them. Returning to these sorts of conditions can almost be seen as an encouragement to reoffend. It is even worse when it comes to women prisoners. Research shows that one-fifth of all women leaving prisons have no address to go to at all when they return to society. This is further compounded if children are involved. Issues such as the numbers of children, the access to the children’s schools and the need for child protection need to be considered. Also, satisfactory accommodation is needed in regaining access to children who have been placed in care. The absence of alternatives may force women to feel the need to return to violent partners, a situation that we do not want to see. The prison system has to make sure it meets the needs of the swelling female population.

**Hon. T. C. Theophanous** — On a point of order, President, it is clear that the opposition does not intend to bring this serious motion to a vote. With less than 2 minutes remaining the prospect that we will have a vote on this is diminishing by the minute. I have already informed the opposition that we were happy to allow a vote to occur if it wanted to do it on a voluntary basis. It has not responded to my request. On that basis I move, under standing order 9.24:

That the motion be now put.
House divided on Mr Theophanous’s motion:

**Ayes, 24**

- Argondizzo, Ms
- Broad, Ms
- Buckingham, Ms
- Carbines, Mrs
- Darveniza, Ms (Teller)
- Eren, Mr
- Hadden, Ms
- Hilton, Mr
- Hirsh, Ms
- Jennings, Mr
- Lenders, Mr
- McQuilten, Mr
- Madden, Mr
- Mikakos, Ms
- Mitchell, Mr
- Nguyen, Mr
- Pullen, Mr
- Scheffer, Mr
- Smith, Mr (Teller)
- Somyurek, Mr (Teller)
- Theophanous, Mr
- Thomson, Ms
- Viney, Mr

**Noes, 19**

- Atkinson, Mr
- Baxter, Mr
- Bishop, Mr
- Bowden, Mr
- Brideson, Mr (Teller)
- Coote, Mrs
- Dalla-Riva, Mr
- Davis, Mr D. McL.
- Davis, Mr P. R.
- Drum, Mr
- Forwood, Mr
- Hall, Mr
- Koch, Mr (Teller)
- Lovell, Ms (Teller)
- Olexander, Mr
- Rich-Phillips, Mr (Teller)
- Stoney, Mr
- Strong, Mr
- Vogels, Mr

Motion agreed to.

House divided on insertion:

**Ayes, 24**

- Argondizzo, Ms
- Broad, Ms
- Buckingham, Ms
- Carbines, Mrs
- Darveniza, Ms
- Eren, Mr
- Hadden, Ms
- Hilton, Mr
- Hirsh, Ms
- Jennings, Mr
- Lenders, Mr
- McQuilten, Mr
- Madden, Mr
- Mikakos, Ms
- Mitchell, Mr
- Nguyen, Mr
- Pullen, Mr
- Romanes, Ms
- Scheffer, Mr (Teller)
- Smith, Mr
- Somyurek, Mr (Teller)
- Theophanous, Mr
- Thomson, Ms
- Viney, Mr

**Noes, 18**

- Atkinson, Mr
- Baxter, Mr
- Bishop, Mr
- Bowden, Mr (Teller)
- Brideson, Mr
- Coote, Mrs
- Dalla-Riva, Mr
- Davis, Mr P. R.
- Drum, Mr
- Forwood, Mr
- Hall, Mr
- Koch, Mr
- Lovell, Ms
- Olexander, Mr (Teller)
- Rich-Phillips, Mr
- Stoney, Mr
- Strong, Mr
- Vogels, Mr

Insertion agreed to.

House divided on omission (members in favour vote no):

**Ayes, 19**

- Argondizzo, Ms
- Broad, Ms
- Buckingham, Ms
- Carbines, Mrs
- Darveniza, Ms
- Eren, Mr
- Hadden, Ms (Teller)
- Hilton, Mr
- Hirsh, Ms
- Jennings, Mr
- Lenders, Mr
- McQuilten, Mr
- Madden, Mr
- Mikakos, Ms
- Mitchell, Mr
- Nguyen, Mr
- Pullen, Mr
- Romanes, Ms
- Scheffer, Mr
- Smith, Mr
- Somyurek, Mr
- Theophanous, Mr
- Thomson, Ms
- Viney, Mr

**Noes, 24**

- Atkinson, Mr
- Baxter, Mr
- Bishop, Mr
- Bowden, Mr
- Brideson, Mr (Teller)
- Coote, Mrs
- Dalla-Riva, Mr
- Davis, Mr D. McL.
- Davis, Mr P. R.
- Drum, Mr
- Forwood, Mr
- Hall, Mr
- Koch, Mr
- Lovell, Ms
- Olexander, Mr
- Rich-Phillips, Mr
- Somyurek, Mr
- Theophanous, Mr
- Thomson, Ms
- Viney, Mr

Omission agreed to.

House divided on amended motion:

**Ayes, 24**

- Argondizzo, Ms
- Broad, Ms
- Buckingham, Ms
- Carbines, Mrs
- Darveniza, Ms
- Eren, Mr
- Hadden, Ms (Teller)
- Hilton, Mr
- Hirsh, Ms
- Jennings, Mr
- Lenders, Mr
- McQuilten, Mr
- Madden, Mr
- Mikakos, Ms
- Mitchell, Mr
- Nguyen, Mr
- Pullen, Mr
- Romanes, Ms
- Scheffer, Mr
- Smith, Mr
- Somyurek, Mr
- Theophanous, Mr
- Thomson, Ms
- Viney, Mr

**Noes, 19**

- Atkinson, Mr
- Baxter, Mr
- Bishop, Mr
- Bowden, Mr
- Brideson, Mr
- Coote, Mrs
- Dalla-Riva, Mr
- Davis, Mr P. R.
- Drum, Mr
- Forwood, Mr
- Hall, Mr
- Koch, Mr
- Lovell, Ms
- Olexander, Mr
- Rich-Phillips, Mr
- Somyurek, Mr
- Theophanous, Mr
- Thomson, Ms
- Viney, Mr

Amended motion agreed to.

Sitting suspended 1.15 p.m. until 2.17 p.m.

Business interrupted pursuant to sessional orders.
**QUESTIONS WITHOUT NOTICE**

**Minister for Commonwealth Games: adviser**

**Hon. PHILIP DAVIS** (Gippsland) — I address my question to the Minister for Commonwealth Games. I refer to reports that Lloyd Freeburn, the assistant general secretary of the National Union of Workers, has been seconded to the minister’s staff. Will the minister explain the purpose for which Mr Freeburn has been seconded?

**Hon. J. M. MADDEN** (Minister for Commonwealth Games) — I welcome the member’s question. As members of the house would appreciate, ministers have the opportunity to appoint their own personal staff at their discretion. I have done that on the basis that I believe Mr Freeburn is a candidate suitable for the job. He has appropriate skills, capacity and qualifications.

**Supplementary question**

**Hon. PHILIP DAVIS** (Gippsland) — I refer to a statement made by Greg Sword, the federal president of the Australian Labor Party, that Lloyd Freeburn has been seconded to the minister’s staff to manage a number of industrial relations issues in the lead-up to the 2006 Commonwealth Games. What industrial relations matters would warrant Mr Freeburn’s appointment?

**Hon. J. M. MADDEN** (Minister for Commonwealth Games) — Again, I welcome the member’s question. This appointment has been made because I believe Mr Freeburn to be an outstanding candidate. He has been chosen at my discretion for my own personal staff within my office on the basis that I believe he has a significant legal background and is an outstanding candidate.

**Hon. Philip Davis** — On a point of order, President, the question I raised was about what industrial relations matters would warrant Mr Freeburn’s appointment, and the minister did not answer that question.

**The PRESIDENT** — Order! In his supplementary question the honourable member did refer to comments made by the federal president of the ALP in relation to industrial relations matters and the expertise that the minister’s adviser has brought to his office. The minister made comments only about his adviser’s qualifications and his ability but not specifically about his ability within industrial relations. Could the minister make some comment with respect to that?

**Hon. J. M. MADDEN** (Minister for Commonwealth Games) — I do not believe it is appropriate for me to comment on the alleged comments of an outside source. I stand by my answer to the question.

**Commonwealth Games: infrastructure**

**Hon. J. G. HILTON** (Western Port) — I refer my question to the Minister for Commonwealth Games. Will the minister inform the house of how the Bracks government is getting on with the job of delivering infrastructure projects relating to the Commonwealth Games?

**Hon. J. M. MADDEN** (Minister for Commonwealth Games) — I welcome the member’s question, and I thank him for his interest in and continued support of the Commonwealth Games. I am pleased to announce to the house that the Bracks government has included in this budget allocations for infrastructure projects in the order of $56 million in the 2003–04 state budget year. These projects are part of the $223 million in capital investment being made by this state as part of the commitment to deliver the Melbourne 2006 Commonwealth Games. Most importantly, these investments in our state will create lasting benefits for all Victorians. They demonstrate just one — and I underline one — of the positive effects of Melbourne hosting the 2006 Commonwealth Games.

We should all appreciate that during the games thousand of people will be attracted to Melbourne’s fabulous Yarra precinct, including the Melbourne Cricket Ground, Melbourne Park, Birrarung Marr, Federation Square, the central business district, and the cafes, restaurants and shops at Southbank. The infrastructure projects focus very much on these areas and will enable visitors to enjoy the experience and appreciate being in these areas during the games.

In addition, there is significant investment in the renewal of a number of key facilities. The great thing about the games is that they bring forward the investment in a number of key sporting facilities. Not only is the government investing in showcasing Melbourne and Victoria to the rest of the world, we are also ensuring that we are upgrading, maintaining and enhancing our state’s sporting facilities. Those new infrastructure projects include $27.8 million for a land bridge linking the Melbourne Cricket Ground with Birrarung Marr and the Federation Square precinct.
What we are doing is enhancing the linkages between the Yarra and the sports precinct — two benchmark elements in terms of Melbourne’s identity. We will spend $18.5 million to install the athletics tracks at the Melbourne Cricket Ground — a significant technical management project in the lead-up to the games. We will spend $3 million to develop a state mountain bike facility. This also gives us the opportunity to take pressure off parks and reserves where mountain-biking may take place. We will spend $27 million to replace the Olympic Park athletics track — so it is about renewal, bringing forward those works — and $1.3 million to upgrade the Jolimont railway station, renewing and improving access to that facility. We will spend $2.1 million to upgrade public lighting for the Yarra Park precinct — that enhances the Yarra and sports precinct links. As well as that, we will spend $800 000 for the replacement of pitches at the State Hockey and Netball Centre. This renewal is being brought forward because of the Commonwealth Games. The government has already detailed $167 million of projects including funding for the Melbourne Cricket Ground, the Melbourne Sports and Aquatic Centre upgrade, elements of the athletes village, and the State Lawn Bowls Centre.

All in all, these new projects announced in the budget will help Melbourne prepare for hosting the 2006 Commonwealth Games. But the games are more than just sport, more than just games; they will ensure that we deliver lasting benefits for all Victorians.

Public liability: adventure tourism

Hon. ANDREA COOTE (Monash) — I direct my question without notice to Mr Lenders, the Minister for Finance. As finance minister, he said in June 2002 that he wanted adventure tourism to thrive in this state as it has for many years. He said he wanted to overcome the problems insurance premiums present to adventure tourism. He said that the government was trawling to get insurers to come to Victoria and offer products. I ask: how many additional insurance agents has the minister attracted into Victoria since he made that statement in June 2002?

Mr LENDERS (Minister for Finance) — I thank Mrs Coote for her question on the issue of adventure tourism. It is a very serious issue. She is correct in saying that part of the government’s response to problems with insurance is to seek to put in place the conditions that will encourage insurers to come into the state of Victoria, particularly in the area of adventure tourism, which has been a difficult one.

Mrs Coote will recall that I informed the house some time ago about a meeting I had in the town of Mansfield with Ms Denise Allen, the then member for Benalla, where we sat down with members of the adventure tourism industry and went through a lot of problems they had. I think the absolutely critical thing in these areas is that there are no simplistic or simple solutions — one size does not fit all.

The government brought in a raft of legislation last year which addressed a lot of issues to make Victoria a better place for insurers to do business in. That legislation dealt with a whole range of issues. One of them, which was critical to the adventure tourism industry, was the issue of waivers under the Goods Act in Victoria, which complements provisions of the commonwealth’s Trade Practices Act. The regulations regarding those waivers came into effect on 1 May, so they are now in place. So a range of things have come into place to deal with some of the conditions for insurers in the state.

The particular question regarding adventure tourism — have we encouraged any more insurers to come into the state of Victoria? — is a very difficult question to answer because a lot of the products being offered are not necessarily from insurers based in the state of Victoria but from Victorian brokers who seek out from other states and jurisdictions products to come into Victoria. So it is particularly difficult to answer the specific question of how many other companies the government has attracted to Victoria, but what we do have is a very strong network of Victorian brokers who cross all Australian jurisdictions and a number of international jurisdictions to try to bring product into the state.

Supplementary question

Hon. ANDREA COOTE (Monash) — Thank you for that answer, Minister. I know it is difficult to come to specifics, but I would particularly like to know exactly how many adventure tourism operators can operate on Crown land as a result of this trawling exercise?

Mr LENDERS (Minister for Finance) — A lot of adventure tourism operators do operate on Crown land. Some of the operators — particularly those associated with the Victorian Tourism Operators Association — are operating under a scheme which the state of Victoria has been underwriting because there has been market value in insurance. That has certainly been on the public record since June last year.
The issue of people operating on Crown land — and that comes to a very fundamental issue in insurance — is that if a commercial operator wishes to operate on Crown land then the Victorian government, to protect the Victorian taxpayer because of joint and several liability issues, obviously requires a level of insurance for public liability before operating on Crown land. That is not uncommon. I was in Mt Buffalo over Easter with my family, and a number of equestrian operators there needed certain permits before they could operate on Crown land. The answer to the question is a complicated one — —

The PRESIDENT — Order! Your time is up, Minister.

Budget: rural and regional gas supply

Hon. J. H. EREN (Geelong) — I refer my question to the Minister for Energy Industries, the Honourable Theo Theophanous. Would the minister advise the house as to how the funding initiative included in the 2003–04 state budget will deliver natural gas extensions to the communities of rural and regional Victoria?

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — I thank the member for his question on a topic which is of great interest to me and, I know, of great interest to him in his region.

The Bracks government continues to deliver for rural and regional communities with $70 million to extend the natural gas network in country Victoria, which has been included in the 2003–04 state budget.

Currently, the government is finalising the guidelines for the distribution of the $70 million. We are ensuring that the largest infrastructure project in country Victoria for many years gets off and running. The first funds are expected to flow in the 2003–04 financial year, and further details will be announced shortly.

The gas program has the potential to deliver gas to between 70 000 and 100 000 households and businesses in regional Victoria. That is certainly of interest to people on our side — it may even be of interest to people in the National Party.

The announced commitments of connecting gas to Barwon Heads, Bairnsdale and Creswick will be a priority. To this I can add that Woodend, Gisborne and Romsey are well progressed. Other towns, including those identified as strong contenders during last year’s election campaign, are actively encouraged to take part in the program. The speed with which towns are connected will depend on how quickly local communities and councils can develop strong economic cases for why their areas should be connected.

The opposition and the National Party did nothing about this problem when they held the reins for many years. I have already referred the house to the comments the present Leader of the National Party in the other place made in 1995 when he bagged the Labor Party for suggesting gas extensions.

Hon. Philip Davis — On a point of order, President — —

Hon. T. C. Theophanous — Why are you defending the National Party?

Hon. Philip Davis — Somebody has to defend it, and I will in this case! In relation to the point of order, may I say that it is obvious that the Minister for Energy Industries has digressed from responding to the question and is now debating the question. It would be appropriate to bring him back to the question.

The PRESIDENT — Order! On the point of order, the minister has strayed a little bit and is starting to debate. I ask him to come back to the question at hand.

Hon. T. C. THEOPHANOUS — I certainly do not want to debate the issue. I was simply pointing out to the house what I consider to be the position held by another party, which is different from what is being prescribed by the government. If members of the National Party want to describe country Victorians getting gas as ‘utter nonsense’ and comment that people should not be able to say, ‘Put on the gas’ when they go into country regions, I think that is a matter for them.

However, I have news for the National Party and other people — people in Melbourne move into properties on a daily basis and say, ‘Put on the gas’, and they get the gas on. That does not seem to be good enough for country Victorians according to the Leader of the National Party. So far as Mr Hall is concerned, he has been on the record on a number of occasions in debate on this issue. He has said that the National Party would be relying on future private gas pipeline owners to provide a distribution system to cover country Victoria. That is what Mr Hall said. I can tell Mr Hall that the Bracks government will not sit around and wait for private owners — it is getting on with the job of bringing gas to country Victoria.

Answer ordered to be considered next day on motion of Hon. P. R. Hall (Gippsland).

The PRESIDENT — Order! Before I call the next speaker, I advise members of the house if they are
unaware that there is a photographer who has permission to photograph members on both sides of the house.

Energy: mandatory renewable energy target

Hon. P. R. HALL (Gippsland) — My question is to the Minister for Energy Industries. Last week the minister, in response to a question from Mr Viney, indicated that the Bracks government would be making a submission to the federal government’s review of the mandatory renewable energy targets scheme. As submissions for that particular review closed last Monday, will the minister now make available to the house a copy of the government’s submission?

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — The government is very pleased to be able to make a submission in relation to the mandatory renewable energy target (MRET) scheme review which is currently under way. That submission will be in strong support of MRET, for both the retention of MRET and its expansion. We are keen to try to ensure that we get an expansion of renewable energy in this state, whether it be wind power, solar energy, hydro or other forms of renewable energy. We are very keen to see that that occurs. Obviously that cannot occur unless there is some form of subsidised system. In this case it works under the MRET scheme whereby certificates are issued to potential providers of renewable energy.

The problem is that the Parer review recommended that MRET be abolished and replaced with a different scheme altogether — a much broader emissions trading scheme. We on this side of the house have no objection to the bringing in of other abatement schemes, but this particular scheme is specific to the renewable energy industry. It is well known that without MRET this state will not be able to develop a viable, long-term and extensive wind industry, nor will it be able to develop renewable energy industries in other areas. We are keen to ensure that the MRET scheme is supported. I have had indications from the Liberal Party, at least in Victoria, that it supports — —

Hon. P. R. HALL — On a point of order, President, I have been patiently waiting for more than 2 minutes for the minister’s answer to my specific question. I did not ask for a debate about the merits of the MRET scheme, which is what we seem to be getting at the moment. Given that submissions to this inquiry closed last Monday and that the minister has already indicated that the government would be making a submission, I simply asked whether the minister has made a submission and whether he will make it available to the house. He has not answered that question in any way or form. He is purely debating an extraneous matter.

Hon. T. C. THEOPHANOUS — On the point of order, President, I am clearly being responsive to the question asked by the member in that he made a request of me in relation to the submission on MRET. What I have been doing is giving the house an outline of what is included in the government’s submission on the MRET scheme, some issues surrounding it and what is likely to be included in it before I finalise my response to the honourable member.

The PRESIDENT — Order! On the point of order, the minister has been responsive with respect to the question asked by the honourable member. He has just passed halfway through his response. He has mentioned on a number of occasions what the government’s position is on the submission the member asked him about. I ask him to continue his answer.

Hon. T. C. THEOPHANOUS — This is an important submission from the Victorian government. It is a submission which, as I have outlined, seeks to get an outcome that will involve the retention and expansion of the MRET scheme. As I said before, we have heard from the state Liberal Party that it is supportive of the retention of MRET. We have not heard the same from the National Party. I know that the federal government will consider the issue in conjunction with the review that is taking place into MRET. I believe that the federal government should listen to the views of the state Liberal Party in relation to this.

I would be concerned if the National Party sought to intervene to stop the federal government from agreeing to an MRET scheme which would be good for country Victorians, would create up to 900 jobs in regional Victoria and would provide clean, green power for Victorians. The Victorian government’s submission will be made available in the normal course of events using proper processes.

Supplementary question

Hon. P. R. HALL (Gippsland) — I would say that the minister’s answer to my initial question was evasive rather than responsive. Notwithstanding that, I simply ask this question: I am still unclear as to whether the Victorian government has submitted, as yet, to the federal government inquiry. As submissions closed last Monday I simply ask: has the Victorian government put forward its submission, yes or no?

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — We have indicated that we have got a
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submission that will be going to this inquiry. We have been in close contact with the inquiry, and its members are well aware of the fact that the Victorian government’s submission, broadly along the lines I have outlined, will be going to the inquiry. They are well aware of that, and there is no difficulty with that.

Do you know what the only difficulty is with this, President? It is that you cannot get the National Party to agree to supporting mandatory renewable energy targets so that we can have a decent and proper wind energy industry in the state.

Budget: information and communications technology

Mr PULLEN (Higinbotham) — My question is for the Minister for Information and Communication Technology. Can the Minister advise the chamber of how the Victorian government is getting on with the job of delivering e-government?

Hon. M. R. THOMSON (Minister for Information and Communication Technology) — I thank the honourable member for his question. The 2003–04 budget meets the challenges of these difficult and uncertain times we are facing and confirms the Bracks government’s commitment to sound financial management and long-term planning. It makes fair and responsible decisions that are necessary to secure Victoria’s future and deliver high living standards, high quality jobs and strong economic growth.

A key component of the budget was the announcement — a first for an Australian state — of the appointment of a government-wide Chief Information Officer. The CIO will drive information and communications technology (ICT) policy and strategy within government and coordinate ICT investment and broadly innovative use of ICT to improve service delivery. The CIO will be a crucial element in this government’s task of delivering modern, efficient and effective government for Victorians. This is a $33.3 million commitment over the next four years.

The announcement is part of a range of new ICT initiatives worth nearly $400 million. Other key initiatives include the health ICT strategy, which aims to provide a modern, technically advanced leading-edge hospital environment which includes a medication prescribing program. The Victorian hospitals will become more capable of sending and completing records that are accurate and moving them through the system electronically rather than manually.

The office of the CIO will also be responsible for delivering the goals set out in the Putting People at the Centre policy framework — our e-government policy framework. The CIO will help ensure that our e-government vision, a vision that is about people and not about technology, is actually met. It is about more than offering online services; it is about revolutionising government and honouring our commitment to improve service delivery to all Victorians and Victorian communities.

It is critical to the future of government that a new government ICT strategy be developed and implemented. To this end we will establish a new subcommittee of cabinet to ensure that we are meeting the needs of the future. This committee of cabinet will be chaired by the Premier, indicating this government’s commitment to ensure that we are using technology to advance services for all Victorians.

This is about positioning Victoria as a global leader in innovative government service delivery. The CIO, who will report to me as the Minister for Information and Communication Technology, will ensure that the Bracks government remains a leading-edge user of this technology and the developer of innovative e-government applications.

Public liability: adventure tourism

Hon. ANDREA COOTE (Monash) — I direct my question without notice to the Minister for Finance. Since June last year the number of adventure tourism operators who have been unable to secure insurance and who have had their risk underwritten by the Victorian Managed Insurance Authority has increased from 23 to 65. What amount of funds has the minister made available as a result of this arrangement?

Mr LENDERS (Minister for Finance) — The arrangements with the Victorian Tourism Operators Association (VTOA) for underwriting a number of adventure tourism operators are a temporary provision that the state has taken simply to keep insurance going in an area where there is no commercial insurance available. They are very similar in principle to the decision made last year, first for six months and then for a further three months, to offer the same thing for builders warranty insurance for one of the providers at the time.

The arrangements with the Victorian Tourism Operators Association (VTOA) for underwriting a number of adventure tourism operators are a temporary provision that the state has taken simply to keep insurance going in an area where there is no commercial insurance available. They are very similar in principle to the decision made last year, first for six months and then for a further three months, to offer the same thing for builders warranty insurance for one of the providers at the time.

The people who receive the insurance pay a premium and the state therefore makes an assumption of risk, as is always the case with insurance. Quantifying amounts is something that is particularly difficult to do, as is always the case with insurance, so there is only a
limited number of people who have received insurance. It is a limited duration scheme to operate until commercial operators are back in the market.

I might add that the number has been rigorously screened by VTOA to simply and only recommend people who have undertaken extensive risk mitigation programs, something we wish to encourage all operators to do and use. Risk mitigation is one of the critical factors that can reduce problems in insurance; obviously if you avoid the risk you do not have the insurable problem.

As is always the case with insurance, there is an unquantified risk, but as with everything it does in this area the government is acutely conscious of the requirement that it is ultimately taxpayers funds we are looking for, and hence it is incredibly wary of ever opening any floodgates.

Supplementary question

Hon. ANDREA COOTE (Monash) — Given the extent of the state’s exposure, can the 65 adventure tourism operators be guaranteed government support for the next financial year?

Mr LENDERS (Minister for Finance) — The government is not in the business of offering insurance to commercial operators. It is not a core function of government, and it has been some time since there has been a government insurance office doing these things. The Victorian government has, quite explicitly, stepped in on a case-by-case basis where there is no commercial insurance available and where risk mitigation practices are such that we are of the view it is an important item for the state.

Also, in any of these areas where we have in a very limited number of cases stepped in as an insurer we have always required an exit strategy, because we will not again go down the path of becoming a general insurer when no commercial insurance is available.

We will on a case-by-case, time-by-time analysis make assessments so that tourism operators know the government’s position. The scheme has been temporarily extended, but there will be no commitments for ongoing assistance in these areas, because we are not the government insurer.

Budget: housing

Mr SMITH (Chelsea) — My question is addressed to the Minister for Housing. Can the minister advise the house what action the Bracks government is taking to get on with the job of delivering on its vision for increased affordable housing?

Ms BROAD (Minister for Housing) — I thank the member for his question. I am very pleased to inform the house that the budget brought down yesterday by the Treasurer delivers on the commitments in the housing portfolio that we took to the Victorian people at the election last year and that they endorsed so overwhelmingly.

The Bracks government will deliver an additional $88.8 million in state funds — above our commonwealth-state housing agreement obligations — over a period of four years. This is additional to and complementary to the Bracks government’s substantial achievements already delivered through the housing program and the election commitments in our first term — the largest single investment in affordable housing by a state government in Victoria since the 1940s.

Some $70 million over four years is allocated to expand the stock of affordable housing in Victoria in this budget. These additional funds will be expended to develop affordable housing associations and to continue to diversify the supply of affordable housing to Victorians. The affordable housing associations will provide general and specialist housing needs. Priority sites will be identified that link in with government labour market initiatives, transport services and affordable housing demand.

An additional $10 million over four years will continue to build on the Bracks government’s neighbourhood renewal initiative by establishing new project areas at Broadmeadows, Ashburton-Ashwood-Chadstone, Doveton-Eumemmerring, Colac and Werribee. The neighbourhood renewal initiative will continue to achieve lasting positive change by providing better housing, improved access to new jobs, training and education, better access to services like transport and health, as well as safer streets and homes.

The Bracks government is very proud of neighbourhood renewal and the outcomes that it is achieving and the opportunities that expanding it will give to many more Victorians. As well, an extra $8.8 million over four years will be used to expand homelessness services.

In line with the recommendations of the Victorian homelessness strategy, the new initiatives have a focus on prevention and early intervention. These include development of a youth homelessness action plan, some $4.8 million over four years, expanding services
for families and young people, and targeting
employment and training programs to young people. It
also includes $2 million over four years to assist family
reconciliation and encourage young people to return to
the home or to establish positive links with close
relatives and to remain in education, and another
$2 million over four years to target employment and
training programs to young people with high needs and
long-term histories of difficulties in education,
employment or accommodation.

The 2003–04 budget focuses on the Bracks
government’s key priorities by maintaining the
$10 billion in social housing assets, contributing to
community building outcomes by extending
neighbourhood renewal initiatives to new areas,
improving homelessness services and fostering
diversity of housing providers to better meet housing
and associated needs.

Victorians asked us to get on with the job, and that is
exactly what the Bracks government is doing in the area
of social housing. We are delivering on our vision for
affordable housing in Victoria while continuing to be
responsible economic managers and keeping the budget
in the black.

Real estate agents: trust funds

Hon. A. P. OLEXANDER (Silvan) — I direct my
question to the Minister for Consumer Affairs. I refer
the minister to Consumer and Business Affairs
Victoria-administered funds, the Estate Agents
Guarantee Fund and also the residential tenancies bond
account which as at 30 June 2000 held combined assets
of $296.5 million. Is the Bracks government
considering winding up any or both of these consumer
protection funds?

Mr LENDERS (Minister for Consumer Affairs) —
Certainly the trust funds Mr Olexander refers to are
regulated or set up and administered by legislation.
While obviously the government will maintain from time to time
look at efficiencies and performances of these things,
there is no intention to amend either act.

Supplementary question

Hon. A. P. OLEXANDER (Silvan) — I thank the
minister for his answer. My understanding of his
response is that while from time to time the government
will look at these things and reassess them, there is no
intention at the present time of winding them up. Will
the minister give a guarantee today that for the life of
this Bracks government it will rule out these funds
being wound up by his government?

Mr LENDERS (Minister for Consumer Affairs) —
The undertaking I will clearly give to the house is that
the government is on about protecting and empowering
consumers. There are a lot of large trust funds involved
with residential tenancies and estate agents. There are
purposes under the act under which each is
administered for looking after tenants, consumers and a
range of people. We will obviously respond to the
reviews that may be in place to see how they can best
look after consumers. We will await the response to any
of those items before we categorically rule anything in
or out.

I can assure Mr Olexander that the area of particular
concern is to empower and protect consumers. In
anything the government does they will be the
parameters that guide our deliberations, and we will
await further advice.

Budget: seniors

Hon. H. E. BUCKINGHAM (Koonung) — I direct
my question to the Minister for Aged Care. Can the
minister advise the house how the 2003–04 state budget
will contribute to meeting the government’s election
commitments to senior Victorians?

Mr GAVIN JENNINGS (Minister for Aged
Care) — I thank the member for her question and her
ongoing commitment, which is replicated by all
members of the government, and concern about the
wellbeing of older members of the Victorian
community to ensure that they are adequately provided
for both in terms of election commitments that we
undertake and the budget outcomes.

I want to share that spirit of commitment to older
members of the community and the enthusiasm that
exists within the chamber. Yesterday during questions
time I was not very popular with members of the
Liberal and National parties. Let me today see if I can
do a little better.

I shall start with the rollout of residential aged care
facilities. Yesterday I reported that the government
made a total investment of $112 million for residential
facilities and supplemented it in yesterday’s budget to
the cost of $25.5 million.

The first beneficiaries of that rollout of new nursing
home accommodation will be those good citizens in
Red Cliffs. I know the good member, Mr Bishop, often
talks to me about the essential wellbeing of rolling out
these facilities in his community. In fact, he fast-tracks
to his later days and encourages me to provide for his
constituents! I am sure Mr Drum will do the same.
Yesterday I sorely disappointed Mr Baxter, but today I am making him much happier because in Numurkah we are very pleased to announce the rollout of a new 30-bed nursing home facility, which is great news for his constituents. In fact, so good, that I am a bit surprised Ms Lovell did not refer to it in her 90-second critique of the budget in her contribution this morning.

It does not stop there. In Trafalgar there will be a new facility, so Mr Hall will be very happy, as indeed will Mr Davis because they will be able to go home and talk to their constituents about the new facilities that will be evident for their communities.

It goes on. Mr Stoney will be very pleased to go back to his constituents and talk about a new facility in Eildon that the government is very proud to be providing. In fact, the only person who actually says, ‘Slow it down a bit on this expenditure’ is my good comrade, Mr Mitchell, who says, ‘I am too young. Oh, no — hang on; this is not about my retirement, it is about the wellbeing of my community!’. I am pleased that Mr Mitchell will go back to his constituents in Eildon and look at the important new facility that we will be providing there.

Right across regional Victoria we have delivered on a commitment to roll out significant investment in residential aged care facilities.

Hon. Bill Forwood — Beyond the comrades.

Mr GAVIN JENNINGS — Beyond the comrades.

We are all roped into this in our enthusiasm to support older members of the Victorian community. I envisage that on future occasions in Parliament I will be asked questions by honourable members about when we are going to roll out more facilities. I know I will be asked questions by the opposition about the fantastic initiative undertaken by the government to commit $69 million in the area of home and community care and beyond the obligation of Victoria to match commonwealth funding. In our last term we committed in excess of $41 million over the top of the matching component. We have continued on with our important commitment to home and community care in terms of meals on wheels, carers and respite care. All of those fundamental services have been underpinned by a $69 million commitment over the four years of the Bracks government.

WATER LEGISLATION (ESSENTIAL SERVICES COMMISSION AND OTHER AMENDMENTS) BILL

Second reading

Ms BROAD (Minister for Local Government) — I move:

That the bill be now read a second time.

Second-reading speech as follows incorporated on motion of Ms BROAD (Minister for Local Government):

The purpose of this bill is to enable the Essential Services Commission to regulate the water industry and to make a number of amendments to the Water Act 1989.

The establishment of the Essential Services Commission as the economic regulator of the water industry is a critical component of a program of reform initiatives implemented by the government to protect our most important natural resource. The reform initiatives recognise that water is a finite resource and that safe and sustainable water supply and wastewater services are essential to our quality of life. These initiatives include:

- enactment of the Water (Irrigation Farm Dams) Act 2002;
- development of the Victorian River Health strategy;
- restoration of flows to the Snowy River;
- establishment of a statewide water trading exchange; and
- development of strategies such as the water resources strategy for Melbourne and the Victorian water recycling action plan.

In addition Labor’s election commitments included the establishment of the Victorian Water Trust as outlined in Labor’s Water for the Future policy statement. The Bracks government recognises that Victoria’s future growth depends on our capacity to manage our water wisely and overcome past neglect of the resource base and water infrastructure. A long-term investment strategy through the Victorian Water Trust is a central part of this government’s plan for ensuring Victoria’s water resources are protected and available to sustain future generations.

The establishment of the Essential Services Commission as the economic regulator of the water industry will complement these reform initiatives to ensure that water and wastewater services are provided in a transparent, efficient and sustainable manner.

In establishing the Essential Services Commission as the economic regulator of Victorian utilities, the government expressed its intention to include the water industry in those arrangements. The Essential Services Commission currently has jurisdiction over electricity and gas distribution, certain ports and grain handling services, rail and freight access and aspects of Melbourne’s metropolitan water and sewerage services. The proposed move to independent economic regulation of the water industry by the Essential Services Commission will:

- enable the Essential Services Commission to regulate the water industry and set water industry charges; and
- enable the Essential Services Commission to undertake reviews of water industry asset ownership arrangements, where it is in the public interest.

The bill will provide for the regulation of the water industry by the Essential Services Commission, with the objective of promoting the most efficient and effective manner of providing water and wastewater services to the benefit of the people of Victoria.
Commission is also consistent with the government’s agreement to implement the Council of Australian Governments national competition policy and related reforms and implements an important component of the government’s response to the national competition policy review of water legislation.

The move to economic regulation of the water industry by the Essential Services Commission has been developed following extensive consultation with key stakeholders.

In November 2001 the government released an issues paper that canvassed matters associated with implementing the government’s policy commitment and set out the following objectives for bringing water under the jurisdiction of the Essential Services Commission:

- protecting the long-term interests of all customers in terms of price and quality of water services;
- facilitating a financially viable water industry;
- ensuring environmental, public health and safety and social obligations are fully considered;
- ensuring transparent and accountable processes for regulatory decision making; and
- providing incentives for long-term investment.

The issues paper formed the basis for preliminary input from key stakeholders which assisted in the development of a proposals paper setting out the government’s initial views on arrangements for the transfer of economic regulation of the water industry from government to the Essential Services Commission. The proposals paper was released for comment in April 2002 and following a number of workshops and information sessions drew nearly 40 written submissions. These submissions demonstrated a high level of interest in the proposed new regulatory arrangements and expressed strong support for the establishment of the Essential Services Commission in most areas of the water industry.

The bill as drafted is designed to ensure that the government’s objectives for the water industry are met and that the Essential Services Commission is given appropriate guidance. The bill establishes a framework within which the Essential Services Commission can undertake its independent economic regulatory role. The provisions of the bill will also provide certainty to water businesses and their customers in the transition to regulation by the Essential Services Commission, particularly in relation to pricing arrangements.

In line with good business practice and government policy, the bill also includes provision for the removal of the immunity for officers and members of the regional urban water authorities and rural water authorities. Removal of the immunity will bring the arrangements for these entities into line with those that apply to the metropolitan water entities and the Melbourne Water Corporation.

Provision is also included in the bill to reinstate a provision inadvertently removed in 1997 from the Water Act 1989 which allowed the Central Gippsland Region Water Authority to accept certain types of waste material at its Dutson Downs waste treatment facility.

I turn now to the contents of the bill.
set out the approach and methodology the Essential Services Commission is to adopt in relation to regulating prescribed prices; and

declare other functions of the Essential Services Commission. In particular, these may include auditing, monitoring and performance reporting and dispute resolution functions.

The bill also provides that the Essential Services Commission can be given the function of reviewing whether particular goods or services should be regulated and making a recommendation to the minister.

These provisions, together with the broader framework set out in the bill and the Essential Services Commission Act 2001, will ensure that the government's objectives for bringing the water industry under the jurisdiction of the Essential Services Commission are achieved.

In line with the government's commitment to ensure transparency in government decision making, it is proposed that the minister will cause the water industry regulatory order to be published in the Government Gazette.

The bill provides for codes to be developed and implemented by the Essential Services Commission and with which the regulated water entities must comply. It is intended that the codes will primarily relate to services quality issues. Under this proposal, the Essential Services Commission will be responsible for setting benchmark customer performance obligations. The regulated entities will then be required to develop customer charters that comply with the benchmark established by the Essential Services Commission. In the metropolitan sector these charters will replace the current customer contracts. Accordingly, the existing provisions in the Water Industry Act 1994 relating to customer contracts are to be repealed.

It is also intended that a code developed and issued by the Essential Services Commission could address various matters in relation to the provision of regulated bulk water and bulk wastewater services. Service standards and other arrangements will be determined by negotiation between bulk suppliers and their customers consistent with arrangements set out in the code. It is envisaged that these could include principles for the negotiation of services standards, general matters to be addressed in agreements, benchmark terms and conditions of supply, provisions relating to procedures for dispute resolution and other relevant matters that would assist the parties to reach agreement regarding service standards and related issues.

The bill also provides for the minister administering the Water Industry Act 1994 to issue statements of obligations for each of the water entities. The statements will allow the government, as the owner of the water entities, to specify obligations relating to the performance of an entity's functions and the exercise of its powers. Specific obligations could include, for example, community consultation, obligations in relation to governance, asset management, emergency and risk management, environmental sustainability, and community service obligations. A water business will be required to report on any breach or failure to comply with any obligation. Before making a statement of obligations the minister must consult with the Treasurer and the Essential Services Commission. This will ensure that any new financial impact can be considered.

Under the new arrangements for economic regulation of the metropolitan water retailers, the existing legislative role of the Essential Services Commission in relation to its water and sewerage licences is no longer necessary or appropriate. The bill therefore provides that the minister will assume that role. A water or sewerage licence may be made by the Governor in Council, but the minister is required to consult with the Treasurer before recommending the making or amendment of a water or sewerage licence. The bill also provides for a change to the current limitation on the term of a licence and to provide that these may be issued on an ongoing basis.

To ensure that the Essential Services Commission may be provided with the necessary information by the regulated entities to enable it to exercise its powers and to carry out its functions, the bill includes a requirement for the regulated entities to provide it with such information as it may require in the manner and form and at a time decided by the Essential Services Commission and as notified to the regulated entity.

Apart from the specific provision relating to the proposed move to economic regulation by the Essential Services Commission, in accordance with modern business practice the bill also removes the immunity currently provided in section 90 of the Water Act 1989 for officers and members of water authorities. This would apply to members only after their current terms of appointment expire. This proposal accords with government policy and would place members of the boards of these water authorities on the same basis as officers and board members of the metropolitan licensees and the Melbourne Water Corporation.

A further amendment to the Water Act 1989 is proposed to reinstate a provision inadvertently removed in 1997 which provided for the Central Gippsland Region Water Authority (Gippsland Water) to accept certain types of waste at its treatment facility at Dutson Downs some 15 kilometres south-east of Sale. This waste includes asbestos, oily sands containing naturally occurring radioactive material and other contaminated soils. A number of significant industries in the Latrobe Valley rely on Gippsland Water’s acceptance of this waste. Reinstatement of this provision will provide for Gippsland Water to continue this activity. The proposed provisions will also make Gippsland Water’s capacity to accept this waste since 1997 clear.

However, since the licence provisions now provided for in other legislation, such as the Environment Protection Act 1970, include various conditions in relation to Gippsland Water’s activities in relation to this waste, it is not proposed to reinstate the provision requiring ministerial approval for Gippsland Water to accept waste from outside its sewerage districts.

It should be noted that Gippsland Water has a licence issued under the Environment Protection Act 1970 to accept waste material of the type delivered for disposal by landfill with the exception of radioactive waste for which it has an exemption issued in accordance with the Health (Radiation Safety) Regulations 1994.

The proposed amendments are sought to clarify Gippsland Water’s arrangements with respect to its current activities. Any extension of those activities is a matter for consideration under other processes.

The proposed Water Industry (Essential Services Commission) Bill 2003 represents an important landmark in
the water industry and will play an important role in ensuring that future economic regulatory decision making for the water industry will reflect the government’s health, safety, environmental and social commitments and provide long-term benefits for all Victorians.

I commend the bill to the house.

Debate adjourned on motion of Hon. E. G. STONEY (Central Highlands).

Debate adjourned until next day.

MELBOURNE (FLINDERS STREET LAND) BILL

Second reading

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the bill be now read a second time.

Second-reading speech as follows incorporated on motion of Hon. J. M. MADDEN (Minister for Sport and Recreation):

The Yarra River is perhaps the most significant natural feature of the city of Melbourne, around which the built structure of the city has developed, from the days when Robert Hoddle envisaged the grand boulevards which provide the north-south axes of the city, linking the north and south banks of the river. Honourable members cannot fail to be aware of the remarkable rejuvenation which has occurred on the south bank of the Yarra River, truly opening up this precinct for use and enjoyment. Extending further to the east of the central activity zone, the Bracks government and the Melbourne City Council have in partnership developed Birrarung Mar, an entirely new park which recognises through its naming the indigenous occupants of the area.

The Yarra River precinct plan recognises the importance of the river to the city and sets out the vision for its further development. This plan identifies the north bank of the river as a priority for action, given its relative underdevelopment compared with the south bank.

Redevelopment of the western end of Flinders Street is one of the most significant initiatives in revitalising the western end of the city by improving urban amenity, public transport and pedestrian access. The Bracks government wants to enhance qualities which the city is already recognised as possessing, in terms of being livable, attractive and safe.

The measure before the house is a step towards this vision. In May 2002, the Premier announced that in partnership with the Melbourne City Council, it was intended to seek expressions of interest for development of the former fish market site which lies to the south of Flinders Street, between Spencer and King streets, with another secondary site on the opposite side of King Street, to the north of the Melbourne Aquarium. In association with this project, the present Flinders Street overpass would be removed, thereby facilitating greater access not only to this site but also to other sites on the northern side of Flinders Street.

In August 2002, the Department of Infrastructure sought preliminary expressions of interest in developing the site. More detailed proposals were subsequently sought from short-listed developers, and these are currently under evaluation.

In order to give certainty to a preferred developer as the project progresses, existing encumbrances on the land need to be lifted. The government has chosen to introduce legislation to accomplish this at this relatively early stage of the process in order to facilitate negotiations with potential developers.

The land is presently Crown land permanently reserved and is vested in the City of Melbourne. The city uses part of the site for storing impounded vehicles and also operates a car parking facility on other parts of the site.

The City of Melbourne is supportive of the redevelopment project and the need for this legislation. The government recognises that the City of Melbourne’s revenues will be affected by the project. The government and City of Melbourne have agreed to jointly negotiate a financial strategy for the project that recognises and compensates the city for these revenue impacts.

Commencement of the act is on a date to be proclaimed. The City of Melbourne will continue to enjoy its current rights and entitlements over both sites until the act is proclaimed. The act will be proclaimed after an acceptable development proposal is received and agreed to. If an acceptable development proposal is not received and agreed to, the legislation will automatically repeal on 30 June 2005, leaving the present land status in favour of the City of Melbourne in place.

Development of these sites provides an opportunity to connect the river, Batman Park and the southern edge of the city to benefit all of us through enhancement of a presently neglected area. I am pleased, as the minister with responsibility for Crown land, to contribute to this initiative of the Bracks government.

I commend the bill to the house.

Debate adjourned for Hon. D. McL. DAVIS (East Yarra) on motion of Hon. Philip Davis.

Debate adjourned until next day.

MELBOURNE CRICKET GROUND (AMENDMENT) BILL

Second reading

Debate resumed from 30 April, motion of Hon. J. M. MADDEN (Minister for Sport and Recreation).

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — The redevelopment is without doubt the most significant project that the government is currently undertaking towards the preparation for the Melbourne 2006 Commonwealth Games. Yesterday this house debated the Commonwealth Games Arrangements...
MELBOURNE CRICKET GROUND (AMENDMENT) BILL

The funding for the MCG redevelopment has also been fairly controversial because it was the first project where the Bracks government declined commonwealth money. The commonwealth government offered a $90 million contribution to this project, but rather than taking up that $90 million the government elected to ignore it. It did not accept the offer that came from the federal government to contribute $90 million to the Commonwealth Games. Instead of taking the commonwealth money the Bracks government said, ‘No, we would rather pay $77 million of state taxpayers money to the project and get the Melbourne City Council to chip in the other $13 million to make up the balance of the $90 million that we choose not to accept’.

That was purely due to industrial relations issues on that site and the fact that the government and the minister do not have the strength to stand up to the unions and enforce the law on the site. The government did not accept the commonwealth’s offer of $90 million, and consequently the Victorian taxpayers are out of pocket unnecessarily to the tune of $77 million.

It is interesting to note on the issue of commonwealth funding for the Commonwealth Games, with the state government having turned down $90 million it is still to make a formal submission to the commonwealth. Whenever I see my colleague the federal Minister for the Arts and Sport, Senator Kemp, I always ask him: ‘How are things going with negotiations with the state government over the commonwealth contribution to the games?’ Every time I speak to Senator Kemp the answer is the same: ‘We still do not have a formal submission’. The state government has still not gone to the commonwealth and put in a formal submission requesting commonwealth funding.

The clock is ticking, which was the point I made yesterday. The Commonwealth Games has a six-and-a-half-year time frame. We are now three and a half years into that and we still do not have a formal request from the state government to the commonwealth government for funding. I suggest that reflects a few of the other issues that are unfolding in the Commonwealth Games portfolio. We simply have not had the progress that might be expected on Commonwealth Games venues and activities as we head towards the Commonwealth Games.

The budget papers tabled yesterday record a number of projects that are behind schedule. The most notable is the games village which, according to the budget papers, was supposed to be under way in February of

(Amendment) Bill which put in place legislative changes which the government deemed in order to deliver the Commonwealth Games project on time and hopefully on budget.

It is worth repeating in the debate today that not a lot of latitude is available to the government in the delivery of these projects. In particular the Melbourne Cricket Ground (MCG) is obviously the focal point for the Commonwealth Games. It is the venue within which the opening and closing ceremonies are obviously to be held, and it will also be the venue for a number of competitive events.

As it currently stands the redevelopment project for the MCG is due for completion in late 2005. It is a five-stage project that is currently under way, so the government does not have a lot of room to move. Delays of even one or two months in concluding that project will severely eat into the couple of months that exist between the proposed conclusion of the project and the opening ceremony for the Commonwealth Games, so it puts the government and the minister under a great deal of pressure to deliver on schedule. It is one of the few things that a government does in preparations for an event like this where there is no latitude. A delay of a couple of weeks or months simply will not be acceptable because the world will be watching Melbourne on the occasion of the 2006 Commonwealth Games, and it will be a great shame if the world is looking at a stadium with a stand missing because the government and the minister did not get their act together to get the project completed on time.

It is interesting that in question time today the issue of the Commonwealth Games staff was raised. It was the issue in particular of the appointment of a new staffer, Mr Lloyd Freeburn, to the minister’s staff. I note Mr Viney says he is very competent. I am sure he is, and I am sure that is why the minister hired him and why the minister needs him. I note that poor old Jeff Pulford seems to have disappeared from the minister’s staff at the same time that Mr Freeburn has come on board.

In question time today the Leader of the Opposition raised the issue of the purpose for which the minister has hired Mr Freeburn, and it has been suggested by none other than Greg Sword, the federal ALP president, that that person has been brought on to the minister’s staff to deal with industrial relations matters. That is his expertise. The minister did not acknowledge that in his answer. Mr Viney says he is a very skilled and competent person, and no doubt we will see those industrial relations skills brought to the fore as the project progresses and unfolds.
One of the interesting things about the government’s commitment on the Commonwealth Games budget is that the Premier, when he announced the framework — and I use the term ‘framework’ generously because all we have been given are two figures: the total estimated cost of the games, $1.1 billion, and the state contribution, $697 million — said that the state’s contribution was capped and that there would be no state money in excess of $697 million contributed to the Commonwealth Games. Yet when we look at the budget papers we see that that is not the reality, because a number of open-ended commitments have been entered into by the government.

It is interesting to look at the budget papers to see where these commitments are recorded, because the Treasury is not quite so cavalier in its statements as the Premier and the minister may be. These open-ended commitments, with respect to the Commonwealth Games and to the Melbourne Cricket Ground (MCG), are reported in the budget papers under contingent liabilities and, indeed, under non-quantifiable contingent liabilities — in other words, an open-ended, unknown exposure for the state of Victoria.

With respect to the deal on the MCG redevelopment, not only has the government knocked back commonwealth money and tipped in $77 million of state money, it has also entered into a number of indemnities, one of which is for the Victorian taxpayers to pick up any overrun on the cost of redeveloping the MCG should that project exceed $450 million in total costs. Another is the Treasury Corporation of Victoria’s (TCV) underwriting of the loan facility which the Melbourne Cricket Club (MCC) has taken out in order to fund the redevelopment of the MCG. A third is a new one that appears in the budget papers this year that has not been previously recorded or reported to the people of Victoria: effectively it is some sort of underwriting of cash flow should the MCC be unable to meet the debt servicing requirements of that loan facility.

Above and beyond the $77 million that the state has contributed on behalf of the people of Victoria to this project unnecessarily, there are a number of open-ended commitments from the state government with respect to the MCG redevelopment project. It is simply ridiculous for the Premier to say the contribution from the state government to the Commonwealth Games is capped. The MCG project is just one example. The commitments under the endorsement contract for the Commonwealth Games also show that the state’s contribution is open ended.

I will now turn to some of the key provisions in the bill. I place on the record that the opposition does not oppose this legislation. The bill provides for a number of largely machinery provisions. The first provision is an expansion of the MCG Trust. The departmental briefing on this bill suggested the basis for that was to get a broader skill mix among the members of the trust — the trustees — which is a legitimate aim but you could also argue that same objective could be achieved by changing the individuals on the trust rather than expanding them. The question has to be asked of the minister: who does he intend to appoint to those extra vacancies on the MCG Trust? Can we expect it to be a few of Labor’s mates, a few union hacks perhaps? Perhaps the expansion of the MCG Trust is about placating some of the industrial relations issues that appear to be developing on that site.

Other provisions of the bill allow the MCG Trust to delegate its powers to the MCC, and then for the MCC to delegate its powers to other persons. Another provision relates to the MCC being given the power to retain gate receipts for events at the MCG rather than the current arrangement where gate receipts must be collected by the MCC, paid to the trust and then returned from the trust to the MCC. In effect, it takes out the double handling of gate proceeds.

Some other interesting provisions of the bill include a requirement for the trust to make quarterly reports to the minister on the progress of the MCG redevelopment, and that is welcomed by the opposition. We always support openness and transparency in reporting on these projects, and I look forward to the minister providing those reports to Parliament as he receives them. There are also some minor boundary changes to the Yarra Park and MCG reserve on the northern and western sides of the reserve, which we understand are minor corrections to the reserve and which have been picked up in this legislation.

Another provision the bill introduces is a requirement for the MCC to prepare a business plan for the MCG Trust. It was explained during the departmental briefing that a number of these provisions — the delegation of powers, the business plan requirement, et cetera — reflect existing contractual relations which both the MCC and the MCG Trust have sought to have incorporated in the statute in recognition of their far greater financial commitment to the MCG as a result of the redevelopment. That request seems entirely justified, and the opposition does not oppose that.
In conclusion, clearly there are a number of issues developing on the Melbourne Cricket Ground site. The bill introduces quarterly reporting and we look forward to the minister passing those reports on to Parliament. This is largely a machinery bill and the opposition does not oppose it.

Hon. D. K. DRUM (North Western) — I take much pleasure in joining the debate on the Melbourne Cricket Ground (Amendment) Bill. The Melbourne Cricket Ground is an arena that is very dear to me as it is to all sports lovers in this state. It is a special place for all of us. It is a place where family memories have been forged and it has a tremendous tradition and significance for each of us because we have so many fond memories of the MCG.

My first memory of the MCG is of being amazed by the mass of people attending the traditional Anzac Day football match between Collingwood and Melbourne, which used to be the traditional game in those days.

In 1972 I had the opportunity to see my first grand final at the MCG. I sat right at the back of the stand that has now been demolished. I saw my beloved Tigers cop a record beating at the hands of the Carlton Football Club. Again in 1973 and 1974 I went back to the MCG to see the Tigers get their revenge in grand finals. I remember sneaking into the rooms after the 1973 grand final and watching the great Tommy Hafey enjoying the win with his players. I had the privilege of having a brother-in-law play in those grand finals. It was an amazing part of my childhood to witness those games at the MCG.

I have been lucky enough to play a few games on the MCG, including in the 1989 finals series when playing for Geelong, coached by Malcolm Blight. Undoubtedly that was a highlight for anyone who has had the opportunity to experience the MCG.

The MCG is not just a football ground; it has an immense aura about it irrespective of the battles that have been fought on the arena. I, along with most cricket-loving Victorians and visitors from interstate and overseas — it is not just Victoria’s ground; it is there for people throughout Australia — have been fortunate enough to witness the Boxing Day test or the excitement of one-day cricket. With the lights they are generally day-night games so we are very fortunate.

I was fortunate to attend the centenary test match between Australia and England in 1977 to celebrate 100 years of Ashes test cricket between England and Australia. I consider myself unlucky not to have played cricket for Australia but I am sure that would have happened if they had only played with a tennis ball!

I recently had an opportunity to attend the MCG with a man from Echuca who had the misfortune to find himself in a wheelchair due to an horrific car accident. Spending the day at the MCG watching football with this man and helping him with his rehabilitation on his first day out made me realise how well the ground caters for everyone. It is not just for the able-bodied; it caters also for people in wheelchairs who want to go to the football. It has underground car parking and lifts that take people in wheelchairs to their respective areas and provides for them to be able to visit the change rooms and to travel up the race — everything is provided to assist people with disabilities. It brought home to me the brilliance of the ground in its current state.

It reinforces to us as legislators that we must continue to create an MCG that will ensure it remains a world-class venue for sportsmen and sportswomen. It is important for us to get the legislation right so that we create an MCG that will continue to be a wonderful ground for spectators, including the families, who attend the venue. We have that responsibility to make sure we get the legislation right.

The bill deals with a range of issues which the Honourable Gordon Rich-Phillips has spoken about. The National Party has consulted widely on this bill. The chief executive officer of the Melbourne Cricket Club, Mr Stephen Gough, has spoken to me about this bill which he believes will facilitate the MCC in carrying out its managerial duties. He believes they will be protected by an exclusivity clause preventing the MCG Trust from entering into contracts with other ground managers while it is the ground manager.

Business plans that must be prepared by the MCC in its role as ground manager and presented to the MCG Trust will further complement the working relationship existing between the two administrations. The provisions in the bill are very commonsense ones.

The bill increases the number of members of the MCG Trust from seven to nine. It articulates the power of that trust to delegate a range of managerial responsibilities to the MCC and provides, with the minister’s approval, for the sub-delegation of these functions and powers.

The bill identifies an additional part of Yarra Park as being part of the MCG, which is necessary for the new facility, the Northern Stand, being built at the city end of the ground, and small parcels of land from outside the ground near the Sport Australia Hall of Fame and at
the back of the cricket practice net area to facilitate the development. Appropriately, given that small parcels of Yarra Park land have been taken for the development, small parcels of adjacent city land have been acquired so there will be no loss of public open space.

The bill also provides for relevant stratum for those parts of the Northern Stand which will overhang the boundary line above ground level. That is a commonsense measure.

While the National Party will not oppose the bill, I place on record our dismay at the fact that the state government turned its back on the $90 million offered by the federal government. That has further burdened the Victorian public with coming up with another $77 million. The Victorian taxpayer should not be forced to carry that burden. The National Party believes the government had a choice: to do the right thing by the people of Victoria or by the Construction, Forestry Mining and Energy Union (CFMEU). History will show that the Bracks Labor government chose to look after the union.

I refer to an article in the Herald Sun of 21 June 2002 which highlights why the government chose to do this. It states that building workers will get a bonus of at least $100 a week as part of an industrial peace plan deal for the $400 million redevelopment of the MCG.

While the National Party was and remains very concerned about the Labor government’s throwing away $90 million to placate the unions, we will not oppose the bill. The National Party has made clear what the bill offers and the provisions it contains — many are commonsense provisions. The bill has the support of both the MCG Trust and the MCC as ground manager. It has a record of administration that should make every Victorian who uses the ground tremendously proud and it has a history and tradition that we must take on board and ensure that future generations of Victorians enjoy.

The National Party supports this legislation. We do not accept that the government has acted in Victoria’s interests in turning its back on the federal funding, but we wish the bill a speedy passage.

**Mr PULLEN (Higinbotham)** — I rise to support the bill that is before the house. The main purpose of the bill is to make further provision for the management of the Melbourne Cricket Ground; to ensure proper monitoring of the development of the northern stand and to make minor changes to the MCG for the purposes of development of the northern stand.

The bill permits the trustees, with the approval of the minister, to delegate any part of the functions or powers of the trustees, other than the power of delegation, to the Melbourne Cricket Club and it will enable the MCC to further delegate these functions or powers to any person. I received the recent MCC newsletter, and this subject was covered quite well in one of its articles. The MCC is very fortunate to have Mr David Jones as its president. He is a very competent businessman and will ensure that the redevelopment will be handled well by the MCC committee.

Amongst other things the bill will provide, as has already been mentioned, for the trust to be increased by two members up to nine, and that all the skills required are adequately covered by the members. It will amend the description of the land in the schedule of the Melbourne Cricket Ground Act 1933 to provide for the identification of an additional part of Yarra Park as being the MCG, with subsequent trade-offs. There will be no loss of public land because the MCC car park will be returned to the public.

The Melbourne Cricket Ground will replace the existing Olympic, members and Ponsford stands. It will ensure that the MCG retains its place as the best ground in Australia and certainly the best cricket ground in the world, if not the best sporting ground in the world.

Mr Drum mentioned that he has been to Anzac Day matches at the MCG, and I was there on Anzac Day this year for the game between Essendon and Collingwood. Once again the pre-match ceremony and entertainment were fantastic. The Royal Australian Air Force (RAAF) central band under the leadership of Flight Lieutenant Steve Wright entertained the crowd. There was wonderful singing by two members of the air force, with vocals by Corporals Roxanne Dew and Dean Doyle. The RAAF Roulettes flew over, and I immediately felt confident that the Bombers would have a win! The Red Berets arrived and jumped out of helicopters. They brought in the match balls for the game, and that was fantastic.

Something really wonderful for Anzac Day was cars circling the ground with men and women who had served in the Second World War, Korea and Vietnam. The way the Australian Football League is promoting itself these days is wonderful.

As members know I am a country music fan, and we all enjoyed hearing Adam Brand sing to the crowd. He sang a song entitled *The Anzac*, which is a great tribute to Australian servicemen and women. Then the Last Post was played and we had 1 minute’s silence. It was wonderful to note that there was no-one yelling out
during the minute of silence. The national anthem was sung, again by Roxanne Dew, and that was fantastic. The match was played and James Hird, the best footballer in the competition was best on the ground, won the Anzac medal and the Bombers won by 11 goals which really made it a tremendous day.

One thing that comes to mind when I think about this redevelopment is that the members stand is a very special place, although I admit I have an interest as a member of the Melbourne Cricket Club. But when I come into this place it reminds me a little bit of the Long Room. There is a real history about the Long Room, and there is real history about this place as well, and that is tremendous. I would, however, sound a note of caution to the architects. I hope when they decide what features they are going to retain they actually do retain them, because I have been to the Gabba in Brisbane where they knocked down the cricketers club. You would not even know where it had been, and that is a tragedy. I think it is most important that those features that contribute to the history and culture of the Long Room at the MCG are retained.

I do not want to take up too much time, but I would like to mention a couple of important points on the redevelopment of the MCG. One is the environmentally sustainable design of the ground which is so important. For example solar hot water and solar panels will generate domestic hot water for non-event day usage. There is provision for natural ventilation and daylight and this will provide a high level of daylight penetration and air circulation, reducing the need for artificial lighting and ventilation. There will be passive solar shading, which allows winter sun penetration whilst providing shade from the summer sun. There will also be recycling, water retention and reuse which is most important.

The government is keen to ensure that the MCG remains truly the people’s ground and that any redevelopment does not diminish the amenity and access for the general public. That is most important. The ground will have its capacity to hold 100 000 people restored. There will be increased public seating and improved facilities, including food outlets, toilets, lifts and escalators.

Mr Drum mentioned part of the northern stand protruding over parkland. There will be wonderful restaurants there for people to use outside of sports days and, most importantly, no sale of naming rights for any of the stands.

I want to comment on the issues that have been raised by Mr Rich-Phillips and Mr Drum in relation to the $90 million that was rejected by the Bracks government. I looked across at the redevelopment while I was there on Anzac Day and thought, ‘It is looking absolutely fantastic. It is coming along very well. There are no industrial troubles whatsoever’. And that was because the deal that was done by the government, together with the Construction, Forestry, Mining and Energy Union and Grocon, was put in place. The thing will be done on time and at the right price. It is most important that that money — —

Hon. G. K. Rich-Phillips — The $77 million!

Mr PULLEN — It is interesting that Mr Rich-Phillips brings that up, because it was the only issue that was raised against me in my election campaign by my opposition candidate, Mr Michael Heffernan. I wanted to debate all sorts of issues with him but he kept on coming up with this figure. Of course he never came out with the right figure. He always came out with the fact that the Victorian taxpayer had to come up with $90 million.

I kept on trying to tell him it was $77 million. I had to come up with it twice, being a member of the Melbourne Cricket Club, because the rest was coming from the MCC, but the important thing — and I want to make this statement — is what Mr Heffernan said in the election campaign. He said:

During the council’s budget process —

he was a member of the Bayside council but he has since been defeated from there as well —

the need to upgrade ageing infrastructure was made crystal clear. And so it is particularly disconcerting and disappointing that the Victorian government sprays taxpayers funds against the wall with its rejection of $90 million of commonwealth government funding for the MCG redevelopment. Instead, we the Victorian taxpayer, have to ‘foot this $90 million bill’ through higher taxes and charges —

and so on like that. I will not go through the rest of the diatribe, but it goes on along a similar line. Even before I was endorsed as a candidate I could not put up with that, so I decided I would write back to the local paper. This is part of my letter:

Some Liberals will go to any lengths, even with inaccurate information —

Hon. G. K. Rich-Phillips — You’re not quoting yourself?

Mr PULLEN — Yes, I am. Am I allowed to do that?

… to get their names in print.
The facts are, Mr. Heffernan, the reason the money was rejected was the insistence of the Commonwealth’s industrial relations minister, Tony Abbott, to stick his nose into the agreement between the Victorian government and the developers which would have caused trouble and an unnecessary blow-out in costs as happened under all major projects under the former Kennett Liberal/National government.


Mr. PULLEN — Sorry, Damian, you are in there as well! The member for Tarneit in the other place summed it up pretty well when she said:

In attempting to hold the Victorian government, the Victorian people and the Commonwealth Games to ransom, he determined —

that ‘he’ was Mr. Abbott —

that unless we as government complied with his outmoded doctrinaire approach to industrial relations he would spit the dummy and prevent taxpayers money from being spent where it was promised and where it should rightfully have been spent — so he decided to take his little bat and ball and wander right off.

The Labor Party’s record at the Melbourne Cricket Ground in the past is well known, for example when a dispute was resolved amicably with the building of the lights at the ground, and they were delivered on time and at the right price under the Cain government.

I have already mentioned the fact that Mr. Heffernan continued to say $90 million when in actual fact it was $77 million, but I think this paled into insignificance. I was keeping a tally although it was very hard to, because I did not have enough space on my calculator to keep a record. It was taken into account that Mr. Heffernan’s party had already promised an additional $3.1 billion in roadworks funding alone at the last count, and that was back in July 2002. Mr. Heffernan does not take into account all the other promises that have been made by the Liberal Party at that particular time. During his party’s time in government in my electorate the members of that government closed the Mordialloc hospital when they said they would not. They downgraded the Moorabbin hospital, which this government will improve during this term of office —

Hon. G. K. Rich-Phillips — On a point of order, Acting President, the member is entitled to some latitude, but hospitals and roadworks are nowhere near the scope of this legislation. I ask you to bring him back to the bill.

The ACTING PRESIDENT (Hon. H. E. Buckingham) — Order! I ask the honourable member to come back to speaking about the bill.

Mr PULLEN — I know it hurts the opposition because the Honourable Gordon Rich-Phillips talked about the Commonwealth Games funding for far longer than the MCG redevelopment.


Mr PULLEN — I will leave you alone. I know it hurts.

The interesting thing in relation to the $77 million is that we must remember also, just as a matter of interest, that we have had the disgraceful performance of the opposition talking about funding of this particular project and blow-outs in costs. We only have to remember the opposition’s position on Federation Square. It just made up a figure, and it ended up costing us a fortune. There is also the issue it is raising at the moment on Phillip Island.

Hon. D. K. Drum — Seal Rocks!

Mr PULLEN — Thank you, Damian.

This is once again a tremendous bill as far as the government is concerned. It will be delivered on time and at the right price, and I fully support it.

Hon. S. M. NGUYEN (Melbourne West) — I would like to make my contribution on the Melbourne Cricket Ground (Amendment) Bill that is before the house. It really is part of the commitment the government made to the Commonwealth Games — that is, to make sure the games are in order for 2006. There is another bill coming today about the issues relating to the Commonwealth Games. The Melbourne Cricket Ground is one of the issues related to the games. The state government is committed to trying to improve the MCG so we can be ready for the coming major sporting event in 2006.

I have to congratulate the Minister for Commonwealth Games and also the Premier for taking the games seriously in order to show the world that Victorians are capable and keen to make the games happen. It is important to see that because, back in 1956 — nearly 50 years ago — Victoria was the first Australian state to host the Olympic Games.
It shows how competent we were: we were capable of hosting any international games for the world. It shows our record. And we have continued to do that for the sake of our sport state. Victoria has always been known as Australia’s sports capital. We want to maintain that because we see it as important that people come to Melbourne more to watch major games playing in the Melbourne Cricket Ground or other stadiums.

During my time living in Melbourne I have been to many important events at the Melbourne Cricket Ground. I have been to a grand final; I have been to many football matches, as well as other forms of entertainment, such as concerts — the last one was the Rolling Stones, a few years ago. Also I went to watch the soccer match that Victoria hosted at the 2000 Olympic Games. I know a lot of members of ethnic communities were keen to come to watch the soccer at the MCG. So the ground has a multipurpose use, for every major event.

We want to maintain that, and because part of the ground is very old, we have to pull it down and put up a modern, high-technology replacement to make sure the crowd is comfortable and that the people who attend feel that they are sitting in the middle of a very comfortable facility, one of the best in the world. The state government has to ensure that that happens, and the Premier made sure that happened at some cost.

I go back to the point mentioned before about commonwealth funding. The state government will always welcome contributions from the federal government for anything — not only this issue; it could be any issue — but we would like to ensure that the way this happens is workable and fair for our Victorian community. Sometimes the commonwealth government funds something, but places a lot of conditions on it, and tries to bully and take over the show. It puts forward some money, but wants everything. It is unacceptable for the commonwealth government to put a lot of conditions on funding, because the state government has the right to administer the ground because it is more under the state’s responsibility than the commonwealth’s. But the commonwealth has to do it, because it is part of the international Commonwealth Games. It has to be part of it, because it is helping the nation, and Victoria is the host state. The commonwealth has asked for a lot of things we cannot accept. That is why we have to reject its offer. It has to work with us, but under our authority.

The bill details a lot of important issues. The state government will make sure the project goes ahead on time and also will show to the organising committee of the Commonwealth Games that everything is on track and that everything will go ahead on time.

In conclusion, I support the Melbourne Cricket Ground (Amendment) Bill. I think it is important for the long term. It is not only for the Commonwealth Games but will benefit things beyond the Commonwealth Games. People who enjoy sports events will benefit a lot from this. It will attract more major sports to Melbourne from interstate as well as from overseas. I am looking forward to going to more matches in coming years, and especially to the Commonwealth Games in 2006. I commend the bill before the house.

Hon. J. M. MADDEN (Minister for Commonwealth Games) — Just briefly in reply I would like to thank the Honourables Gordon Rich-Phillips, Damian Drum, Sang Nguyen and Mr Pullen for their contributions. I thank the opposition for their support for the passage of this bill. I look forward to the ongoing successful development of the Melbourne Cricket Ground and the implementation of these reforms to allow that development to take place in the lead-up to the 2006 Commonwealth Games.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

MAJOR EVENTS (CROWD MANAGEMENT) BILL

Second reading

Debate resumed from 30 April; motion of Hon. J. M. MADDEN (Minister for Sport and Recreation).

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — The Major Events (Crowd Management) Bill 2003 has as its purpose:

… to promote the safety and enjoyment of participants and spectators at certain events and venues around Melbourne.

I say at the outset that the opposition supports this legislation. It is appropriate that in 2003 that we have legislation by which venue operators can promote the safety and wellbeing of their patrons and a mechanism by which unruly patrons can be appropriately dealt with.

The legislation establishes a number of what are declared ‘managed venues’ and provides that the
minister has the power to declare specific major events. The venue at which a major event takes place is then deemed to be a managed venue and is therefore subject to the provisions of this bill.

Once a venue is declared a managed venue and made subject to the provisions of the bill the crowd management regime in place for venue managers allows them to have some control over the patrons entering their venues. It allows for things like the inspection of bags and other items that people are taking into the managed venues. It also allows for security screening with metal detectors — regrettably that has become commonplace in modern life, particularly in the past two or three years. The crowd management regime gives venue managers and their delegates the power to refuse entry to patrons for various reasons such as intoxication or disruptive behaviour. It also allows for the removal of disruptive patrons from venues.

The opposition regards these measures as appropriate and the type of powers venue managers need to ensure the viability of the functions they are running and the ongoing enjoyment of the majority of their patrons who go along to functions with a view to having a good time. Whether it is a sporting event like football or cricket, or whatever, the majority of the people in the crowd are there to watch the event and have a good time. They do not need to be disrupted by the unruly minority. They are entitled to enjoy themselves. Hopefully this bill will go a long way towards ensuring that.

The bill also provides for the prohibition of a number of items being taken into managed venues: weapons, firearms, dangerous goods, et cetera. The inclusion of dangerous goods is an interesting one because some definitions of dangerous goods are very broad and, depending on which definition is employed, would extend to things like matches and cigarette lighters. However, I think the intention there is fairly clear and I doubt the legislation would be used in that manner.

The legislation also creates an offence of what is essentially pitch invasion — that is, people running onto sporting fields during events. In the last couple of years this has become popular at certain events at certain times of the year. Significantly there is the possibility of a substantial fine of up to $60 000 being imposed where the pitch invasion results in disruption to play. If you have a football match where streakers or whatever —

Hon. Andrea Coote — Shock, horror!

Hon. G. K. RICH-PHILLIPS — Mrs Coote is expressing her horror at the thought. Were someone to engage in the sort of conduct that is seen in the Nike ad, you could argue whether that constituted a disruption to play. Whether everyone stopping to observe the streaker constitutes disruption to play is a matter that would ultimately need to be clarified. Nonetheless where that occurs and play is disrupted there is provision for fines of up to $60 000.

Another significant part of the bill is what I have termed the serial pest provisions, relating to people who have a history of pitch invasions. As I understand the requirements, the bill gives police the power to apply to the Magistrates Court for an order to prevent anyone who has two previous convictions for pitch invasion from attending a major event or — in the words of the bill — a managed venue. Honourable members will be well aware of the serial pest who a couple of years ago was making a nuisance of himself in, from recollection, Melbourne, Adelaide and Sydney. I will not dignify him by naming him but his behaviour was disruptive and potentially dangerous. It was potentially dangerous to him, not that I regard that as relevant, but more significantly it was dangerous to participants in those major events and venues. It is appropriate that this bill introduces a mechanism by which those people can be prevented from entering managed venues and major events.

The other key provision of the bill empowers the secretary of the relevant department — in this case the Department for Victorian Communities — to appoint authorised officers. The authorised officers will be in effect the delegates of the managers of the venues — they will be the people who actually implement the crowd control regime that this bill introduces.

The opposition is seeking clarification from the minister on a couple of minor issues. I hope these matters can be resolved in the minister’s response to the second-reading debate. If that can be accommodated, I, on behalf of the opposition, am happy not to proceed to a committee stage.

There are two matters on which the Liberal Party seeks clarification and I understand the National Party may also have one or two matters it would like cleared up. The first relates to the scope of the legislation. Clearly in the way the legislation is written the minister will have the power to declare as a major event virtually any significant gathering in the state. To go to the extreme, that could involve a meeting of the Parliament being declared a major event — or a meeting of a branch of the Labor Party, assuming they are large — and therefore being subject to the provisions of this bill. The
first issue the opposition seeks clarification on is, given the understanding based on the briefing from the department, whether the government intends that this legislation will apply with respect to only sporting events. I invite the minister’s contribution on that.

The second related issue is whether the minister only make an order under the legislation only when he is requested to do so by the operator of a major event or managed venue. Those are the two key matters on which the opposition seeks clarification on. Hopefully the minister can accommodate that in his response and we can avoid a committee stage.

To conclude, the opposition welcomes this legislation. It will give much-needed powers to venue operators to ensure the successful running of their events and the enjoyment of their patrons. The opposition considers that a good thing and wishes the bill a speedy passage.

Hon. D. K. DRUM (North Western) — I would like to applaud the government for addressing this issue. Members of the National Party will not be opposing and in fact will be supporting the bill.

We do have some concerns with the bill that I will be quite happy to share with the minister in the hope that he will be able to satisfy those concerns in his wrapping up of the debate.

We have a growing trend within a very small minority of the population of people who, looking for their 15 seconds of fame, trying to push a political point or perhaps simply having had too much to drink, venture onto the playing surface while major events are in progress and disrupt the events.

As spoken about in recent debates on bills, Victoria is well acknowledged as being the sports capital not only of Australia but of the world — the universe! We have a huge emphasis in this city and in this state on attracting major events to our capital and regional areas, and in the last couple of days the benefits that ensue by attracting those events have been well and truly documented in this chamber.

Recent years have seen us host the soccer World Cup, the world yachting titles off Sandringham, the President’s Cup Golf Tournament featuring America’s best golfers versus the rest of the world, the Bledisloe Cup rugby matches between New Zealand and Australia, the British Lions tour featuring four separate countries of the British Isles playing as a team to create the Lions, bringing enormous tourism benefits to the region, and the World Masters Games that convened in Victoria last year for the first time.

All of these major international events held in Melbourne complement another group of events held annually in Melbourne, such as the Boxing Day test, the Australian Football League finals series and even the AFL blockbuster games, the Australian Open tennis championships and the Phillip Island 500cc motorcycle grand prix. They build a picture of a city and a state that are constantly in the throes of preparing, staging or reviewing world-class major events.

To facilitate all this the bill identifies several venues in and around Melbourne as major venues: the Melbourne Cricket Ground, the Phillip Island grand prix circuit, the Docklands stadium, the entire Melbourne Sports and Aquatic Centre site, all the buildings making up the State Netball and Hockey Centre, the National Tennis Centre land and the Olympic Park site.

One question for the minister is why, surprisingly, the list leaves out our most high-profile international venue, the formula one grand prix circuit at Albert Park. I imagine the minister has a reasonably straightforward answer as to why that circuit does not enjoy the same status as a major venue that the others do. If it has been left off for any political reason it would certainly lessen the credibility of the government and this legislation, so I imagine that not to be the case.

The bill addresses issues such as security checks to be undertaken as people enter these managed venues. People will be banned from bringing in items such as whistles, loud hailers, laser pointers, fireworks, flares, weapons and animals other than guide dogs. There is probably a line in there about some early St Kilda teams, but I will leave it out!

The bill grants powers of inspection to authorised officers who will be able to search patrons entering any of these venues and take away from them any of those banned articles. The opposition would like to point out that there is a fair amount of concern about the amount of responsibility given to the people doing these inspections. We expect serious consideration to be given to the selection of these people, given that the only prerequisite for their employ is that they be 18 years of age or older.

We would expect also that there would be significant training of these officers so that they are qualified, because the situations they might find themselves in in the carrying out of their duties could well become volatile.

We would also like to see in the bill some safeguards against the case that any of these authorised officers might overstep their powers in dealing with the public.
People’s personal belongings can be searched. I would think there would be the occasional innocent patron who may have a child’s toy such as a laser pointer in their bag and not realise it, or there might be a whistle at the bottom of a handbag due to an innocent oversight. The potential for interaction between authorised officers and hostile members of the public is considerable. We would like to see safeguards and significant training for the authorised officers so that they are qualified to do that work.

It is good to see a clause providing for retention for 28 days of items that have been confiscated before they can be sold by the manager and the funds kept, and that within the 28-day period the owners of the items can come back and retrieve them.

The bill is predominantly about the disturbing trend over recent times of spectators running onto arenas. They put themselves ahead of the majority and venture onto the ground with the view of disrupting the event and causing it to stop or be severely impacted. The bill has the ability to increase fines for such disruptions at major events to up to $6000. We fully support such increases in fines.

There is also a differentiation between somebody who may have ventured onto the ground but quickly extricates himself from the venue realising he is in a place where he should not be. He may have jumped over a fence to fetch a cricket ball but quickly gets back over the fence. The bill has the flexibility to differentiate between people who find themselves on the ground but quickly extricate themselves and cause no disturbance as against people who venture onto the ground with the express aim of causing a disturbance. The National Party appreciates the flexibility the bill provides.

The bill also has the ability to ban repeat offenders, which the Honourable Gordon Rich-Phillips spoke about in his contribution. The ban period for a serial or repeat offender will be set at the discretion of a magistrate, which we applaud. It is extremely important that patrons and spectators, sponsors and television viewers have the best possible opportunity to observe these events without having to put up with idiots interfering for their 15 seconds of fame. I cannot say it strongly enough that we must clamp down hard on people who are simply trying to disrupt these important events for their own self-interest.

One area of the bill that disappoints the National Party is the definition of major events. While we support the name venues, we are concerned that many major events that occur in regional Victoria may have been left off the list. We understand it is the minister’s discretion to name a major event and therefore create a managed venue that would entail the necessary security for such an event.

Events that are held on an annual basis, such as the Bendigo international Madison, attract cyclists from around the world. Events take place over three days, but the Madison race itself goes for approximately 2 hours. The richest 400-metre foot race in Australia is also a major event. If the event were held in Melbourne it would most likely be called a major event. Sometimes regional Victorians are not recognised and do not receive funding. Not only that, when we hold major international events we believe we should be recognised as doing so.

Another major event is the Stawell Gift, Australia’s richest foot race, and possibly the world’s. The crowd would suggest that it should be entered into the major event category, yet the legislation does not list those venues I have mentioned as managed venues. Perhaps the minister may wish to reply on that issue with the understanding that a managed venue also incurs extra costs in providing security.

I turn to an area of personal experience, the great speedboat race, the Southern 80. It is a fantastic race and people come from throughout Australia. I am not sure whether international racers go to the event, but certainly skiers from around Australia are competing for exceptional prize money over the 80 kilometres of the Murray River at Echuca.

In the past year two unbelievable acts would certainly have been helped by the legislation being in place much earlier. In one instance the lead boat, which was doing well over 100 kilometres an hour, hit a log and flipped, nearly killing the driver, the observer and the two skiers. One might say that there is a chance all boats can hit logs, but this log had just been thrown into the river some 5 minutes before the lead boat hit it and flipped into the air. The log was thrown into the river by a drunk who was bored with the race and could not think of anything else to do. So he decided to throw a log into the Murray River.

I am sure such drunks do not realise that what they are doing is life threatening. If these regional events were deemed major events it could be well and truly documented that legislation is in place and fines will be imposed for any type of behaviour that will cause disturbance to the event. Such a fine would be in the vicinity of $6000, and to do something of such magnitude would also come under the Crimes Act. That would be extremely helpful for such venues and events.
The second act of stupidity was that towards the end of the race a couple of fishermen got sick of casting out in a small area and decided to go casting for skiers and went very close to catching a couple of them. I laughed for a little while, but it was serious. It is deadly serious because these idiots who became bored while fishing thought they would cast and catch a skier. If a hook had hit a ski line it does not take much imagination that the hook and sinker would slide up the ski line, hit the skier and cause extreme damage.

Legislation is in place, which we applaud, for major events in Melbourne, but consideration must be given to regional events. I understand the minister has powers to create and manage venues at his discretion. I understand some of the actions I have spoken about are covered by the Summary Offences Act, but we are still concerned as to why they have not been mentioned in the act.

The other issue on which I would like the minister’s comment, which was partly clarified during the briefing on the bill, is that of serial pest offenders, such as he who shall not be named, who has taken it upon himself to create a reputation for running onto major events and disrupting them. Provisions are in place where he can be fined and called a repeat offender for a period set down by a magistrate.

But when the same individual runs in front of a Melbourne Cup field to again make some stupid political statement does this legislation truly differentiate between an act of nuisance or disturbance and a totally life-threatening act? We have spoken about some life-threatening acts up on the Murray River, now we are talking about a life-threatening act that happened on the biggest racing day in Australia. Is this area covered sufficiently by the Summary Offences Act? Does there have to be a marriage between the Summary Offences Act and also this legislation, or is the government happy that the differentiation between the two is adequately covered?

The definition of a major event in the legislation leaves it open to the minister as to what he sees as a major event. He has that discretion available to him, yet I have heard off the record that the government intends its discretion available to him, yet I have heard off the record that the government intends its legislation to apply only to sporting events. We would like to have that clarified as part of the minister’s wrapping up of this bill. Does it apply to cultural events; does it apply to rock concerts; or is this legislation only to be applied to sporting events? Certainly in the way it is written it is open to any event that the minister would consider to be major, and if the intention of the bill is that it is only for sporting events then we would like that clarification as well.

All in all we applaud the government for introducing this legislation, and we support it wholeheartedly.

Mr PULLEN (Higinbotham) — I rise to support the bill, and I thank the opposition and the National Party for supporting it. The purpose of the bill is to promote the safety and enjoyment of participants and spectators at major events in certain venues.

Most of the issues have been covered already in the second-reading speech and also in the contributions of the Honourable Gordon Rich-Phillips and the Honourable Damian Drum, but I want to touch on a couple of them.

Patrons will be removed by authorised officers or police from a venue where it is the opinion of the management or the police that the individuals place the safety of patrons and participants at risk. Once the individual is removed they are refused re-entry for 24 hours, with a penalty for failure to comply. This will include the removal of patrons who cause an annoyance to spectators. In practice this would include the disruption of the enjoyment of the event and would enable the management to remove patrons.

I know it is not covered by the bill, but as I mentioned sometimes I get annoyed when people start yelling out while the national anthem is playing or there is a minute’s silence on Anzac Day, or as occurred recently at the Bali memorial. I think those people should be turfed out too, but I do not think the bill would go that far.

Clause 25(1) of the bill provides that the secretary may appoint a person as an authorised officer who holds a licence under the Private Agents Act 1996 or a person employed by the venue manager who has attained 18 years of age. This provision restricts the type of person authorised under the proposed legislation by providing that they be either already licensed as a security firm, already licensed as a security guard or already licensed as a crowd controller, so I do not think the matter raised by Mr Drum is of any concern.

This is one of the wonderful things that has come about since the licensing of bouncers, as they used to be called. How often did you go to the local pub, even on a Saturday night, and there would be a punch-up on or something or other and the controllers would cause more trouble than the actual patrons? Because of the registration requirements under the Private Agents Act you very rarely see problems at major places nowadays.

I have noticed that when you go to major events now you get your bag searched if you are carrying one, and some patrons are not aware of what happens when they
arrive at a venue if they are from interstate or overseas. That leads to patrons arriving at venues being unaware that they are carrying items that may not be permitted to be brought into the venue. While it can be said that commonsense would dictate that many of the items should be left behind, patrons are often confronted with the dilemma that on arrival they must decide what to do with an item. In the majority of instances returning to their vehicle is not possible because they might have come on public transport, so adequate notification of conditions of entry in a timely and efficient manner is paramount. I notice this is often done in advertisements for major events in the newspapers. I think it is also proposed to provide uniform conditions at the entry of the major venues as mentioned in the bill.

The purpose of the legislation is, among other things, to ensure the safety of both participants and spectators at events to provide a deterrent against potential offenders and to provide the powers and processes that control the activities, which I consider are very fair.

As has been mentioned by Mr Drum, a number of venues are listed in the bill. As far as Australian Rules Football is concerned only the Melbourne Cricket Ground and Docklands stadium are mentioned, but the opportunity is there for other places to be declared as major venues because Australian Football League football is played at Optus Oval, and there are racecourses and places like that.

It will be at the discretion of the venue manager whether alcohol is allowed to be brought into a venue. One of the great things that has happened over the years has been the introduction of dry areas at football grounds and similar places. At the Melbourne Cricket Ground, particularly in the summertime, there seem to be a lot of frustrated Collingwood supporters who cannot control themselves, but ruling that only light beer is to be served in the outer has been a magnificent move. I have noticed that the introduction of dry areas, and in some cases not allowing alcohol to be brought into venues, has also helped in the control of crowds. Very rarely do you ever see the blues going on like they did in the 1960s or 1970s or out among the crowds, and that is one of the best things that has ever happened.

Another valuable change which has come about is the responsibility of the television stations. Once they used to show a Nike-style person running all over the park, and it is wonderful that the TV stations now refuse to show that. You might hear some cheering going on or something like that, but they do not show it on the television anymore. In particular Channel 9 does not show some streaker or someone like that running around the ground, so that has been a good thing.

The other thing is not allowing people on to the grounds, although it is fantastic when sometimes after they sound the siren at the MCG at a major event they let the kids get out on the ground to kick their footballs. That is also an incentive for people to take their kids down to the local footy club or to Victorian Football League — formerly known as the Victorian Football Association — matches on Saturdays where they can still have their fun.

As I mentioned, the bill has been well covered by both previous speakers, and I support the bill.

Hon. ANDREA COOTE (Monash) — I am pleased to speak on the Major Events (Crowd Management) Bill. I remind the chamber of the purpose of the bill. It identifies managed venues to which the bill applies and allows the minister to declare events major events, the venues of which are deemed to be managed venues. The bill applies a crowd management regime in respect of managed venues allowing inspection of bags, security screening, removal of people from venues or refusal to admit. It prohibits a number of items being taken into managed venues, many of which we have heard about today, including weapons, dangerous goods, etcetera, as well as at the discretion of the venue manager, and requires their surrender and storage by the venue manager.

The bill imposes a $1000 fine for pitch invasion and up to a $60,000 fine for disrupting play through pitch invasion. The bill contains serial pest provisions which will allow police to apply to the Magistrates Court for an order preventing a person with two or more pitch invasion convictions from entering a specific managed venue. The penalty for this breach is $60,000. It empowers the Secretary of the Department for Victorian Communities to appoint authorised officers, being staff of a managed venue, to implement the crowd management and screening provisions of the act.

As the shadow Minister for Tourism I am pleased to see the introduction of the bill so that people can feel secure and happy about going to major events in Victoria and in Melbourne. We do not have to cast our minds too far back to see those clear images on the television of the soccer hooligans in Europe, the damage they caused to the venues they were attending and the serious injuries they inflicted on each other. In this country we have been proud of our record. The odd streaker now and again is probably more amusing than offensive. We have had very little property damage or injury to people, and I am pleased to see this bill stepping in the right direction to address and tighten crowd management. Certainly we want to continue enjoying the fine reputation we have as the major events capital.
Between 1992 and 1999 there was an unprecedented number of major events in Victoria. Prior to that time there were things we all enjoyed, such as the Australian Football League Grand Final and the Victoria Racing Club racing carnival; there were a number of those sorts of events. It was not until the Kennett government came on to the scene with a burst of enthusiasm that we saw a number of excellent major events on our calendar. As Melburnians we became proud of the fact that we had things like the grand prix, and the tennis open, which gained excellent coverage world wide and became known internationally.

I will refer to some of the events held in Victoria that are listed on the major events calendar web site. I might add that many of these events were initiated by the Kennett government. In 1997 there was the World Soccer Cup qualifier. It was a disappointing outcome at the end of the day, but it was held here. There was the excellent Three Tenors concert in 1997. The Australian Athletics Championships and Athletics Festival was held in 1997. I mentioned the grand prix. The motor cycle grand prix was held, and if members recall we finally got back that motor cycle grand prix for Victoria as we did the Australia Formula One Grand Prix. The Kennett government initiated the Melbourne Fashion Festival and we had the World Police and Fire Games and the Melbourne Food and Wine Festival, which is an ongoing event.

A number of events have been initiated by the ALP, and I will include those because I want to be fair. The IAAF, or International Association of Athletics Federations, grand prix final in 2001, the World Cup Polo in 2001, the USA@AUS Basketball Challenge in 2000 and the Millennium Balloon Festival were initiated by the ALP.

The difference between the events is that the ones initiated by the Liberal Party under the Kennett government have been recurrent. They are here year after year bringing value and dollars into the economy.

We have seen a dearth of new major events on the horizon. It is very hard to think about what is actually on the horizon that has not been initiated or started by the Kennett government. This government in the last three years has done very little, and it is disappointing that there are no major initiatives on the horizon for the coming three years. This government has no imagination, no excitement, nothing coming up, and I think we are in danger of losing our title as the major events capital. That would be a great pity considering the introduction of this Major Events (Crowd Management) Bill. It would be a great pity not to have any major events to crowd manage!

We have to look at how we can continue to make certain that Melbourne remains as the major events capital and retains the major events capital title. I am very concerned about this because I read in an article in the Herald Sun of January this year a comment by the chairman of the Melbourne Major Events Company, Steve Vizard, in relation to New South Wales. New South Wales was making a bid to become the major events capital of Australia. The article says:

- The title of major events capital of Australia is up for grabs, according to the New South Wales board.

Boasting improved facilities after the 2000 Olympic Games, New South Wales now has a wish list of 100 events it believes it can poach from interstate and overseas.

- 'We wouldn’t now consider Melbourne as the major events capital,’ Chris Bastic, executive director of New South Wales major events, said.

There should be big warning signs for the government over this, but there is a lack of imagination. We have not seen anything up and coming. But Steve Vizard, with the sort of arrogant and patronising attitude that is starting to hallmark this government, came back with this comment. He is reported as saying:

Melbourne could afford to be less gung-ho because its events calendar was already full.

Mr Vizard said the reason is that we lure big attractions. He even admitted that the big attractions were spearheaded by the former Victorian Major Events Company chief, Ron Walker. It was nice of Steve Vizard to acknowledge that Ron Walker had done so much to attract these major events to Victoria. Indeed, I think Steve Vizard should take a big leaf out of Ron Walker’s book and start thinking about some innovative recurrent major events for this state. It would be an enormous pity if we lost our major events capital title to New South Wales.

We need to understand that New South Wales is breathing down our necks. It has made a plan and has a strategy to overtake us, and it has earmarked 100 events that it wants to poach. We had better beware. The minister should be vigilant and make certain we retain this title.

Many major events are held in my electorate of Monash Province. We have the grand prix, as I mentioned before, which is a very successful recurrent event. We have Moomba and the water skiing on the Yarra. I would like to include Anzac Day as a major event because it is a major event. If we are looking at crowd control and at the respect the crowds pays, we should watch Anzac Day because it is already a major event that has an almost self-imposed crowd control. There is
a lot to learn from the way our crowds proudly observe this national day. I am honoured that the Shrine of Remembrance is in and that the parade is conducted in Monash Province.

There is also the Caulfield racetrack and the races, and the numerous events at the Sidney Myer Music Bowl, many of which are major, and increasingly so now it has been refurbished. We need to look at the crowd control at Carols by Candlelight, which is held at the music bowl, where we see families of all types. Last year there was some concern over international terrorism and that outdoor activities and areas where large crowds gathered could be inadvertently or overtly under threat. It was pleasing that the operators decided to continue with those events to show that here in Victoria we are not frightened of terrorism and will not interrupt our lives, although we will be cautious. That is an excellent event that was conducted safely.

I am pleased to see the introduction of this bill and to say, as did my colleague the Honourable Gordon Rich-Phillips, that the Liberal Party will be supporting it. So far as Victoria is concerned, and Melbourne in particular, the confidence that will be experienced by all those people who go to events in this state will be reinforced by the bill.

Above all we will attract more visitors to major events, more visitors bringing in tourist dollars and more people from interstate and overseas who come to the smorgasbord of major events provided in Victoria. International tourists will come here for a safe, happy and enjoyable vacation. I commend the bill to the house.

Hon. J. H. EREN (Geelong) — I rise to speak in favour of the Major Events (Crowd Management) Bill. Victorians have a great lifestyle — our weather is normally great and it means we can often enjoy outside entertainment. The bill seeks to ensure that everyone can enjoy their day out at the football or cricket without unruly behaviour ruining their day. All people have the right to enjoy these events without having to be harassed or annoyed by other spectators who are misbehaving.

While the government is not against people having fun, there is nothing worse than going to the football and having some idiot nearby with a horn blasting in your ear all day. The bill fulfils our election commitment to give police and ground managers greater powers to curb crowd violence. The purpose of the bill is: to ensure the safety of both participants and spectators; to provide a deterrent against potential offenders; to provide powers and processes which are transparent, fair and equitable to control activities; to ensure the duty of care by venue operators; and to increase public awareness.

The bill provides for major sporting venues such as the Melbourne Cricket Ground (MCG) and Telstra Dome to be declared venues for the purposes of the legislation along with nearby land where necessary. While we may remember with some mischievous fondness the rowdy days of bay 13 at the Melbourne Cricket Ground, our society no longer believes that is acceptable behaviour at a major sporting event.

This bill will prevent that kind of behaviour as it will prohibit items such as laser pointers, distress signals, dangerous goods and whistles or loud hailers, and it will provide uniform conditions of entry at declared venues including the inspection of bags, baskets and receptacles to ensure that prohibited items are not brought into the venue.

The bill authorises officers to undertake the functions required under the legislation to detect contraband items and manage behaviour. These searches will be undertaken by properly authorised venue staff or security agents on behalf of management, and the legislation proposes to formalise this process. Patrons may also be asked to submit to security screening at events. It is not only spectators who are at risk from unacceptable behaviour at sporting events; there is considerable concern from athletes that their safety is jeopardised by rowdy crowds. That is why the Bracks government is doing all it can to prevent violence at these events.

As I said before, it is not only sporting fans who are in danger of being harassed or attacked, but participants in the sport. I have been to sporting events at the MCG where people who seemingly have had too much to drink decide to dart across the pitch area. Almost every time they are caught by security guards — and they are only being mischievous — but there is the chance that these kinds of events could turn ugly.

This has not happened before in Australia to my knowledge, but it is becoming commonplace in the United States of America. Only last September, a major league baseball coach was attacked by two fans who came out of their seats to the playing area during a game. Had it not been for the players on the field who protected the coach he may have suffered much more than a few cuts and a bruised cheek. A folded pocket knife was found on the ground near the scene afterwards — one player said he saw it fall from a pocket of one of the attackers.
Thank goodness that does not happen here. Thank goodness we have this bill before us that will go to great lengths to ensure that it never will. The threat of some drunk streaking across the MCG during a cricket game or a grand final is something that might raise a smile — Mrs Coote commented on this, but she is obviously no longer in the chamber — even though we do not agree with it. However, it will not be a smiling matter for the drunk if he or she gets fined up to $6000 for unauthorised entry to the playing field. If he or she is a serial pest who repeatedly invades pitches or carries on at the tennis, as some of these people do, they can be banned from entering the premises for the duration of the event at a magistrate’s discretion.

These are tough measures but they are necessary. This bill will provide powers and processes that are transparent, fair and equitable to ensure the safety of participants and spectators. At the end of the day the bill will also strengthen Victoria’s sport, recreation, major events and tourism base, while encouraging and supporting its contribution to economic and social development.

As I said before, the Bracks Labor government is committed to ensuring that people can enjoy Victoria’s great outdoor lifestyle without having to suffer harassment or unruly behaviour. That is why I commend the bill to the house.

Mr SOMYUREK (Eumemmerring) — It is with pleasure that I rise to speak on the Major Events (Crowd Management) Bill which will contribute greatly to the improvement of standards and management arrangements for our premier sporting events. Victoria rightly prides itself on being the sporting capital of Australia and the world and in order to retain this status it is imperative to pass legislation, the consequences of which will be to introduce measures to curb crowd misbehaviour at major sporting events.

Crowd misbehaviour is by no means confined to Victoria — it is very much a global phenomenon. Soccer in Europe conjures up images of bloody battles between rival fans in the streets of Brussels, Manchester and other parts of Europe. The government understands the importance of Victoria’s excellent reputation with respect to major sporting events. That is why it is determined to ensure that dangerous and destructive behaviour does not force genuine spectators and athletes to stay away from major events held in Victoria.

The government made an election commitment to give police and ground administrators greater powers to curb crowd violence. The bill seeks to provide a mechanism for venue management and police to ensure the safety of participants — who are usually athletes — and spectators. This will be achieved by providing powers to manage crowds and processes as well as deter potential offenders through increased fines and penalties for inappropriate and offensive behaviour.

The bill provides that some major sporting venues and events, as well as the areas adjacent to declared venues, may be declared areas for the purposes of an event under the legislation.

The bill also provides scope for the minister to declare other major events through a system of ministerial orders. Part 3 of the bill provides for uniform conditions of entry at declared venues where possible. Complementary action by venue managers regarding the conditions of entry and uniform crowd management practices will also be promoted to the public with a clear understanding of the expected conduct at events.

Clause 10(1) identifies and prohibits the possession of certain items at venues while providing flexibility for venues to prohibit additional items. Prohibited items include: laser pointers, whistles and loudhailers, fireworks, flares, pyrotechnics, firearms, weapons, illegal substances and animals other than guide dogs. I will not go through all the items listed as other members have spoken about them.

Clause 11 deals with the question of alcohol and whether alcohol will be allowed on to the premises. Discretion will be left to the venue manager in accordance with the liquor licensing provisions. The legislation also allows for other items identified by the venue to be prohibited.

Clause 12 provides for the inspection of bags, baskets and receptacles at declared venues and events to ensure that prohibited items are not brought into the venue. The bill allows for patrons to submit to security screening of equipment by authorised officers on behalf of management. Clause 9(4) defines security screening equipment.

The bill also provides for substantial fines for pitch invaders. In concluding I would like to reiterate the importance of the bill for the maintenance of Victoria’s sporting reputation throughout Australia and the world. Victoria’s sporting reputation is very much built on crowds that attend sporting events. The introduction of this legislation will ensure that Victorians continue to support major sporting events. I therefore commend the bill to the house.
Hon. J. M. MADDEN (Minister for Sport and Recreation) — I thank the following honourable members for their contributions on this bill: the Honourable Gordon Rich-Phillips, the Honourable Damian Drum, Mr Pullen, the Honourable Andrea Coote, Mr Eren and Mr Somyurek.

I will now refer to a number of items raised by opposition members so that I can assist them in their understanding of the operation of the bill. A number of members expressed concern about the scope of the legislation, and hopefully I can now clarify some of those matters.

This legislation covers particular venues and sporting events by order, but it should be appreciated that some of those venues may hold major events not necessarily related to sport. There is the opportunity for this legislation to cover events at those designated venues as major events under this act, and this could mean cultural events or concerts held in venues such as the Melbourne Cricket Ground (MCG) or other venues. It does allow the opportunity to extend coverage to other events at those venues. Although it is anticipated that the vast majority of events held at these venues will be sporting events the bill could cover some cultural events that might take place from time to time at those venues.

There were also concerns raised about the list of those venues. I have been advised that in relation to some of the temporary venues, such as the grand prix circuit, it was agreed in the development of the legislation that further consideration needed to be given to any temporary venues that might be determined as venues under this bill and that they could be included at a later date. But further consideration as to how that might be determined would be required because temporary venues would need to be determined, defined and then incorporated into any order issued by the minister in relation to that. This bill does not exclude that opportunity but further consideration as to how that might be nominated needs to take place.

The cover of the legislation has been developed in consultation with venues, and the operation of the legislation may need to be refined over time given the progress of the implementation of the legislation. This is a model piece of legislation. It has wide support from the respective sectors: venue operators, the sporting sector and others. Because it is in a sense the first time legislation of this type has been developed in this country there is no doubt it may need some refinement to its operation over time.

With respect to criminal acts, they remain the responsibility of the police under existing legislation so it is not anticipated that this legislation will override those, but this bill articulates what is acceptable or not in relation to venues, particularly sporting venues, and the events that take place there.

In relation to regional Victoria, because the opportunity to determine venues will in a sense be rolled out over time requests might be made to have venues covered under this legislation. That does not exclude the potential for venues in regional Victoria to be included under this bill. It is not expected that they would want to be included immediately, but over time and given the success of it in how it may pan out at the major venues nominated under the bill, once that is seen to be successful or the management of those might be considered to have been implemented well and be of benefit to the venue there is opportunity for regional venues to be included in this over time if that is deemed appropriate.

Again that also means that whilst racing venues have not been mentioned in the legislation itself they are certainly not excluded from the operation of this bill. I understand that Racing Victoria was included in the working party that determined the framework of this legislation and that it was very supportive. It has indicated its support for uniform legislation on events, and I understand it will consider the potential to seek declaration of its events as specific events under this act.

To briefly summarise, whilst venues are nominated there is a potential to nominate other venues or for venue operators to seek coverage under this legislation, and it is expected that over time they would be considered. There is potential for further consideration to be given to temporary venues, how the determination of those temporary venues might take place and how the orders to include those venues might also take place. They relate very much to the logistics of going through that process. At any given time in the future venues may seek to be included under this legislation.

To clarify the initial point, whilst the legislation covers sports venues, that does not necessarily exclude other activities that would take place in those venues which might be of similar size or magnitude in those sporting venues, à la cultural events, rock concerts or the like that might take place in the likes of an MCG or a similar facility at the Docklands facility.

I hope that provides some broader understanding for the opposition. If I have not covered any issues in relation to their queries or they would like further technical
explanation in relation to the operation of any of the matters that I have mentioned or they sought to have mentioned, I would be happy to provide that information to members of the opposition and the National Party. I will have members of my office or the department provide that technical information in relation to the operation of the bill and the way in which orders would be issued, requested or determined.

Again, I thank members for their contributions and look forward to the implementation of this legislation. I see its enactment as a key opportunity to reinforce Melbourne’s reputation as a major sporting events capital and major sports events destination. It will reinforce not only our national reputation but also our international reputation for holding some of the best events but also for providing value and quality in terms of those who attend those events so that they can feel confident and certain that with the effort, trouble and outlay that may be required to attend these events they can be guaranteed a reasonable degree of comfort and certainty as to their enjoyment and comfort. I wish to thank the members for their contributions and commend the bill to the house.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

SOUTHERN AND EASTERN INTEGRATED TRANSPORT AUTHORITY BILL

Second reading

Debate resumed from 30 April; motion of Ms BROAD (Minister for Local Government).

Hon. B. N. ATKINSON (Koonung) — I rise to indicate to the house that opposition members will not oppose this legislation. We believe this legislation ought to be expedited by the house and in turn by the government in its implementation following the authority of the house. Opposition members are of the view that this project needs to proceed as quickly as possible. It is an important project for the eastern and south-eastern suburbs, but indeed more broadly for Victoria.

It is a project that has enormous economic benefits for Victoria as a whole and the opposition has consistently supported this project, even at times when the government has vacillated and indeed abandoned it only to return to it at later dates.

It is critical this project goes ahead. The opposition’s position has been consistent. As opposition members come to this debate today we pride ourselves on the fact that we have been supportive of the Scoresby freeway project from the outset. Therefore we will do all that we can to expedite this project and to make sure this legislation passes the house today with the endorsement of both sides of the house in that regard.

Nonetheless the opposition is concerned and does have some issues associated with this project, not the least of which has been the government’s extraordinary position on the tolls. The government had made commitments to the electorate only to betray them by introducing tolls at a later stage. Indeed this legislation and the toll situation are the latest episodes of a long and very sorry story of Labor mismanagement and policy turnarounds on these projects, the Eastern and Scoresby freeways.

Mr Viney interjected.

Hon. B. N. ATKINSON — I look forward to hearing from Mr Viney in this debate. I am sure the electors of Frankston look forward to hearing from him. I am hoping there will be a full list of Labor speakers. If the Honourables Helen Buckingham, Carolyn Hirsh, Geoff Hilton and Mr Viney, Mr Somyurek, Mr Scheffer and Mr Smith do not speak in this debate, then let me say their silence will echo throughout their electorates. That is because these members stood for this house at the last election on the basis that there would be no tolls on this freeway project. They stood with an assurance that this freeway project would be built and built without tolls. Yet within six months of their election the government announced that tolls will be introduced. I will come to that in terms of where the government’s position was on these tolls.

I hope these members will stand in this place and explain their position on these tolls and explain why they did not stand up to the leadership and why they did not have some input on these tolls in their party to make sure the government stood by its election promises and commitments and did not walk away from them.

As I said, the silence of Mr Viney, Mr Somyurek, Mrs Buckingham, Ms Hirsh, Mr Scheffer, Mr Hilton and Mr Smith will echo very loudly in their electorates if they do not participate in this debate and explain themselves. The Labor Party gave us the Cain-Kirner government that stopped the Eastern Freeway at Doncaster and said it would not build that freeway any further. This was also the Labor Party that gave us traffic lights on the former South Eastern Freeway — an extraordinary decision by any government which
was unprecedented in the world and which had to be addressed by the Kennett government by its fixing up the freeway problems.

Labor is the party that after the Mitcham by-election and the 1999 general election said, ‘Yes, we will build the Eastern Freeway extension to Ringwood’ — which of course was Kennett government policy at the time — ‘and build it with 1.5 kilometres of tunnels’. The funny thing about it is that the legislation that was introduced in the Legislative Assembly in March this year deleted the tunnels under the Mullum Mullum Creek and the connection to the Ringwood bypass. This was quite an extraordinary decision, because it suggested that the government had done another turnaround and thought it would get away without having to honour that promise or commitment to the electors in the eastern suburbs areas of Nunawading and Ringwood — or the municipalities of Whitehorse and Maroondah — that the tunnels would be built. It was only after this issue was raised by the opposition that the government introduced amendments that explicitly stated the tunnels would form part of this project.

There we had a commitment that was made at the 1999 election that had conveniently slipped off the page by March 2002 and had to be reinstated at the urging of the opposition — another policy backflip. Then after the 1999 election the government said — it was silent on the Scoresby freeway before the 1999 election; you could not find it making comment on that at all — —

**Mr Viney** — What did you say on it? You didn’t make any commitment on it.

**Hon. B. N. ATKINSON** — Yes, we did, as a matter of fact. We said that we were committed to building it and, as the honourable member might know, we also started an environmental effects statement process and economic and feasibility studies on that freeway. It was part of our commitment to build the Scoresby freeway. Labor said nothing leading up to that 1999 election, and after the election it declined to build the freeway saying, ‘Nope, Scoresby’s off the agenda’.

Because of the continued efforts of local Liberal members in the eastern and south-eastern suburbs pushing for that freeway, supported by their municipalities and communities, the Labor government again did a turnaround. This was a positive turnaround in the community sense, because this turnaround saw Labor saying, ‘Okay, we will build the Scoresby after all. We have come to our senses, and this is an important project’. But then it put a condition on it because it wanted to play games — it would build it but wanted the federal government to pay half.

It was not a road of national importance at that stage, and it was not necessary for the federal government to contribute under the policy guidelines at that point, but the state government sought federal government funding on that Scoresby freeway project. The problem for it was that the federal government understood the economic importance of this road. Again because of the commitment and effort of state Liberal MPs in that area, as well as their federal colleagues in the area, people like Phillip Baressi, Chris Pearce, Bruce Billson — —


**Hon. B. N. ATKINSON** — He is not in the federal government and never has been.

Because of the commitment of federal MPs of their calibre — and Bob Charles, in La Trobe as well — the federal government came to the party and said, ‘Yes, we will meet half the cost of that project’. The project was estimated to cost around $900 million at that point, so the federal government said, ‘Yes, we will give you $445 million’, and actually put money on the table ready for this government, unlike this government which is yet to allocate a single dollar to the Scoresby project and yet to put one shovel load of dirt’s work towards the project.

In fact, I was feeling encouraged before the last state election because I was invited to — actually I gatecrashed — an announcement by the Minister for Transport in Ringwood.

**Mr Lenders** — How discourteous, to gatecrash!

**Hon. B. N. ATKINSON** — He had all the press assembled; it was a fantastic affair. Indeed all of the local municipalities were invited. I do not remember if Mr Lenders was there, but if he was he will have it tucked away in his memory just as I have, because it is the first time I have ever been to a soil testing. The government press releases said that this was the start of the Scoresby freeway project. Members will be alarmed to learn that all of the fences and equipment — certainly the marquee from the announcement — have all long disappeared. But no doubt we still have a couple of core samples sitting in a laboratory somewhere that were the start of the Scoresby freeway project. It was announced in press releases as the start of the project, but it was only a soil testing, effectively a stunt leading up to the state election.

This government was snookered by the federal government because the federal government actually agreed to put up money for the project.
**Mr Somyurek** — Where’s the $100 million?

**Hon. B. N. ATKINSON** — There is no $100 million, Mr Somyurek. You should not believe your own government’s press releases — that’s your problem. You should not believe them because there is no such sum on the table — it is only in one of your press releases.

**Mr Somyurek** — That’s the problem!

**Hon. B. N. ATKINSON** — The problem is the Bracks government.

Then we had the absolutely crazy decision by this government to not even connect the South Eastern Freeway to the Scoresby freeway — no connection at all! Again it was the opposition that exposed this ridiculous design flaw in terms of the planning of what we see as an integrated corridor for public and road transport. What an absurd position. It stands up there with the traffic lights on the South Eastern Freeway to build this freeway without that connection to the South Eastern Freeway.

Then we had the government combining the Eastern Freeway project — which included the tunnels between Nunawading and Ringwood — with the Scoresby freeway. That was in September of last year. That was pretty clever because it was also before the state election and it also camouflaged the fact that there had been no work done on the Eastern Freeway despite promises made in 1999. Election commitments were made in 1999, but no work had been done. That would have been a considerable embarrassment to the government heading into the last election, so it pulled in some contractors fairly quickly to build a construction road so it looked like something was happening and then it combined the project with the Scoresby freeway so it would not be hoisted on its own petard as far as having a commitment it had not done anything about. In doing that the government sneakily extended, in one fell swoop, the deadline for the project from 2005 to 2008. This was a pretty clever move, but it certainly does not help the people.

**Hon. E. G. Stoney** — It did deceive them.

**Hon. B. N. ATKINSON** — It did deceive them. If you have any doubts about the funny-money operations of this government you only have to look at the press releases from that time. Those press releases predicted that by moving the project out from 2005 to 2008 and combining the two projects the government would save 10 per cent on the overall cost. The only problem is between August 2001 and September 2002 the project had gone up by 5 per cent, and it was already exceeding the government’s budget projections. Unfortunately the government got away with trying to make people believe that while the cost of this project could go up 5 per cent in one year when it had not put a shovel to the ground, in the next five years the government would save 10 per cent — that it would not go up at all, that the cost of the project would go backwards by 10 per cent. You would not put these people in charge of your piggy bank. It is extraordinary economics.

The next policy turnaround is the tolls, and our freeway becomes a tollway. Along the way the government spent $253 million left in the budget for the Eastern Freeway extension by the Kennett government — that was reallocated to other projects. The government squandered a $1.8 billion surplus it inherited from the Kennett government in 1998–99 and another $1 billion it got in 1999–2000. That is $2.8 billion that could have built this project twice and still paid for police, teachers, nurses and other services. It is all gone, and the project is not there on the ground. The government then made a decision on tolls which was clearly in breach of the memorandum of understanding it had with the federal government, and it abandoned an agreement which would have seen the federal government contribute $445 million to this project.

While the government has had all these turnarounds and backflips, while we have seen the money slip away, the Liberal Party’s policy has been consistent in supporting this project throughout. The government’s decision to set up the Southern and Eastern Integrated Transport Authority is inextricably linked to the opportunity to implement tolls, and it has been from a very early stage. That continues the deception of the people of Victoria.

There is no doubt that Vicroads is a world-leading road building authority. It has the capability to build this road as a project within its own resources. Indeed, it has already contributed to many fine infrastructure projects around this state, including the Hume Freeway, the Calder Freeway, the Princes Highway, the Eastern Freeway, the South-Eastern Freeway, the Western Ring Road and many others, particularly in country Victoria. The Goulburn Valley Highway is one I have travelled on recently, and it is a significant upgrade on what it was in the past. This is an authority that has world best practice and it is capable of managing this project.

The Mitcham–Frankston freeway is a major project by any measure, but the fact is you would only need a dedicated authority established if you wanted to pursue a model that had different management, different construction, different maintenance, different operation and different funding objectives to a normal
government project. In other words, it has been set up discreetly from day one, conceived discreetly from day one, to be a tolling authority. It is not even necessary to have a separate authority to manage the federal-state funding arrangements because most of Vicroads major projects around this state are already sharing federal and state funding. There was not even a need to set up the authority to meet any sort of responsibility in regard to funding — it was exclusively there to set up a toll from day one.

One can see that one of the things that will need to be pursued very carefully by this authority is its relationship with Vicroads going forwards. Vicroads will still be responsible for many of the roads we hope will be linked with this freeway. I hope this authority will now see sense and pursue the link with the South-Eastern Freeway in particular to ensure we do not have traffic spilling off one freeway and taking a circuitous route through the suburbs to try and pick up the other one. That is a crazy decision made at some point by this government, and it needs to be reversed under this authority. Hopefully Vicroads and the authority can work closely. I certainly have every confidence that that will happen.

The Victorian government experience of these sort of authorities being established is generally in the context of tolling. We think of the West Gate Freeway Authority and City Link — both authorities established from the outset to collect tolls. I might also say established as tolling authorities when they came to this house. In other words, there was no deceit about their establishment. The governments of those days — the Bolte government going back to the West Gate Freeway and the Kennett government with City Link — brought legislation to this place that explicitly said the projects would be funded with tolls.

Tolls are not even mentioned in this bill. They are crucial and inextricably linked to this bill, but we do not mention the dirty word. We hide behind the investment and borrowing powers of the authority, the negotiating powers, and the delegated powers of this authority in regards to tolls. We do not bring it forward, we do not have the transparency that existed with the establishment of the other authorities I referred to.

Another interesting thing about this project compared to the City Link and West Gate Bridge projects is that this project is situated in an area where motorists have many alternatives to using this project.

Hon. J. A. Vogels — That is why it will never get built.

Hon. B. N. ATKINSON — I do not believe it will be built either. It certainly will not be built under this government’s model.

Mr Somyurek — We will not be making them use it — unlike the Liberal Party.

Hon. B. N. ATKINSON — That is good. I would be pleased if the government would put it on the record that it will not be making people use it, because the fact is this model will not stack up financially. There is no way it can stack up financially. We already have businesses saying they will boycott this freeway and residents saying they will not use it. Therefore the congestion on roads like Stud Road and Springvale Road will continue. It will not achieve its optimum efficiency as an infrastructure project because of the tolls decision, and that is disappointing.

Were this the only opportunity for the government to build that project I guess we would all have to look at it very carefully. We might well have had the opposition endorsing the government’s decision on the basis that it was the only way to build it. The problem is that sitting on the table behind us still today is $445 million from the federal government towards this project. Actually if the government goes back into its budgets it will find that there was a considerable sum left by the previous government to build this project, including money that was specifically allocated to it, but it has been squandered in other areas.

This is an important project that will serve a suburban catchment that is larger than the city of Adelaide. Some 3.5 million people live east of Springvale Road. It is also a project that will support and link many — —

Mr Somyurek — Have you ever been there? That is the thing.

Hon. B. N. ATKINSON — Sometimes you are the greatest idiot I have seen in this place in 12 years. It is extraordinary how foolish you can be.

The ACTING PRESIDENT (Hon. Andrew Brideson) — Order! Mr Somyurek, you will have your chance.

Hon. B. N. ATKINSON — The tollway now links a number of key regional business centres including Ringwood, Knox, Dandenong, Frankston and — in the context of its links with other freeways — Clayton, Oakleigh, Moorabbin and the important Latrobe Valley area. Indeed the project offers improved access to Gippsland, the Latrobe Valley, the Mornington Peninsula and the crucial south-east growth corridor of Pakenham, Berwick, Cranbourne and surrounding...
I notice that in the bill the authority has been set up as a body that can acquire, hold and dispose of real and personal property. It has powers delegated to it under the government in terms of its financial powers to pursue contracts and engage contractors and so forth to undertake the project. As to accountability, it is subject to the general direction and control of the minister, and is subject to any direction given to it by the minister with the approval of the Treasurer.

I guess to some extent it will rely on clause 2 of the bill and on clause 24, which refers to the authority’s powers under the Borrowing and Investment Powers Act 1987, for its ability to implement the tolls. The authority itself will have a membership of not less than three and not more than five part-time members and will have a chairman. All of those people will be appointed by the Governor in Council.

I notice there are no skills stipulated in the bill that any of these people might bring to the table. I hope — and the opposition certainly hopes — that appointees will be of a high calibre, because this is a very important project.

Most of the remaining clauses in the bill refer to the conduct of meetings and the keeping of records and so forth, including banking arrangements for the authority. The opposition has no specific concerns about those clauses within the bill. We note that there are terms and conditions outlined for the appointment of the chief executive officer, and again we would be hoping that that person would be of very high calibre because it is a significant infrastructure project.

The functions of the authority are outlined in clause 19 and relate essentially to the facilitation of the project, enabling the authority to seek and evaluate submissions, negotiate with various parties that might be involved in the construction of the project, make recommendations to the government in regard to contractual arrangements between the state and other parties, administer and manage agreements and arrangements between the state and any of the parties that might be involved in construction and management of the project into the future, and facilitate and coordinate consultations with other statutory authorities — and of course Vicroads will be a major player there, as too will the municipal authorities.

I hope the people involved in this authority will have a close liaison with municipalities in the area because right throughout that corridor those municipalities are dependent on the project to relieve much of their traffic congestion and deliver significant economic benefits and amenity benefits to residents of those areas.

The authority will also have powers to negotiate and enter into arrangements with statutory authorities and other agencies of the state and to make recommendations to the minister in relation to facilitating the project and coordinating with other statutory authorities. It will be responsible for ensuring that agreements and arrangements are adhered to, and to undertake any other functions that are conferred on it by direction of the minister and the Treasurer. As I have noted, under clause 24 the authority will also have powers conferred upon it by the Borrowing and Investment Powers Act.

The project is a 39-kilometre tollway from Mitcham to Frankston. It was created as a 39-kilometre tollway project on 23 September, prior to the last state election. On that occasion the Bracks government, as I have indicated earlier in my contribution, decided that rather than face the embarrassment of not having started on the Eastern Freeway tunnels project as it had promised in the 1999 election, it would roll that into a combined project with the Scoresby freeway and then tell the people there were some advantages in that approach to develop a combined project.

One of the advantages it claimed, as I have indicated in this debate, was a 10 per cent saving on the project cost. I have already put that to the test in this Parliament by suggesting that between August 2001 and September 2002 the cost of the project by the government’s own estimates had risen by 5 per cent from $1 billion to $1.05 billion; yet the government would have us believe there will be a saving rather than an increase. That was a very foolish view for the government to adopt even though it gave some comfort to residents of the local area who were being persuaded to endure another three years before completion of the project — in other words, the deadline for the project’s completion shifted from 2005 to 2008 during the announcement of the Mitcham–Frankston freeway project.

I note that the government, reinforcing its view that there would be savings under this model, mentioned in a press release of 23 September that the partnership model it was proposing with private contractors had delivered savings in England of up to 16 per cent on the A13 freeway in London. Well, there was some bad news in today’s newspapers for the people who wrote that press release and indeed for the government, because Macquarie Investments owns a tollway in England, and there is considerable concern now in
England, as reported in today’s press, about the level of tolls involved in that tollway.

Again it will not receive optimum use by motorists and will not achieve the economic benefits that have been promised, simply because the tolls are set too high. The reliance on some of the overseas figures was foolish in that regard.

The government indicated at that time that the tunnels project was in excess of the $326 million project budget and that it expected the entire Eastern Freeway, from Springvale Road to the Ringwood bypass, would cost more than $400 million. The cost of the project was over the government’s estimates yet it believed again in a time frame that took it out to 2008 — in fact at that point it was another six years, but to give it the benefit of the doubt we will say another five years — there would be savings realised rather than additional costs incurred. That was rather extraordinary of the government.

The government then announced on 20 March and introduced into the Legislative Assembly legislation to establish the Southern and Eastern Integrated Transport Authority. That had been flagged in the press release when it was announced in September of last year that the original project would be combined. The legislation was introduced and the government said this new authority would be responsible for developing the project. It was an interesting and constructive initiative in at least saying that the project was to continue.

What was interesting in that respect was that despite the fact that the authority was to be established there was still no talk of tolls. When the legislation was introduced in the Legislative Assembly government members were at pains to say that there would be no tolls. In fact the honourable member for Bayswater, who had been on the Knox City Council which had been pushing for this particular project, took great glee when the legislation was before the Legislative Assembly in participating in the debate and saying, ‘No tolls, no tolls, no tolls’. There is one member who definitely has egg on his face because he was missing in action when it came to convincing the government of the foolishness of the turnaround and the decision now to implement tolls.

D-day was 14 April so far as the toll decision was concerned. On that day the Premier said he was sorry that he had to change the decision. He blamed all sorts of other things, and no doubt government members in speaking in this debate will blame other things, including things like the National Express public transport contracts. It is interesting because when you stop and think about those public transport contracts the worst-case scenario is that the government has saved between $200 million and $250 million or thereabouts over the last eight years on them. Effectively the government subsidy to public transport has been markedly below what it was in 1992, when the Kennett government took office.

The privatisation of those public transport operations reduced the cost of the subsidy and saved taxpayers money over that extended period. The money about which the government is now saying, ‘This is the money that it is going to cost us into the future’ is represented only by those subsidies going forward on the basis that National Express has walked away. Why did National Express walk away? Our side of the house would say that it walked away partly because of the mismanagement of the government of those contracts. The fact is that National Express was not able to establish a suitable relationship with the government to move forward.

Nonetheless the public transport system is without a doubt a lot better as a result of the contribution that companies like Connex and National Express have made over recent years under those contracts. The government still has an opportunity to tender those operations out again to alleviate the drain on the state budget. Even if the government takes up the public transport operations and believes it needs to run them that is not a sufficient excuse for walking away from this project.

Mr Viney — We are not walking away from the project.

Hon. B. N. ATKINSON — Let me put it in these terms: yes, the government wants this project to be built, but the government has walked away from it as a project that it was prepared to build and deliver to people under the specifications that it told people about at the last election — in other words, the government wants it to be a tollway, and as a tollway it will be built by private operators and operated by them for 30 years. Therefore it is not in that sense a government project, which is the explanation of the comment that I made before. The government, like the opposition, wants the project to continue, but the government’s model has changed dramatically. It has walked away from the model that it took to the election. That is the point I make to the house this afternoon.

I turn to the issue of when the tolling decision was made for the project. I suggest to honourable members that it was made at a very early stage, probably from the outset of the turnaround that brought the government to
supporting the Scoresby freeway in early 2000. In
August 2000 the acting transport minister, the
Honourable Justin Madden, announced that the
government was prepared to build the Scoresby
freeway and that it was seeking matching funds from
Canberra. In May 2003 there is still no prospect of a
start on the project, despite its announcement in
2002 — not a shovelful of dirt has been moved. When
the government made that announcement in 2000 the
federal government said, ‘Okay, we will commit in
mid-2001’. The government was already at the point, I
believe, starting to look at alternative funding because
in August 2000 the acting transport minister said, while
asking for the federal money, which was delivered in
August 2000 the acting transport minister said, while
believing, starting to look at alternative funding because
in August 2000 the acting transport minister said, while
asking for the federal money, which was delivered in
2001, that:

… the Bracks government would also investigate
opportunities for private-sector investment in the project.

The only basis upon which you could have private
sector investment in the project at that time was through
some sort of tolls. If the private sector was going to put
up money for the infrastructure costs then it would have
to have a return on the infrastructure. Under the
government’s Partnerships Victoria project it was
exploring opportunities back in August 2000 for private
sector involvement. I suggest that tolls were on the
agenda at that early stage.

Certainly on 3 November 2000 the government was
enthused about the prospects of tolls because on that
occasion the Minister for Transport in a press release
said:

Victoria’s electronic road tolling technology could become
the basis for a successful new export industry …

The government was clearly involved in discussions
with companies that had tolling technology and was
keen to expand tolling technology as an opportunity for
Victoria, I dare say domestically as well as in export
markets. On 23 September 2002 we had in that
pre-election announcement the smoke and mirror trick
of the government saying that it would combine the
Eastern Freeway with the Scoresby freeway and
flagging the authority.

As I have said previously, you would not need an
authority if you were not looking at needing to
introduce tolls. Going into the 2002 election the house
might recall that the Treasurer did not rule out tolls on
the Scoresby freeway. When he was questioned on it he
did assume the possibility of tolls, and it was the
Premier who stepped in with the Labor public relations
machine to give assurances to voters in that area that
tolls were not on the agenda for the Scoresby freeway.

Then right up until the crunch time of 4 April, members
of the government were saying ‘no tolls’ even in the
debate on this subject. The big betrayal and the ‘sorry’
came on 14 April. Where were the ALP members on
this decision? They had a party meeting on 29 April at
which the Premier thanked the caucus for its support of
the Scoresby freeway tolls announcement. The Premier
gave them more information on the tolls, then Tony
Robinson in another place — who has been the
parliamentary secretary, the member for Mitcham who
has not delivered the Eastern Freeway extension since
1999 — stood up in the caucus and thanked ministers
for ringing the MPs about the Scoresby announcement.

There was no attempt to prevail upon the government
to change its mind and no suggestion that the
government had got it wrong from any of the MPs who
had won their seats on the basis of a commitment on the
Scoresby freeway. There was only a vote of thanks to
the Premier for giving them a call to tell them that the
people of Victoria had been betrayed by this
government.

As I said, the silence of the members in this place on
this legislation will echo very loudly. So too will the
silence of the MPs of the eastern suburbs who did not
support their constituents by trying to persuade the
government to look at this more carefully, to reconsider
its position on tolls and to look for other opportunities.

The Age of 16 April quoted Legislative Assembly
members such as the member for Forest Hill, Kirstie
Marshall, saying, ‘I think it was an extremely hard
decision’; the member for Monbulk, James Merlino, ‘I
am disappointed that this decision had to be made but it
was financially responsible’; the member for
Gembrook, Tammy Lobato, ‘We are really
disappointed that we had to do it but it is a necessary
step’; the Minister for Gaming John Pandazopoulos,
‘The priority is to ensure the road is built, and it will be
a crucial economic driver’. Not one of them said the
tolls decision was a betrayal of what they had done for
the people of Victoria! Not one of them said,
‘Hey — —

Hon. R. G. Mitchell — It is what you are saying!

Hon. B. N. ATKINSON — No, but I might actually
say that not one of them was prepared to have the same
sort of decency as the Premier and at least say sorry. At
least the Premier said he was sorry, although it was
pretty hollow. But not one of these Assembly members
said sorry; not one of them. They include, Anne
Eckstein, Maxine Morand, Tony Robinson, Tim
Holding, Daniel Andrews, Dale Wilson, Peter
Lockwood — not one of them could say sorry and not
one of them stood up in the party room to debate tolls and to stop it.

**An Honourable Member** — How do you know?

**Hon. B. N. ATKINSON** — Because I have your minutes! Where were the ALP members on this particular decision? Where were the ALP members at the public meeting at Knox two weeks ago? There were more than 500 people at that public meeting. Where were the ALP members? They were not to be seen. It is a pity they were not there, because the members of the public made it clear in no uncertain terms what they thought about these tolls.

Apart from anything else the real issue of these tolls that I picked up from an interjection made earlier in this debate by the Honourable John Vogels was that if tolls are put in place on this project, I do not believe it will go forward. I do not believe the economic benefit of this project will be realised. A study of 1994 suggests that the economic benefit would be reduced by 50 per cent if this was a tollway. More importantly I do not believe many people will use the tollway.

When, under the expressions of interests program, the companies sit down, they might well include Macquarie Investments and the Abi Group, which seem to have been pushing the government to look at this as a tollway project. They were quoted in the *Age* of 2 April as saying they were to pursue the possibility of a tollway project with the government. When they sit down with the government to do the figures on this project it simply will not stack up. It certainly will not stack up if the government is not prepared to undertake traffic-calming measures or road blocks. We have heard from Mr Somyurek by interjection today that the government will not do that. Indeed, the Premier said so in his press releases as well. So if the government does not change the existing road work with traffic-calming measures or road closures or suchlike then I cannot see that this tollway will take up. I can certainly see that traffic conditions on those roads will be exacerbated.

**Mr Smith** — Do you want road closures?

**Hon. B. N. ATKINSON** — No, I do not want road closures. I am talking about you guys; I am not talking about my position. In case some of the members opposite are so thick that they do not get it, the fact is that the opposition does not want road closures, it does not want traffic calming to make this project work. This opposition wants the Scoresby freeway. We want it as a freeway, not as a tollway. We want it built with the joint funding formula from the federal government and the state government, which is still available for this government to pursue.

I wonder where we will be when this government discovers the folly of its later venture in trying to introduce tolls. Certainly when I look at the responses of councils in that area they are under no illusion as to the stupidity of this decision.

This is the Knox City Council’s position on the government’s decision on tolls:

> The Knox City Council opposes the impost of tolls on the Mitcham–Frankston freeway. It calls on the state government to reverse its recent decision to introduce tolls on the Mitcham–Frankston freeway and instead to uphold its pre-election promise to the people of Victoria to fund the freeway without tolls.

For those members who might have missed my comments before that position is consistent with the Liberal Party position. It states:

> The Knox council has also advised Premier Bracks that it is deeply concerned that it was not consulted …

This is the government of great consultation, which consults with everybody! Knox council says there was no consultation prior to the state government’s decision to introduce tolls on this project. It is also concerned about the negative financial impact of direct tolls on families and businesses within the municipality in the eastern region of Melbourne. It has serious concerns that the proposed tolls could force more traffic onto already congested local roads as motorists try to avoid paying tolls, causing further traffic congestion problems for local residents.

In fact the Knox council has asked the federal government to hold an independent inquiry into the Mitcham–Frankston freeway project, and has suggested that that inquiry should examine all issues but in particular examine when the state government decided to introduce tolls on the freeway and when the environmental impact study was provided by the state government to the federal environment minister. It has also suggested that the state government investigate and assure councils that the decision to merge the Eastern Freeway extension with the Scoresby freeway will not jeopardise the funding of this project.

The Maroondah City Council expresses in the strongest terms its concern in respect of the tolling of the Mitcham–Frankston freeway regional economy and its likely detrimental impact upon the regional economy and local road network. Among four recommendations it has also written to the Premier saying:
... resolved to write to the Premier and the Minister for Transport seeking an urgent review of the state government’s decision and seeking the support of local state members of Parliament in regard to reversing the toll position.

The City of Whitehorse noted:

Council is strongly critical of the government’s decision and processes as of August 2002.

On its announcement to introduce tolls in consideration of this imposition the council, among other recommendations, says that the state government ought to provide additional funding to address black spot sites in the City of Whitehorse over the next six years; and that state governments should not impose a toll after the Springvale Road exit and that the tolls should apply after the Ringwood bypass in order to alleviate congestion along Springvale Road.

I might mention that not all these councils are known to have a lot of Liberal members. These councils are not known for being of our persuasion. These are not dorothy dixer councils as far as the statements being made here are concerned.

The Frankston City Council certainly congratulated the government on the confirmation of the Mitcham–Frankston freeway proceeding but said it was surprised at the news of the tolls and was disappointed that the government had to use tolls to fund the project.

The City of Casey said:

The council advises the state government that it is pleased the government decided to proceed with the project, but seeks a commitment that the tolls will be minimised and that:

... the state government ought to request tenders for the project to examine the potential to add the deleted elements such as the Dingley and Bangholme interchanges.

And I have also suggested the South-Eastern Freeway connections. The Manningham City Council:

expresses its absolute disappointment with, and is highly critical of, the state government for its decision to implement tolls to the Mitcham–Frankston freeway.

It states that it:

retains an expectation that the previously committed, funded and planned works between Springvale Road and Maroondah Highway —

that is between Nunawading and Ringwood —

will be implemented under the state’s road funding program without the need for and introduction of tolls.

Several councils have also sought to have the federal government’s contribution of $445 million secured as part of the project going forward and have recognised that this government’s decision on tolls might well jeopardise the memorandum of understanding with the federal government.

I have heard government members saying, ‘The federal government should still put that money up. It should be used to develop other projects. The federal government should give us at least $100 million towards the project to keep the tolls at a low level’. The fact is the state and federal governments had a contract. They had a memorandum of understanding in place; they had an agreement in place. The federal government had money allocated in its budget and from the time that agreement was signed in 2001 the state government has not put 1 cent in its budgets towards this project. It has shown no good faith at all in terms of pursuing that memorandum of understanding. It has walked away from it and now it wants to shift the goal posts. Now it wants to say, ‘We will do this project another way. We will toll people who use it, but we still want you to give us the money. We might have had an agreement with you, we might have had a memorandum of understanding with you, but we want to change the goal posts. We want to change the agreement. We still want the money, but we want to do other things’.

It does not work like that. In fact the Scoresby freeway is a road of national importance and that was the basis on which it was funded. The next road of national importance will not necessarily be in the state of Victoria. The funds from the federal government were allocated under a program that needs to maintain its integrity, and if the funds are not going to be used on a road of national importance in Victoria and of the highest priority in the nation, which is the Scoresby freeway, then those funds need to go to the next project on that list. It is not some grab bag of opportunities that the state government might outline; the funds will go to other roads of national importance that deliver benefits to Australians. That is what it is about. That is the basis of the memorandum of understanding.

The Frankston Leader of 21 April states:

Frankston-based transport firms say they are outraged at state government plans to charge tolls on the planned Mitcham–Frankston freeway.

Some say they will boycott the new road …

At the other end of the freeway in Maroondah, the chamber of commerce has made similar comments. In fact, their president, Terry Padgett, said that businesses have already suffered enormous financial burdens from
decisions that were constantly changed and were inept. The 4000 businesses in the City of Maroondah contribute significant economic and employment benefits to the community and they expect the freeway to be built as a freeway, not as a tollway as is proposed by this government.

In closing my contribution to this debate, I note that the opposition seeks a number of assurances on this legislation. We do not oppose the establishment of this authority and we want to expedite this project. We believe it ought to be built on the basis of a funding formula that is already in place using federal funds that are already in place and that it does not need the impost of tolls.

Given what the government is now proposing in this legislation and the fact that the government has the numbers to force its position — and indeed the minister and the authority are given explicit powers under this legislation to pursue a number of things to achieve this project in a manner consistent with government policy rather than what the opposition would be suggesting is community need and in the community interest — I seek from the government assurances for the opposition and the people of Victoria that the project will be built with the 1.5 kilometre tunnels under the Mullum Mullum Creek. When the bill was being debated in the other place it was found that they had conveniently slipped out of the legislation. We seek an assurance that there is no intention by this government to walk away from building those tunnels.

The opposition seeks an unequivocal commitment to this project, particularly if the government’s feasibility study and its current expressions-of-interest process show that a tollway is not viable because of the other alternative routes — and I suggest to members that if they look at tollways around Australia, overseas and our experience previously in Victoria they will see that this project is very different from the others because there are alternative routes available.

If it falls over because of that, then I seek an assurance from the government that in fact it is still committed to deliver this project by 2008 — in other words, that it has some fall-back position. I want to be sure that it is planning ahead and will deliver this project as it has promised and that two or three years down the track we will not get to a situation where the Premier stands up and says ‘Sorry’ again and ‘The private sector has come back and said the project does not stack up so now we have to have another study to find another way of doing it’, or indeed ‘The federal government needs to trump up some more money, so we will have to go back with cap in hand to try to convince it to recommit to the project’. No doubt at that time it will be a much larger sum.

We seek an assurance from the government that the tolls are not planned by this government to be in place forever, that the government will take over the toll technology after 30 years of this project. We seek its commitment that this road will go back to being a public road and will not continue as a toll road into the future, paying for other projects around the state and not the actual road that is being used by motorists at that time.

We also seek assurances from the government that it will consider other projects that need linkages with this freeway to relieve traffic congestion in the eastern and south-eastern suburbs. I refer particularly to the Dingley and Bangholme interchanges and the connection with the Monash Freeway.

We seek a commitment from the government that there will be no tolls on the Eastern Freeway portion of this project. In other words, that, consistent with the positions of Manningham and Whitehorse city councils, the tolls will not start until the beginning of the Scoresby freeway project, and that the government will meet the commitment it made at the 1999 election and reiterated at the 2002 election, that it would build the Eastern Freeway with 1.5 kilometre-long tunnels.

We seek the continuing commitment of the government to public transport in the corridor. We seek a commitment from the government that it will not introduce shadow tolls on motorists for this freeway, or tollway, in the event that it finds that direct tolls from motorists prove not to be viable. We certainly seek a confirmation of the Premier’s comment — indeed, he was supported by that heavyweight of the Labor Party, Mr Somyurek — that there would be no closure of existing roads or introduction of traffic calming to force people on to the tollway.

We seek two final things. One is an indication from the government of what the toll is likely to be, and an assurance that it will not cost $11 to ride this tollway. Using the government’s own figures, we have been able to extrapolate a cost of $11 for the toll over this 39-kilometre tollway.

Hon. A. P. Olexander — Possibly more.

Hon. B. N. ATKINSON — It could well be more. That is of course in today’s figures, so by the time it is built in 2008 it could cost half a house to ride along the freeway. We seek an assurance about the level of the toll the government is looking to put in place and what methods it might use to minimise those tolls.
Finally, and most importantly, we demand that the government put on the table a construction timetable for this project. No more shillyshallying around; no more promises — we want to see a start to this project. We do not want soil testing stunts; we want a start to this project. We ask the government to confirm a construction timetable for the project.

Furthermore we want to make sure that environmental features such as ventilation stacks, firefighting systems, ground water seepage prevention are not modified in the specifications for this project going forward and that the integrity of the project is maintained.

The opposition supports the creation of the new authority, but it wants the bill regarding the specific form of the so-called public-private partnership to be introduced as quickly as possible so that the project can get under way quickly and be completed by 2008 to the benefit of not just the people in the eastern and south-eastern suburbs, but Victoria generally.

It is a major project and is supported very, very strongly by the opposition. It has been consistently supported by the opposition, even at times when the government has walked away from the project. People may interject and play with that.

Mr Viney interjected.

Hon. B. N. ATKINSON — We supported it in government. Mr Viney shows his ignorance in coming into this place and making crazy statements. The project needs the support and needs to be expedited. I look forward to the contributions of all those members who are affected by this project, particularly those members representing the areas of Knox, Manningham, Whitehorse, Casey, Greater Dandenong, Frankston and Maroondah. Indeed, there is no doubt the people of their communities expect them to stand up and make a commitment to ensure that the project will go ahead and to explain themselves on their backflip on the tolls.

Hon. B. W. BISHOP (North Western) — I rise on behalf of the National Party to speak on the Southern and Eastern Integrated Transport Authority Bill. I make it clear at the outset that the National Party does not oppose the bill. I congratulate the Honourable Bruce Atkinson for his practical and intimate understanding of this particular problem. I thought his contribution was quite good.

The purpose of the bill is clear. It establishes the Southern and Eastern Integrated Transport Authority and provides that authority with the powers and functions to oversee and deliver the Southern and Eastern Integrated Transport project. I guess we now know in this house why a few weeks ago there was an absolute thundering rush from the government to get this bill through the house. The National Party wondered about that, not knowing there would be a sudden announcement on tolls. We thought that would have been the reason but I bring to the attention of the house that it was true. This transparent, open and fair government wanted to ram this measure through the house as quickly as it could.

The National Party believes this is massive mismanagement. We look at it in a practical sense. The commonwealth and state governments had a signed agreement with the commonwealth putting up $445 million for this project. That is a lot of money. The Premier’s media release talked about that money, which is relevant to the bill. It seemed to me that $100 million had been spent out of the commonwealth contribution. If the negotiations with the commonwealth do not proceed as the government would like them to I am wondering whether it will be paid back. I had some media people from the outer suburbs ring me about this saying, ‘What do you think about this?’.

Rather than the state government having the cheek, if I can put it that way, of telling the commonwealth how it should manage the money when it lost on the deal it should have been on its bike or on the plane talking to the commonwealth about how it can manage it rather than cheekily saying to the commonwealth government ‘This is what you guys should do with your $445 million’. I do not know what the commonwealth government will do. It has taken a strong stance. As Mr Atkinson said, it has a signed agreement for this project. The National Party will be very interested to see how the government manages this issue with the commonwealth government.

As I said when opening my contribution, the National Party had a fair idea what was happening when the government wanted to rush through this legislation. We thought ‘Why are they doing it this way?’ We tried to work it out. We thought they were going to have a go at it now and they would have a bit over three years to ram it through so that people would forget about the whole process. I do not think people will forget about this easily. In our view the state government has taken the people for a ride.

We have seen this before in the house, and we know the government has the numbers. Anyone who has been in politics for a while can count. When I suggested the government would ram this through the house prior to the announcement of tolls I think that was pretty right. I remember the debate about the sessional orders, and I
know the Minister for Energy Industries said it was the government’s job to ram legislation through the house. It is a pity we have rules in this place that do not give us the opportunity to expose the arrogance and lack of accountability of the government. We will wait with anticipation to see how the government gets on with the mess it has made with the commonwealth government’s offer. While it may be okay for members to get up in the Parliament and debate these issues in an adversarial sense, as we do in politics, it is a sad day for Victoria that we have a government backflip or, as someone has said to me, Bracks-flip on this issue.

The bill sets up the framework to deliver what is, in effect, a mix of the old Scoresby freeway and the extension of the Eastern Freeway. As we have said before, we now call it the Mitcham–Frankston tollway or pay way. It is a huge project with 40 kilometres of freeway at a huge cost estimated to be up to $1.8 billion.

The National Party has consulted widely and has talked to the Royal Automobile Club of Victoria, Victorian Employers Chamber of Commerce and Industry, the Public Transport Users Association and the Transport Workers Union. We came away from it with the view of not opposing this bill.

National Party members asked a lot of questions as we usually do during the briefings from the minister’s department. The National Party thanks the minister’s departmental advisers for the briefing, because they gave us a full briefing and came back to us with answers. I make a distinction between the politics of this issue and the technical side — the information provided by the minister’s department.

The National Party looked at the structure of the Southern and Eastern Integrated Transport Authority. It is best described in the second-reading speech, which talks about providing the framework for government delivery of the project. It states:

The establishment of a separate authority will enhance the project, strengthening focus on the complex legal, commercial and technical/engineering issues inherent in delivering a project of this size and complexity under the Partnerships Victoria framework.

By using the Partnerships Victoria framework, the government is seeking the best deal for taxpayers — it sure did —

… by optimising the risk to the private sector and encouraging innovative design and operational solutions so as to deliver the best value-for-money outcome.

Any constituent in that area reading that would wonder which way the government was going in relation to this situation.

The National Party also asked what the structure would be like and how much had been budgeted. The government’s response was that the budget had not been decided. We asked because we are interested in the cost of this project and the cost of putting in place this authority we are discussing tonight. We were informed that no decision had been made on that issue either. We suggested that there were other options — for instance, why did Vicroads not do this job? It is certainly skilled in negotiating with people, in building roads and in interfacing with private industry which provides road-making materials. That was discounted quite rapidly; it was not on the cards. We were interested in that fact because we thought Vicroads might well have had the capacity to do the job.

We thought it might have been possible to restructure City Link, considering the expertise City Link would have brought to the project relative to the time it has spent in running a similar operation. We were informed that for a number of reasons — and I will not go into the technical ones tonight — that was not possible, and in fact the Melbourne City Link Act has been repealed and the management of City Link is now done through the office of the director of Melbourne City Link, which was established under the Melbourne City Link Act 1995. If my memory serves me correctly there are a dozen or so staff in that particular area. I am wondering whether the government did enough to bring together the new organisation and City Link. I would have thought that some of the intellectual capacity in that organisation might have been helpful as we move towards the establishment of this new structure.

The bill also stipulates the membership, rights and powers of the authority itself. It has three to five part-time board members who are to be appointed by the Governor in Council for a term not exceeding five years, which is not unusual; the chairman is to be appointed by the Governor in Council, which is also not unusual; and the chief executive officer is to be appointed by the authority — it is quite straight up and down.

The functions of the authority are to facilitate the project on behalf of the state; to seek and evaluate submissions from the private sector — and they will be a lot busier now with this revelation we have had dumped on us — to negotiate on behalf of the state; to make recommendations in relation to contractual arrangements and facilitation of the project; to administer and manage agreements relating to the
development and delivery of the project; to facilitate and coordinate in consultation with stakeholders; and to carry out any other functions conferred by legislation. There is certainly nothing all that exciting in there, just a structure built up ready to go.

One of the questions the National Party asks is: who funds this authority? Where does the money come from? Does it come from the roads budget or out of consolidated revenue? The minister in charge of the bill might like to enlighten us on those issues when summing up at the end of this debate. It would be a good idea to get that on the record now rather than leaving the issue hanging in the air.

As the Honourable Bruce Atkinson asked, ‘When does this authority start work?’. More importantly, I suppose, when does the project start? We have heard the arguments about whether it will or will not start, but the government is charged with the responsibility of starting this new tollway project so we do not want this authority eating its head off doing nothing while the government procrastinates about how it might move ahead with the project and how long the life of the project will be. Again I make the point that we are not talking about a little project — this is a huge project at a huge cost of up to $1.8 billion.

We could go on and on about the politics of the situation, but this bill sets up what is really the skeleton of a structure that is to be added to ensure that this huge project will be successfully put into place. As I said before, it is a huge project — 40 kilometres of tollway is a large project and $1.8 billion is a lot of money. I am certain, and we all know, that if this tollway is going to be built we will have to have more legislation on it go through this house. The National Party will be particularly interested to see the structure of that legislation as well. It will no doubt mention tolls, how they are put into place, how long they will be there, how they will work and how much they will be. There is a huge number of questions in the public arena that will be advocated by the members in this house as they do their job in representing their constituents.

I have looked at the difference between this tollway and the Tullamarine Freeway, and there is no doubt when you do even cursory research that there will be a lot more people taking the opportunity to use alternative roads instead of this tollway simply because of the design and age of the surrounding areas and the convenience of roads that will be quite close to the new tollway. I suspect that if you reckon people were cranky about having to pay tolls on City Link you can be sure that will be nothing compared to the anger and suspicion of people when they are asked to pay tolls on this project. I know that some municipalities that will be affected by this development will feel most aggrieved about this situation, and that is a fair call, because in a political sense the government has told those municipalities that there would be no tolls on this tollway and that therefore roads in their areas would not bear any extra load.

I noted that in the media release from the Minister for Transport he was attempting to hose the situation down and he talked about at least seven municipalities — that is, Manningham, Maroondah, Whitehorse, Knox, Monash, Greater Dandenong and Frankston. I wonder whether representatives of those municipalities will be coming up to members of the government and saying, ‘Now you have done a backflip we want some compensation for the fact that you have changed your minds’. It will certainly impact on our road structure, if for no other reason than that, as I have said before, those municipalities were clearly told there would be no tolls.

**Hon. Bill Forwood** — What were they told?

**Hon. B. W. BISHOP** — Yes, they were ‘tolled’ there would be no tolls!

As I said, we could debate this particular bill for some time. What really annoys me is that I do not see much point in that, but I will conclude by mentioning a couple of issues.

The debate ought to bring out that what the National Party wants from the Bracks government is better management of the interface between the private sector and the government. We have seen it with National Express, the Deer Park women’s prison, the Latrobe Hospital and this impasse between the government and Freight Australia.

I call on the government to have a fresh think about how it manages its interface with the private sector. I am not sure whether the philosophy of the government is in the way but something obviously is. It is a sad day that we stand here in the Parliament when a government could have stood in this house and been absolutely proud to present the start of this great tollway. It has left a sour taste in a lot of people’s mouths and no doubt that sour taste will stay there for a fair while. People may get personally involved and may be concerned simply about the magnitude of this decision the government has made — that is, to impose tolls on this freeway when it espoused quite strongly that it would not.

The other thing people say to me is, ‘Where has the money gone? Where has the $1.8 billion gone?’. People
can tell me that it has been spent on this and that, but it is a lot of money and that is a fair question for a constituent in the street to ask and for us in Parliament to ask as well. I leave that comment with the government — that is, that the previous coalition government left this government with an Aladdin’s cave full of gold. There is not much left there now. The government should be held to account on that.

It will be very interesting if when we get through that issue we see even some innovative accounting as we run up to the next election. When whoever wins the next election pulls up the corner of the tarpaulin that covers the money bin, I wonder what they will find.

Honourable members interjecting.

Hon. B. W. BISHOP — You may laugh, but let us see what happens in a bit over three years time.

To conclude, the National Party’s point of view is not to oppose the bill. We are disappointed that the government has done this backflip. As I said, it has left a sour taste in people’s mouths. With everyone else we will keep an eagle eye on this project, as I am sure many others will, to ensure that all of us get a fair go in relation to what we see as a vital project but one that has been very poorly handled by this government.

Mr VINEY (Chelsea) — In rising this evening to address this bill, which I commend to the house, I have to say that there was breathtaking audacity from Mr Atkinson in his contribution earlier. Having challenged members on this side to speak on this bill I note that he has actually left the chamber.

Let me go to some of the issues. Let me first deal with his challenge about the approach and attitude of members on this side to the change of policy on tolling on the freeway. I am on the public record as saying that I am disappointed that the government has had to make this decision. I am more than happy to join with the Premier and say to the people of my electorate that I am very sorry that that decision has had to be made.

I might contrast that apology of the Premier with the weak-kneed apology of Jeff Kennett after the 1999 election and before the Frankston East supplementary election when he said, ‘Sorry, but …’. That was the first time in seven years that we heard Jeff Kennett apologise to the people of Victoria for the dastardly cuts that government made in health, education, community safety and police numbers. And Mr Bishop stands here and asks where the money has gone. That is where it has gone: into better schools, into more and better hospitals, and into more nurses, teachers and police. That is what the people of Victoria voted for.

So it is incomprehensible audacity for Mr Atkinson to get up here and make the challenges he made tonight — it is extraordinary and breathtaking because when the Liberal Party was in government it did virtually nothing for the Mitcham–Frankston freeway. All it did was commission one miserly environment effects statement — one statement! The Liberal government had no commitments in the forward estimates for this project — not a single dollar was committed in the forward estimates for this project!

That government had no intention of and no commitment to proceed with this project. It is actually the Bracks government that put this project on the record for the people of Victoria. Why? Because of the benefits it will provide to the Victorian community. It is a major project, one of the largest transport infrastructure projects in Australia, and that is why this government has committed to it. The Kennett government failed to do anything on this project, so for Mr Atkinson to come in here and start lecturing this side of the house on this project is breathtaking audacity. It is absolutely extraordinary!

Let us go to some of the questions asked and issues dealt with in Mr Atkinson’s address. He barely mentioned the bill, which is about establishing an authority to ensure that this project proceeds. He almost entirely spent his time talking on the issue of tolling. Of course, it was that side of the house that introduced tolling on the City Link project, so they are the experts in tolling in this place.

Mr Atkinson raised a question about traffic calming. I inform the house that in the expression-of-interest document, dated May 2003, on page 10 it states:

The state will not accept proposals from respondents that require capacity reductions on the surrounding road network. The state will not accept proposals from respondents that require tolling of existing roads.

This is in the expression-of-interest document that has gone out to the private sector for consideration. So this is a clear policy position of the government that has gone to the private sector. Mr Atkinson asked whether the project would be economically viable; just today 100 people from the private sector, representing all areas of business interest — from the finance sector and engineering and construction firms — attended the briefing session. There is extraordinary private sector interest in this project. The record will show that this project will be economically viable and successful because the state is committed to it.

Mr Atkinson then raised questions about the issue of tunnels in this bill. This was merely a matter of drafting
simplification, and he knows that. There has always been a commitment to tunnels, and the moment this issue was raised there was a house amendment, supported by the government, that dealt with it. We are getting extraordinary criticism of this side of the chamber that is merely and purely semantic.

What else did Mr Atkinson raise? He talked about the fact that there had been no work done on the project so far. That is simply not true. Some $54 million has been spent on land acquisition. There was virtually nothing spent by the other side on this apart from one environment effects statement. There was virtually nothing spent by them in government, but this government has spent $54 million on land acquisition and a further $70 million on the extension of the Eastern Freeway to Park Road, on the eastern side of Springvale Road. Part of this project is already under construction and already under way and $70 million has been spent.

Mr Atkinson then talked about the lack of any soil testing on this project. You do not start building a road before you design it. Mr Atkinson may want to build roads before they are designed, but that is not the approach of this government. This government likes to take it through a process.

Let us look at the design process. A small amount of design work was done in 1998 for the environment effects statement because that was necessary for it. But the next stage, and all of the other stages, have been done by this government. Further design work has been done as part of the business case for the project to prove its economic viability, and there is detailed design work to be done by the successful bidder. That is the point at which the design work necessary for construction takes place — by the bidder. You do not go out turning sods and constructing roads before they are designed. It may be the Liberal Party’s approach — it was certainly the Bolte government’s approach, because it built the South Eastern Freeway that started nowhere and ended nowhere. If Mr Atkinson wants to go back into history, let us look at that.

Mr Atkinson raised the question of the soil-testing occasion. It is interesting that he was critical of that. Let me tell him that his Liberal parliamentary colleague in the federal parliament Mr Bruce Billson took that as a photo opportunity and was photographed with the Minister for Transport on the front page of the local paper in Frankston, promoting it as a great project.

An Honourable Member — He supports it!

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Mr VINEY — He does support it. He and I have had private conversations about it, and we both support the project. I am quite happy to acknowledge that Bruce supports it. The opposition should not come in here and start criticising the work the government has done as a photo opportunity when members of the Liberal Party have been taking advantage of the photo opportunity themselves. This project will deliver great benefits to the people of my electorate of Chelsea province. It will be built — —

An honourable member interjected.

Mr VINEY — In fact, in the expression-of-interest document the timetable for design and construction is listed. If members of the opposition would care to get hold of it and brief themselves on the project, they might be able to see what the design, construction and completion dates are. It is not difficult.

Hon. R. G. Mitchell — It’s too hard.

Mr VINEY — It is not too hard, Mr Mitchell, but it is too hard for them.

The government supports this projects because it will deliver benefits to a community in Melbourne the size of Adelaide. It will open up economic development opportunities across the south-eastern and eastern suburbs, link the transit city and integrated transport projects, and is substantially supported by members of the house. I see Mr Smith coming into the house now — he strongly supports this project. He and I have had private discussions about the Mitcham–Frankston freeway. I know that he, as my colleague in Chelsea Province, supports it for the substantial benefits that the Victorian community will derive from this project.

There is an assurance that this project will proceed. The tunnels will be constructed, the design work is already under way and there is substantial private sector interest in this project.

I am very proud to be part of a government that is delivering this project for the people of Victoria. It is unfortunate that it has to be tolled, but why does it have to be tolled? Because of the Liberal government’s contracts in the public transport system, which were an abysmal failure and will cost this state $1 billion over the next four years. This project could not be funded any other way. This bill enables this project to proceed, and I commend it to the house.

Sitting suspended 6.30 p.m. until 8.02 p.m.

Hon. D. KOCH (Western) — I rise to speak on the Southern and Eastern Integrated Transport Authority
Bill 2003. I note, as my colleagues on this side have, the amendments made in the other place — namely, the reinstatement of tunnels under the very beautiful and environmentally sensitive Mullum Mullum Creek at Donvale and the inclusion of the Ringwood bypass, which were deleted from the second-reading speech presented in the other place on 20 March 2003 which was a matter of drafting simplification, as Mr Viney indicated earlier this evening.

I remind this house that this is not a new bill. The proposal was previously introduced under the name of the Scoresby freeway and was rebadged prior to the election as the Mitcham–Frankston freeway. The opposition has never been anything other than supportive of this bill or any other bill of a similar ilk that expresses the willingness of this government to actually undertake and complete transport infrastructure initiatives. Members may recall the government’s commitment to the fast rail projects, the standardisation of the state’s rail infrastructure and the Better Regional Highways program. All these earlier attempts by this government have been talked up to anyone willing to listen and marketed heavily through the media, but all have failed to eventuate.

The proposed extension of the Eastern Freeway will link Mitcham to Frankston over a distance to be determined but generally indicated by the Minister for Transport in the other place to be between 39 and 40 kilometres. The use of tunnels under the pristine Mullum Mullum Creek at Donvale is the key to the success of this freeway, but as has been the case with so many earlier announcements the devil remains in the detail and of course no details have been made available — for example, how long are the proposed tunnels; at what depth will people be travelling; how many lanes will be involved; how long will they take to construct; and what ventilation will be employed?

The construction of this transport infrastructure will provide many important functions beyond employment opportunities, including providing better and more efficient movement of locally manufactured goods and improved passage of primary produce and value-added products to Victoria’s points of export. Above all this vital freeway link will assist in the better passage of people in their daily lives be it in pursuit of work, schooling, recreation, securing the necessities of life or enjoying the long overdue freedom of getting away to participate in community and family activities on Port Phillip Bay or at Phillip Island, Western Port, Wilsons Promontory or indeed in South Gippsland.

Until now these Melburnians have only had clogged and congested arterial routes that are dangerous and time consuming to travel on, causing stress and anxiety to motorists and their passengers, not to mention the wasting of time and fuel, which adds to pollution, and the incurring of other maintenance costs in this high-density residential belt. This proposed freeway will enhance the daily lives of nearly 30 per cent of the metropolitan population — that is, in excess of 1 million Victorians. Everyone living east of Springvale Road should enjoy similar road networks and amenities to those enjoyed by people in the rest of the metropolitan area. This development will go a long way to ensuring that outcome.

Going into the last election residents of Ringwood, Dandenong, Seaford, Frankston and the surrounding areas were assured by the Premier that funding for this freeway would not rely on tolling. They had an assurance from the Premier as recently as November 2002 that there would be no tolls of any kind. I quote the firm commitment given during the party leaders election debate on ABC television on 8 November 2002 in response to compere Ian Henderson’s questions:

HENDERSON: Would you categorically rule out putting any more tolls on new or existing roads?

BRACKS: Yes, I will.

In an interview with Neil Mitchell on 3AW on 24 September 2002 the following exchange occurred:

MITCHELL: Well, is that the basic message, no tolls under your government?

BRACKS: No tolls on the Scoresby or Eastern freeways, no shadow tolls, no that’s our stated position, we have this in our forward estimates …

Likewise the Minister for Transport ruled out tolls, as was reported in the Age on 24 September 2002 where it was stated:

Mr Batchelor ruled out tolls on motorists after Premier Steve Bracks had already given an assurance that ALP policy against new road tolls would be upheld.

In October 2002 the total cost for the 36-kilometre Scoresby section was estimated at $890 million. The federal government agreed to pay half of the cost, leaving Victoria with an outlay of $445 million. The current cost of implementing this road network is now suggested to be $1.8 billion. It should be noted that design and construction contracts have not yet been let. These contracts will be a key indication as to the likely expenditure necessary to complete such a massive and intricate part of eastern Melbourne’s transport infrastructure. If we see a similar increase in the next
There is no indication at this stage that private enterprise will be willing participants, although the government is leading us to believe that is not the case. To the contrary, as one of the possible bidders said recently as reported in the Age:

It is not possible to determine how any bids are to be structured, until all the government’s proposals in respect to the so-called public-private partnership are known.

We do not have any idea when this project-specific legislation will be introduced. Is it any wonder that the public struggles to come to grips with what this government is trying to put in place? Until a month ago people were living in the knowledge that it was costed into the budget papers with no direct toll burden to be placed on those prospective users in the eastern suburbs, with a completion date of no later than 2008. This government has deliberately misled the community and the business people of the eastern suburbs in a blatant attempt to obtain their votes. These voters will not forget the promises of the Premier, the Minister for Transport and the Treasurer at the next election.

Many of the newly elected ALP members representing this area, some of whom have openly condemned the government’s leadership group for its backflip on earlier guarantees and government assurances, now acknowledge that in promoting the proposed tollway corridor — —

Mr Somyurek — Don’t make it up.

Hon. D. KOCH — There is nothing being made up here, members. They now acknowledge that in promoting the proposed tollway corridor they have had their personal integrity sold out on the back of their campaigns of 2002. What a disgrace! What total disregard of their own members! That would never happen on the Liberal side of politics.

This whole funding arrangement has been handled with disregard to the one million people beyond Springvale Road who deserve relief from the current daily traffic congestion that continues to be dangerous and stressful as they attend to their daily activities.

The release of news of the intending toll was vintage Brumby. First we had the Treasurer on the 6.00 a.m. news with a hard sell on the $1 billion shortfall in the metropolitan public transport system, with absolutely no supporting evidence apart from blaming the previous government over contracts that he had had four years to review. Most mysteriously there has not even been a single word since. Would you not assume that for such a large $1 million black hole we would be hearing a lot more about this financial blunder? How unusual!

Then — surprise, surprise! — we had another announcement at lunchtime from Premier Bracks indicating that tolls would be the funding mechanism for this major project. The Premier and the Labor government must think Victorian voters are the last of the true believers. I put it to the house that the Premier had been in the knowledge of the state’s perilous financial situation for many months, since well before the November 2002 state election. What a travesty that this deliberate non-disclosure of the state’s finances has been maintained until now — and even then not fully explained!

The new Southern and Eastern Integrated Transport Authority will be made up of somewhere between three and five members; from what I understand this is still to be determined. I believe it is vitally important that the membership of this board be skills based with recognised qualifications in engineering, project management and extensive experience in the management of people at all levels. It would be tragic if we were to find old ALP hacks finding their way into these difficult positions, not unlike the appointment of David Feeney to the Premier’s office, Jim Claven, ALP president and now chief of staff for the Minister for Gaming, and the former so-called Bass independent, Susan Davies, gaining a role in the Treasurer’s office.

The board will require people of the highest integrity who have extensive qualifications and can demonstrate experience in the administrative, engineering and construction fields. The authority needs to be in place as soon as possible as too much precious time has already been lost. If the groundwork is not proceeded with immediately the 2008 deadline is almost certainly not going to be met — especially if the tunnel will need a three-year lead time as indicated by recognised contractors in the field.

It goes without saying that regional Victoria would be privileged to find itself in a position where a similar authority would be given the same support so that road, highway and bridge infrastructure had a commitment of like proportion. With the announcement in Mildura on 15 April of the deferral of the regional rail standardisation project regional Victorians can only assume the worst in relation to infrastructure upgrades and replacements. If regional Victoria were able to gain an iron-clad guarantee of a like authority with bipartisan support, this would bring regional Victoria
20 years forward. It would bring advantages not only to hardworking rural Victorians but also for moving primary produce and manufactured goods more effectively and efficiently to export points, thereby growing Victoria’s economy even further.

Imagine the realignment and redevelopment of the Princes Highway from Geelong to the South Australian border, and the Western Highway from Ballarat to the South Australian border, including a rail overpass at Ararat. The ring road around Geelong would be a marvellous achievement and could hopefully be pulled together without a toll.

In conclusion, the opposition keenly supports this legislation and believes the government needs to get on with the project and appoint exceptionally qualified authority members as soon as possible.

The tollway will allow in excess of one million people in the Mitcham, Ringwood, Donvale, Waverley, Scoresby, Rowville, Dandenong, Keysborough, Seaford and Frankston areas the benefits and opportunities of transport infrastructure they so desperately need and richly deserve.

It is disappointing that the government has this evening seen fit to have only two speakers on this bill — a bill dealing with a major infrastructure project in anyone’s eyes. Bigger transport infrastructure projects will not be undertaken during the life of this government; yet it provided only two speakers. Have honourable members been gagged in this debate? This house continues to wonder.

Hon. J. M. McQuilten — On a point of order, President, I have been waiting for the honourable member to finish before saying that it seems that over the last month in this house nearly everyone is reading speeches. People are slavishly reading. I was taught by the previous President in my early days as a member that it was not correct to read speeches apart from one’s inaugural speech. In 90-second statements and in many other speeches people are reading.

I have not brought it up because there are a number of new members; but it has been happening continuously for the last month or so. I am looking at the Deputy Leader of the Leader of the Opposition, and I think she knows I am right.

The PRESIDENT — Order! I think the member is beyond the point of order and is now debating it. If he has nothing further to say I will rule on the point of order. Members are reminded that in this house they are to debate issues before the house and not to read speeches slavishly. Members are allowed to refer to notes, but I remind members of the rules of debate in the house.

Mr SOMYUREK (Eumemmerring) — It is with pleasure that I rise to speak on the Southern and Eastern Integrated Transport Authority Bill. This is a narrow bill which has as its objective the establishment of the Southern and Eastern Integrated Transport Authority, hardly a topic that warrants an hour of vitriol, theatrics and synthetic indignation, as was the case with Mr Atkinson’s performance. I am merely referring to copious notes.

Let us get back to having a sensible and, I suggest to Mr Atkinson, rational debate about the bill. The opposition said it supported the legislation so let us just get on with it. That is what the people of the south and the east really want.

The authority will have the responsibility of overseeing the construction of one of Australia’s largest urban freeways. The Southern and Eastern Integrated Authority will be similar to the City Link Authority, which was the basis for the implementation and coordination of City Link. The authority will have the powers on behalf of the state to enable it to oversee and facilitate delivery of the southern and eastern integrated transport projects in a cost-efficient manner.

More specifically, clause 19 of the bill confers functions on the authority, including the following: to seek and evaluate submissions from the private sector; to make recommendations in relation to contractual arrangements and facilitation of the project; to administer and manage agreements relating to the development or delivery of the project; and to facilitate and coordinate consultation with stakeholders. The project joins together the Scoresby freeway project and the Eastern Freeway project into the one project called the Mitcham–Frankston freeway. The Mitcham–Frankston freeway will be a 40-kilometre link from Mitcham to Frankston connecting Melbourne’s eastern and south eastern suburbs.

Together with providing safe and efficient access between the Eastern, Monash and Mornington Peninsula freeways this freeway will also have a positive economic spin-off for the state as the time savings from the connecting of major industrial areas to each other and to ports, the airport and major freight routes will be enormous. The freeway will provide access to a growth corridor which produces 40 per cent of Melbourne’s manufacturing output. The Mitcham–Frankston freeway will eventually become an essential element of Victoria’s and the nation’s economic and
social infrastructure. These are the reasons why the Bracks government is committed to the project.

Since Labor came to office in 1999 over $54 million has been spent on land acquisition for and development of the project, and a further $70 million is being spent on the extension of the Eastern Freeway to Park Road. The Bracks government is so determined to build the freeway that we have made the tough but economically sensible decision for the future of Victoria to fund the project by harnessing private sector financing, which will unfortunately include tolls.

Government is about choice, and we have had to make the hard choice by keeping our commitments on health and education, protecting the environment and keeping the budget in surplus. This decision will ensure that the road will be completed by 2008. We will not be following the Kennett model on tolls — we will not toll existing roads and we will not force people on to the freeway by closing roads.

The project is expected to cost $1.8 million, and a definitive figure will be available after the finalisation of the tender process which commenced recently. The federal government previously promised to provide $445 million to the Scoresby section of the freeway. The status of the pledge is unclear. The project is too important to play politics with; therefore, I take this opportunity to call on the federal government to retain $100 million-worth of funding for the Scoresby component of the project and redirect the remaining $345 million to other projects in Victoria.

In conclusion, I would like to reiterate my opening comments in reference to the bill being narrow in that it seeks only to establish the Southern and Integrated Transport Authority, which will have the responsibility of overseeing the construction of one of Melbourne’s biggest ever freeways. I commend the bill to the house.

Debate interrupted.

**DISTINGUISHED VISITORS**

The PRESIDENT — Order! Before I call the next speaker I wish to acknowledge a group of language graduates who have just completed an interpreter course with the Victoria University of Technology and the Royal Melbourne Institute of Technology. The students are from Sudan and Ethiopia. We welcome them to the Victorian Parliament.

Debate resumed.
it did, but it did not help. Labor lost the seat and did not win government federally in any case.

At least what we got was a commitment to build the road. I am pleased about that because I think that this is a road of significant importance to Victoria. I was pleased, as were other members of the community, particularly in the eastern suburbs, when the government did at last agree that it was prepared to build this particular infrastructure. I was very pleased that it decided to do it.

Honourable members interjecting.

The PRESIDENT — Order!

Hon. BILL FORWOOD — Thank you, President, for your assistance. As part of the arrangements for this road the federal government decided it would put money on the table as well. It decided it would put up $425 million for this road. We then had a commitment that this government was dragged towards, and a promise that no tolls would be put on it. Other members in this place — Mr Atkinson in particular — have detailed case after case after case, time after time after time where various members of the Bracks government put on record that there would be no tolls on the Scoresby freeway. Then of course we got the big backflip. In the budget paper commentary today, Wednesday, 7 May, Terry McCrann says on page 8 of the Herald Sun:

Second, the budget numbers show precisely why that toll has to go on the Scoresby freeway. There is no way future budgets could handle the $2 billion spend.

I do not propose now — now is not the time — to go into a complete analysis of the budget, but that is true: this budget could not cope with it, because the government has blown the inheritance. We all know that. It could not keep the commitment. So what did the government do? It went looking for another way of doing it!

Terry McCrann continues:

In passing, there is also no way a tollway can be built. It is a financial impossibility. So there just won’t be one: freeway or tollway.

Not only have we not had one single major project from the sorry mob opposite since 1999 but the one they are trying to claim, the one that was to have been funded by the taxpayer and now is to be funded by a toll, will not, we are told by a significant economic commentator, get built at all. Why? Because of the incompetence of the mob opposite! There is absolutely no doubt that we cannot leave them in charge of the Treasury bench, because if we do, out goes the money — they burn it up, rip it up, squander it and spend it. Where does it go? No-one knows, but there is nothing to see for it, nothing at all.

I am not the only person who is critical of the government over its decision in relation to this. I have a statement from the Manningham City Council. It is headed: ‘Statement of council’s position on the determination by the state government to introduce tolls on the Mitcham–Frankston freeway’. It states:

Manningham City Council —

1. expresses its absolute disappointment with, and is highly critical of, the state government for its decision to implement tolls to the Mitcham–Frankston freeway;

2. calls on the state to establish clear time lines for the satisfactory resolution of all outstanding issues associated with the — former — Eastern Freeway extension; —

which has now of course become part of the Frankston–Mitcham freeway —

3. retains an expectation that the previously committed, funded and planned works between Springvale Road and Maroondah Highway would be implemented under the state’s road funding program without the need for and introduction of tolls …

It goes on, but I will not go through every point. This is a council of course through which the existing part of the Eastern Freeway runs. It was built by Mr Baxter when he was Minister for Roads, and it runs through the electorate I have the honour to represent. It was built on time, on budget and by the state — I make that point. Considerable work has already been started on the next extension through to Ringwood, as the parliamentary secretary well knows. Money has been spent, contracts have been let and work on the road has started. Work is progressing towards the area where the Mullum Mullum tunnel, which has been committed by the government may hopefully — when this project ever happens, which it probably will not — still take place. However this road is being built at the moment. What will happen? The state has already spent the funds on this: it has already let the contact.

Mr Viney interjected.

Hon. BILL FORWOOD — Mr Viney can look at his own document — which I am pleased he afforded me the opportunity to read — which states that this is already under way, as he and I know.

The point is we already have a road being built by the state — the Eastern Freeway extension between the end
of Springvale Road and the Maroondah Highway. It is already under way and yet this government now proposes to wrap that up and put a toll on it. This money has already been committed. It was in the forward estimates. It has already been spent.

**Mr Viney** — There is no commitment for tolls on that road. You read the document. It states that it is up to the tenderers to determine the points where the tolling might be. There is no commitment on tolling in that.

**Hon. BILL FORWOOD** — I thank Mr Viney for his intervention. I will go back to the City of Manningham tomorrow and tell it that the parliamentary secretary said in the house that there would be no tolls on the section of road between Springvale Road and Maroondah Highway.

**Mr Viney** — I said there is no commitment on that. You are just misrepresenting the document.

**Hon. BILL FORWOOD** — So will there or won’t there? What is your position?

**Mr Viney** interjected.

**Hon. BILL FORWOOD** — No, I go back to my original point.

The government has allocated funds for the extension of the Eastern Freeway already through to the Maroondah Highway. It started the works and they are under way. The member is now saying there will not be a toll on there. I am happy to look at the diagram in figure 1 on page 6. It has a blue dotted line, which the parliamentary secretary would know. It describes it as the Mitcham–Frankston freeway, and it starts at Springvale Road. Okay? It starts there and goes the whole way down. The document also states — and I can point honourable members to the clause — that the project will be funded by tolls. So any person picking up this document is entitled to assume that the blue dotted line, which starts at Springvale Road and ends up down at Seaford is — —

**Mr Viney** — That is not what the document states. You would know that the document states, if you read it properly, that the tolling points would be subject to the tender.

**Hon. BILL FORWOOD** — I am delighted with Mr Viney’s intervention, because he is demonstrating to this house his great sensitivity to the tolling issue. We know they are all pretty sensitive about the tolls; but the issue is that you cannot have it both ways.

**Mr Viney** — You are misrepresenting the document I gave you.

**Hon. BILL FORWOOD** — I am not misrepresenting it at all. I am saying that this refers to the Mitcham–Frankston freeway — and it starts at Springvale Road and goes the whole way down. It is a blue dotted line. Mr Viney can go in and look at the document. It says that it will be funded through a toll. Mr Viney wants to come along now and suggest to the people who attended his briefing today that part of this road will not be tolled. That is what he is saying to the house today. Mr Viney, making policy on the run like this government is wont to do, has just informed this chamber that there will not be a toll on the Eastern Freeway part of the Mitcham–Frankston freeway. I will be happy to go and tell the people of Mitcham that; they will be very pleased. The other people further down the road who will be tolled are unlikely to be quite so happy.

**Mr Viney** — Do not misrepresent what I said.

**Hon. BILL FORWOOD** — I am not misrepresenting. I go back to my original point. Mr Viney, making policy on the run like this government is wont to do, has just informed this chamber that there will not be a toll on the Eastern Freeway part of the Mitcham–Frankston freeway. I will be happy to go and tell the people of Mitcham that; they will be very pleased. The other people further down the road who will be tolled are unlikely to be quite so happy.

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**Mr Viney** — Do not misrepresent what I said.

**Hon. BILL FORWOOD** — Oh, come on! Are you accusing me of deliberately misrepresenting? If it was the other way then I would be seeking a withdrawal of that, but seeing that I have the floor I am quite happy to say that is utter nonsense. All Mr Viney is proving by his interjections throughout this debate is his complete sensitivity to the issue of tolls. We know that he does not like the fact that he got it wrong. We know the people of Victoria have sprung him in a pack of lies. That is what happened. He got caught. There is absolutely no doubt at all that he has been done over on this issue.

For Mr Viney to come in now and suggest to the people of Victoria that the government is not going to toll the whole road is an interesting position. I look forward to him going to the various other municipalities along the freeway and saying why part of the road packaged together will be tolled and other parts will not be tolled, because that will be his responsibility.

I make the point that not one member of the Labor Party was prepared to front at the public meeting recently held out there at which there were 600 or 700 people, a number of whom have spoken to me since. Not one ALP member fronted!

**Mr Viney** — Not one was invited.
Hon. BILL FORWOOD — Excuse me, you need an invitation to go to a meeting, do you? How precious are you? If a public meeting is called — —

Mr Viney — It was a Liberal Party meeting.

Hon. BILL FORWOOD — Oh dear! Oh dear! A Liberal Party meeting! I refer — —

The PRESIDENT — Order! The member’s time has expired.

Hon. W. R. BAXTER (North Eastern) — I am disappointed that sessional orders have forced Mr Forwood to be sat down in full flight because he was exposing some of the sensitivities of the government backbench on this matter. Well he might because we know many of the backbenchers in this government are here under false pretences. They went to the election on a clear policy of no tolls on the Scoresby freeway and here we are within six months of the election and they have done a complete backflip because now it is to be a tolled road. I do not think it will ever be built as a tolled road because it will not work as a tolled road.

Hon. T. C. Theophanous — Weren’t you the Minister for Road Tolls in the previous government?

Hon. W. R. BAXTER — Indeed, Mr Theophanous, and I have been tempted to get to my feet while listening to the speeches of Mr Viney and Mr Somyurek and the interjections from the government backbench. As the minister who resurrected the stalled freeway building of the Cain-Kirner government, I might well set the record straight because it was the government of which I was the roads minister that fixed the south-eastern car park. It was the government of which I was the roads minister that picked up the stalled Eastern Freeway project again and extended it out on time and under budget.

I believe members of the previous government have a proud record of building roads in this city, completing the promises that were made despite the tremendous opposition from the then opposition Labor Party. Yes, I was the minister who signed the City Link agreement that imposed tolls in this state for the first time, other than the tolls that existed for a while on the Westgate bridge when it was first built.

Those of us who were in the place at the time can remember the opposition from the Labor Party to the building of the City Link project, particularly to the imposition of tolls. Yet even it would acknowledge that the City Link project was an extraordinary engineering feat. It was delivered on time with the most minimal disruption, yet it built a freeway through the central business district of one of the biggest cities in the world and it is proving itself by its increased patronage year on year, and I think it will continue to do so.

It was when this bill was first introduced, as Mr Bishop alluded to earlier in the evening, that suspicions were raised in the National Party that something was afoot, because there was no need whatsoever to have this bill to build the then-called Scoresby freeway, now known by the new name given it by the government, unless the government was going to toll it.

Our suspicions were, of course, further aroused by the cooperation which was sought from us and others to get this bill through the Parliament as a matter of urgency. I did not come down in the last shower. I said there had to be a reason, that the government wanted to get this through before it announced something. I asked: ‘What can it announce in respect of this? Tolls’. Some of my colleagues disbelieved me. They could not believe the government would make such a big backflip because it had just won six or seven seats in the eastern suburbs of Melbourne on the basis that it would not toll the roads.

Hon. A. P. Olexander — It was more than that.

Hon. W. R. BAXTER — More seats than that, Mr Olexander — yes, I think seats like Bayswater in the other place were clearly won on the basis that this road was not going to be tolled.

Some of my colleagues were incredulous to think that a government could make such a backflip so quickly. We were proved right; that is exactly what happened. For reasons beyond our control, the bill was not presented according to the government’s urgent timetable a week or two ago. Of course, the government had to make the tolling announcement before the budget was brought down or it would have blown its budget out of the water.

Hon. T. C. Theophanous — Did you go to the people saying you would toll the Tulla?

Hon. W. R. BAXTER — Mr Theophanous, you might recall that the Honourable David White, a member of this house for many years, actually resigned from this house to contest the seat of Tullamarine in the other place because he thought he could win it on the basis we were going to put a toll on the rebuilt, widened, remodelled Tullamarine Freeway. What happened?

Mr Viney — You spent $3 million trying to stop him from getting into Tullamarine!
Hon. W. R. BAXTER — Mr Viney, I did not spend a dollar. Mr White failed to unseat the then member for Tullamarine, so that puts paid to your argument, Mr Theophanous.

I want to talk about some of the references that have been made to the Scoresby freeway.

Mr Viney — Did you say you would shut schools and hospitals in 1992?

Hon. W. R. BAXTER — Mr Viney, I know I am actually hitting the mark whenever you start interjecting about schools and hospitals when we are talking about roads. I know I am hitting the spot when you try to change the subject, so keep at it.

We heard all this talk from Mr Viney and others that it was only this government that had done something about the Scoresby freeway and the planning for it. I wonder what I did in my office during all the meetings I had, all the hours I spent and all the land acquisition approvals that I signed at the time to enable homes to be bought that were likely to be in the route of the freeway? It is an absurdity to say that planning was not well under way under the former government. I reject any notion at all that work was not proceeding with the Scoresby freeway.

As Mr Forwood said, it was the Aston federal by-election that changed the mind of this government on the Scoresby freeway. It would not be doing it if it had not been forced to make that commitment and of course the federal government was generous enough to declare it a road of national importance and offer to pay half. This government should have taken up that offer and should have funded it through the budget by managing the state’s finances better. What it was prepared to do or was forced to do was to knock back this very generous offer from the federal government because its budget was in such disarray. What is the alternative? The government is going out to the private sector to try to get someone interested in this road as a tollway.

Mr Viney interjected.

The PRESIDENT — Order! Mr Viney has had his opportunity to speak.

Hon. W. R. BAXTER — The government is going to experience the same sorts of responses it got on the fast rail project. It will find out that the private sector will do its sums on this project and decide and determine that it will not stack up as a toll project. This government will be left holding the baby.

Why will it not stack up as a toll road? Because there are too many alternative routes people can use. It is quite different to City Link, which is through an old residential city and an industrial area where alternative routes are heavily congested, with narrow, twisting and turning roads. The eastern suburbs, developed since the war, have long, straight and wide arterial roads running roughly parallel to this tollway. If the tolls are anything like the level that has been suggested by Mr Atkinson and others, the number of people who will choose not to use the tollway will be remarkably high. They will not be the rat-runners going up suburban residential streets, but people using the arterial roads already there.

Hon. T. C. Theophanous — You don’t think the private sector will take it up?

Hon. W. R. BAXTER — No, I do not think so at all. There is no way the private sector will be able to make the sums add up as a tollway for the 30-odd kilometres of road because tollways will only work if you can get the density of traffic. You only get the density of traffic if you can demonstrate sufficient time savings, and you will not demonstrate that with the tollway because there are alternative routes. They will not be as good as the tollway, but clearly they will be a satisfactory alternative for many people, not everyone. If you want a classic illustration of that look at route 61 in Los Angeles which has a free road with a tollway down the middle of it. The tollway is only used at peak hours and not much at other times. Frankly, you will not get, so far as I know, a peak hour in the sense that we understand it in the eastern suburbs. Of course, it is busier at some hours of the day than others, but generally for most people, if the toll is $11 or $12, which it will have to be to justify its development, you will not get usage.

It becomes like the chicken and egg theory. If the toll is not high enough no-one will be prepared to invest in it, but if the toll is that high to make the investment pay you will not get the users. In my view the government is left with two alternatives. The first is that it does not do the road; the second is that it does it by shadow toll and gets a private investor to do it and pays a shadow toll. Perhaps that is the government’s intention. Perhaps it is softening us up on tolls and in due course it will appear to do a backdown and say, ‘No, we have changed our minds on direct tolling; we will do a shadow toll’. That could well be the result. You will find that you will not get anyone in if you do direct tolling, and if you want to build the road you will have to introduce shadow tolling. I will wait with great interest to see what the government does to try to squirm its way out of this.
I heard Mr Somyurek say the road will be built by 2008. Well, I am very sorry that perhaps I will not be here in 2008 to say to Mr Somyurek, ‘I told you so’. There is no way this road will be built by 2008 by this government which has proved it is unable to manage major projects and is unable to get major projects underway.

The planning for the road has been deficient in any event. This road connects with the Eastern Freeway. What happens to the Eastern Freeway? It dumps people at Hoddle Street or the Melbourne General Cemetery. If this road was really going to be of benefit to the economy of Victoria it should be linking with the Western Ring Road. Mr Smith nods in agreement, and I am glad that he agrees. I believe we should be working for an outer metropolitan ring road and the Western Ring Road should be linking up with this Mitcham–Frankston freeway. I am very disappointed that the government is proposing to proceed by linking it in to the Eastern Freeway.

This is the time when the planning and the construction should have done what we all acknowledge needs to be done and must be done. If we are going to get value for money, that is the only solution — connect it to the Western Ring Road. No, this government does not have the intestinal fortitude to fight the political battle that will be involved to do that. I acknowledge there will be a few issues in making that missing link. We are here to govern in the best interests of Victoria for the long term, and that is the solution that ought to be put in place by the government rather than going to this half-baked idea of linking with the Eastern Freeway, making it a toll road and thinking you will get the private sector to invest and build the road for you. The government will not get the private sector in it because there is not enough in it for them. The government will not get the private sector in it because there is not enough in it for them. The government will be back in a few years with some other purpose trying to get the road built.

Hon. A. P. OLEXANDER (Silvan) — I rise to speak on the Southern and Eastern Integrated Transport Authority Bill — —

Honourable members interjecting.

The PRESIDENT — Order! It is unruly for members to interject, but if they do so and are referring to members of this house they should use their correct titles, not their first names or surnames. Members should be addressed as Mr or first name and surname. The honourable member, to continue.

Hon. A. P. OLEXANDER — In rising to speak on this bill I repeat what my Liberal colleagues have already explained to the house. The Liberal Party supports the bill because we support the freeway. The Southern and Eastern Integrated Transport Authority will have the key responsibility for making sure the infrastructure and other developments surrounding the freeway go ahead.

I welcome this opportunity because it gives me an opportunity to explain to members on the other side of the chamber exactly what the feeling is in the outer eastern suburbs of Melbourne about its backflip on this issue. It gives me a chance to explain to members opposite exactly how angry, exactly how betrayed and exactly how furious people have become over two issues. The first issue is not just the issue of a toll. The first issue people are angry about is being promised one thing in no uncertain terms and being delivered something else. There are still people in the community, many of them reside in the outer eastern suburbs of Melbourne, who believe that when a government makes a firm commitment and promise it should perform on the commitment and promise. There are still people who believe that sort of integrity is important in government. There are still people, and many of them are in my electorate in the outer east, who believe that when a government makes a promise to their people it makes a firm commitment to them and their families — a commitment given to them in exchange for their political support at an election — the government should make it possible for the promise to be fulfilled. We believe that in the outer eastern suburbs.

The second issue is that this development will create the largest tollway — a 40-kilometre tollway — and the largest cash cow of any tollway that any government has in Australia. It is a record in terms of the size and magnitude of the tollway. Every family in the outer eastern suburbs who needs to use the road understands that every time they use it it will come out of their pockets. Every family in the outer east was promised it would not happen; every family understands it will come directly out of their pocket.

I am not surprised tonight that other members who represent the outer eastern suburbs have not had the courage to show themselves in the chamber.

Hon. B. N. Atkinson interjected.

Hon. A. P. OLEXANDER — I am not surprised. Mr Atkinson, who is in the chamber and is on the right side of this issue — —

The PRESIDENT — Order! Mr Atkinson is interjecting out of his place.
Hon. A. P. OLEXANDER — I am not surprised that Mrs Buckingham, the Labor member representing Koonung Province, and Ms Hirsh, the Labor member representing Silvan Province, have not seen fit to be in the chamber tonight. Both of those members not only ought to speak but ought to apologise to the community in the outer eastern suburbs who supported them and supported their party in the largest numbers ever in Victoria’s history.

I remember the election campaign very clearly. The Labor Party plastered our electorates with the promise that there would be no tolls on the Mitcham–Frankston freeway. They advertised in the newspapers.

They advertised by direct mail, by brochure, by poster and by pamphlet. No voter in the outer eastern suburbs was left under any other impression than the one the Labor Party wanted to give — that is, that there will be no tolls. I personally recall Mr Bracks saying to people in my electorate, ‘This is not just another political promise, this is a personal commitment that I give to you and your family. We will honour this commitment’. Those words ring in the ears of constituents and voters in the outer east of Melbourne.

Mr Forwood made an extremely relevant and salient point tonight. People in the outer eastern suburbs of Melbourne now believe, to the detriment of governments in general, that the Bracks government taxes them and lies. This is not a healthy thing for our democracy, and it will certainly impact badly on the outer eastern suburbs of Melbourne.

Our community is angry and frustrated; and local members from the Labor Party who now represent the outer eastern suburbs understand this only too well. When the opportunity arises for the people of the outer eastern suburbs to send a message back to the Bracks government they will not miss that opportunity. It is not just the fact that every time they drive down that road the Bracks government is going to have its hands in their pockets, it is also the fact that they were lied to and betrayed. They were told one thing and they were delivered something else. There are still people who believe that when a government makes a firm commitment to them and their families that it says it will honour, that government has a responsibility to deliver and to perform.

The government has used every excuse under the sun when arguing to people in the outer eastern suburbs that it really could not fund this freeway. It has blamed the drought and a whole range of other budgetary constraints, but people in the outer east understand that it is just not a priority. There are other priorities for the Bracks government. People in the outer east understand that money is being spent but that it is not being spent in the outer eastern suburbs. They understand that the outer eastern suburbs are a black spot in the vision of the Bracks government, and they will not forgive the government for that.

Members opposite need to understand that when things like this occur people change their perceptions. People in the outer eastern suburbs have changed their perception of the Bracks government big time. I have never seen anything like it. The feedback that we are getting from all levels of the community is telling us so. It should come as no surprise to members opposite that Labor Party members in the outer eastern suburbs have been resigning from the Labor Party over this issue. Labor councillors on our local councils have not been prepared to defend the government. In fact they have criticised and attacked it because they understand the deep-set feeling that exists in the outer eastern suburbs. Because those councillors live in their areas unlike the Bracks government, they do not have that blind spot. They are not prepared to defend the government’s position on this issue and nor should they be.

The government stands condemned on this issue, and members opposite have to understand that it is not just the business community or the remaining members of Parliament or a whole range of local councils. It is average people, mums and dads, who have said, ‘We have been betrayed, we have been lied to. They are going to get their hands into our pockets again and we in the outer eastern suburbs are not a priority for Labor’. That is something that the Bracks government and the Labor Party cannot get away from.

I want to talk about the attitude of the Knox City Council that is predominantly composed of and dominated by Labor members. I will read the council’s resolution that expresses its position on this issue; and it reflects very closely the community’s concern and sentiments. It states:

Knox City Council:

1. Opposes the impost of tolls on the Mitcham to Frankston Freeway.

2. Calls on the state government to reverse its recent decision to introduce tolls on the Mitcham to Frankston Freeway and instead to uphold its pre-election promise to the people of Victoria to fund the freeway without tolls.

3. Advises Premier Bracks that it is deeply concerned that it was not consulted prior to the state government’s decision to introduce tolls onto the Mitcham to Frankston Freeway.
Why is it interesting that the Knox City Council has done this? It is interesting because this council is ostensibly comprised of Labor councillors. It is also interesting because the newly elected member for Bayswater in the other place, Mr Peter Lockwood, came from the Knox City Council. He was chief among the Labor promises. He said, ‘We will not toll that freeway’. That was plastered everywhere.

Now people recognise that they have been had, that they have been done over, and because people in the outer east voted for Labor in record numbers — that has never happened before, people in the outer eastern suburbs do not traditionally vote for the Labor, but on this occasion they did — that will come back to haunt the government and local members in that region — it is a matter of easy come, easy go.

Easy come, easy go is my message to Mr Lockwood, to Dympna Beard in Kilsyth and to a whole range of Labor members who got in on the basis of a lie — who told the community something that was not true. I will wait for that day, and it will come very quickly. We will probably have the next election on 26 November 2006. Local Liberal federal and state members will not rest because we know that our communities expect us to push this case for them to a successful outcome. We know that they will reward those who tell the truth in 2006. They will not reward the Bracks government or its local members.

Hon. C. A. STRONG (Higinbotham) — This is a very interesting bill because it shows the absolute deceit of this government.

This bill is a demonstration that there was never any question that the government intended to put some sort of toll on this freeway — absolutely no question. This bill proves beyond any doubt that the government always intended to put tolls on it. It is another convenient lie that the government tried to make out that some sort of budget problem brought this about — some sort of overrun in public transport. All that is fundamentally a convenient lie. There is absolutely no doubt that from the word go tolls were intended and this bill clearly indicates that.

If we look at the second-reading speech, for instance, it says that the bill is to establish this separate authority to enhance the project, strengthening the focus on complex legal and commercial issues. Once again, the bill says that this new authority will make recommendations on contractual arrangements between the state and any other person for the development and delivery of the project. The second-reading speech makes it quite clear that this project will be a partnership between the government and the private sector.

How would the private sector ever get a return on it if there were not going to be some sort of toll? Once again, this bill exposes the lie and the deceit that this government set in place from the word go. There was no question that government members never wanted to build this road. They went to the people clearly without any intention to build the Scoresby freeway. It was only as part of the Aston by-election and the fact that the federal government was prepared to put money on the table that this government was prepared to go to the people with the project. It was only because the people clearly said they wanted this freeway that the government was shamed into agreeing to the project. Once it had agreed to it, what was its first action? It put it out to tender! The government said, ‘Oh! This is too much, so we cannot do it. We will put it off. We will roll it in with the new southern link’.

That was the story when the government went to the polls in November last year. It still did not want to build it at all, and now this bill exposes the lie that it was always going to be tolled. Suddenly, just before the budget, the government announced it was going to be tolled. It was no surprise to anybody who read the bill.

Why would you set up a corporation to run this project if you were not going to toll it? You only have to look at the other areas where we have had such corporations to see what would happen. Just look at the West Gate Bridge Authority which was set up as a corporation to toll. Once again, City Link was set up as a corporation to toll. There was absolutely no doubt that if the private sector was going to be invited to invest it had to get a return somehow. That return had to be through some sort of toll, there is no question about that.

As other speakers have said and I would like to reiterate, this will be exactly like the slightly faster rail to rural centres of Victoria. It simply will not happen. It is a joke to think that the private sector will put any money into a toll road. It is an absolute joke exactly as it was a joke to suggest that the private sector would put money into the so-called fast rail to our rural centres. There is no way it could make any money. The only person who could think the private sector could make money out of a toll road there is the Minister for Transport, exactly the same person who thought — or alleged he thought — that he could get private sector involvement in the fast rail project. Just as he was wrong, wrong, wrong about private sector involvement in the fast rail project, he is wrong again to think that he will be able to get this project off the ground as a toll road.
What is going to happen? One of two things and with either the government will have its way. As Mr McQuilten said earlier in this debate, if it will not work as a toll road that proves it is not required. That will be the argument the government will come back with. Government members will say, ‘Oh, well! The private sector says it cannot work as a toll road, so it probably will not be needed and we will not do it at all’. Ultimately that is exactly what the government wants. It does not want to build this project.

If community pressure — which is very significant, as has been outlined by other speakers — forces the government to continue, the government will put on some sort of shadow toll, which is a de facto tax. This will be just a road funded with revenue from a tax. What we are looking at in this toll road is not simply a toll but a tax increase to fund it. It is an absolute nonsense in every way to think it can possibly work as a proper toll road.

Even if the extra 600 police the government is going to put on as a result of this new budget go out there and fine everybody as fast as they can to raise hundreds of millions of dollars and even if those 600 police are committed 24 hours a day to raising fines, which they probably will have to be to balance the budget, that will not be enough because this project simply cannot work as a toll road.

It is very sad for this whole swathe of eastern Melbourne suburbs that it will be denied a proper transport service, which is necessary to grow the industry in that area. If we want to grow Victoria one of the key things we need is a proper transport system to facilitate production of goods, industry, commerce and people going from one place to another. All the economics show the enormous benefit of a proper, well-functioning transport system.

So we need this, but the way the government is going about it, it simply will not happen as a toll road. What will happen? What I want to see from this government is a contingency plan that says, ‘Okay, if it won’t stack up as a toll road what are we going to do?’ Surely it has significant advice that tells it that this is a potential problem. Surely it would have a contingency plan. If it does not have a contingency plan it is negligent in the extreme, because we need this infrastructure, and if the freeway will not work as a toll road how will the government make it happen? It needs to consider that issue and put it on the table, because we must have this infrastructure.

With those few comments, I want to express my great concern and disappointment that we will probably be deprived of this bit of essential infrastructure, or alternatively it will be funded by a tax increase on all Victorians — some sort of shadow toll — whether or not they use it or need it, which would be absolutely inappropriate. I deprecate in the strongest possible terms the deceit and lies of this government that are exposed by this bill, which makes it quite clear that this project was never intended to be funded by the public purse.

We need to go on the record to say — and the government should acknowledge this in the passing of the bill — that the government never foresaw this project as being totally funded by the public purse. We should see that that is flagged. As I said before, it is essential that the government come clean with some sort of alternative plan if the freeway does not work as a toll road. With those few comments I conclude my remarks.

Hon. D. McL. DAVIS (East Yarra) — I am pleased to make a contribution to the debate on the Southern and Eastern Integrated Transport Authority Bill. In doing so I want to make a couple of points. Speakers in this debate to date have made some points, Mr Strong recently and most notably, about the economic significance of this important piece of road infrastructure. That economic significance has been recognised for many years.

Before I begin to discuss the economic significance at some length I want to review some of the history of this. I am indebted to the contribution made by the Honourable Geoffrey Craigie on 12 April 2000, during debate on a motion in this house on a Wednesday morning. The motion was that this house supported the construction of the Scoresby freeway project as an urgent priority and that funding must be provided in the 2000–01 budget. He reviewed the history of this project, and in doing this myself I am trying in a sense to correct the record following some of the comments made by members of the government.

This freeway first appeared in the 15th edition of *Melway* in 1984. In 1994, under the Kennett government, a lot of the background work began in earnest. Vicroads commissioned a strategic planning investigation by a firm called FDF Management Pty Ltd that looked at congestion and at the options for the road — at a number of different features. In 1996 there was an environment effects statement which went through until 1999. The point I am making is that this is not a new project; it has been around for a long time.

Some members of the government who earlier today tried to claim that the Liberal Party is a recent supporter...
of this project were quite wrong. In saying that I pay
tribute to one individual — Peter Nugent, the former
federal member for Aston. Many in this chamber,
including the Honourable Bruce Atkinson, will be very
familiar with him as an individual who fought hard for
this freeway. He more than any other member of
Parliament or councillor in the eastern suburbs of
Melbourne put this on the agenda. He put it on the map
very strongly. As a federal member he was able to
argue for it in a very persuasive way. He slowly
brought many people on board — local members,
councillors — and one by one the 10 councils down the
strip of the freeway, most of the federal members of
Parliament and all of the Liberal state and federal
members of Parliament became strong supporters of
this project.

It is important to place on the record that this project
grew from the ground up in the eastern suburbs of
Melbourne. Vicroads did much of the planning. The
Honourable Helen Buckingham is a former mayor of
the City of Whitehorse, which was a strong supporter of
this project. I notice that many members of the
government, including many former councillors, have
chosen not to speak tonight. There have only been
about three government speakers, which I find
extraordinary — —

An Honourable Member — Two.

Hon. D. McL. Davis — Two? Or is it three? I
stand to be corrected on that number, but it is a very
small number given the importance of this project and
the significance of these areas of the state.

Mr Smith, who is a member for an area that covers the
southern end of this freeway, was very prepared to
speak in that 12 April debate, when he said, ‘I oppose
the motion’, but tonight he is not prepared to speak.
Mr Brideson interjected, ‘You don’t support the
Scoresby freeway!’. Then Mr Smith claimed that the
motion calling for the Scoresby freeway was hypocrisy.
There is no doubt about Mr Smith’s position, and it is a
great concern in this chamber that we have such
members representing areas in the eastern suburbs of
Melbourne. Mr Viney too has not fulsomely supported
the freeway and has not been prepared to honour the
government’s commitments. Ms Hirsh is another who
has failed to speak in the debate tonight, despite the
significance of this freeway to her area.

Mr Viney — I beg your pardon; I spoke for the bill.

Hon. D. McL. Davis — Yes, I know you spoke.
Your contribution did you little credit.

Mr Viney’s contribution certainly left me with the
distinct impression that he has not been the fulsome
supporter that he should have been within the
government. Mr Viney holds a very senior position
inside the government as a parliamentary secretary, but
he was not prepared to argue that the Premier should
keep his promises on this matter. As a parliamentary
secretary Mr Viney was not prepared to stand up to the
Premier and put on the public record the fact that he
opposes the imposition of tolls. I will come to the tolls
in just a moment.

Mr Viney — Read Hansard tomorrow.

Hon. D. McL. Davis — I listened to your
contribution, Mr Viney. I was here in the chamber,
unlike many of the members opposite who have fled
from the chamber because of their fear of standing up
on this issue and the fact that many of them have been
gagged by the government from speaking in this
debate. If that is not the case I challenge those members
to rise tonight or in the morning — the opposition is
very prepared to allow this debate to go as long as is
necessary to allow any government member from the
eastern suburbs who wishes to place on record his or
her views, his or her strong support for the freeway and
his or her strong support for a freeway without tolls to
do so. Alas, these government members will not come
forward.

The key issue I want to talk about is the economic
significance of this freeway and the fact that this
freeway will return significant economic dividends, not
just to the eastern suburbs businesses — —

Mr Smith — We have said all of that.

Hon. D. McL. Davis — I want to place that on the
record too. Mr Smith may find that surprising, but that
is the case. I want to make the point that this is a project
of huge significance, not just for Victoria but Australia
and not just for metropolitan Melbourne but for country
Victoria. That significance alone justified the
expenditure on the initial costs of this project. If the
state government had been sincere and active from the
start it could have come to a good deal with the federal
government, as it eventually did. However, it dithered
and that period lapsed. Now the project is in serious
trouble with the government announcing the imposition
of tolls on this important and significant road.

I note the comments made by the Honourable David
Koch earlier in this debate when he quoted the
Premier’s comments on 3AW and in the leaders debate
two weeks before the election. Ian Henderson from the
ABC put a series of very direct questions to the
Premier, and the Premier indicated directly that there would be no tolls on this or any other road. I have to say very strongly that the deceit and the immorality of the Premier’s approach has been nothing short of breathtaking.

Hon. B. N. Atkinson — The audacity.

Hon. D. McL. Davis — As Mr Atkinson says, the audacity is exactly what we are talking about.

The Premier, the Treasurer and the Minister for Transport in the other place must have been aware of their intentions on this before the election. At the time of the Aston by-election they had finally moved to the position of supporting the freeway. We know that when Mr Smith spoke in the house and the 13 Labor members voted against the Scoresby freeway in this house — —

Mr Viney — They voted against your trickery.

Hon. D. McL. Davis — They voted against the freeway, Mr Viney. It was not trickery but a very clear and sensible motion, but 13 of them voted against it. One by one they sat there and voted against the motion. That is a measure of this government’s duplicity on this important matter.

I also want to place on the public record the significance of the tolls for many people in the eastern suburbs of Melbourne. I know that those from many areas in the south and those who are travelling north will pay a significant toll. The calculations that have been done suggest a toll of $11 to $12 in today’s dollars, perhaps rising to nearly $20 by the time the road is actually built or perhaps even more. That indicates that this is a very expensive road, a road that will slug normal families and slug the average driver travelling through the eastern suburbs of Melbourne.

I know that people from my electorate, from Kew, Hawthorn and Box Hill who head out east — many of them go to work out that way each day and may well use part of the freeway — will face tolls that may well add up to $10 or $12 a day for a two-way trip. That will be a very significant imposition; perhaps more than $25 a week in many cases. That is a significant hit for a family. If there are two people travelling it will cost even more. There is no doubt about the significance of these tolls to normal families and individuals. There is also no doubt that businesses that pay very high taxes on our roads already will be slugged by this road and by the government’s tolls.

Of course it is not as if the government is unprepared to tax the activities of Victorians on the roads whether they be businesses or families. Already we have seen enormous rises in speeding fines and car registration fees. We have seen that this government is very prepared to slug normal families and hit them very hard in their pockets. It hits them where it hurts.

Hon. R. G. Mitchell interjected.

Hon. D. McL. Davis — Mr Mitchell knows that that is the fact, and he knows it will affect people in his electorate of Central Highlands. I know the effect it will have on those people.

The indexing of these charges on vehicles is a new feature. It was never done by the Kennett government. It was never done by the Cain government, the Bolte government or the earlier Liberal governments. It is a Bracks government initiative to index these charges on ordinary families into perpetuity. I wonder about the indexing of the tolls. I wonder about the increase in the tolls over time. What sort of contract will be written in terms of the size of the tolls and the ability of the tolling companies to bump those tolls up at will? Will they have a free hand in doing that?

We have heard from Mr Baxter about the financial difficulties in making this road work with tolls. I think many of the things he said about those financial difficulties are right. This is not a road that should be built with tolls; it is a road that should be built by the government. It could have been built by the federal and state governments working in unison. The option was there, but this government threw it away.

Mr Viney interjected.

Hon. D. McL. Davis — The federal government offered to pay half the cost, a very significant amount. Offers of various types had been discussed long before the final deals were done with the federal government. If this government had moved swiftly in 2000 at the time of the motion in this chamber when its members, all 13 of them, voted against the motion, if it had moved at that point to strike a deal with the federal government, it may well have got a very different outcome. The road may well have been able to be built, but this government squandered the opportunity. It played politics with this important road, this important piece of economic infrastructure. By playing silly, narrow, partisan, party-political politics the government let this project go. It squandered the opportunity, and that will mean people in the eastern suburbs of Melbourne will be hit with the most ferocious and disgusting tolls — tolls that are entirely unnecessary, tolls that the Premier promised we would not face and
tolls the Premier said he would not introduce under any circumstances.

I must say that if ever there were an opportunity in this political life for somebody to launch a legal action against a political party for a breach of promise, for a breach of trust and a legal action that held a government accountable, this would be that sort of occasion. We have a government that won the votes of many people. Mr Somyurek arrogantly says he has a 12 per cent margin. I can tell Mr Somyurek, Mr Viney, Ms Buckingham and Mr Smith that those sorts of margins can easily be swept away. The Liberal Party understands that.

Mr Viney — Tell us about your margin.

Hon. D. McL. DAVIS — It was not swept away that much. Members opposite need to understand that those sorts of margins can be swept away by these treacherous, outrageous and unfair tolls — tolls that the government promised would not be introduced, tolls that the Premier had given personal assurances to Victorians about and tolls that the Minister for Transport and the Treasurer said would not be introduced. What we see now is lazy Labor members who are unprepared to stand up because they have been gagged.

Hon. R. H. BOWDEN (South Eastern) — I rise to make my contribution to the debate on the Southern and Eastern Integrated Transport Authority Bill.

I believe the present Labor government will pay a heavy toll on polling day 2006. That toll will run up to as many as about 12 members at least — the members listed in the very interesting article that appears at page 2 of the Herald Sun of 15 April. Those are the Labor members who benefited enormously from the false promises that were made by the Labor Party prior to the election, including the no-tolls promise that was broken. They will indeed pay a toll of a kind they really will not like on the next polling day.

In considering promises I am reminded that in some ways where this issue is concerned it is a pity that the Trade Practices Act does not apply, because I am sure Professor Fels would already have issued his summonses and hauled most of the members of the government into court to prosecute them on the basis of making false promises and then failing to deliver after having achieved a benefit from those false promises.

The big losers, however, from the deceit of this government of Victoria are the people of Victoria. There is an expectation — a justified expectation — that the road system will be built in a manner and style and to standards that we as a total community expect. It is indeed fit, proper and necessary that the road that is now to be extended through the definition in this bill will be an integrated transport corridor connecting the Eastern Freeway to the Frankston Freeway and including tunnels under the Mullum Mullum Creek and a link with the Ringwood bypass to be constructed.

I happen to share the views of other honourable members on this side of the house that it is highly questionable that this road is viable at all as a toll road. Unlike City Link, as has been illustrated by previous speakers, there will be a significant number of viable alternative traffic routes to the freeway, or rather the tollway — it is not a freeway. All members in this chamber would be serving the community well if they forgot the word ‘freeway’. This is not a freeway at all; it is simply a payment-for-access road — a tollway.

This chamber of the Parliament of Victoria passed on 12 April 2000 a very interesting motion that:

… this house supports the construction of the Scoresby freeway as an urgent priority project and believes that funding must be provided in the 2000–01 budget.

The motion was debated at length during opposition business, and that happened during the time of the current Labor government. It was ‘Do it now; it is necessary; the value of the motion is self-evident’. The result was very clear. There were 27 ayes and 13 noes. It is very interesting that the government voted absolutely against the concept of building this freeway — this tollway — in the first place. If honourable members would like to know the names of the members of this chamber at that time who voted against building the Scoresby freeway they have only to look at Hansard of 12 April 2000. Indeed on that date members in this chamber on the Labor side of politics voted against that motion.

That goes to show one very interesting aspect of the approach of Labor. Many people, if they thought the matter through, could be forgiven for thinking that the Labor Party is fundamentally against road construction, not in what it says but in its practices. There is a strong suggestion that through well-entrenched and vocal pressure groups the Labor Party is vulnerable, because as is well-documented, while about 8 per cent or so of journeys to work are made using public transport, the accepted figure for all commuters going to work and using the road network for legitimate work purposes is more than 70 per cent. That means that 70 per cent of Victorians — at least — want roads. They need them and they have to have them. Roads are good for our economy and are most necessary for the welfare and benefit of all.
Another aspect of the issue is quite worrying. I would suggest to honourable members that historically in Australia and in Victoria there has been a longstanding expectation — although expectations can change somewhat over a long period of time — in the minds of the vast majority of constituents, that ‘We pay our taxes and we expect the government to provide reasonable services’. What would that mean in the context of roads? If taxes are paid people expect roads to be built. That could be the typical reaction of a taxpayer and voter, and of a perfectly reasonable person.

My theory, and my fear, is that for the first time this government, which I suggest is not supportive of building roads the way it should be, might further provide expenditure for its own predispositions and hobbyhorses and pander to various well-entrenched lobby groups by vastly reducing the investment in roads.

Roads are a very handsome investment return for the dollar. The Labor Party is following a line that says, ‘Okay, we’ll get the private sector to spend all these dollars in a vast majority of cases. That will free up the dollars we would normally have expected to spend and we will spend them in areas that we feel very comfortable about’.

I suggest, with respect to the government, that that is not acceptable. It is short-changing the community and, by its delaying mechanism, is driving the cost of a good road system almost beyond reach. Therefore the government is not serving the community well and is not meeting the expectations of the hundreds of thousands of people who need the road.

My electorate is in the southern portion of that area and is influenced by the southern portion of the proposed tollway. Each day tens of thousands of my constituents come up to the Melbourne area from the Mornington Peninsula, from the area around Cranbourne and towards the city from that portion of my electorate. The population is large and the amount of traffic is very big. When my constituents, particularly those who come from the Mornington area, Mount Martha and south of Frankston — I do not have Frankston within my own borders but my electorate borders Frankston — pass into Frankston on the proposed route of this particular tollway, they will eventually have two hits against them. Firstly, if they go onto the tollway as is proposed and drawn on the maps, they will have to pay tolls. Then in the future if they track across and join the Monash Freeway they will have to pay other tolls for the privilege of going into the city on the Monash Freeway.

I cannot understand why the preliminary drawings we have seen for the road under consideration in the Southern and Eastern Integrated Transport Authority Bill do not have access ramps where the road crosses the Monash Freeway. That does not make sense. I have not in my travels in many countries around the world ever seen a significant intersection of roads of this style and type where there is not an access ramp arrangement. The United States of America would have what we call a cloverleaf or something else. It is bizarre to have a road running north-south across the fundamentally east-west running Monash Freeway with no access between the two at the intersection point. I have no understanding of how that design could be reached.

It reminds me of a world first that occurred in Victoria. We all recall the South Eastern Car Park. The predecessor Labor government of the current government was unique in the world because it was the first to put traffic lights on a freeway. That is still remembered by many tens of thousands of Victorians.

The machinery parts of the bill are clear to follow. It is beyond question included in the capability and authorities given to the organisation to carry out their job that they will be able to do that. I find something else quite interesting. Clause 5 provides that the act binds the Crown. Then clause 7 provides that:

In performing its functions and exercising its powers, the authority represents the Crown.

I am not a lawyer and I am not ultra-skilled in the fine definition of what this might mean but as a non-legal person and reading it for what I believe is its face value, I am a bit scared. What it says, as I read the bill, is that through the bill the board and the officers of this particular organisation will have — and I would welcome being corrected; I would have no problem with that — enormous power to enter into multibillion dollar arrangements stretching over tens of years and they can do that at the stroke of a pen and it does not have to come back to the Parliament.

The powers given to this organisation are excessive when one considers the time lines involved and the high value and the multibillion dollar arrangements that are involved. To my mind it is a case of giving too much power to a single board. The government may care to reconsider that. We are talking about more than 30-odd years and far more than $2 billion being in the hands of three to five people. I am concerned about that.

It would be worth while in the remaining short time that I have to remind honourable members that the announcement of the backflip and the change of...
approach by the current government was not welcome. It would be most unwise for government members to believe they will get away with it. The front page of the Herald Sun of 15 April has the heading, ‘Toll jolt’, with the subheading ‘Charges for new Scoresby freeway as Bracks apologises to voters’. The article reports:

The average motorist will pay about $30 a week — or $1500 a year — based on Herald Sun calculations …

If motorists use City Link the cost will soar. That is an important point. I have already mentioned that 12 members on the government side have benefited from the promise that has now been broken. According to the article on page 3 of the Herald Sun of 15 April headed ‘Motorists hit by a broken promise’, the expectation is that it will cost about $4.80 a trip, $30 a week and $1500 a year.

The article also states that the 1.3 billion members represented by the Royal Automobile Club of Victoria have repeatedly told that organisation that they do not want tolls. This is regrettable and the government will pay a high price for its deception.

Hon. ANDREW BRIDESON (Waverley) — I rise as the final speaker in the debate on the Southern and Eastern Integrated Transport Authority Bill. I open my contribution by saying that it is great that the government has modelled this bill on the City Link Authority model which was established by the Kennett government. Practically every clause of this bill has been lifted word for word from the Melbourne City Link Authority Act. That speaks volumes about the quality of the work that we did when in government in setting up the City Link Authority.

We have certainly and clearly won the debate on this side of the house. The government has had only two speakers, both of whom did not speak for their whole time. The National Party had two speakers, Mr Bishop and Mr Baxter, who presented their cases very eloquently, and I am the eighth speaker from this side of the house. The quality of the debate to date has been good and I do not want to traverse matters that other members on the opposition side have covered.

What concerns me greatly is the betrayal of and the deception that has occurred amongst the constituents in the southern, south-eastern and eastern suburbs. Previous speakers have cited correspondence from local government, newspaper headlines, Royal Automobile Club of Victoria views and a range of other views which all point to the fact that the government has betrayed and deceived the voters of those southern, south-eastern and eastern suburbs.

It is very enlightening when one goes back to read the debates of the 52nd Parliament on the Melbourne City Link Authority Bill. It gave me a deal of pleasure to go back and read these debates and refresh my memory on the views of ALP opposition members at that time. It would be a very simple thing to go through the Hansard of the 52nd Parliament and with the stroke of a pen replace ‘Labor opposition’ with ‘Liberal opposition’ and replace ‘Liberal government’ with ‘Labor government’.

I am going to play a game with some people here, if I can take the liberty, President. It will be a bit like Who Wants to be a Millionaire? I have some quotations here from the 52nd Parliament, and I will ask Ms Darveniza to play this game with me. The rules are that we do not have audience members so she cannot ask them for assistance, and we do not have a telephone so she cannot phone a friend. She is in the hot seat. I ask Ms Darveniza who on Thursday, 8 December 1994, made this statement:

The reality is that only one method otherwise is envisaged in this legislation for financing the project, and that is a toll. It is a massive project — a project that has been expanded because of the Premier’s intervention. The Premier wants to impose on Victorians tolls, tolls, tolls. We have had taxes, taxes, taxes. This is the highest taxing state in Australia, with the highest level of taxes ever imposed on the people of Victoria by a government, and now we have tolls, tolls, tolls.

I ask Ms Darveniza whether it is A, B, C or D? Was it Bart Simpson, Barney Rubble, Donald Duck or John Brumby, the current Treasurer? Of course we all know that it was John Brumby. That was John Brumby’s view when he was in opposition; that is John Brumby’s view when he is in government.

For the second question I ask who said this:

My constituents will be imposed with a fee for travelling to and from work each day. I know that that will put such an economic strain on some of those people that they will have difficulty maintaining their jobs because they will not be paid sufficiently to travel that distance.

Who said that? Was it Simpson, Rubble, Duck or was it the then Honourable Don Nardella, a former member of this house, who is now the honourable member for Melton in the other place? The answer is obvious! I could go on for the whole night playing this game, but perhaps I can invite Mr Bishop to play.

I ask Mr Bishop who said this on Wednesday, 16 November 1994:

The area is new and growing. It will mean that a lot of these families will have less food on the table, fewer luxuries and fewer toys for the kids. In a real sense the money that went to buy those types of things, those luxuries, and the shoes for
their children’s feet, will be required to pay a toll on the Tullamarine Freeway so they can go to work.

Who said that?

**Hon. B. W. Bishop** — What are the alternatives?

**Hon. ANDREW BRIDESON** — I will give you the alternatives: Simpson, Rubble, Duck, or again, was it Don Nardella?

**Hon. B. W. Bishop** — No contest!

**Hon. ANDREW BRIDESON** — No contest. It was Don Nardella. It troubles me, and it troubles members on this side of the house that the Labor Party claims to be the party of the working-class man and woman yet it has failed dismally in supporting the working-class people of those suburbs. Where were the local members? Did the local members stand up in the caucus room and put the case for their constituents? Where was the member for Monbulk in another place, James Merlino? Did he stand up for his constituents? No! What about the member for Bayswater in another place, Peter Lockwood? Three days before the Premier announced that there would be tolls Lockwood was in the chamber in the other place saying, ‘No tolls, no tolls, no tolls’. Did he stand up for his working-class constituents? No, of course he did not. What about the Minister for Gaming, Mr Pandazopoulos, down in the Dandenong region? Did he stand up and fight for his constituents? Of course he did not. What about the Labor members in this chamber? None of them stood up for their constituents. It is an absolute travesty.

The Liberal Party and the National Party have become the champions of the working class on this issue. We are going to have fun over the next three and a half years extolling the virtues of building this freeway when we eventually become the government. The Honourable Chris Strong, the Honourable Bruce Atkinson and other speakers have all made mention of the fact that it may not be viable for private enterprise to build this tollway. The person was in their car on Monday, 14 April, when they heard the Treasurer announce the tolling of the Mitcham–Frankston freeway. This person nearly drove off the road wondering, ‘Can I really be hearing this?’ I want to put this section of that letter on the public record:

I remember you, Mr Bracks, categorically assuring electors during the debate that the freeway would be toll free. And now, it emerges, you lied!

... You can no longer be trusted to look after the welfare of all Victorians. In this single action you show that you really don’t care for the many poor and struggling families in the outer east who are already at a disadvantage with outrageous zone 3 public transport costs. Now you are quite happy for them to use second-class roads while the better off get to use a quicker freeway — and you represent a labour party?

That epitomises the feelings of many people out in those suburbs. As I said earlier, they have been betrayed — they have been deceived.

This has been an interesting debate. The Liberal Party has clearly won, and not only in this chamber — it will win out in the electorate eventually. We have had a bit of a setback but we will rise again from the ashes, and this will be one of the major points that we will focus on in the lead-up to the next election.

**Hon. R. G. Mitchell** — Why don’t you try to make a policy?

**Hon. ANDREW BRIDESON** — I will pick up on that interjection. I do not make policy on the run, but the other night when our leader, Mr Robert Doyle, attended the public meeting that was organised by the federal member for Aston, Chris Pearce, he made it clear to the people of the south and south-eastern suburbs that the Liberal Party wants this freeway built as soon as possible in the cheapest possible way and without tolls. The Liberal Party’s policy on this issue is no tolls. The Liberal Party does not oppose this legislation.

**An Honourable Member** — In fact we support it.

**Hon. ANDREW BRIDESON** — We do support it, but we support it without the tolls.

President, there was a letter in the *Age* of Wednesday, 16 April, written by an Ashley Ryan from Heathmont that signifies what the people of the eastern suburbs think of the decision of the Bracks government in betraying them. Mr Ryan — I presume it is a Mr Ryan but it could easily be a Ms Ryan — drives daily from Heathmont to Doncaster and for several years has looked forward to a toll-free Eastern Freeway extension. The person was in their car on Monday, 14 April, when they heard the Treasurer announce the
Motion agreed to.

Read second time.

Third reading

Ms BROAD (Minister for Local Government) —
By leave, I move:

That the bill be now read a third time.

In doing so I acknowledge all the members who have spoken on the bill and especially wish to thank Mr Viney and Mr Somyurek for their contributions.

Motion agreed to.

Read third time.

Remaining stages

Passed remaining stages.

Business interrupted pursuant to sessional orders.

ADJOURNMENT

The PRESIDENT — Order! Under sessional order 10 the question is that the house do now adjourn.

Dairy industry: electricity infrastructure

Hon. J. A. VOGELS (Western) — I raise an issue through the minister at the table, the Minister for Aged Care, for the Minister for State and Regional Development in the other place. I notice in the Auditor-General’s report tabled today on public sector agencies that the Victorian dairy electricity infrastructure upgrade fund has only allocated or approved $2.6 million out of an allocation of $8 million. There is no doubt this was an excellent initiative by the Bracks government because the lack of three-phase power was holding back the industry. Farmers were unable to expand their production, and new players in many cases could not even get started because of the lack of power being provided down the single wire earth return or SWER system. The Auditor-General’s report said:

The department also advised —

the auditor —

that the small amount paid under the Victorian dairy electricity infrastructure upgrade program is primarily due to the difficulties faced by farmers in meeting the requirement to contribute matching funds. Difficulties in getting groups of farmers to agree on the infrastructure priorities for their area has also contributed to this position. As a result, it is unlikely that the approved funding will be fully disbursed by June 2003.

I ask the minister to have another look. Some $8 million was put in the budget about four years ago for this project; about $2.6 million has been expended. Could the minister have a look at leaving the funds there to carry on for the next two or three years, so if there is a change in climatic conditions and the prices for dairy products increase, more farmers — and there are heaps of them out there — would love to take up this option. At the moment they do not have the ability, even though they have to put only 25 per cent of the funds towards the upgrade scheme. The local power companies put in 50 per cent, the Bracks government puts in 25 per cent and the local farmer’s contribution is 25 per cent. It was an excellent initiative. It has been very well received out there, but because, as I said, of climatic conditions and low commodity prices, many farmers have not been able to take up this option.

Anakie Road, Bell Post Hill: traffic control

Hon. J. H. EREN (Geelong) — I wish to bring to the attention of the Minister for Transport in the other place a situation occurring in my electorate — namely, at Anakie Road, Bell Post Hill, which is a key arterial transport route linking the Hamilton Highway and Melbourne Road. It also carries relatively high volumes of commuter traffic through the Bell Post Hill area, which is experiencing a continual high growth of residential development.

The Bell Post Hill shopping centre on Anakie Road is only approximately 100 metres from the well-used Corio Leisure Time Centre. The redevelopment of the shopping centre is now complete, and there is a real need for the introduction of signalised control of the entry and exit lanes for the shopping centre, which would of course need to include a pedestrian crossing. The residential development on the west side of Anakie Road in this area continues to expand, again emphasising the need to provide safe pedestrian access across Anakie Road.

Additionally, I have been approached by the residents in more established areas of Bell Post Hill, on the west side of Anakie Road south of the railway line, to provide safe pedestrian access to the smaller shopping centre incorporating the Faggs Mitre 10 hardware store and a small supermarket, particularly now that the local Kinlock Street milk bar has closed.

I understand the City of Greater Geelong has completed a corridor study of Anakie Road which identifies the need for signalisation at the Bell Post Hill shopping centre and a pedestrian crossing near Darriwell Street as
priorities. There has also been a 1200-signature petition presented to VicRoads by the City of Greater Geelong councillor for the area, Cr David Saunderson, which indicates great support from concerned residents in that area. I urge the minister to look into this situation.

**Budget: payroll tax**

**Hon. D. K. DRUM** (North Western) — I ask the Minister for Aged Care to convey my question to the Minister for Employment and Youth Affairs in the other place. I refer to the recent budget in which there has been an abolition of the payroll tax exemption for employers hiring apprentices and also trainees. In order to tax Victorian employers an additional $50 million a year over four years, does the government realise this $200 million tax on youth jobs will come at a cost in terms of real jobs — namely, apprenticeships and traineeships? Obviously this dramatic step was not taken lightly.

I ask the minister: what was the outcome of any studies undertaken by the minister or her staff regarding the potential impact on job opportunities of young people in Victoria? Will the minister also make available and inform the house if specific data was available as to the expected impact on youth employment in regional Victoria, in particular the damage this additional tax is likely to cause to youth employment opportunities in the Bendigo region?

**Local government: veterans parking**

**Mrs CARBINES** (Geelong) — I wish to raise a matter for the Minister for Local Government concerning a letter I received from the mayor of the City of Greater Geelong, Cr Barbara Abley. The mayor advised me that the City of Greater Geelong has been approached by the Geelong veterans welfare centre on behalf of our local veteran and war widow community. It is seeking approval to allow free parking in our municipality for veterans and war widows who are holders of Department of Veterans Affairs gold cards or who are totally and permanently incapacitated, TPI, or extreme disablement adjustment, EDA, eligible.

The mayor has advised me that she believes such schemes already exist in the cities of Warrnambool and Greater Dandenong, and also that our council is supportive of the principle of implementing such a scheme in Greater Geelong. However, the council is concerned that if it is done on ad hoc basis confusion may arise as there would be little uniformity.

Accordingly the City of Greater Geelong is seeking the minister’s advice as to the possibility of implementing a statewide parking scheme for Victorian veterans and war widows administered by local government along similar lines to the successful and well-accepted disabled persons parking scheme.

**Drought: government assistance**

**Hon. PHILIP DAVIS** (Gippsland) — I raise a matter for the attention of the Minister for Agriculture in the other place. As a consequence of the budget brought down yesterday, the Bracks government has now indicated absolutely that it has now abandoned Victoria’s farmers. Not only has it cancelled its own drought assistance program but it has not provided any funding allocation for the various applications that are progressing in respect to applications under the national exceptional circumstances arrangements for commonwealth assistance. Bearing in mind that it requires a state contribution to leverage commonwealth assistance, it is absolutely bizarre that the government has made no allocation.

I say this on the basis of the government’s contempt in particular for Gippsland which is suffering a significant rainfall deficiency — indeed, for the nine months to April, the lowest on record for the area between Sale, Bairnsdale and north to the Tambo Valley. The rainfall figures for south of that area towards Woodside indicate that in the 12 months previous to May only 14 inches of rainfall were recorded in what is regarded as a 26-inch rainfall zone.

I am concerned that today alone three farmers from Nambrok, Denison and Tinamba contacted me, Gail Dowsett, Keith Askew and Francis Gannon respectively expressing their concern about the lack of assistance in regard to drought. Yesterday I spoke with farmers at Stratford and separately last night with Jenny Carroll at Hinnomunjie near Omeo. It is of great concern to me that the Victorian government has abandoned farmers in the eastern part of the state. It is the only area that has been seriously drought affected, and on top of that north and East Gippsland have been fire affected, and no assistance has been provided. It appears that the government is not intending to provide any assistance by way of national exceptional circumstances arrangements.

I ask that the Minister for Agriculture advise whether he does intend that applications proceed to the commonwealth for national exceptional circumstances consideration.

**Auctions: vendor bidding**

**Ms ARGONDIZZO** (Templestowe) — I raise a matter for the Minister for Finance. Last weekend I
attended an auction with a friend that made up my mind that people should be wary when considering purchasing a property at auction. During the auction it was difficult for anybody to ascertain who the genuine bidders were and where the bids were actually coming from. At times it seemed the auctioneer was plucking bids out of thin air. Undisclosed vendor bidding is unacceptable.

Hon. A. P. Olexander — On a point of order, President, my understanding of the standing orders is that members are not entitled to raise issues that are before Parliament in terms of legislation. The Estate Agents and Sale of Land Tax (Amendment) Bill has been second read in the other place and it deals with precisely the topic that Ms Argondizzo is now raising. I submit that the member is not entitled to raise this issue because legislation is before the Parliament, and I ask you to call her to order.

The PRESIDENT — Order! I do not uphold the point of order; because the piece of legislation is not before this house that rule does not apply. The honourable member, to continue.

Ms ARGONDIZZO — I know from constituents who have talked to me about the difficulties they have experienced at auctions that they do not complain publicly even though they believe the dummy bidding process is wrong. I believe there is a need for consultations to take place with organisations, real estate agents and consumers to work towards improving the auction system. I ask the Minister for Finance how he is planning to deal with these issues.

Box Hill Institute of TAFE: business courses

Hon. H. E. BUCKINGHAM (Koonung) — I address my adjournment matter to the Minister for Education and Training in the other place. On the evening of 5 May I attended the Box Hill TAFE centre for management and small business awards night. This centre delivers management, front-line management, call centre, retail, small business and assessment and workplace training courses.

Is the minister aware that the major focus of the centre is on skills development for owners and managers of small-to-medium businesses and the provision of front-line management skills to managers and supervisors in industry?

The centre also delivers a range of short courses, including retail and call centre traineeships, and provides a range of services to the small business sector. Its clients include the Department of Human Services, the City of Whitehorse and the Royal Botanic Gardens. Box Hill Institute of TAFE is the lead agent in the Greater Melbourne Employment and Training Services consortium and the second largest provider of the New Enterprise Incentive Scheme (NEIS), partially funded by the commonwealth, with 50 per cent of the Melbourne market and a portion of the Gippsland market.

The consortium conducts the NEIS program at 21 sites in Melbourne and two in Gippsland. Box Hill institute manages six of the Melbourne sites. In 2002, 254 unemployed people were assisted by this program to establish their own new businesses.

Small businesses are winners as a result of the Victorian government’s appointing Box Hill institute as the centre of specialisation for services to small and medium enterprises. Three thousand small business owners and managers and individuals employed in industry and government took advantage of short courses offered by the centre and gained additional skills in small business, management, real estate, marketing, finance and workplace training. Eight hundred students have successfully completed retail traineeships. Through the NEIS program a further 660 new business intenders will have the opportunity to start a new businesses this year.

I am informed that Box Hill institute has the highest success rate, with over 80 per cent of its graduates employed in the small business area 12 months after graduation.

I ask the minister to ensure that the key features of the approach taken by Box Hill institute to achieve these results are disseminated across the sector so that small businesses and their existing and potential work forces can benefit from these fantastic programs.

Grain industry: quality control

Ms HADDEN (Ballarat) — I wish to raise with the Minister for Consumer Affairs the amount of $1.47 million allocated in the budget to monitor utility meters. I understand that these funds are to assist Consumer Affairs Victoria to extend the regulation of trade measurement to include the monitoring of utility meters and also the instruments used to measure the quality of agricultural products.

I know that the trade measurement division of Consumer Affairs Victoria has the task of ensuring the accuracy of instruments used for such things as weighbridges, petrol pumps and shop scales. I understand that this funding announcement now means
the quality of grain can be assessed. I am particularly interested in the new aspect of grain assessment and compliance with legislative performance standards.

I therefore ask the minister if he could inform me about the progress of any discussions that are being held with Victorian grain growers about the proposed quality control regime.

Gas: appliance safety

Hon. R. G. MITCHELL (Central Highlands) — I raise with the Minister for Energy Industries a matter which relates to the minister’s safety reminder to check on the installation of two brands of gas ovens. The minister’s call follows an earlier safety alert issued by the Office of Gas Safety in relation to the ovens after it found that a number of incorrectly installed gas wall ovens had the potential to cause a fire.

The minister said that particular models of Westinghouse and Chef gas wall ovens were not faulty but may have been installed without a proper flue or with an incorrect flue. I understand that in this case hot fumes from the oven could heat up nearby timber or combustible materials and eventually cause a fire.

The Office of Gas Safety has tracked over 2000 ovens and advised owners to have the installer check for an incorrect flue. I understand from the minister that the Office of Gas Safety is concerned that in homes across Victoria there still may be ovens not yet checked.

The minister said that it was important that owners of these types of ovens have a safety check carried out and not use them until that safety check was carried out. Owners should contact the original installer to check the oven or the Office of Gas Safety for advice. I understand that the office has information on the relevant model numbers and additional gas safety information on its web site www.ogs.vic.gov.au and by free call on 1800 069 588. The minister’s press release also includes the relevant model numbers.

I know the minister also said that if Victorians have any doubt about the safety of a gas appliance or proper installation of those appliances they should be checked immediately. I, like all members, would be concerned if my constituents were unknowingly using such appliances. Therefore I ask the minister to ensure that members of the local community are fully informed of these important safety messages.

Employment: community jobs program

Mr SOMYUREK (Eumemmerring) — I raise a matter for the attention of the Minister for Employment and Youth Affairs in another place concerning the continuance of yet another exciting labour market — —

Honourable members interjecting.

The PRESIDENT — Order! I would like to hear the member’s contribution. We normally do not have any difficulty, but I did not even hear the name of the minister to whom the member was addressing his adjournment matter. Could the member please repeat that and commence his contribution again.

Mr SOMYUREK — I raise a matter for the attention of the Minister for Employment and Youth Affairs in another place concerning the continuance of yet another exciting labour market program promoted by the Victorian government. The Cedar Works project, under the auspices of MacKillop Family Services, teaches restoration skills, cabinet-making and French polishing to develop work habits, skills and teamwork patterns for participants. The community jobs program gives unemployed people new opportunities to experience real work situations and develop skills to facilitate their entry into further education and training or employment. I also observe with pride that the community jobs program is the only labour market program in the country which provides an award wage for the duration of the participant’s involvement.

The current round provided for 10 projects within my electorate. Most of these are now completed. I was pleased that these projects, provided at a cost of $980 000, gave experience to 133 full-time and 15 part-time employees. I understand the next round of funding for the this program will provide for 3500 jobs over the next four years.

I ask the Minister for Employment and Youth Affairs to confirm the level of funding needed to maintain the level of employment opportunities over the next four years.

Inner Eastern Local Learning and Employment Network: funding

Mr SCHEFFER (Monash) — I wish to raise a matter for the Minister for Education and Training in the other place. I would like the minister to note the success of the Inner Eastern Local Learning and Employment Network (LLEN) located in St Kilda within my electorate and ensure that the government continues to support it. The network covers the local government areas of Boroondara, Stonnington and Port Phillip. I met Cate Thompson, the executive officer, and her staff a few weeks after my election and visited
the new office in St Kilda Road. I have since attended a youth forum organised by the LLEN as part of National Youth Week, organised for students from across the three municipalities where, through workshops, they identified what they saw as the key issues facing young people at the upper end of secondary school. I was impressed with the quality of their reporting, and I look forward to the completed report. I understand the ideas that come out of this process will form the basis of a program that will further involve young people so that they have some influence in the further work of the LLEN.

I have also been sent a very comprehensive and detailed file of data relevant to the work of the Inner Eastern LLEN over the three municipalities. This is potentially very powerful information. It is a tool for reference, a usable baseline of local knowledge for future reference and a framework that can be replicated in future data collection. The data presented on the LLEN web site is available to anyone who is interested. It lists industries in the area and whether they are growing or declining. It lists the main businesses by type, showing the percentage proportion of each business type as part of the total. It presents the percentage proportion of educational qualifications for the population within the area and quite a lot of information on the demographic break-up.

In short, this is a fantastic resource for educational institutions and local businesses. It can be used to get a clear statistical picture of the locality that will provide a base for work on improving the learning and employment connections for young people in the area. I urge the minister to continue to support this important initiative.

Gaming: problem gambling

Hon. KAYE DARVENIZA (Melbourne West) — I wish to raise a matter for the attention of the Minister for Community Services in the other place. The matter I wish to raise concerns support for problem gamblers and their families, particularly financial and legal advice to families and friends of problem gamblers, including support for families from culturally and linguistically diverse backgrounds.

There is evidence that problem gambling is more prevalent in some ethnic communities, and the government needs to work with local ethnic organisations to win the fight against problem gambling. In my electorate of Melbourne West Province problem gambling is a very real issue and recent history shows that the western suburbs has more than its share of gaming machines as well as venues. As a community we need to work together to combat problem gambling and reduce the impact it has on families.

I congratulate the government, since coming to office in 1999, on introducing a wide range of measures to combat problem gambling, including restrictions on gaming advertising, caps on machine numbers in targeted areas, one of which is the western suburbs, as well as requiring regulatory bodies to consider the concept of responsible gambling in any decisions about new gaming products. There is a need for more information and more support for families to help them to access this information, particularly when the going starts to get tough.

I ask the minister what initiatives she has put in place to ensure that information is available to families and friends of problem gamblers, including information that can be accessed by culturally diverse and linguistically diverse communities.

Universities: overseas students

Hon. S. M. NGUYEN (Melbourne West) — I would like to raise a matter for the Minister for Education and Training in the other place. I congratulate her on the work she has done for international students who continue to come to Victoria. The 2002 annual reports for Victoria’s eight public universities demonstrate that they have increased their numbers of overseas students. This will boost the state’s economy by approximately $1.2 billion and create at least 2000 jobs.

It is a very significant number for our economy. The report also mentioned the of-campus universities organised overseas by our Victorian universities. This has occurred in countries such as Bhutan, China — including Hong Kong — Japan, Singapore and Vietnam. The universities have sold courses of interest to overseas students so they can study off campus as well as in Victoria. The report also mentioned the exchange program between our students and overseas students. Victoria has many attractive programs for those students.

In Vietnam I have seen that RMIT, Swinburne and Victoria universities have organised many courses to attract Vietnamese students. It is very helpful for one country to be open and engage with another country. I ask the minister to continue the good work she has done in helping to bring overseas students to Victoria. It is also good to see the interchange program between Australian and overseas students maintained.
Responses

Mr GAVIN JENNINGS (Minister for Aged Care) — The Honourable John Vogels raised a matter for the consideration of the Minister for State and Regional Development and encouraged the minister to roll over funds that have been allocated from what Mr Vogels described as an excellent program which has supported the dairy industry in the transition of its electricity supply and which was commenced some time ago to share the cost on the basis of a 25 per cent contribution from farmers, 25 per cent from the state government and 50 per cent from the power companies to enable new electricity supply. There has been an allocation of $8 million that Mr Vogels believes will not be fully expended by the end of the financial year. He asked the minister to roll over that amount. I am sure the minister will respond to that proposition.

The Honourable John Eren raised a matter for the consideration of the Minister for Transport in the other place in relation to safety on the Anakie Road in Bell Post Hill, which is within his electorate. It has been subject to consideration in a transport corridor study by the Greater Geelong council which indicated that a number of safety measures, including pedestrian crossings, should be considered within that particular street. I will pass on that information to the Minister for Transport.

The Honourable Damian Drum referred a matter to the Minister for Employment and Youth Affairs in the other place about the analysis and understanding that may underpin the decision of the government, as announced in the budget, to remove the payroll tax exemption for apprentices. I am sure the minister will reply to the honourable member by referring to the completion bonus, which is the substitute payment the government is introducing to try and ensure rates of apprenticeship completion so that it will not have the adverse impact that the honourable member believes might occur to the skilled work force in his electorate and the Bendigo region. I am sure the minister will reply in the usual fashion.

Mrs Carbines raised a matter for the consideration of the Minister for Local Government seeking that the minister provide information about the way in which various local councils — from the member’s contribution I understand that they are Warrnambool and Dandenong — have introduced a scheme that provides for free parking for veterans and war widows and adopts the method similar to the provision of parking for disabled persons. She asked the minister to provide information across the local government sector to try and broaden the application of that program.

The Honourable Philip Davis raised a matter for the attention of the Minister for Agriculture in the other place on behalf of a number of constituents within the Gippsland region who are concerned about the ongoing incidence of drought and low rainfall within the region and urged the minister to provide advice to the members of the Victorian community about the government’s desire to support ongoing applications to the national exceptional circumstances program and indeed to indicate to the Victorian community if and when the Bracks government is prepared to continue with its support for those in the community who are suffering under the circumstances of drought.

Ms Argondizzo raised a matter for the consideration of the Minister for Consumer Affairs in relation to a concern with which she has had some personal experience, along with her constituents, in terms of the incidence of dummy bidding at auctions and the consequences that may have on the real estate industry and the opportunities that Victorians may have to purchase properties with some degree of confidence. She asked the minister to deal with this matter in an expeditious manner. I have every confidence that the minister will deal with it in an expeditious fashion.

The Honourable Heather Buckingham raised a matter for the attention of the Minister for Education and Training. She highlighted the great work that is to be undertaken by the Box Hill Institute of TAFE in providing workplace training courses under the auspices of that institute. She talked about a fantastic strike rate in terms of 80 per cent placement of graduates from its courses with employment programs after one year. She talked about the number of new businesses that unemployed people have been able to generate and the thousands of short courses provided to small business in the region, and she encouraged the minister to ensure the success of Box Hill Institute of TAFE in terms of its intervention is disseminated broadly throughout the sector. I am sure the minister will respond.

Ms Hadden referred a matter to the Minister for Consumer Affairs, and applauded the minister for his $1.4 million commitment to improve trade measurement in his area of responsibility. Of particular interest to the member was the matter of grain quality assessment, and she wanted the minister to provide information on the ways in which consumer affairs will better perform the quality assessment of grain, a key issue to her constituents for the future.

Mr Mitchell raised a matter for the Minister for Energy Industries relating to dangerous wall ovens. The minister and the Office of Gas Safety in his area of
responsibility have identified 2000 potential owners of these models of ovens and have provided them with advice to ensure that they do not suffer the consequences of damage due to hot fumes setting fire to objects in the immediate vicinity of the wall oven.

Mr Mitchell urged the minister to ensure through the use of web sites, free-call numbers and any other means the minister may devise to make sure that local members are well informed about those safety provisions.

Mr Somyurek raised a matter for the attention of the Minister for Employment and Youth Affairs in the other place, Jacinta Allan, about the importance of the community jobs program. He sought some confirmation from the minister that this program will continue to support important initiatives that provide award wage conditions for the participants, which is a rarity in labour market programs. He wanted an assurance that there will be access for 3500 participants over the next financial year. He noted on the way through that there have been 10 successful programs in his electorate in recent times and said he hoped that these programs would continue into the future.

Mr Scheffer raised a matter for the Minister for Education and Training, in the other place, Lynne Kosky. He asked her to support the ongoing opportunities that have been established by the Inner Eastern Local Learning and Employment Network that operates across his electorate, including in the City of Port Phillip and others. It not only brings together young people from the upper end of secondary school but provides information networking with local businesses and creates employment connections. He sought ongoing support for what he described as a fantastic program in terms of creating those connections between young people and working opportunities.

Ms Darveniza raised a matter for the Minister for Community Services about an issue I am sure is of concern to all Victorians, including those in her constituency — that is, problem gambling. She drew the attention of the minister to the fact that her electorate has a disproportionate share of the burden of this situation in that a high proportion of problem gambling is evident within her community. She was particularly mindful of the needs of people from culturally and linguistically diverse backgrounds and the need to provide the information to the members of these communities and families who are adversely affected by this issue to make sure we have the maximum effect in reducing the misery of problem gambling that permeates our community.

Mr Nguyen raised an issue for the attention of the Minister for Education and Training, applauding her on the great work that has been undertaken to support the ongoing connection between Victorian educational institutions and students who come here from overseas on interchange programs. He drew particular attention to the programs that are running out of the Royal Melbourne Institute of Technology that have had a great impact upon his former homeland of Vietnam and other countries in South-East Asia. He encouraged the minister to do all she could to support those programs into the future.

House adjourned 10.37 p.m.