

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

**22 March 2005
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By authority of the Victorian Government Printer

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Tuesday, 22 March 2005

The PRESIDENT (Hon. M. M. Gould) took the chair at 2.02 p.m. and read the prayer.

ROYAL ASSENT

Message read advising royal assent on 1 March to Serious Sex Offenders Monitoring Act.

QUESTIONS WITHOUT NOTICE

Housing: vacant stock

Hon. J. A. VOGELS (Western) — I direct my question without notice to the Minister for Housing. I refer the minister to her interview with Jon Faine yesterday in which she said that the *Herald Sun* article on vacant public housing stock, including a house in Ballarat that has been vacant for 126½ months or 10½ years, was ‘not accurate’. I note that this information was provided to the *Herald Sun* under freedom of information and is clearly documented. I ask the minister: if the information provided to the *Herald Sun* is false, as she claims, can she explain why her department has provided fabricated information under FOI?

Ms BROAD (Minister for Housing) — I welcome the question on the very important matter of access to affordable housing for Victorian families, and I wish to place on the record again the Bracks government’s commitment to affordable housing because it believes Victorian families deserve affordable housing. For that reason the Bracks government has delivered around 6600 more affordable housing units since it came to office, and has reduced waiting lists for public housing by around 6000 or some 14.5 per cent.

I also placed on the record yesterday that, notwithstanding those achievements, I think it is always important to examine service delivery and look at areas where the government and its agencies can do better. For that reason a month ago I requested my department to examine public housing vacancies across Victoria to see that they are managed in the interests of Victorian families who need access to housing and that they are made available as quickly as possible. That work is being undertaken, and all vacancies are being examined from the point of view of asking whether vacant houses can be made available to Victorian families who need them any more quickly than they are already. The record is that around 1 per cent of the Office of Housing stock is, on average, vacant at any given time.

That is a lot more efficient than in the private sector, but I am certainly of the view as the responsible minister that it is always important to examine performance and to see if it is possible to do better.

In relation to the information which was released by — —

Hon. Bill Forwood — Under FOI.

Ms BROAD — Under freedom of information by the FOI officer to the *Herald Sun* newspaper; I guess it is interesting to note the opposition catching up with FOI applications by the *Herald Sun*.

Honourable members interjecting.

The PRESIDENT — Order! Mr Forwood!

Ms BROAD — Unlike the opposition, which when it was last in government nobbled the Ombudsman, nobbled the Auditor-General and nobbled FOI, this government — —

Honourable members interjecting.

The PRESIDENT — Order! This is the first question of the day, and I am sure the opposition wants to hear the minister’s response to its question. I ask honourable members to desist from interjecting and allow the minister to conclude her answer.

Honourable members interjecting.

The PRESIDENT — Order! I ask honourable members, in particular Mr Forwood, to desist from interjecting.

Ms BROAD — President, this government, the Bracks government, is a strong believer in the integrity of FOI. That is the reason ministers do not determine what is released under FOI. I am advised that the information released under FOI to the *Herald Sun* was released in a such manner as to protect the identities of particular properties in very small towns in rural Victoria where tenants could be identified. The particular property — —

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

Supplementary question

Hon. J. A. VOGELS (Western) — What the minister is clearly saying is that this was a cover-up. Is that true or not?

Ms BROAD (Minister for Housing) — To continue my response, the particular property referred to was not in Ballarat; it was in a very small rural town, which I will not identify to the house because that could identify the tenants concerned. That was a decision by FOI. It was misinterpreted by the *Herald Sun* newspaper.

Hon. Bill Forwood interjected.

The PRESIDENT — Order!

Ms BROAD — The facts are that the property concerned is actually being used — —

Honourable members interjecting.

The PRESIDENT — Order! That is enough interjection. Members should allow the minister to respond to the supplementary question put by the opposition. I ask members on my left to desist from interjecting, or I will use the power provided under sessional orders to remove them from the chamber for 30 minutes. I am sure Mr Forwood does not want that to happen.

Ms BROAD — The fact is that the particular property is being utilised by an adjoining tenant in the small town concerned, and that property is not in fact vacant.

Housing: affordability

Ms CARBINES (Geelong) — I would like to address my question to the Minister for Housing. Can the minister tell the house how the Bracks government's commitment to investing in housing infrastructure is promoting more affordable housing for Victorian families and what is required to continue this commitment?

Ms BROAD (Minister for Housing) — I thank the member for her question and for her continuing interest in the Bracks government's considerable achievements in expanding social housing for low-income Victorian families.

The Bracks government does believe that everyone deserves a decent home, and everybody acknowledges that Australia has a housing affordability crisis. Housing economists have been calling for a third plank solution between traditional public housing provision and the rent assistance available to low-income families in the private market. The Bracks government agrees with housing economists, and that is why I have announced the Building More Homes Together program as an opportunity for the private and public sectors to tackle this problem together in the interest of

low-income Victorian families. This \$20 million initiative by the Bracks government is designed to make more homes available to Victorians in housing crisis through builders, developers, community agencies and the state government working together on a range of projects to provide a combination of privately and publicly owned houses.

Showing again that the Bracks government is leading the way, developers and builders will construct social housing for the government in return for development opportunities on public housing sites under the new program. The Building More Homes Together program aims to deliver 170 additional affordable homes using a range of options. Through this program private developers with land could use government contributions to build new homes with a set percentage to be rented to people on low incomes. Alternatively vacant government land could be sold to builders in return for negotiated proportions of social and private housing being constructed. In addition privately owned buildings could be purchased for refurbishment into modern apartments for private sale as well as for public rental.

With no national leadership on issues of housing affordability, it is left yet again to the Bracks government to provide initiatives like Building More Homes Together. I would like to confirm that this initiative is not about reducing the supply of public housing or displacing any public housing tenants. It is about additional social housing for low-income Victorian families who need access to housing.

As for the next steps, Building More Homes Together has been advertised for expressions of interest, and I am pleased to say that there have already been expressions of interest from the private sector. There will, of course, be a rigorous evaluation of those expressions of interest with detailed costings once bidders have been short-listed. What is required to continue this commitment is to keep up our investment in housing infrastructure and not to spend \$7 billion, which equates to 46 000 units of public housing stock, on the irresponsible financial vandalism proposed by the opposition if it were to get into government, to buy up contracts on the Mitcham–Frankston project.

Hon. Philip Davis — On a point of order, President, the minister knows what the protocols are in this place. I ask you to remind her that this is a time for her to answer questions about government administration, not about the opposition.

The PRESIDENT — Order! With respect to the minister referring to her portfolio policy concerning

housing and the money that has been allocated for that, it is appropriate for the minister to do that. As I have ruled in the house previously, it is for a minister to answer a question within their portfolio responsibility, and in that answer the minister has an opportunity to indicate why the government has come to a certain policy and to announce that policy in the house. The minister has the right to refer to those sorts of issues as to what brought about the reasoning for making a policy decision, and that is the area that the minister should continue to address in response to the question that was asked by Ms Carbines.

Ms BROAD — The government wants to continue to build a better future for Victorian families who need access to affordable housing. We do not want to see funds used, as the opposition would use them, in an irresponsible way to buy out the Mitcham–Frankston contracts.

Honourable members interjecting.

The PRESIDENT — Order! I ask members on both sides of the house, including the minister, to desist from interjecting.

Brimbank: campaign funds

Hon. J. A. VOGELS (Western) — I address my question without notice to Ms Candy Broad, the Minister for Local Government. A director of Hotel & Leisure Management Pty Ltd is quoted in the Brimbank — —

Honourable members interjecting.

The PRESIDENT — Order! The member is asking the question of the Minister for Local Government. I am having difficulty hearing it, so I ask members on my right to desist. I ask Mr Vogels to repeat his question. I heard about hotels and local government, but I missed everything after that.

Hon. Philip Davis — On a point of order, President, could we have the clock started again because this has eroded the time to ask the question?

The PRESIDENT — Order! No. I do not uphold the point of order. The member has 47 seconds.

Hon. J. A. VOGELS — The director of Hotel & Leisure Management Pty Ltd is quoted in the *Brimbank Leader* as saying his company paid \$6550 to help fund the election campaigns of ALP candidates for Brimbank City Council. The money was paid to the then mayor, Cr Puig, now the assistant secretary of the ALP. The director also stated that this donation was to

reward Brimbank councillors for doing a good job. I ask the minister if she intends to strengthen the disclosure provisions of the Local Government Act or sit on her hands allowing developers to continually attempt to improperly influence local council planning decisions.

Ms BROAD (Minister for Local Government) — The Bracks government believes all Victorians deserve fair and democratic representation at a local government level. That is the reason we introduced changes to the Local Government Act in the form of the Local Government (Democratic Reform) Act to strengthen provisions around, amongst other things, disclosure of donation provisions, which were not there under the previous Liberal government. I will certainly do my job in terms of upholding the provisions of the Local Government Act. As the member opposite knows full well, if he submits information to my department or to my office, that information will be referred for investigation, as has already happened on a number of occasions.

Hon. Bill Forwood interjected.

Ms BROAD — The member opposite is quite wrong. As has already happened on a number of occasions, where the member asking the question has referred matters to my department and my office, those matters have been referred to my department for investigation. The same standard applies to this matter the member has raised. However, I would have to say from this side that for the member to come in here and use the Parliament in this way to attack people who are not in this Parliament and who are not in a position to defend themselves does no credit to him whatsoever.

Honourable members interjecting.

Ms BROAD — He knows what the proper processes are, and if he is genuine and he has information which he could supply to me or my department, then he should provide it, and it will be followed up.

Supplementary question

Hon. J. A. VOGELS (Western) — Brimbank City Council recently completed a major backflip with double pike when it approved the previously strongly opposed residential development by Sargood Developments Pty Ltd proposal to construct 61 units in Wentworth Drive, Taylors Lakes. Obviously the checks and balances are proving to be totally inadequate. Following many requests from concerned residents, I ask the minister if she will order a full investigation into these issues at Brimbank. She has stated she has not had

any. I have heaps of information on these issues which I have sent directly to the minister and which her department has not responded to.

Ms BROAD (Minister for Local Government) — I have already given a clear indication to the member opposite that, if he supplies information, then it will be investigated by my department. It is good to see the opposition maintaining its track record of attacking local government in general in this way and using the Parliament to do it, but in relation to any specific matters the member wishes to make available, those matters will be investigated.

Hon. Bill Forwood interjected.

The PRESIDENT — Order! I ask Mr Forwood to desist from interjecting across the table and making comments that are not deemed appropriate in this chamber.

Ms BROAD — I did not hear the comments, so I will continue to respond to the member who asked the question. I again advise him and advise the Parliament that the Bracks government is committed to fair and democratic representation in local government. We will pursue instances where that is not happening.

Aquatic centres: funding

Ms HADDEN (Ballarat) — My question is directed to the Minister for Sport and Recreation. I ask the minister to advise the house how the Bracks government is making Victoria a better place to raise a family through the development and improvement of aquatic facilities for all Victorians.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I welcome the member's question. I know she is particularly interested in services to regional communities. This is good news in relation to what we are doing for families across Victoria. Since coming into office our government has invested more than \$48 million in 90 different aquatic facilities across Victoria. Opposition members might be interested to hear where the aquatic facilities are, because quite a number of them are located in their provinces. Let us see if they are interested in their provinces. We have funded indoor aquatic facilities in Hamilton, Seymour, Wangaratta, Warrnambool, Gisborne, Upper Yarra, Casey, Monash and Maribyrnong.

Hon. P. R. Hall interjected.

Hon. J. M. MADDEN — I hear the Honourable Peter Hall yell, 'What about Leongatha?'. He is right. Last month I had the great pleasure of officially

opening the South Gippsland swimming pool in Leongatha. We had a number of opposition members there, and I compliment them on attending the opening. I am happy to wax lyrical on this project, because I know opposition members were very keen to be there, so it is obviously a very good project.

We provided \$1.9 million from the 2002–03 round of the community facilities funding. As a member opposite also mentioned, I was the only member to actually get into the pool that day — for want of a better pair of board shorts, mind you. The interesting aspect of this project is that it has taken 10 years for the community to bring this to fruition. A key reason it came to fruition was not only that the Bracks Labor government was in town, but that we changed the funding ratios. Even on the day the community complimented us.

Changing those funding ratios meant we were able to encourage that community to generate more funds and get the project delivered. It is a 25-metre, eight-lane pool with expanded male and female change facilities, foyers, cafe and administration areas. It is a state-of-the-art facility worthy of that community, which has worked so hard to achieve this. We had Peter Ryan, the member for Gippsland South in the other place; Mr Peter Hall, a member for Gippsland Province; and Mr Phil Davis, also a member for Gippsland Province, there. Obviously that is a ringing endorsement of what this government is doing across Victoria.

As well as those facilities I have had great pleasure in announcing funding in excess of \$7 million for a number of other facilities: the Toora swimming pool facility upgrade in Gippsland Province; the Lex Glover regional aquatic complex in Sale; the Colac Blue Water fitness centre access improvements for people of all abilities in Western Province — I notice John Vogels is not remotely interested, although it is his electorate; and the Altona leisure centre redevelopment in Melbourne West Province — I know Ms Kaye Darveniza and Mr Sang Nguyen are very encouraged by the fact that we funded this project.

But there are more. I will run out of time. There is the Sea Lake swimming pool redevelopment in North Western Province, the Warracknabeal swimming pool redevelopment in North Western Province, the Nhill swimming pool in Western Province and the Croydon aquatic facility in Silvan Province.

The PRESIDENT — Order! The minister is right, he has run out of time.

Harness racing: country meetings

Hon. D. K. DRUM (North Western) — He missed out on Robinvale as well! I would also like to put a question to the Minister for Sport and Recreation. As football, netball, cricket and hockey clubs in the St Arnaud, Wedderburn and Boort areas all share their facilities with harness racing, is the minister concerned about the negative financial and social impacts on these sporting clubs if Harness Racing Victoria goes ahead and discontinues its TAB race meetings in these regional towns?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I appreciate the honourable member's question. Whilst he would appreciate that under my portfolio I do not have responsibility for harness racing, greyhound racing or racing generally, I am always interested in the relationship of local communities to their respective sporting organisations. Having been to a number of those facilities across the region, I appreciate that a critical aspect of many of them is their interrelationship and partnership with one another — in our funding criteria we have encouraged communities to work together to get better value out of their facilities — and the ability to combine those facilities with other community-based facilities. Hence, racing clubs, community facilities or council arts facilities may sometimes operate in conjunction with indoor facilities.

I would be concerned if difficulties were imposed on those sporting clubs and their long-term viability on the basis of their interrelationship with any of those partners. If there is any way in which we as a government can continue to support those groups and if there is any further detail that Mr Drum would like to bring to my attention, I am happy to have it brought to my attention.

Supplementary question

Hon. D. K. DRUM (North Western) — I thank the minister for his genuine concern. If that genuine concern is as strong as he makes out, why did he not make sure a financial impact statement was prepared for all these towns prior to the announcement by Harness Racing Victoria that it would take harness racing away from these venues, which are shared with hockey, football, cricket and netball clubs?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — Whilst it is not in my portfolio responsibilities, I am very conscious of the stresses placed on harness racing because of what seems to have been some reduction in attendances across a number of venues. Like any organisation, I would expect that

Harness Racing Victoria would have had to make some strategic decisions. Although I am not aware of the particular impact of the decision by Harness Racing Victoria on individual communities, I am happy to have information provided to me by Mr Drum or any members of this Parliament, including members of the other chamber, regarding specific communities and any pressures placed upon their sporting organisations so that I can pass them on either to the Minister for Racing or to any officers of Sport and Recreation Victoria who are involved with either harness racing or sporting issues when those matters come together.

Liquor: licences

Hon. R. G. MITCHELL (Central Highlands) — My question is to the Minister for Consumer Affairs, Minister Thomson. In order to ensure that Victoria is a great place to raise a family it is important that young people have access to safe entertainment options that are fun. Can the minister advise the house how the Bracks government is working with young people to provide these options?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I thank the member for his question. It is true to say that Victoria is a great place to bring up a family. In relation to our liquor licensing laws, we have generally not allowed those under 18 years old to enter licensed venues. Licence conditions prevent that from occurring unless there are special circumstances. However, there are circumstances in which those under 18 have enjoyed nightclub venues in the city for under-18-year-old events. These venues are well established. They have band access, stages, and light and sound systems. The venues are in demand by under-18-year-olds for events.

There is also a long history of these events occurring in the city, and some members opposite — although, having a look at them it would be very few — may have had the opportunity to visit and enjoy such an event at Inflation many years ago. Young people from all over Melbourne — and in some cases outside Melbourne — attend these events to meet friends, have fun and listen to music. Unfortunately in recent times there had been some violent incidents at these venues and consequently the acting director of liquor licensing closed the events down. However, the government did not just end these events; the acting director of liquor licensing worked with Victoria Police, the owners of the venues, young people and the Office for Youth to establish new guidelines that would allow them to start up again.

The acting director of liquor licensing demonstrated a great deal of respect for the young people she dealt with during this process. In fact when one local high school wanted to hold an event at a licensed venue but the event did not strictly fit the general conditions, she sat down with the students and worked through the issue so that the event could take place. One of the solutions that developed as part of this process was that the students themselves developed a travel plan to ensure that all who attended the event would get home safely. That became part of the fundamentals for the guidelines that have been put in place.

Members will be aware that I recently welcomed the decision by the acting director to remove the temporary ban that existed on under-age events at licensed central business district venues. The new conditions surrounding those events are a cap on the numbers attending, a ratio of the number of security guards to attendees and a mandatory time gap between the under-age event ending and normal activities commencing. The licensee must also demonstrate a safe-exit strategy, and adequate transport must be available for young people as they leave the venue — and, of course, no alcohol! The new conditions will be in place on a trial basis for six months to give us the opportunity to find out whether they are successful and effective. I take this opportunity to congratulate all who are involved in ensuring that these events for young people can continue.

Consumer affairs: property seminars

Hon. W. A. LOVELL (North Eastern) — I direct my question to the Minister for Consumer Affairs, Marsha Thomson. I refer to Consumer Affairs Victoria's investigation of George Mihos for breaches of the Fair Trading Act in relation to his property spruiking activities, and I ask: when did the minister first become aware of the activities of Mr Mihos?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I became aware of this issue very recently — —

Hon. Bill Forwood — Asleep at the wheel!

Hon. M. R. THOMSON — I have only been the minister for a very short period of time.

Consumer Affairs Victoria is following up on this issue and investigating this case. The information provided to me by that department is that cases such as this are thoroughly followed through. Where prosecutions can be made, they are made, and where prosecutions are not possible or there is a lack of evidence, the public is exposed to the situation and made aware of it to ensure

that people do not fall into the trap of becoming susceptible to the advances of people such as this. I have great confidence in the record of Consumer Affairs Victoria in following up these matters. Like my predecessors I am confident that we are making Victoria a better place for consumers and that the legislation we have in place will protect them.

Supplementary question

Hon. W. A. LOVELL (North Eastern) — Given the government's claim to be concerned about Mr Mihos's activities, what action has the minister taken to ensure the government ceases its practice of hiring out the arts centre to Mr Mihos to conduct his seminars?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — This matter has not been raised as a matter I have discussed with the Minister for the Arts nor with the board responsible for the administration and hiring out of the venues.

Honourable members interjecting.

Hon. M. R. THOMSON — It is not an issue about venues, it is an issue of awareness of it occurring, of investigations taking place, of following up on these investigations and where necessary of prosecuting the offenders. We have a commitment to ensure that consumers are confident and aware of the things they need to look out for when dealing with the likes of this character, and we will ensure that we follow through and that Victorians can be aware — —

The PRESIDENT — Order! The minister's time has expired.

Aged care: government initiatives

Ms ROMANES (Melbourne) — My question is to the Minister for Aged Care. Will the minister inform the house of recent Bracks government initiatives that continue to make Victoria a great place to live for older Victorians?

Mr GAVIN JENNINGS (Minister for Aged Care) — I know that all members of the house will be expecting me to talk almost exclusively about the fantastic Seniors Week that happened last week, but that will not be the case because that is just the start of the story. Unlike my ministerial colleague, who in answering a question earlier put the proposition that not many members of the opposition would have been participants in youth events, I reckon quite a number were participants in the seniors festival. I am not going to ask them to put up their hands. Mr Forwood puts his hand up as a participant in the breadth of opportunities

that were available to senior members of the community last week. It was a fantastic week, and in passing I would like to thank Molly Hatfield, who was the face of Seniors Week this year and who in fact painted the town red. She was very prominent during Seniors Week, giving a great call to arms to older members of the community to come together for the wonderful community events that took place right throughout the state of Victoria.

But that is not all I want to say in my answer. I want to take the opportunity to outline to Ms Romanes and the house some of the great things that have been undertaken by the Bracks government in the last month. Two weeks ago, along with the Premier, I announced a new 60-bed nursing home at Mount Alexander Hospital in Castlemaine. It was part of a community cabinet event, part of the Bracks government commitment to older members of the community when they need residential aged care. We have provided a new 60-bed nursing home facility for the people of Castlemaine as part of the \$227 million we have allocated during the life of this government to rebuilding 34 nursing homes throughout Victoria — a significant undertaking that we have made on the people's behalf.

During that same week two weeks ago I announced \$350 000 of new funding to provide respite care to assist carers, so about 9000 hours of respite care will now be available to help people in our community who carry out a very important service in their daily lives by supporting their loved ones with the care they need. I took the opportunity when I was opening the new Carers Victoria Centre in Footscray to announce that new initiative, and I am very pleased to be part of a government that recognises its obligation to support carers, and indeed to support Carers Victoria in the important work it undertakes on behalf of the Victorian community.

Three weeks ago I announced \$4.3 million worth of unmatched, state-only home and community care (HACC) money. This was beyond the growth allocation the commonwealth and the Victorian government announced in the last sitting week. The week after that I announced \$4.3 million of unmatched money that the state provides beyond its matching component because we recognise the important role that HACC plays in the Victorian community, and we have supported that sector significantly over the life of the Bracks government. Embedded in this current budget is \$47 million — more than our matched requirement — allocated to the 500 HACC providers right throughout the Victorian community in their important role of supporting the healthy and independent living of older and frail Victorians.

Four weeks ago I announced a \$558 000 project which will lead to new technologies and breakthroughs in wound management — a very important issue — making sure that quality personal and nursing care is provided to people who suffer from ulcers and other wounds. This took place in a month of quality assistance from the Bracks government as part of its five-year history of supporting older members of the community in times when they need care.

Dangerous goods: regulations

Hon. BILL FORWOOD (Templestowe) — I address my question without notice to the Minister for WorkCover and the TAC. I refer firstly to a press statement from his predecessor on 19 September last year titled 'Victoria first to restrict access to ammonium nitrate', which said:

The... government is leading the way in confronting terror on the home front ...

As honourable members are aware we debated the Dangerous Goods Legislation (Amendment) Bill in spring. It was passed, and assented to in October. It was designed to implement national principles for the regulation of ammonium nitrate and institute a regime of licences for transport, storage et cetera. I ask the minister: on what date will the regulations that govern the licence regime come into effect?

Mr LENDERS (Minister for WorkCover and the TAC) — I thank Mr Forwood for his question. I am delighted to see that he is still a man of the present as well as being a man of the past, as he has unfortunately portrayed himself. I certainly enjoy the exchange across the table. Mr Forwood raised the issue of the dangerous goods legislation and particularly when the regulations to deal with the ammonium nitrate ban come into place. This Parliament empowered the minister to take regulations to Executive Council to put that ban in place. As the house would be aware, this is one of a series of pieces of legislation to deal with ammonium nitrate, which is a fairly common fertiliser. A lot of our farmers use it, and it is used for good purposes by most people. It is a fairly vile substance. I grew up on a farm and remember being exposed to it. It is commonly used, and there is a delicate balance in our community on the issue of how you stop the misuse of this product.

We had an intergovernmental agreement under which all jurisdictions said they would deal with this. The Victorian Farmers Federation was concerned about this because getting the licences would add some costs to farmers. However, the long and the short of that is that I can certainly inform Mr Forwood and the house that I

signed those regulations this morning and they will go to executive council next Tuesday.

Supplementary question

Hon. BILL FORWOOD (Templestowe) — I am advised that the regulations have not been released for public comment. Is the minister confident that there has been sufficient consultation on the draft regulations?

Mr LENDERS (Minister for WorkCover and the TAC) — I will take on notice the issue of the level of consultation and get back to Mr Forwood specifically on what the levels were. My recollection is that the major stakeholders on this issue — obviously the Victorian Farmers Federation was one of them, as well as our police force, those of other states and the commonwealth regulatory authorities — were consulted during this process on how to get the appropriate balance in place. I will get back to Mr Forwood with the specific details as to the process and who was consulted, but I am very confident that through the process of the original ministerial council, the process when the bill was in this house and in the Legislative Assembly and the process in all other jurisdictions, those issues have been covered, that consultation has happened and we will get the right balance between the use of an important agricultural product and community safety.

Energy: government initiatives

Mr SCHEFFER (Monash) — I direct a question to the Minister for Energy Industries and Resources. Can the minister inform the house about the latest news regarding investment in renewable energy in Victoria?

Hon. T. C. THEOPHANOUS (Minister for Energy Industries and Resources) — I thank the member for his excellent question and for his interest in this area. Today I am pleased to announce that Southern Hydro is working on a major upgrade to the Kiewa power station, which is on the road to Falls Creek, for those who — —

Hon. Bill Forwood — I hope it's in the river.

Hon. T. C. THEOPHANOUS — Yes. This is an example of a major investment that has taken place in Victoria's energy sector. It is part of an investment in excess of \$12 billion that has taken place during the course of the last few years. We have seen investment in acquisitions. To cite a couple of examples, we have seen the power plant announced at Laverton North which is on target for construction; we are seeing clean renewable energy from wind farms like Portland and Ararat; and a number of strategic purchases have also

occurred which will lead to increased energy infrastructure in this state. Today's announcement shows that the approach of the government is working. Upgrading the Kiewa power station will see another 130 megawatts of renewable power available when we need it. This is a significant amount of power, and indeed it is enough to power 18 000 Victorian households.

Southern Hydro is owned by the New Zealand company Meridian, which is also looking to invest in a number of wind farms, including the Dollar wind farm in Gippsland. Recently I visited New Zealand and spoke to Meridian about its wind and hydro projects for Victoria. I told it that we welcomed its investment in renewable energy in this state, which will create jobs in regional Victoria. I want to contrast that approach of the government's success in attracting investment and more renewable energy to what I think was irresponsible action on the part of Peter Ryan, the Leader of The Nationals in the other place, on his trip to New Zealand, which was designed to try to stop Meridian from making investments. I spoke to Meridian while I was over there. Mr Ryan tried to convince Meridian not to invest in renewable energy in Victoria. Today's announcement — —

Honourable members interjecting.

Hon. T. C. THEOPHANOUS — Peter Ryan argued for less investment and fewer jobs — that is what he argued for in New Zealand in the renewable energy sector. Today's announcement shows that this company is in fact making real investment.

Hon. B. N. Atkinson — On a point of order, President, I am a bit concerned about the reflection on a member who is not in a position to actually defend the statements that have been attributed to him. I wonder if the minister might inform the house as to the basis of the statements he has attributed to Mr Ryan — in other words, are they part of some public documentation, and can he table it?

Hon. T. C. THEOPHANOUS — On the point of order, President, it is a matter of public record, and I did not attribute a quote to Mr Ryan in the comments I made. It is a matter of public record. Indeed, he made the comment himself that he was going over to speak to Meridian in New Zealand in order to try to stop this particular wind farm from taking place. The comments I made simply reflect what is on the public record.

The PRESIDENT — Order! I heard some of the remarks the minister made in response to the question asked by Mr Johan Scheffer. I ask the minister when he is making reference to a member in the other place to

be cognisant of the rules of the house with respect to reflecting on members and not to make accusations or claims that cannot be substantiated. I understand some of the interjections from members of The Nationals. There was no dispute whether Mr Ryan had been overseas. I ask the minister to respond to the question at hand and leave out Ryan if possible.

Hon. T. C. THEOPHANOUS — I think that the purpose of the trip is a matter of public record. Instead of pandering to what is a noisy anti-wind-farm minority in Gippsland, The Nationals should be listening to what Victorians really want. Victorians want more jobs, more investment and a cleaner environment. Today's announcement, which will make available 130 megawatts of clean energy in this state by Meridian, to add to its other investments in renewable energy, should be welcomed by everyone who cares about jobs in regional Victoria and who cares about our environment.

QUESTIONS ON NOTICE

Answers

Mr LENDERS (Minister for Finance) — I rise to advise the house that I have answers to approximately 270 questions on notice: 1634, 1826, 1888–95, 1897–99, 1906, 1907, 1911, 1916, 1919, 1920, 2132–42, 2149, 2150, 2154, 2375, 2382, 2383, 2387, 2595–2602, 2604, 2605, 2612, 2613, 2617, 2836, 2839, 2846, 2847, 2851, 2996, 3063, 3069, 3073, 3085, 3268, 3271–76, 3283–85, 3298, 3331, 3346, 3378, 3397, 3614–17, 3723, 3747, 3748, 3792, 3949–54, 3956, 3957, 3993–95, 4002, 4026–28, 4031, 4039, 4047–49, 4051, 4055–57, 4059, 4061, 4062, 4143, 4144, 4169, 4201, 4207–12, 4220, 4225, 4226, 4270–80, 4282, 4298, 4312–21, 4328, 4331, 4337, 4338, 4343, 4360, 4361, 4366, 4369, 4377, 4382, 4388–91, 4395, 4401–03, 4407, 4410, 4417, 4418, 4423, 4429–32, 4442–44, 4447, 4450, 4457, 4458, 4463, 4469, 4470–72, 4484–89, 4497, 4515, 4517–19, 4521, 4522, 4529–55, 4557–65, 4579, 4591, 4592, 4594, 4607, 4609, 4610, 4613–15, 4618, 4619, 4623, 4624, 4628, 4629, 4632–34, 4642–44, 4651.

I would also like to advise the house that inadvertently I gave the house wrong information on our last sitting day. The house would recall that the government was asked to do a batch of answers, which I undertook to do. It was a rather boisterous house and my maths were not that good. I told the house there were 80 answers when there were only 75. With that correction to the record, President, I inform the house of a further batch of answers.

MEMBERS STATEMENTS

Australian Labor Party: branch stacking

Hon. BILL FORWOOD (Templestowe) — It was just on 35 years ago that Kim Beazley, Snr, said to an ALP conference:

When I joined the Labor Party, it contained the cream of the working class. But as I look about me now, all I see are the dregs of the middle class. When will you middle-class perverts stop using the Labor Party as a cultural spittoon?

The question 35 years later remains the same — when will you middle-class perverts stop using the Labor Party as a cultural spittoon?

We have been watching with seriousness the issue of branch stacking that is going on across the Labor Party, and what we on this side of the house know is that if you are corrupt in your own rules, then you treat the electorate with absolute contempt. There is no doubt that the way the government behaves in its own private party dealings is reflected in the way that it governs the state of Victoria. It is without doubt known widely across the state that government members are, as Kim Beazley, Snr, said, middle-class perverts treating their own party, their Labor Party, as a cultural spittoon.

Cultural Diversity Week

Hon. KAYE DARVENIZA (Melbourne West) — I am pleased to rise and congratulate all those communities and the many schools that were involved in Cultural Diversity Week, which incorporated Harmony Day. I know that many members in this chamber and in the other place were involved with and attended many of the celebrations.

Cultural Diversity Week has given communities an opportunity to showcase their culture, to showcase something of their heritage and to give the broader community an opportunity to participate and enjoy many aspects of that. I have been delighted over the past week to have been able to attend many functions in my own electorate — functions in schools, the tsunami women's celebrations in Kensington, the launch of diversity week in Federation Square, which was absolutely fantastic — as well as in Shepparton last night at presentations for those people in the community who have made a very significant contribution to supporting the many communities that have chosen to settle in the Goulburn Valley.

I take this opportunity to congratulate everybody who has been involved in making diversity week bigger and better than it has ever been before. It has been a terrific week, and I encourage all to participate in the future.

Cowes: ferry service

Hon. R. H. BOWDEN (South Eastern) — For many years now we have had the ability to travel from the Mornington Peninsula to Queenscliff on a very popular, successful and well-regarded ferry service. It is acknowledged in tourism circles and also in the transport networks we have that this link between Sorrento and Queenscliff is extremely valuable. For a long time there has been a growing level of support for a similar link between Stony Point and Cowes, and honourable members might recall that on previous occasions I have mentioned the possibility and expressed my enthusiasm to support a car ferry link between Stony Point and Cowes on Western Port bay.

I have tried without success to find out from the government on several occasions what the latest circumstances are. I believe the government owes it to the community to come clean as to what its intentions are. There is considerable support for a Western Port car ferry between Cowes and Stony Point. I am personally in favour of it, and I would like the government to take note that it owes the community an explanation as to what is happening and what is going to happen.

Senator: conduct

Mr SOMYUREK (Eumemmerring) — I rise today to make a contribution on Senator Ross Lightwood's — or shall we call him Ross of Arabia? — adventure. Unfortunately in this country we are now becoming used to waking up to pictures of Australians posing with AK47s in various war zones across the world, but waking to find a picture of an ageing Australian senator posing with an AK47, as he appeared on the front page of the *Herald Sun* last week, was extraordinary.

Senator Lightfoot's little adventure would make a good plot for an American movie. The plot has plenty of intrigue and an explosive mix of ingredients, including politics, money, warlords, oil companies, academics, firearms and universities. All it needs is a little bit of romantic love interest to give it the final polish it needs to be an international bestseller. But judging by the TV footage that I have seen of Senator Lightfoot, I think that would be stretching credulity a little bit too far.

There are lots of serious questions to be answered in this sordid affair. The Prime Minister should give the Australian people a clear understanding of what the senator was doing in Iraq. Northern Iraq is an oil-rich region, the ownership of which is still contested. The senator's travel to northern Iraq resembles Rudyard Kipling's book *The Great Game*, in which

resource-hungry powers jostle for influence over Central Asia and the Middle East. We need to stay clear of this image. We need to be promoted in these countries as a friendly, decent and generous nation, as we are, not a nation of parasites usurping — —

The PRESIDENT — Order! The honourable member's time has expired.

Narana Creations Aboriginal Craft and Cultural Interpretation Centre

Hon. ANDREA COOTE (Monash) — Earlier this year I had the privilege of visiting Narana Creations Aboriginal Craft and Cultural Interpretation Centre in Geelong. It is run by a not-for-profit organisation, the Uniting Aboriginal and Islander Christian Congress — that is, the Aboriginal arm of the Uniting Church in Australia. The group works not only to provide a shared understanding of Aboriginal culture but also to build self-reliance and a new future for Aboriginals. It is an excellent centre, and I encourage everybody in this chamber to go and visit it. The centre provides the public with lessons about the extensive history of Aboriginal art; didgeridoo performances — and I must say they were excellent; stories about Dreamtime paintings; extensive arts and craft displays; tours through the 3 acres of gardens filled with ancient Aboriginal medicinal plants and food sources; boomerang and spear throwing lessons; and a traditional singalong.

I went to the centre in my capacity as shadow Minister for the Arts and was given an excellent tour. I encourage everybody in this chamber to visit the centre in Geelong. It is an excellent place to take international visitors, and indeed the Aboriginal people there are doing an excellent job. It was very informative. I found it an excellent facility, and I applaud and commend everybody who is involved with the centre.

Emergency services: Western Port Province

Hon. J. G. HILTON (Western Port) — In the last few weeks I have attended the launch of a new search and rescue vessel for Phillip Island Marine Rescue Service and assisted in the handover of a new \$200 000 tanker which will provide improved firefighting capabilities to the Wonthaggi fire brigade.

Whilst it is always pleasurable to attend these events, they are not possible without the committed and dedicated support of the volunteers who man these rescue services on either water or land. As I think I have said on a number of occasions, volunteers are the glue which binds our society together; indeed without

volunteers we would not have a society. I would like to commend particularly the dedicated men and women of the Phillip Island Marine Rescue Service and the Wonthaggi fire brigade for the tremendous work they do in keeping our community safe.

I would also like to extend these congratulations to all the other volunteers in the Mornington Peninsula and the Western Port Province, whose commitment and dedication make our society a lot safer and a more pleasurable place to live.

Police: Emerald

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — I draw the attention of the house to the shortage of police resources in Emerald. This has been an issue of great concern to the people of Emerald for more than five years, particularly the frequent closures of the Emerald police station.

Last Sunday in Emerald a group of youths took advantage of the fact that the Emerald police station was closed and went on a significant rampage through the town. This included damaging the local school and the local aquarium and smashing the windows of several shops in the main street. It only ended when these youths were chased away by one of the local shopkeepers because, as I said, the police station was closed.

This has been an issue of great concern to the people of Emerald for a number of years now. It has been to their continuing frustration that the member for Gembrook in the other place and the former police minister failed to address this situation. The new minister has agreed to a request from me to meet with a delegation of Emerald residents and traders to discuss this issue. I look forward to that successful meeting with the minister and to this government finally doing something about the shortage of police in Emerald.

Australian Red Cross: blood collection service

Ms HADDEN (Ballarat) — In mid-January this year the Victorian division of the Australian Red Cross announced to country Victoria, especially to the townships of Ararat and Stawell, that it proposed to close the blood bank donor stations immediately. That has had a negative impact on the Red Cross volunteers across the rural areas of Ararat and Stawell and others west of Ballarat.

The Red Cross has received much negative criticism in the media on the suddenness of its announcement, as well as on the short and long-term repercussions on the dedicated groups of volunteers within these rural

communities. As we know, unpaid volunteers are the backbone of rural communities. Another issue is the negative impact which the Red Cross announcement is having on the good name and reputation of the Red Cross in country Victoria and also on its fundraising ability.

I suggest to the Red Cross a compromise, that it installs an additional mobile blood bank service which can be shared between Ararat and Stawell. That would mean the retention of the trained blood bank volunteers, who are the backbone of those communities. It would also mean a continuation of donor blood supplies.

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

Wyndham: councillors

Hon. J. A. VOGELS (Western) — I have here a submission to the Wyndham City Council Electoral Representation Review from the Werribee branch of the Australian Labor Party. It says:

We believe that the community of Wyndham will be best served by allowing for three wards, each electing three councillors.

...

It is our belief that the community would not be well served by continuing the current arrangement of single member wards, even should the numbers be increased to nine, which seems logical given the number of voters for each ward. Recent times has shown that the Wyndham City Council cannot provide effective governance with such a system.

Wyndham City Council has suffered in having a disparate group of individuals without the discipline to work toward a common goal.

As most of the councillors at the Wyndham council are ALP members, this proves that most ratepayers in Wyndham have long recognised that their ALP councillors are more interested in what faction of the ALP they belong to and branch stacking than good governance.

It is very clear how three multi-member wards with proportional representation voting will advantage the residents and ratepayers of Wyndham. It will ensure that Labor tickets and party politics become even more entrenched into local government. We all know who they are at Wyndham.

Kingsbury Bowls Club

Ms MIKAKOS (Jika Jika) — I would like to congratulate the Kingsbury Bowls Club for hosting the Trans Tasman Challenge from 1 February to

3 February, which saw the Australian women's team narrowly lose to New Zealand in a tie breaker, and victory for the men's team, eight to two. This is the third consecutive year that the trans-Tasman trophy has been retained by Australia and the first time that the Kingsbury Bowls Club has staged the championships. This is a particularly noteworthy achievement. Organisers were able to use only one green on the final two days of the event because the others were flooded during the recent storms that hit Melbourne. The event was a huge success, despite the rain and windy conditions.

I have developed a newfound appreciation for lawn bowls after participating in the parliamentary bowls competition in January this year. I am particularly pleased that the Commonwealth Games bowls event will be held at the State Lawn Bowls Centre at John Cain Memorial Reserve in Darebin, at which Australia and New Zealand will face each other once again.

Both the success of the Kingsbury Bowls Club in holding the Trans Tasman Challenge, and the State Lawn Bowls Centre in hosting the Commonwealth Games bowls events are remarkable achievements in promoting bowls locally and across Victoria. I note that lawn bowls has become extremely popular with younger people in recent years. I commend the organisers at the Kingsbury Bowls Club, congratulate both the men's and women's teams, and wish the Australian team the best of luck next year at the Commonwealth Games.

Police: Robinvale station

Hon. B. W. BISHOP (North Western) — I have received a number of requests from the Robinvale community — a good example being a letter from the president of the Robinvale and District Senior Citizens Club — for me to ask the Minister for Police and Emergency Services in the other place to ensure that the new police station, when built, will be a 24-hour station.

Robinvale is a great place; it is bustling and vibrant, with a new bridge being built over the Murray, and it is expanding rapidly with increased plantings of table grapes, olives, almonds and other commodities. Robinvale also has the full gamut of horticulture and viticulture, including wine grapes, dried fruit, carrots, corn, lettuce, broccoli — in fact, almost everything.

Hon. P. R. Hall — And good upper house members!

Hon. B. W. BISHOP — And good upper house members. As you drive in from the south I think the

sign says the population is 1100, but I suspect that is a bit low nowadays, particularly at harvest time. Robinvale has a true multicultural community, exemplified by the number of languages spoken in the schools. While Robinvale could not be described as a frontier town, it does have growing pains with issues such as housing; and of course the mix of cultures requires a strong police presence to ensure law and order is maintained. On that issue I commend and congratulate the police officers at Robinvale for the work they do. However, I believe they need more support. I request the minister to ensure the new police station will be a 24-hour station.

Boxing Day tsunami

Mr SMITH (Chelsea) — I refer to the house my experience in mid-January this year when I happened to be on a very important study tour in Egypt. I was sitting in my hotel in Cairo watching the unfolding tsunami disaster on CNN, or Foxtel or whatever, as I am sure were all those around the world who had access at the time. We saw the horrific human cost, with damage to property and whatever. I would like to refer to one particular incident which I watched where a tiny Thai woman being interviewed for TV was crying, praying, and just apologising to Australia for their inability to protect our citizens on holiday over there. It was just gut wrenching.

More importantly, when I heard the announcements from the federal Liberal government about the quantity of aid that we were promising to Indonesia et cetera, and the funds that were being raised and donated by the general public, it was fantastic. For the information of the house, CNN reported that Australia, by far, was the leading contributor to aid from all around the world. It was something that filled me with pride at the time, and, putting party politics aside, I commend the federal government on its contributions. It was a job well done.

Rotary International: centenary

Hon. W. A. LOVELL (North Eastern) — On 23 February 1905 Chicago lawyer Paul Harris called three friends together to a meeting and proposed to establish a club that would promote fellowship and networking among members of the business community. From those humble beginnings the club proposed by Paul Harris has grown into a worldwide organisation known as Rotary International, consisting of 31 000 clubs and 1.2 million members in 166 different countries. As an organisation Rotary provides humanitarian service, encourages high ethical standards in all vocations and helps build goodwill and peace in the world. One of Rotary's most prominent and

successful projects has been the 1985 vow to make the world polio free.

Over the past 20 years Rotary has committed \$750 million and countless volunteer hours to help immunise nearly 2 billion children throughout the world. On a local level Rotary clubs are the backbone of many communities providing an opportunity for business and professional men and women to provide service to the community, act in a mentoring role and engage in capacity-building projects.

On 23 February 2005 Rotary International celebrated 100 years of service to the community and hundreds of celebratory dinners were held around the world to mark this important occasion. I was fortunate enough to attend one of those celebrations. I congratulate Rotarians worldwide on 100 years of service to the community.

Cultural Diversity Week

Mr SCHEFFER (Monash) — In conjunction with Cultural Diversity Week I was very honoured to have been invited to speak to three important local community organisations in Monash Province: the State Zionist Council of Victoria, the Jewish Community Council of Victoria (Australia) and the National Council of Jewish Women. I was proud to be able to affirm my commitment and that of the Bracks government to promoting multiculturalism and actively supporting the thousands of community organisations where members build the goodwill that makes the unity out of our diversity. I was proud to remind these organisations of the importance of the Racial and Religious Tolerance Act, the Multicultural Victoria Act, the Constitution (Recognition of Aboriginal People) Act as well as the resolution passed unanimously in both houses opposing anti-Semitism and all forms of racism.

During Cultural Diversity Week I also attended the In One Voice festivities held at Caulfield Park, as well as a packed out community forum on multiculturalism addressed by the chair of the Victorian Multicultural Commission and other community leaders. The celebrations in Monash Province are a fantastic testimony to the huge public support for multiculturalism. People know that this policy and the funds provided through the Victorian Multicultural Commission grants program are essential to the maintenance and growth of social harmony in Victoria.

Relay for Life: Hamilton

Hon. DAVID KOCH (Western) — On 25 February I had the pleasure of opening the 2005 Hamilton Relay for Life. The Relay for Life is an international, overnight team event that raises funds for cancer research. The challenge is for teams to compete an endurance walk or run, but one of the great things about this event is that people of all ages and fitness levels can participate.

Relay for Life began in the United States in 1985. The Cancer Council Victoria introduced Relay for Life to Australia in 1999. Since then Relay for Life has expanded across Australia raising more than \$10 million in the fight against cancer. This event is now recognised as the world's largest, single fundraiser. Relay for Life was first held in Hamilton in 2003 and since then has raised \$300 000 — a remarkable achievement from a community of less than 10 000 people. This year the Hamilton Relay for Life raised \$86 000 with great support from the Southern Grampians Shire Council.

The Cancer Council Victoria acknowledges that per capita Hamilton's event leads the way when compared with much larger cities like Geelong, Ballarat, Bendigo, Warrnambool and Shepparton. I congratulate Faye Gumley and the Hamilton Relay for Life committee for again organising a very successful event.

PETITIONS

Motor registration fees: concessions

Hon. R. H. BOWDEN (South Eastern) presented petition from certain citizens of Victoria requesting that the state government abandon immediately the introduction of motor vehicle registration fees on low and fixed-income people (103 signatures).

Laid on table.

Western Port Highway, Lyndhurst: traffic control

Hon. R. H. BOWDEN (South Eastern) presented a petition from certain citizens of Victoria requesting that the Victorian government prevent the installation of traffic lights along the Westernport Highway at Lyndhurst (Dandenong-Hastings Road) due to growing community concerns (25 signatures).

Laid on table.

COUNCIL OF MAGISTRATES

Report 2003–04

For Hon. J. M. MADDEN (Minister for Sport and Recreation), Mr Lenders, by command of the Governor, presented report.

Laid on table.

ROAD SAFETY COMMITTEE

Crashes involving roadside objects

Hon. E. G. STONEY (Central Highlands) presented report, together with appendices and minutes of evidence.

Laid on table.

Ordered that report and appendices be printed.

Hon. E. G. STONEY (Central Highlands) — I move:

That the Council take note of the report.

I take particular pleasure in submitting this report into crashes involving roadside objects because of my rural electorate and my long-term interest in road safety. The main terms of reference of the roadside objects inquiry included the incidence, causes and means of addressing crashes involving roadside objects; liability and accountability issues relating to fixed roadside objects; appropriate risk management guidelines and practices; and the need for any changes to legislation.

It is important to note that concurrently this committee undertook a second inquiry into the country road toll. It considered both of these inquiries together and is well-advanced with the second report.

It is very concerning that statistics reveal that crashes involving roadside objects account for almost one-fifth of all crashes resulting in injury or a fatality in Victoria, they involve one-quarter of serious injuries and slightly more than a third of fatalities. It is also important to note that roadside object crashes are overrepresented at night, on wet and icy roads and during rain. Of course, young drivers and drink-drivers are overrepresented and there are many single vehicle accidents. Curves and intersections are locations of particularly high risk for roadside object crashes.

When the committee drilled down to the bottom line, it came down to trees and power poles. Both are very important for our community and both are a problem

for roadside safety. We identified that there is an inherent conflict between the government objective to preserve and enhance native vegetation and to improve the safety of roadsides for travellers. It was very interesting to note that as we moved around country Victoria, without exception rural councils expressed strong concern that the Department of Sustainability and Environment (DSE) was unhelpful in allowing dangerous trees to be removed to improve road safety.

I would like to quote from what I think is probably one of the most important parts of the report:

The committee believes that preservation of human life must always be given higher priority over the conservation of native vegetation within road reserves. The safety of road users must always take precedence. Important native vegetation should be relocated to more suitable locations.

And this followed with the recommendation:

... That the decisions by road authorities and the Department of Sustainability and Environment be based on the principle that the safety of road users always take precedence over the conservation of the native vegetation within road reserves.

I think that is a very, very important principle, and I do recommend that the government and VicRoads take note of that principle.

Last year the committee had a most valuable study tour of Sweden, Holland, France and the United Kingdom.

Hon. J. A. Vogels — Any gum trees?

Hon. E. G. STONEY — We saw quite a few gum trees in France, but not on the side of the road.

We saw very impressive work going on, especially in Sweden, with lightweight roadside furniture and some very good barrier systems. The committee could not help contrasting what we saw in Sweden with Victoria's very heavy duty roadside furniture, very heavy duty light poles close to the road and heavy duty overhead gantries. We compared those with the lightweight and collapsible structures we saw in some of those countries.

We also saw a very interesting system of vehicle-activated warning signs for dangerous and obscured rural intersections and tricky bends, where if a car was coming too fast the sign actually read the cars coming too fast for the conditions and it lit up. It is not lit up all the time; it is only when it identifies that a car is coming too fast, so it is not something that drivers would get used to over time. We thought it had enormous merit and is something we think should be looked at here.

I would like to thank particularly the Road Safety Committee's staff: executive officer Alexandra Douglas; researchers Graeme Both and Peter Nelson; and office manager Beth Klein, who has now become the Speaker's adviser, to our loss. I will mention our colleagues: Mr Barry Bishop and Mr John Eren from this house, and Ian Trezise, Alistair Harkness, Craig Langdon, and last but not least, Terry Mulder, the members for Geelong, Frankston, Ivanhoe and Polwarth respectively in the other place.

Hon. B. W. BISHOP (North Western) (*By leave*) — I am pleased to take part in the tabling of this report on crashes involving roadside objects. I also commend the committee on the way it has dealt with this particular report. It has operated in a frank and open way, and some of the issues were very complex.

I particularly commend the chairman, Ian Trezise, the member for Geelong in the other place, for his fair and open approach and also for his ability to work through all the issues in a practical and commonsense way. This saw the committee working together very well and very closely. I think that has been a feature of this committee in times past as well. The staff, led by Alexandra Douglas, did a great job. They were very professional. They stuck to the task very well, and they were very focused all the way through. The committee got two references in the middle of 2003, this one and the reference on the country road toll. We hope to table that one shortly. They were both complex. There was some overlap, but we did them together, and I think that was a very practical and efficient way of handling the tasks.

In the very short time I have left to speak, I would like to commend the municipalities and the individuals who turned up at our public hearings and who certainly put a lot of effort into giving us the information we required as we went through this process. As the Honourable Graeme Stoney said, we undertook a study tour, which I thought was most beneficial.

I think one of the most contentious issues in Victoria was the intractability of the Department of Sustainability and Environment in relation to the removal from roadsides of trees that are considered dangerous. I could say much more, and it is a pity that I have only a couple of minutes. It is a good report. It was a pleasure to be on the committee, and we look forward to completing the country road toll report very soon.

Motion agreed to.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 3

Ms ARGONDIZZO (Templestowe) presented *Alert Digest No. 3 of 2005, together with appendices, extracts from the proceedings and minority report.*

Laid on table.

Ordered to be printed.

EDUCATION AND TRAINING COMMITTEE

Pre-service teacher training

The Clerk, pursuant to the Parliamentary Committees Act 2003, presented report, together with appendices and minutes of evidence.

PAPERS

Laid on table by Clerk:

Budget Sector — Mid-year Financial Report, 2004–05, incorporating the Quarterly Financial Report No. 2 for the period ended 31 December 2004.

Commonwealth Games Arrangements Act 2001 — Commonwealth Games Designated access area, Project and Venue Orders, pursuant to section 18 of the Act.

Interpretation of Legislation Act 1984 — Notices pursuant to section 32(3)(a)(iii) in relation to Statutory Rule Nos. 111/2004 and 183/2004.

Murray-Darling Basin Commission — Report, 2003–04.

Ombudsman — Report on an Investigation into the Conduct of Council Officers in the Administration of the Shire of Melton, March 2005.

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

Cardinia Planning Scheme — Amendment C24.

Gannawarra Planning Scheme — Amendment C8.

Golden Plains Planning Scheme — Amendment C22.

Hobsons Bay Planning Scheme — Amendment C65.

Maroondah Planning Scheme — Amendments C38 and C40.

Monash Planning Scheme — Amendment C61.

Port of Melbourne Planning Scheme — Amendment L37.

Shepparton — Greater Shepparton Planning Scheme — Amendments C58 and C62.

Stonnington Planning Scheme — Amendment C6 Part 2B.

Surf Coast Planning Scheme — Amendment C14 Part 1.

Whittlesea Planning Scheme — Amendment C5.

Wodonga Planning Scheme — Amendments C33 and C43.

Yarra Ranges Planning Scheme — Amendment C47.

Statutory Rules under the following Acts of Parliament:

Supreme Court Act 1986 — Crimes Act 1958 — No. 7/2005.

Surveying Regulations 2005 — No. 8/2005.

Subordinate Legislation Act 1994 —

Minister's exception certificate under section 8(1)(b) in respect of Statutory Rule No. 7/2005.

Minister's exemption certificate under section 9(6) in respect of Statutory Rule No. 179/2004.

Wildlife Act 1975 — Notice of control of hunting, No. 1/2005, 2 March 2005.

Proclamation of the Governor in Council fixing an operative date in respect of the following act:

Construction Industry Long Service Leave (Amendment) Act 2004 — 1 March 2005 (*Gazette G8, 24 February 2005*).

BUSINESS OF THE HOUSE

Sessional orders

Mr LENDERS (Minister for Finance) — I move:

That the sessional orders of the Council, adopted on 26 February 2003 and amended on 31 March 2004, be further amended as follows:

Days and hours of meeting

- In sessional order 1, insert the following new paragraph at the end of the sessional order:

'At any time a minister may move without leave a motion to set the day and time of the next meeting of the Council provided there is no question before the Chair.'

General business

- Omit sessional order 7 and insert:

'Of the time allocated for consideration of a general business matter under sessional order 5 —

- not more than 70 minutes will be available to the party of the mover of the motion, not more than

60 minutes will be available to the government party and not more than 45 minutes will be available to other non-government parties and when any of these time limits are reached the Chair must call the next speaker;

- notwithstanding the time limits in paragraph (a), if any party does not use all of its allocated time under paragraph (a), the Chair will allocate that party's remaining unused time among any other members wishing to speak for or against the question; and
- not less than 5 minutes must be given to the mover of the motion to exercise his or her right of reply prior to the question being put.'

Statements on reports and papers

- Omit sessional order 17 and insert:

'(a) Following members' statements on Thursdays, any member may make a statement on any report or paper which has been tabled in the Council during the session. A member must give not less than one day's notice of a report or paper proposed for discussion and may propose not more than one report or paper for discussion each week.

(b) A statement on a report or paper will not exceed 5 minutes.

(c) The time allocated for discussion on reports and papers may not exceed 60 minutes, and 30 minutes in the final sitting week of each autumn and spring sitting period.

(d) Nothing in this sessional order will preclude a member from —

(i) giving notice of a report previously discussed on a Thursday; or

(ii) giving notice of a motion to take note of a report or paper for consideration during general business.

(e) Subject to the provisions of sessional order 41, a member may also make a statement under this sessional order regarding the failure of a minister to provide either an answer or an explanation to a question.'

Extension of government business program

Insert the following new paragraph to follow paragraph (c) of sessional order 27:

'(d) In any sitting of the Council in order to complete the government business program under this sessional order, the President may announce to the Council the receipt of any messages from the Assembly and any bills transmitted will be read a first time and their second reading made an order of the day for the next day of meeting.'

Time limits on speeches

5. In paragraph (b) of sessional order 33 after ‘5 minutes.’ insert:

‘Of that 30 minutes, not more than 2 minutes will be given to the mover of the motion to exercise his or her right of reply.’

This is the third lot of amendments to the sessional orders that have been introduced during the term of this Parliament.

Hon. Richard Dalla-Riva interjected.

Mr LENDERS — I take up Mr Dalla-Riva’s comment that we cannot get it right. When I moved the original sessional orders, the Deputy Leader of the Government and I made it absolutely clear that we had been elected on a platform and that we were particularly conscious of the report entitled *A House for Our Future* put out by the constitution commission chaired by George Hampel. That committee included two notable Liberal luminaries, Ian Macphee and Alan Hunt. We had a strong view that out of *A House for Our Future*, our election commitments and our genuine view as to how this chamber should run, we should bring forward a series of sessional orders.

There is no doubt there was long and robust debate in which many members opposite raised a lot of queries about how those sessional orders would work. At every stage along the way in that debate the government made it absolutely clear that it thought they would work and would achieve the goals. It is worth noting that the report’s foreword by the Honourable George Hampel, QC, lists a number of things to change the effectiveness of the parliamentary system. I will highlight three areas he covered.

At page 4 of the report he suggested that we should enhance respect for the rights of the majority, minorities and individuals. Sessional orders are all about having respect and about juggling and setting out everybody’s rights. He also suggested that we should maximise openness and transparency, and by having scrutiny during civilised hours we can do that.

He went on to mention the application of fair and democratic principles. The context of this was that we as a government thought and represented to the Parliament — and we argued the case and voted for it — that we could improve the way this house runs by a set of sessional orders. With the initial sessional orders we had incorporated a number of amendments suggested by the opposition and The Nationals to improve them, but both those parties voted against them. I do not hide from that. They said that this was

regimenting things and was affecting the chamber as we knew it. There was vigorous debate. A year later we came back with some amendments which we thought tweaked the original set to improve it. A year later we are back again with further amendments.

There are five amendments set out on the papers circulated today. The first amendment is fairly simple. It says that at any time a minister can move a motion setting the time and date of the next meeting. It is important to tweak the sessional orders to remove little glitches. It will not matter whether it is after 4.30 p.m. on a Thursday or not, and that gives the house greater flexibility.

The second one deals with general business motions. The government does not resile from the fact that general business in this house has traditionally been a time for non-government parties. There has been a big debate about that. The Kennett government never took it away. The Bracks government has not taken it away.

An honourable member interjected.

Mr LENDERS — Yes, some may say that times have been reduced, but it is an ongoing principle that that is a time for the non-government parties. We also were conscious that in the sessional orders there is a timing issue. Under the sessional orders the lead speaker of the party moving it has an hour to speak, the government has an hour in reply and the third party — which is normally The Nationals but sometimes the Liberals under these arrangements — has 45 minutes. Then there is a 5-minute right of reply for the mover. That leaves about 10 minutes swinging.

The good practice in this place has been that by negotiation those times are actually allocated so that the lead Liberal speaker might speak for 30 minutes rather than 60, the Labor speaker will speak for a shorter time and The Nationals speaker for a shorter time to allow other members to use efficiently the pro rata time that is available. Most of the time that works well by agreement. You might ask, ‘Why would you bother changing it?’, but the practice is that people move in and out of the chamber; the person who moves it negotiates with another party and neglects to mention it to the next person relieving them in that chair. It may be that someone gets a rush of blood to the head and gets a bit excited and goes on longer. There is a bit of tension in the place because the agreements are harder to enforce.

This amendment to the sessional orders makes it quite clear. Under the existing sessional orders tomorrow when — if I read the tea leaves correctly — David

Davis will move a motion about country hospitals, the Liberal Party would normally get 70 minutes to speak and he would have a 5-minute right of reply, the Labor Party would have 60 minutes and The Nationals would have 45. If adopted, this amendment would mean you would not have an overregulated system, but if the Liberal Party or the Labor Party or The Nationals went beyond their time the Chair would be asked to move on to the other parties who had not yet used their time. We would have a regime to put it in place, and if they did not want to speak then the other party could have more time again. This tries to regulate the practice that is in place and remove some of the tension that comes when there is a bit of movement in the chamber, with people coming in and out, and there is a bit of a rush of blood to the head. That flows on with the early principles we have had.

I move on to the third amendment, which deals with statements on reports and papers. This simply removes the requirement to put a motion at the end where the house is being asked to note the statements. The purpose of the amendment is to let 12 members speak for 5 minutes on reports they are interested in. It removes the need for the house to note the reports. It is on the record. The house does not need to note that. It removes that one little thing.

The fourth item is on the extension of the business program. This deals with the capacity of the house to clearly extend the government business program. It clarifies what happens if bills are coming from the Assembly after 4.30 p.m. on a Thursday. They can be read a first time and put on the notice paper for the following week, so it is an administrative oversight that is fixed. The final amendment simply allows a right of reply. After a 30-minute procedural debate the mover of the motion has a 2-minute right of reply.

Those are the amendments that are proposed. They are fairly minor, but I think we need to paint a picture of why they are there and what the context is. To go back to the Hampel report, we had a clear message that we needed to deal with the way this chamber operated and some of the previous practices — and all sides were guilty; we do not have all virtue on this side, nor does the opposition or The Nationals. At times people would talk for far too long.

This is a house of debate. We have the committee stage and a whole range of areas, but second-reading debates went for an unlimited time. In the end there would be agreements in the house. The house would sit very long hours, and dutiful members on each side who had a contribution to make would have to cope with a garrulous colleague who would go on for 1 or 2 or

3 hours, and the pressure would be on the other members to cut their time so the house could get through its business.

This sets guidelines or rules for what the speaking times would be. As we saw in this house when the constitution was being debated, the government moved the suspension of sessional orders to allow a longer debate because it was such a fundamental issue. These things are not inflexible; we can still have discussions about them. In this house we can still do things by leave. We have had a lot of cooperation from the other parties regarding important bills to be done by leave. In this house we have had a lot of negotiation regarding the speaking time for members and flexibility when members are on party or committee business. This is the third stage of this issue.

In conclusion, I would like to reflect on the question: where to from here? As I saw it when I made my original speech on the motion to bring in the original sessional orders, the government is committed to getting a series of sessional orders and rules in this place that can endure into the future. We know we are in an unusual circumstance. The governing party has the numbers in this house. This is something that the Labor Party has only experienced for five very short weeks in 1985 and during the term of the 55th Parliament. Sadly we do not expect it is something that will happen very often in the future, particularly with the new electoral system.

The Liberal Party has had more times to enjoy having the numbers in this place, but with these changes we want to be able to look forward to the future generally. I flag in this debate that I will come back to this chamber in the next few weeks and seek to refer the whole of the standing and sessional orders to the Standing Orders Committee for report back to this house this year. We need to talk about that to the committee and also between the parties — that is, looking at the standing and sessional orders and at *A House for Our Future* to see where this place should be in the 56th Parliament as well as having a good set of rules and procedures to guide us for the balance of the 55th Parliament.

Rules are not what a place like this is about. Rules guide the debate. The important thing in a place is that people work with each other. I can almost anticipate that other speakers will say these things can be done by discussion and agreement. I accept that they can; however, what we do by a set of rules is put the framework around agreements which are not working too well or are a bit squeaky or rusty around the edges. Or we need to try to know what the rules are,

agreements always let us do that and, by leave, we can always expand things and make them more flexible.

We all have grievances with each other from time to time, but generally the 55th Parliament has worked very well. There has been a lot of cooperation between parties. The sessional orders assist that; they do not hinder it. I urge the house to support the amendments because they are an administrative tidying up of important principles that are being put in place. They make the sessional orders better.

Hon. PHILIP DAVIS (Gippsland) — I want to make it absolutely clear that the Liberal Party opposes these changes to sessional orders. Firstly, I will make some comments about some of the remarks made by the Leader of the Government.

Selective quotation is always a politician's smokescreen. I noted with interest the regular reference to certain parts of the Hampel report, which I think is the report of Constitution Commission Victoria. The minister made his case based in part on some recitation of points about democratic process. I remind the minister that the constitution commission recommended that there be no ministers in this place. I would like to know if the minister intends to implement that reform and how quickly the minister —

Mr Lenders — Prospectively from when we leave the Treasury benches.

Hon. PHILIP DAVIS — I will ensure that is on the record. The minister's interjection, 'Prospectively from when we leave the Treasury benches', is a real insight into the use and abuse of the Parliament by the executive. That leads me to my second point. The sessional orders that have been in place for this Parliament and the continual manipulation of them by the executive have diminished the rights of members in a way that our forbears would have found unimaginable. For all of the criticism that there was of the clear policy and legislative agenda of the Kennett government when it had a majority in both houses of the Parliament, the previous government made it quite clear that it deferred to the greater authority of the Parliament over the executive. This cannot be seen or shown to be the case in any way today. As far as it is able the executive is using the Parliament as nothing but a rubber stamp of its day-to-day operations and has dumbed down the processes to such an extent that now the Parliament only meets — at best — for three days per month. In the month of February it met for only half a day. After this week we are not meeting again until April. It is an absolutely ridiculous position that we have got ourselves into because of the dominance of the

executive in respect to the Parliament and its view that the Parliament itself is of no consequence. That view will be totally repudiated by the people at the next election.

It is not just ministers of the Crown in the executive who are treating Parliament with contempt. I was appalled today to be invited to go to the Premier's office for a briefing on legislation which will affect the way the Parliament is administered. I was not offered a briefing at Parliament House or by the presiding officers, but by the Premier's department. There has been no consultation with the members of the opposition on the radical changes that are proposed to be brought into the Parliament by way of legislation to be introduced some time this week in the Legislative Assembly. I have been enlightened by the Premier's representatives saying that there has been consultation occurring over a long period of time between the executive and the presiding officers but not at all with the parliamentarians who serve in this place.

The executive thinks so little of the Parliament's right to express a view that it has subjugated the Parliament to the extent that the presiding officers are not even prepared to stand up to the executive to ensure that the Parliament is treated with the respect it deserves. This is a total disgrace. The proposed amendments to sessional orders are just another tranche of the constraints which are progressively being imposed and which the Parliament is being bound into in a way that limits the opportunity for members to do their job as members of Parliament, which is to examine in detail the propositions the government brings before the house and before the Victorian people.

Firstly I make two acknowledgments in respect of the Honourable Peter Hall. In April of last year the Leader of The Nationals in the Legislative Council made representations to me and to the opposition specifically on the issue of time and speaking rotation. The Leader of The Nationals made, from his perspective, a valiant attempt to persuade the opposition that the speaking rotation should be defined on a different basis. The opposition responded by indicating quite clearly that the protocol the Presiding Officer had in place was appropriate, given the numbers in the house and the ratio of members representing each party, and the Liberal Party still holds that view.

I am totally unconvinced by the proposal confronting the house that, in effect, members of the Liberal Party, which is the official opposition in this place, should be so constrained as to give way — to give leave as it were, but in a mandatory fashion — to a party consisting of one-quarter of the number of our

members. That is simply unacceptable. It is not appropriate that the amendment before the house with respect to sessional orders on general business should be adopted. However, I acknowledge that Peter Hall did endeavour to advocate that proposition nearly a year ago.

I also acknowledge in respect of that particular sessional order change that the Leader of the Government conceded that there was an issue in the first drafting of the proposition, and I thank him for at least agreeing to amend his motion to ensure that the total time for opposition business each week is not diminished. That was done by inserting an amendment under general business 2(b) which meant that in effect, notwithstanding the time limits on each of the parties, the total time would not be diminished.

This does not, however, change my substantive argument that this is one further step in prescribing the way members in this place negotiate and deal with their business. It is quite evident, and logic dictates it, that if the composition of the house following the forthcoming election in 2006 is different from what it is now, if other parties are represented, it will be necessary to further prescribe the arrangements for dealing with general business. This raises the question: how much further will the capacity of the opposition to argue a case in this place be eroded?

I am not impressed with the amendment; I am not impressed with the approach the Leader of the Government has taken; and I reiterate that we are seeing a progressive diminution in the capacity of this Parliament to materially argue a case in respect of any proposition put forward by the government for scrutiny. This does not just apply in a narrow sense to the argument about general business. The introduction of time limits has significantly changed the way the house does business and the way Parliament operates today, with the exercising of gags and guillotines on a regular basis. It has changed forever the capacity of members of the opposition party to do what the people of Victoria expect them to do, and that is to hold the executive government to account on a regular basis in respect of any proposition before Parliament.

I remind the house that there was no embarrassment or shame on the part of members of the then opposition, at least one of whom is a minister in this place, in the early 90s when there were legislative changes before the Parliament which were controversial, to say the least, and certain members of the then opposition, now the government, made a feast of ensuring that the issues they believed needed critical examination were brought out. We had hours and hours of debate and hours and

hours in committee, and at no time — while severely provoked, I might say — notwithstanding that the executive had at that time 30 of the 44 members — —

Mr Lenders — It was 34. No, 30.

Hon. PHILIP DAVIS — In the first Kennett government there were 30. The government of the day respected the Parliament for what it is. It is not the executive's plaything, it is the people's place. It is the place where the people have their views aired; they have arguments expressed on their behalf. It seems to me that the government today simply sees the Parliament as an electoral college, and it is quite clear that the government does not care a jot about what the Parliament does. It ignores all the protocols and propriety and indeed, may I say, all the respect that members of this place over nearly 150 years have regarded as being important to ensure that people are properly represented during important public policy debates.

Having said that, I believe it would be a waste of time to say a great deal more, because the executive is simply not interested in what the opposition has to say about anything. For the record I note that so far we have been unsuccessful in this place in persuading the government to adopt any amendment the opposition has put forward in this Parliament. Were it the case that the executive had any regard for the opposition and the parliamentary process, then that would not be as evident as it is now.

The challenge for the government over the next 20 months before the election is to demonstrate that it has some regard for the Parliament, and all I can see on the horizon with the government's agenda and the foreshadowed reference to sessional and standing orders to the Standing Orders Committee is that the government intends, before it loses control of this place, to enshrine a new set of standing orders that will be of advantage to the Labor Party. That is not in the interests of the community at all, and I am certainly opposed to these further modifications to sessional orders.

Hon. P. R. HALL (Gippsland) — Sessional orders, along with the standing orders of this house, are important documents. They establish the rules for the conduct of business through this chamber. Consequently they are important and should be of concern to all members of this chamber.

I note that the current sessional orders for 2004, which is the last reprint I have, were first adopted on 26 February 2003 when this, the 55th Parliament, assembled. We had extensive debate on the proposed sessional orders at that point and the National Party, as

it then was, joined with the opposition at that time in strenuous opposition to those sessional orders, particularly on several aspects of them.

First of all the requirement to establish a government business program was, we thought, an unnecessary step and would restrict the way business was dealt with in this house. We still hold that view today. Moreover, one of the most objectionable components of the sessional orders was the restrictions they placed on members of Parliament to raise matters on behalf of their constituencies. Again, we are still very firmly of that view today. I say again that our opportunities have now been severely restricted, not just in the length of time one can speak on a matter, but also in the number of opportunities we have to raise issues.

We in The Nationals frequently raised issues on behalf of our constituents — for example, every night in the adjournment debate. Now we are restricted to one occasion per week. It is the same with members statements: we are now limited to just one occasion per week. That is an unhealthy development. However, we had that debate on sessional orders on 26 February 2003 and our views were put then. Since that time we have come to accept that we need sessional orders. We accept that the government has the numbers and we have not as a matter of course objected every week when the government business program was put.

Today we have some amendments to those sessional orders and The Nationals are not going to oppose them, because despite the fact that we do not agree with the entirety of the sessional orders, we believe that the amendments before us today will at least in small part better the opportunities for members of The Nationals to speak in the Parliament.

Before commenting on the specific aspects of that I want to respond to some of the comments of the Leader of the Government about the report of the Constitution Commission Victoria, *A House for Our Future*, having some guiding principles for the development of these sessional orders. First of all I agree with the comment made by the Leader of the Opposition that the government is very selective in its use of the recommendations of that report, so that it is hypocritical to suggest that that is the pure guiding light towards the development of these sessional orders. I also make the comment that I do not believe *A House for Our Future* is a credible document in terms of reflecting the views of the people of Victoria, because there was very little interest in the constitution commission when it was formed. I would say that very few people in Victoria had any real interest in that document, so I do not think

the final report is reflective of the general view of Victorians.

I repeat to the house what I have said before about my attendance at the constitution commission hearing that was held in Bairnsdale during the development of that report. I was one of seven who bothered to go to meet with the constitution commission, so I can certainly say with some experience that it would be stretching the point to say that the report produced by the commission reflects the view of Victorians. I think very few people indeed had input into that report.

There is some logic and sense in adding some stability to the sessional orders under which this chamber operates, but what we are seeing here now is the third amendment. They were first adopted on 26 February 2003, amended on 31 March 2004, and now on 22 March 2005 we are amending them again, so it has become almost an annual event to look at these sessional orders. It would help if we had some stability, but then again we in The Nationals are saying that if those amendments would improve the efficiency of the transaction of business through this chamber, then we are certainly prepared to have a look at them and judge each on its merits.

I will now turn to the specifics. The Leader of the Government has moved a number of amendments to these sessional orders. The first relates to the days and hours of meeting. It is a simple, almost housekeeping amendment that means that instead of the Leader of the Government or a minister moving the motion for the time and sittings for the next session just prior to the adjournment on the final day of sitting for the week, that motion can be moved earlier in the day. I think that is a sensible provision and, as I said, it is of a housekeeping nature.

The second item, general business, is of a more substantial nature and is certainly of interest to us in The Nationals. It addresses the absurd situation that developed in some weeks, where we had members speaking for the sake of speaking. One of the reasons for that was the order in which the President decided people would be called. Under that order the second speaker from The Nationals is called at number 14. We had to allow 13 speakers to go ahead of us before our second speaker had the opportunity to speak on the matter. That meant that when there was a limited amount of time, like the 3 hours of general business on Wednesday morning, while our first speaker had the opportunity to speak for the 45 minutes allocated to us, our second speaker just did not get a run without an agreement between the government and the opposition. We think it would be far better practice — a more

efficient and better use of this house's time — to allow more people to speak, but only to say what they need to say rather than filibustering for a greater length of time than they actually need. There were times when there was no agreement between the three parties on flexibility in the order of speaking, and consequently there were two or three occasions when the lead speaker for The Nationals spoke out the allocated 45 minutes purely because there was not the opportunity to allow a second speaker to speak.

I note the comments of the Leader of the Opposition in respect of this. He based his argument on the proportionate numbers of members in this chamber, and suggested that the 45 minutes allocated to The Nationals is disproportionate to the numbers it has in this chamber and therefore is unfair on his members. In response to that I say this: there are three properly constituted, recognised political parties in this chamber. Consequently when we have business other than government business I think it is appropriate that the time be shared between the three parties. You can talk about numbers or you can talk about parties or numbers within those parties, but I think it is appropriate in this part of proceedings that we apportion time in terms of the number of properly constituted parties we have in this chamber. However, if we want to go to the Leader of the Opposition's call for apportioning time according to the numbers, I would add that the numbers of non-government members are 15 and 4. For the sake of convenience the Nationals have generously conceded that we are prepared to simplify that ratio to a 4-to-1 apportioning of questions, statements, adjournment matters and other items where we have the opportunity to speak in this house.

The opposition has five questions in this house each day, therefore The Nationals should take one of those. If we were particularly dogmatic on that, we might put the reasonable argument that it should be in the ratio of 15 to 4, which would give us an extra question every second or third week in place of the Liberal Party, but we are not proposing that. We are prepared to be reasonable in our approach. It is close enough to the ratio. Rather than have a different number of questions being asked by the different opposition parties each week, let us keep it simple and stick to the ratio of 4 to 1.

We are prepared to give a bit, and I say to the Liberal Party: be prepared to also give a bit on this issue of speaking in general business on Wednesday morning. We do not ask for a lot. We are asking that this be fairly assessed and apportioned on the number of parties in this chamber rather than the number of members in each of those parties.

This amendment to the general business provisions of the sessional orders, listed as amendment 2, is sensible and fair. It will allow better use of the time in this chamber, and it will certainly allow more members to speak and to have confidence that they will have that opportunity. I think it will work for the government, the Liberal Party and The Nationals as well. Rather than just having three lead speakers speaking for 70, 60 and 45 minutes, we will all be secure in the knowledge that our party will have the 70, 60 or 45 minutes to be divided up between however many members of that party wish to speak on the matter. I think it will be a fairer rule for all parties.

The third amendment concerns statements on reports and papers. It simply eliminates the need for the President to put the question that the house consider reports and papers. There is no need for the President to put that question, so the third amendment simply eliminates that requirement.

The fourth amendment relates to the extension of the government business program. It will simply mean that messages from the Legislative Assembly will be able to be taken after 4.30 p.m. Again this seems a very sensible suggestion that will eliminate the requirement to have business interrupted at 4.28 p.m. each Thursday afternoon.

Finally, the fifth amendment relates to time limits. Notwithstanding some of our objections to the establishment of time limits, this particular amendment talks about procedural motions, which means that of the 30 minutes allowed for procedural motions to be debated there will be 2 minutes dedicated to the right of reply for the mover of that motion. Again that is a sensible measure.

The Nationals see these amendments to the sessional orders as being an improvement, particularly one aspect of them, and that is why we are prepared to indicate our support to them this afternoon.

Mr VINEY (Chelsea) — I speak in support of the amendments to the sessional orders. I do so in particular in relation to the second matter concerning general business as someone who has tended to be involved in a number of general business debates in this chamber.

I pick up on the point that Mr Hall was just making that one of the frustrations in the general business debate has been that members, and The Nationals or government members, in particular, have often been required to speak for their full allocated time of either 60 minutes or 45 minutes to ensure that the views of either the government or The Nationals have been fully debated — that because of the structure of the debate

often they cannot sit down at some reasonable point after having made their contribution to allow another member from their own party, or in our case from the government, to contribute to the debate. It seems to me that the way the debate has often gone in this chamber has not followed the normal rules of debate where one person speaks in favour of the motion and another against, and it then goes backwards and forwards across the chamber.

I had a number of discussions with Mr Hall and other members of The Nationals in relation to this and consequently had further discussions with the Leader of the Government to seek amendments to sessional orders in relation to general business matters in particular. I am pleased to see the result of those discussions is now coming forward in the form of these amendments.

I have to take up some of the issues raised by Mr Philip Davis earlier in this debate who, as has become a normal occurrence in this house, has chosen to criticise the government's reforms to this chamber. At every opportunity he and members of the opposition have opposed reforms to this chamber — it has been happening for decades — and that continued with their opposition to the reforms of the election processes and structures of the house itself.

This house is an important part of our system of parliamentary democracy. I believe it has a significant role as a house of review, and the changes the government has been putting in place are to try to bring that forward. I believe in the 56th Parliament there will be a very different approach to debate and the consideration of legislation in this chamber because of the changes that we put in place to make the chamber more accountable by having elections for all of its members each election and through the proportional representation method of election giving better and fairer representation. It is important that we start to accept the responsibility we have and put in place changes that will help the 56th Parliament in our important role as a house of review. The government is committed to that.

Mr Philip Davis complained about the government having a majority. It is true that the government has a majority in this chamber for the first time in its history, apart from a very few short weeks in the 1980s. We now have a majority in this chamber and have used that majority to put in place proper democratic reforms of this house. Everyone on this side of the house is very proud of that achievement. The government has introduced new elements to the sessional orders in the past and we now propose further changes to ensure

there is a smoother running of this house, and that in relation to the general business program there is a fairer debate process.

I have to take up my concern with Mr Philip Davis's criticisms of the proposed legislation. I understand he has been briefed on the operation and management of the Parliament. He was thundering loud and vociferously about this, but all of the changes in the proposed legislation are about streamlining the management and administration side of the operation of the Parliament. There is virtually no impact on members in this place, so it is not correct and is an over-the-top reaction to suggest that the legislation that will be introduced in this house, presumably in a few weeks time, will somehow be restrictive of members' rights. One would have to say that the modern management of parliamentary administration is important. There needs to be continuous change, and the changes will be a streamlining of the act.

Hon. G. K. Rich-Phillips — Why?

Mr VINEY — Mr Rich-Phillips asks why. He obviously does not understand business. Every business needs to continuously improve, upgrade and modernise, and that includes the Parliament. Because things have been done a certain way for the last 100 years does not make that the right way to do them. It is important that we are open to looking at new ways of managing the parliamentary processes.

I also remind Mr Philip Davis that if he wishes to object to provisions in the proposed legislation he has had not only the opportunity of having been consulted at this stage but also he has the opportunity of participating in a debate in this house on the legislation itself.

I wish to commend the Leader of the Government for the work he has done with these sessional orders in modernising the operation of this chamber, at the same time as paying appropriate respect to the parliamentary processes and the important requirement for debate and accountability of the executive.

I am very pleased to stand in support of these amendments to the sessional orders proposed today.

Hon. BILL FORWOOD (Templestowe) — I was just having a discussion with the Leader of the Government about this particular amendment to the sessional orders because the way I interpret it, I think it will not work.

An honourable member interjected.

Hon. BILL FORWOOD — It is no.2:

Of the time allocated for consideration of a general business matter ...

- (a) not more than 70 minutes will be available to the party of the mover of the motion ...

So when they get to the end of 70 minutes, it is not possible for them to do anything else. Once 70 minutes is up, 70 minutes is up. But if you turn to paragraph (c), you find it says:

Not less than 5 minutes must be given to the mover of the motion to exercise his or her right of reply.

Mr Viney interjected.

Hon. BILL FORWOOD — So they cannot speak for more than 65 minutes. Thank you, Mr Viney. In other words, instead of having 3 hours for general business on a Wednesday morning, Mr Viney has just admitted we are going to get 2 hours and 55 minutes — another example of the government coming in here, hamfistedly cocking up its amendment and taking 5 minutes off general business. Not very smart; not very smart at all.

This is what happens when you try to codify the rules of this place. In the time that I have been in here — and Mr Viney is a relative newcomer and brings with him from the other place the codification that occurs in the other place — what we have had recently is codification after codification in an attempt to correct the inability of the government to get it right the first time. So we as a matter of principle are opposed to further codification of — —

Mr Lenders interjected.

Hon. BILL FORWOOD — Very good sessional orders, very good reforms — thank you, Mr Lenders — some of which I note also, despite the assertions of Mr Viney, have been kept in some form or other by the government, which obviously means that they thought they were good reforms. But we are opposed to the codification, and in particular I must say that I found the arguments of my friends from The Nationals in a word specious. But I want to make it very clear that this house has always operated better when we have come to arrangements.

Mr Viney — Rubbish!

Hon. BILL FORWOOD — It always has. I could, if I wanted to, point out numerous occasions in the last 18 months or so where, despite the dreaded efforts of the government to codify and organise and fix the way this house operates, it has had to resort to discussion

and agreement — the normal way of doing things. So my view remains as it always has been — this house operates miles better when we get around and discuss it. For that and other reasons we will be opposing the amendments to sessional orders in front of us. I think it is very disappointing that the government has decided that it will take 5 minutes off a 3-hour debate, and as Mr Viney says, limit us to 2 hours and 55 minutes.

Ms ROMANES (Melbourne) — I am pleased to have the opportunity to speak on the amendments to sessional orders put forward by the Leader of the Government today. I would like to echo Mr Hall's point that the standing orders and the sessional orders are very important documents. They are the silent partners of this chamber. They underpin and guide the effective conduct of the business of this house day by day.

I came to understand that better during the 54th Parliament when, with other members of this house and representatives of all parties, I was a member of the Standing Orders Committee of this house. During the 54th Parliament the Standing Orders Committee of the Legislative Council conducted a major review of the standing orders — the first major review since 1924 — in which the committee undertook considerable work to modernise the standing orders to make sure that the standing orders we are using today are in plain English and are gender free in expression. Most importantly the work the Standing Orders Committee did was to look also at the sessional orders and to incorporate into the standing orders — that is, the underlying code of rules of this house — those sessional orders which had stood the test of time and had become the accepted and widespread practice of this house. In other words, it was commonsense to incorporate those sessional orders into the standing orders of the house.

It also became very clear that the sessional orders have a different role to play than the standing orders. They fill out in detail the way business is conducted in the house, and they may change over time more frequently than the standing orders in an attempt to be responsive to the times and the needs of the Parliament. I remind the opposition, and Mr Davis and Mr Forwood in particular, that during the 54th Parliament the opposition, which had a majority at that time, introduced in a most arbitrary manner new sessional orders for this house which were modelled on many of the rules of the Senate. That was done without reference to or consultation with the government of the day in this house. It was a most reprehensible and discourteous act on the part of the opposition.

Despite what Mr Philip Davis has said today, the Liberal opposition in the 54th Parliament put forward those rules and introduced changes such as supplementary questions, taking note of reports and taking note of questions, and did that in response to what was happening obviously in the community. It was in response to the work of the Constitution Commission Victoria and the growing interest and pressure in the general public for this house to demonstrate that it was able to be more accountable and to move towards being more a house of review. That was the opposition's response to some of the general opinion and changes in political climate at the time. Some of those changes introduced by the opposition in the last Parliament have also stood the test of time, even though there have been changes in the majority in this house. The government now has the majority, but it has chosen to keep many of the sessional orders introduced by the previous opposition.

This is an important opportunity, through amendments to the sessional orders, to continue to facilitate the business of the house and the smooth running of the business of the house by making refinements and improvements.

In earlier conversation with Mr Hall he foreshadowed an amendment that may need to be made to the sessional orders to provide for the opportunity for members to speak for 5 minutes and take note of reports that are received out of session and then tabled in the house by the Clerk, as happened today. Under the current sessional orders it was not possible for members to get to their feet today and take note of the report on the suitability of pre-service teacher training in Victoria because of the method by which it was tabled. So there is an obvious change for consideration in the future as far as sessional orders are concerned.

As I said when I started my remarks, the sessional orders are critical to the smooth running of the house. They should not ossify. They are not set in stone and can be amended, as we are considering today, to bring sensible clarifications of and improvements to the way we conduct business in this house. That is my understanding of the various changes that have been put forward by the Leader of the Government, and I commend the amendment to members of the house.

Mr LENDERS (Minister for Finance) — I would like to thank the speakers who have participated in the debate on the sessional orders motion. In reply I would like to pick up two or three things. Firstly, the Leader of the Opposition made comments about the government treating this Parliament and this house like an electoral college. I know part of that was said in the flurry and

excitement of debate, but I would certainly remind the house of our commitment to the expansion of the joint committees process, this government's commitment that every minister attend a meeting of the Public Accounts and Estimates Committee — which is something new; it was not there with the previous government — and also of this government's commitment to carry out what are best called the Coghill reforms from the Legislative Assembly.

That is very much the same process Ms Romanes referred to with the Standing Orders Committee of the Legislative Council, the difference being that the Council adopted its standing orders. The then Kirner government did not adopt the Coghill committee reforms, but many of them have been introduced into the Assembly by Minister Batchelor, and I might say that a lot of them were introduced into the Council by our good friend Mr Forwood, with a- sessional orders motion in the last Parliament for things like 90-second statements and those types of things to empower members to contribute more. I think the electoral college one was probably made in the flurry of debate, but I do take a bit of exception to it.

I should also put on the record my tongue-in-cheek comments about the report of the Constitution Commission Victoria on ministers. The government has had a very considered policy consideration of that. It is committed to seeing how this chamber operates in the first Parliament after proportional representation, and then it will have a considered view on the position as to how it will work to have ministers or not in this place. So I would say I was provoked before with my tongue-in-cheek comment, which was picked up as an interjection.

The final thing I will say is in serious response to Mr Forwood's anxieties about codification. We need to say what codification is. In this place we have standing orders. If you take to the logical extension Mr Forwood's comments about not codifying things, we might as well throw out the whole rule book — throw out the act, throw out the standing orders and have everything done by agreement. I guess the debate is about how much needs to be codified and how much needs to be done by agreement, rather than whether or not we have codification. Codification is not always a bad thing. It is not that I am a great fan of Sir Henry Bolte, but in 1958 he codified every act of the Victorian Parliament. It happens from time to time; it is useful to do it.

With those brief remarks I urge support for the amendments to the sessional orders as a timely

modification of a good set of sessional orders and wish them a speedy passage.

House divided on motion:

Ayes, 28

Argondizzo, Ms	Lenders, Mr
Baxter, Mr	McQuilten, Mr
Bishop, Mr (<i>Teller</i>)	Madden, Mr
Broad, Ms	Mikakos, Ms
Buckingham, Ms (<i>Teller</i>)	Mitchell, Mr
Carbines, Ms	Nguyen, Mr
Darveniza, Ms	Pullen, Mr
Drum, Mr	Romanes, Ms
Eren, Mr	Scheffer, Mr
Hadden, Ms	Smith, Mr
Hall, Mr	Somyurek, Mr
Hilton, Mr	Theophanous, Mr
Hirsh, Ms	Thomson, Ms
Jennings, Mr	Viney, Mr

Noes, 15

Atkinson, Mr	Koch, Mr (<i>Teller</i>)
Bowden, Mr	Lovell, Ms (<i>Teller</i>)
Brideson, Mr	Olexander, Mr
Coote, Mrs	Rich-Phillips, Mr
Dalla-Riva, Mr	Stoney, Mr
Davis, Mr D. McL.	Strong, Mr
Davis, Mr P. R.	Vogels, Mr
Forwood, Mr	

Motion agreed to.

PERSONAL EXPLANATION

Mr LENDERS (Minister for Finance) — I seek leave to make a personal explanation. In question time Mr Forwood asked me when the dangerous goods regulations would be issued, and I informed him and the house that they would go to Executive Council next Tuesday. That is not correct. They will go out for community consultation next week and come to the Executive Council at a later date after that consultation.

WATER EFFICIENCY LABELLING AND STANDARDS BILL

Second reading

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

That, pursuant to sessional order 34, the second-reading speech be incorporated into *Hansard*.

I wish to draw the attention of members of the house to the Water Efficiency Labelling and Standards Bill and two sets of minor technical amendments which were made to the bill in the Legislative Assembly. As the

amendments were not substantial in nature the second-reading speech tabled in the Legislative Council does not vary from that given in the Legislative Assembly.

The speech mentions that the bill forms part of a national scheme with a central commonwealth act. The Victorian bill has been developed as a model for other states and territories through an intergovernmental working group and therefore any changes to the commonwealth legislation require complementary changes to the Victorian bill. Minor technical amendments were made to the commonwealth bill after the Victorian bill was introduced in spring 2004 and prior to reintroduction of the commonwealth bill following the federal election last year. The commonwealth act was passed in the Senate on 9 February.

The second-reading speech also flags that an intergovernmental agreement has been prepared to provide for cooperative oversight of the scheme, and that the legislation and agreement provide for cost recovery for the national water efficiency labelling and standards scheme, also known as the WELS scheme.

The amendments agreed to in the Legislative Assembly for the Victorian bill correspond to the minor technical changes made to the commonwealth bill with the exception of a minor change to clause 65, which better reflects financial arrangements to be set out in the intergovernmental agreement to follow. Another set of amendments made in the Assembly concern penalty provisions for offences throughout the bill. Penalties for offences in the bill as introduced into the Assembly were expressed in dollar terms and during the development of the bill this approach was adopted because it was consistent with the approach previously taken for other national schemes of legislation. The amendments propose the alternative approach of defining the term ‘penalty unit’ to have the same meaning as in the commonwealth WELS act. This link would have the effect that the Victorian legislation would never have to be amended in order to keep pace with changes to the value of a commonwealth penalty unit.

Furthermore, as the Victorian bill forms a model for corresponding bills in all other states and territories, this amendment has the effect of locking in national consistency and penalties, which is desirable from the point of view of both industry and administrators of the legislation. Well done everybody!

Motion agreed to.

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

That the bill be now read a second time.

Incorporated speech as follows:

I am very pleased to introduce the Water Efficiency Labelling and Standards Bill into the House today. This bill is an important part of the government's policy for sustainable urban water management, which was created in the white paper, *Our Water Our Future — Securing Our Water Future Together*, published in June 2004.

The Victorian public has responded well to water restrictions in recent years and is more aware about the need to conserve water, but we need to continue to get smarter about how water is used in our cities and towns. While the demand for urban water continues to grow, particularly as the population grows, our ability to divert water from our rivers and aquifers is limited.

Our Water Our Future sets out a range of policy tools to help Victoria achieve sustainable urban water management. These tools include public education, incentives, regulation, planning provisions, technical change, pricing and investments.

The sustainable urban water management policy framework of the white paper is now being implemented. A new tiered pricing system has been introduced for Melbourne to reward water savers and help us to conserve our drinking water supplies, with measures to protect lower income households. The very successful Water Smart Home and Gardens Rebate program has been extended with \$2 million to not-for-profit organisations. A new town, Eynesbury, has been announced as Victoria's first town to be fully connected to recycled water. A \$126 million upgrade of the western treatment plant has been announced as part of the Werribee Vision plan. Public consultation has been conducted on proposed permanent water measures, to be announced later this year. Three million five hundred thousand dollars has been allocated to grants for Smart Water saving initiatives, which will save 1700 million litres of water each year. A \$10 million Stormwater Conservation Fund has been recently launched to develop infrastructure and projects to collect, store and clean stormwater as an alternative water resource.

To change water consumption behaviour it is important that water users are aware of how much water their household appliances use, and it is important that those appliances use water efficiently.

As outlined in *Our Water Our Future*, Victoria, in partnership with the commonwealth and other state and territory governments, is developing national mandatory water efficiency labelling for appliances, fixtures and fittings. The white paper stated the government's commitment to introduce legislation to implement the national scheme in Victoria by Autumn 2005.

This action in the white paper reflected the agreement of the environment and heritage ministers of the commonwealth, state and territory governments on 2 October 2003 to implement a national mandatory water efficiency labelling scheme.

The purpose of the Water Efficiency Labelling and Standards Bill 2004 is to provide for water efficiency labelling and for the setting of water efficiency standards.

The bill is intended to form part of a nationally consistent suite of legislation referred to as the Water Efficiency Labelling and Standards Scheme, with a central commonwealth act and mirror state and territory legislation. The Victorian bill is intended to be the model on which other states and territories will base their legislation.

The bill and the scheme aim to conserve water supplies by reducing water consumption, provide information for purchasers of water-use products and promote the adoption of efficient and effective water-use technologies.

The scope of the scheme includes mandatory labelling for shower heads, washing machines, dishwashers and toilets.

The scheme provides for voluntary labelling for taps, urinals and flow regulators.

Importantly, the scheme provides for a minimum efficiency standard for toilets and the capacity to extend the scope of minimum efficiency standards over time if this is justified.

The scheme will include the capacity to incorporate additional products into the scheme over time, subject to satisfactory cost-benefit analysis in respect of those products.

The scheme replaces the voluntary water labelling scheme which has been managed by the Water Services Association of Australia. The voluntary scheme has had limited success precisely because it is voluntary — suppliers have chosen whether to label, and those that have, only label their better performing products. The new, mandatory scheme is drawing upon the experience of the mandatory energy efficiency labelling system in place across Australia, which has seen substantial energy efficiency improvements for household appliances.

Labels are expected to start to appear on fixtures and appliances in late 2005. The regulatory impact statement for the scheme predicted that once the scheme was in place, 4400 megalitres of water per year will be conserved in Victoria by 2011. By the year 2021 this is predicted to rise to 20 300 megalitres of water per year, or a reduction in total household water use of about 5 per cent. The scheme also has the potential to lead to greater savings if the minimum standards are applied to more products over time.

The scheme is therefore an important element of the government's policy framework to move towards sustainable urban water management.

By purchasing water efficient appliances, people will save water and will also generally save energy, mainly because appliances that use hot water will use less of it. By simply choosing more efficient appliances, by 2021 the Australian community stands to save more than \$600 million through reduced water and energy bills.

The scheme will also help to reduce greenhouse gas emissions. By 2020 the amount of energy saved each year will be the equivalent of taking around 150 000 cars off Australia's roads.

Nearly 50 per cent of the water savings will come from clothes washing machines, about 25 per cent from showers and 22 per cent from toilets.

The regulatory impact statement found that the costs of the scheme would be outweighed by benefits, including water and energy savings, from a resource management perspective and a retail perspective, in almost every possible scenario analysed.

As already mentioned, the Water Efficiency Labelling and Standards Scheme is to be a nationally consistent and cooperative scheme.

Because Victoria is prevented from having higher product efficiency standards than other states (by the commonwealth's Mutual Recognition Act 1992), national legislation is indicated. Due to limitations on commonwealth constitutional powers, state and territory legislation is needed to complement the bill being prepared by the commonwealth.

The scheme has been designed to be consistent and complementary, with a central commonwealth act and mirror state and territory legislation. Any changes to the commonwealth legislation may therefore require complementary changes to the Victorian legislation to ensure national consistency is maintained.

An intergovernmental agreement is being drafted to provide for cooperative oversight of the scheme. The intergovernmental agreement will establish a committee comprising representatives of the commonwealth, states and territories for this purpose.

The commonwealth will provide the funds required for the establishment and operation of the regulatory system under the scheme until 30 June 2005 or the commencement of the scheme, whichever is the earlier. The legislation provides for cost recovery through the charging of application and licence fees, to the extent consistent with commonwealth policy on cost recovery. The parties to the intergovernmental agreement will provide any other funds required for the ongoing operation of the regulatory system under the scheme from 1 July 2005 in accordance with the usual environment protection and heritage council formula — namely, 50 per cent commonwealth funds and 50 per cent from the states and territories on a pro rata population basis. This is estimated to be around \$200 000 per annum for Victoria.

Once the scheme is in operation, the commonwealth minister, acting on a majority vote of relevant state ministers, will determine the water efficiency standards. In most cases this is envisaged to be Australian and New Zealand Standard AS/NZS 6400, 'Water efficient products — rating and labelling', as currently being revised, subject to the revision meeting the needs of the regulation.

The standards will specify which products must be registered and labelled (initially shower heads, washing machines, dishwashers and toilets) and which products may voluntarily be registered and labelled.

As set out in the bill, manufacturers of affected products are to apply to the regulator (the Secretary of the Commonwealth Department of the Environment and Heritage) for registration. The application must include proof that the product meets the standard and a sample label showing the water efficiency rating (in accordance with the standard) to be displayed whenever the product is supplied.

In the case of products for which registration is mandatory, as well as products that are registered voluntarily, it will be an offence to supply the product without the correct label being displayed on it.

The regulator will process registration applications and coordinate compliance programs, including targeted and random check testing to ensure products on shop floors meet the claims on their labels and targeted and random inspection of retail stores to ensure products are appropriately labelled.

It is anticipated the regulator may enter into fee-for-service arrangements with state agencies, such as the Victorian Office of the Chief Electrical Inspector, to assist with check testing and retail inspections.

The Water Efficiency Labelling and Standards Scheme will encourage the uptake of water efficient products and appliances in domestic and commercial areas while maintaining individual choice and stimulating design of more water-efficient products. The scheme has been designed by the Victorian government with the commonwealth and other state and territory governments as a key initiative to address the issue of high domestic water consumption, by providing nationally consistent water efficiency information to consumers at point of purchase, and allowing for introduction of minimum efficiency standards over time.

This bill is a major step in the establishment of the national water efficiency labelling and standards scheme and as the model for other state and territory legislation demonstrates Victoria's leadership in moving towards sustainable urban water management.

I commend the bill to the house.

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

Debate adjourned until next day.

RETIREMENT VILLAGES (AMENDMENT) BILL

Second reading

Ordered that second-reading speech be incorporated on motion of Hon. M. R. THOMSON (Minister for Consumer Affairs).

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I move:

That the bill be now read a second time.

Incorporated speech as follows:

The Retirement Villages Act 1986 was introduced to clarify and protect the rights of people living in, or intending to live in, retirement villages.

Since the act commenced in 1986, the retirement village industry has experienced growth and change as the ageing population has increased. This environment has created the need to ensure that the government has an efficient and

effective regulatory scheme that remains relevant today and provides adequate consumer protection for residents while contributing to the continuing viability of the industry.

Over the past two years an extensive review of the current scheme has been undertaken. A discussion paper was developed and a series of round table discussions were held to identify relevant and emerging issues in the evolving market.

The member for Mount Waverley, Maxine Morand, has undertaken a key role in the review and has met with major stakeholders such as the Council on the Ageing, the Victorian Association of Health and Extended Care, the Retirement Village Association, individual retirement village operators and, perhaps most importantly, residents.

There are clearly a number of highly professional operators in the retirement village industry and many well-satisfied residents. However, the review has identified a number of issues relating to an imbalance of information and power between residents and operators of retirement villages which need to be addressed to ensure that minimum standards in the industry remain acceptable into the future.

The bill will address these matters in a fair and balanced way. The amendments centre on:

- regulation of contract terms;
- clearer rules around exit arrangements, including ongoing charging of fees, resale of units, and payment of exit entitlements;
- limitations on operators with regard to making decisions on behalf of individual residents; and
- improved dispute resolution.

The bill also responds to concerns raised by retirement village operators in relation to administrative overlaps between the commonwealth and Victorian legislation and makes other administrative improvements to the operation of the act.

Concern over retirement village contracts featured strongly in submissions to the review. Many residents submitted that the contracts were complex and difficult to understand, even for their solicitors. Formulas for calculation of fees were not presented in a way allowing easy conversion to dollar amounts. Some residents advised that it was not until some years after signing that they realised the full extent of the deferred management fee and its impact on the capital growth of their original investment. The parties may also have quite different ideas about how the arrangement will operate in practice over the period the resident lives in the village.

The amendments require that future retirement village residence contracts set out their terms as prescribed in regulations. The regulations will be developed in consultation with the retirement village industry and other key stakeholders. The regulations establishing prescribed terms of contracts will not affect contracts entered into before the new regulations come into effect.

Current contracts often reserve exclusive selling rights of a village unit for the operator. This means that residents do not have the same rights as other property owners. The bill prevents an operator from requiring a resident to grant any rights of sale to the operator. An operator will also commit an offence if he or she interferes with a sale by an external agent.

Similar provisions are already operating in New South Wales. Like New South Wales we are also providing that the resident has the right to set the selling price when using an external agent. Of course, it will remain open to residents to choose the operator as the selling agent, and many will continue to do so. But they will have the choice, and from the moment they decide to sell, not just if the operator has failed to sell the unit after six months or some other arbitrary period.

The bill will ensure that a resident's obligation to make payments in connection with personal services such as cleaning, laundry or meals ceases no later than 28 days after the resident exits the village. Also, the bill will limit a resident's obligations to pay for general services such as the upkeep of common facilities to six months after exiting the village, unless the resident is the owner of the unit. Any payment due to a departing resident will be required to be paid within a statutory period — generally 14 days from resale of the unit or the right to reside in the unit.

Without adequate and accessible means to enforce them, residents' contractual and statutory rights are significantly weakened in practice, especially given the vulnerability of many retirement village residents compared with the community generally.

The bill repeals the statutory provision for the use of arbitrators and prohibits mandatory arbitration clauses in contracts. This will remove any doubt that the powers of the director of Consumer Affairs Victoria and the Victorian Civil and Administrative Tribunal under the Fair Trading Act 1999 to resolve contractual disputes apply in the retirement village context. In turn, this will ensure that resolution of disputes unable to be resolved at village level is accessible and independent.

Building on a very positive existing initiative of the Retirement Village Association, the bill also requires an operator of a village to establish an internal procedure regarding disputes between residents and complaints by residents concerning the operator. Residents are to be informed of this procedure, and an operator will be required to maintain records of matters brought for resolution and report to the residents annual meeting on changes to address any deficiencies in the operation of the village demonstrated by complaints or disputes.

There is potential for any power of attorney or proxy conferred on an operator by a resident to be abused. For example, operators could use proxies obtained from residents to achieve a special resolution under the act to impose a special levy on residents or increase maintenance charges by more than the CPI. Retirement village residents may be particularly vulnerable to those who might seek to take advantage of them.

Accordingly, the bill prohibits an operator from either seeking or accepting a proxy or a power of attorney from a resident other than a relative of the operator. In response to submissions suggesting that powers of attorney may be benign in some very limited circumstances, there will be capacity to prescribe exceptions to the prohibition on the powers of attorney. The bill provides for operators to notify the director of Consumer Affairs Victoria of certain details for the purposes of establishment of a public register of retirement villages, dissemination of information to operators and the gathering of industry data.

To enable Consumer Affairs Victoria to enforce the act, the bill will incorporate the inspection powers in the Fair Trading Act 1999.

To avoid regulatory overlap and simplify compliance, the bill excludes aged care facilities covered by the commonwealth Aged Care Act 1997. However, it will operate in such a way that facilities with any current residents who do not have the protection of that act remain subject to the Retirement Villages Act until all its residents do come within the coverage of the commonwealth act.

Provision has also been made for the director of Consumer Affairs Victoria to approve an application for the lifting of the retirement village notice and extinguishment of the charge on a part of the land that will no longer be used as a retirement village. The current 'all-or-nothing' system has complicated subdivision proposals.

The government is committed to ensuring that the regulatory environment remains conducive to a viable and ethical retirement village industry, catering responsively and responsibly for a properly informed client group. The bill achieves this purpose.

This bill ensures that older Victorians who may want to choose a retirement village as an option for accommodation are provided with improved information that will allow them to make an informed decision in an increasingly diverse market. The bill will also provide a clearer framework for the operation of existing contracts and improved mechanisms for the resolution of disputes that may arise.

I commend the bill to the house.

**Debate adjourned on motion of
Hon. W. A. LOVELL (North Eastern).**

Debate adjourned until next day.

CORRECTIONS (TRANSITION CENTRES AND CUSTODIAL COMMUNITY PERMITS) BILL

Second reading

Ordered that second-reading speech be incorporated for Hon. T. C. THEOPHANOUS (Minister for Energy Industries and Resources) on motion of Mr Lenders.

Mr LENDERS (Minister for Finance) — I move:

That the bill be now read a second time.

Incorporated speech as follows:

This bill has two purposes.

Firstly, it amends the Corrections Act 1986 (the act) to give legislative recognition to a new correctional facility to be called a transition centre. The transition centre provisions will be the legislative framework used to support the establishment and operation of a 25-bed male community transitional unit (CTU) in West Melbourne.

Secondly, the bill revamps the legislation relating to the custodial community permit program. The legislative recommendations of the ministerial review into the custodial community permit program (the ministerial review) headed by the former Chief Commissioner of Police, Mr Neil Comrie, will be implemented and several additional amendments to enhance the operation of the custodial community permit program will be made. Pertinently, the amendments will differentiate between the three types of permits a prisoner may receive and the rules relating to each of those permits, and by doing so will:

improve the custodial community permit program (the program); and

enhance community understanding of the program.

Transition centres

In pursuance of the government's reducing offending and reoffending strategy, the government allocated funding for three 20-bed CTUs. The CTUs were to be supported residential-style facilities that would fill the gap that currently exists between open camp prisons and release into the community.

Residential transition services units or prerelease centres, similar to the proposed Victorian CTU, have operated successfully interstate since early 1980, and internationally since early 1970. These precedents show that the provision of employment, accommodation and life skills programs to suitable targeted male prisoners in a supported residential-style accommodation can have a positive effect on reducing reoffending.

The funding was allocated at a time when the prisoner population was on a significant trend upwards. The total prisoner population had increased from 2467 on 30 June 1995 to 3153 by 20 June 2000, which represented an increase of 27.8 per cent. By 30 June 2001, the change from the prison population as at 30 June 1995 had further increased to 37.5 per cent. Reoffending rates were also of significant concern as recidivism rates were increasing.

However, the climate for corrections has changed since the CTU project was conceptualised. The corrections long-term management strategy (CLTMS) was funded after the CTU project and has proved to be successful. Without intervention, the prison population was projected to be 4056 by 30 June 2004. The actual population as at 30 June 2004 was 3583.

Also, in accordance with the plan to strengthen the capacity of community corrections to manage more difficult offenders, the indication is that low-risk minimum security offenders and prisoners are being diverted to community dispositions. Compared to 30 June 2001, an extra 1200 offenders are on community-based dispositions at present. The redevelopment of CCS, the implementation of the home detention program and the development of a range of transitional programs have resulted in community-based dispositions being an important and successful part of Corrections Victoria's reducing reoffending strategy.

In short, the CLTMS initiatives have impacted on the number of minimum-security, low-risk prisoners in custody. The result has been that there is not the demand for 60 CTU beds as originally projected. There is, however, still a service need for one 25-bed male CTU.

The construction of a CTU is still an important element in the government's strategy to reduce reoffending. The development of one male CTU of 25 beds in metropolitan Melbourne will add to the range of innovative programs being developed and managed by Corrections Victoria in furtherance of the government's reducing reoffending strategy.

An extensive site search and evaluation was undertaken jointly by Corrections Victoria and the Victorian Government Property Group. Over 30 properties were evaluated against criteria that included assessment of proximity to services and separation from residential areas and controversial amenities.

A site at Jeffcott Street, West Melbourne (adjacent to the Melbourne Assessment Centre) has now been selected as the site of the 25-bed male CTU and it is anticipated that the facility will be constructed by the end of the 2005–06 financial year.

The CTU will not be a mini-prison. The CTU will be a non-institutional correctional facility managed by Corrections Victoria that will provide safe and secure custody of its residents while promoting positive behaviour change and responsible, supported engagement in the community.

In recognition of the fact that the CTU will not be a mini-prison and to ensure that corrections authorities have appropriate powers with respect to the residents in the CTU, amendments to the Corrections Act 1986 are required to give legislative recognition to this new type of correctional facility.

Consistent with the current approach to legislatively recognising all correctional facilities in Victoria, the bill will allow for the Governor in Council to, by order, appoint any premises or place to be a transition centre. The order, once made, would need to be published in the *Government Gazette*.

The bill then provides that all references to prisons or a governor of a prison in any act, statutory instrument or other document will include a reference to transition centre or officer in charge of a transition centre, respectively. The effect is to give corrections authorities an appropriate suite of powers in which to manage the transition centre and its residents. For example:

the provisions relating to visiting prisons (including, visits by official visitors) will apply to the transition centres;

the prison-related offences (including the escape offences under sections 479B and 479C of the Crimes Act) will equally apply to transition centres;

the disciplinary procedure for prisoners will be applied to deal with residents at the transition centre;

the transition staff will have powers to issue directions, use force and conduct searches or drug and alcohol testing as required.

The result will be that there will be appropriate functions, powers and controls to ensure that the security and good order of the transition centre can be maintained and the safety and welfare of the prisoners and members of the public are not jeopardised.

The movement of prisoners to and from transition centres is also facilitated under this bill. In the same way that the Secretary to the Department of Justice (the secretary) may currently transfer prisoners between prisons or between prisons and police jails, the secretary will have power to transfer prisoners between prisons and transition centres. However, unlike the existing transfer provisions, the legislation will dictate that the secretary must, before transferring a prisoner to a transition centre, be satisfied that:

adequate consideration has been given to the security and good order of the transitional centre and the safety and welfare of the prisoner and members of the public;

the transfer is not to occur less than three months or more than 12 months before the prisoner's earliest release date; and

a transitional activity plan has been developed for the prisoner that identifies the prisoner's rehabilitation or reintegration needs.

The bill provides that, in considering the security and good order of the transitional centre and the safety and welfare of the prisoner and members of the public, the secretary must have regard to a range of factors, including the prisoner's risk of self-harm, offence history, history of violence and risk of escape.

Ultimately, the new transition centre provisions establish the basic framework for the establishment and operation of the CTU. The framework ensures that there are sufficient powers, functions and caveats in place to ensure that transition centres operate safely and securely and with full regard to the safety of the community.

Custodial community permit program

In 2001, the former Chief Commissioner of Police, Neil Comrie, was charged with reviewing the custodial community permit program (the program) with a view to recommending changes that will:

further enhance the program's role in rehabilitation and reintegration of prisoners;

while still ensuring community confidence in the program and its ability to deliver on the government's policies of community safety, release transition and rehabilitation of prisoners.

The ministerial review made various recommendations aimed at enhancing community safety and security and to promote community confidence in the custodial community permit (CCP) program.

Many of the operational recommendations of the ministerial review have been adopted. This opportunity is being taken to implement the ministerial review's legislative recommendations to support the changes that have been made at an operational level and to make several additional amendments to enhance the operation of the custodial community permit program.

The ministerial review recommended that the existing program should differentiate between the different types of permits. Therefore, the bill will create three separate types of permits; namely, corrections administration permits, rehabilitation and transition permits and fine default permits.

The grounds on which a permit can be issued under the program have not been changed substantively. Generally, the grounds for issuing a custodial community permit under the current program have just been divided under the three newly titled permits.

In summary:

A corrections administration permit will be issued:

- for a purpose relating to the health of the prisoner;
- for a purpose related to the administration of justice, including (but not limited to) being under police protection on account of evidence given or to be given by the prisoner in legal proceedings within the meaning of the Evidence Act 1958;
- to visit a person with whom the prisoner has had a longstanding personal relationship if that person is seriously ill or in acute personal need;
- to attend the funeral of a person with whom the prisoner had a longstanding personal relationship;
- for an inter-prison visit.

A rehabilitation and transition permit would be issued:

- for a purpose relating to the physical fitness or education of a prisoner;
- to take part in a program approved by the secretary that is designed to facilitate the maintenance of the prisoner's family ties;
- to look for, or perform work, including (but not limited to) unpaid community work;
- in respect of those persons in a transition centre, to undertake activities provided for in the prisoner's transitional activity plan (this purpose has been included consequential to the transition centre provisions in this bill);
- to take part in a program approved by the Secretary to the Department of Justice that is designed to facilitate:
 - the rehabilitation of the prisoner;
 - a prisoner's reintegration into the community;
 - prepare the prisoner for release.

A fine default permit will be issued to divert suitable persons who have been persons arrested on a penalty enforcement warrant for defaulting on a monetary penalty or an instalment order. The fine default permit will require the person to undertake community work to repay their debt.

The ministerial review had only envisaged there being two types of permits (corrections administration permits and rehabilitation and transition permits) because it recommended review of the program as it applies to fine defaulters. Review of the infringement system has been announced as one of the initiatives forming part of the Attorney-General's justice statement. The role that the program has in the infringement system will be reviewed in this forum. It is, however,

necessary to facilitate the issuing of permits to fine defaulters in the interim period.

It is most suitable that a separate permit type (the fine default permit) be recognised under the program. This will enable clear differentiation between persons receiving a permit for release to undertake community work for defaulting on an infringement and persons who receive a permit for administrative purposes or rehabilitation and transition purpose.

The manner of issuing permits under the program and the terms and conditions of those permits will also remain largely the same. However, two prominent modifications to the current legislative framework will be made.

Firstly, a maximum duration of 30 days for rehabilitation and transition permits has been imposed. CCPs issued for the purpose of taking part in a rehabilitation or reintegration program approved by the secretary is exempted from the three-day maximum duration that is generally applicable. Therefore, there is no limitation imposed on the duration of the permit.

The guiding principle for the issue of any permit under the program is, and will continue to be, that it is issued only for the period reasonably required. Nevertheless, it is appropriate to impose a maximum duration for such permits to at least ensure that there is regular review of the terms and conditions of the permit. In this regard, a 30-day period is reasonable.

It should also be noted that the issue of a rehabilitation and transition permit for a period of 30 days does not mean that the holder of the permit is absent from the correctional facility for that entire period. Rather one permit will be issued for a series of planned absences from the corrections facility over the period specified in the permit. For example, a rehabilitation and transition permit issued to a resident of the transition centre may authorise the holder to attend a part-time job, attend a specified place to perform community work and attend a number of specified programs over a 30-day period. The times of those absences would be specified in the permit, and apart from those times, the permit holder must be in the correctional facility.

Secondly, the bill will provide that persons released on fine default permits will be deemed to be released from the secretary's legal custody. Currently, fine defaulters released on a CCP will be deemed to remain in the custody of the secretary, DOJ, for the duration of the CCP. However, unlike in the cases of prisoners released on permits for other purposes, there appears to be no rationale for stating that fine defaulters should remain in the secretary, DOJ's, legal custody for the duration of the permit. Defaulters of court-imposed fines who are subsequently given community-based orders to undertake community work as payment for the debt are not within the secretary's legal custody. Therefore, holders of a fine default permit will still have obligations under that permit and the secretary, DOJ, will have responsibilities with respect to such permit holders, but these persons will not be in the secretary's legal custody.

Another feature of the bill will be to amend the act to provide that the secretary may only issue a permit (regardless of the type of permit) to a prisoner if the secretary is satisfied that:

- adequate consideration has been given to the safety and welfare of the prisoner and members of the public; and

facilities exist for the provision of adequate and suitable escort and transport where necessary; and

in addition to the requirements of this division, the issuing of the permit complies with any requirements set out in the regulations.

The matters on which the secretary must be satisfied before issuing a CCP are currently specified in regulation 42 of the Corrections Regulations 1988. However, in recognition of the importance of these matters, the government believes that the provision should be in the act rather than its regulations.

Finally, the bill makes consequential amendments to schedule 7 of the Magistrates' Court Act 1989, to reflect the change in title of permits issued to fine defaulters.

I commend this bill to the house.

Debate adjourned on motion of Hon. RICHARD DALLA-RIVA (East Yarra).

Debate adjourned until next day.

COURTS LEGISLATION (JUDICIAL APPOINTMENTS AND OTHER AMENDMENTS) BILL

Second reading

For **Hon. J. M. MADDEN** (Minister for Sport and Recreation), Mr Lenders (Minister for Finance) — I move:

That, pursuant to sessional order 34, the second-reading speech be incorporated into *Hansard*.

This bill had some minor technical amendments made to it in the Legislative Assembly. These were primarily due to the result of the bill lying over from the spring 2004 sittings of Parliament. They affected six clauses and dealt with the date in a number of the clauses going from 1 March to 1 May 2005.

Motion agreed to.

Mr LENDERS (Minister for Finance) — I move:

That the bill be now read a second time.

Incorporated speech as follows:

This bill will revamp the role of acting judges and enhance their independence. It will make Victoria's courts safer for judicial officers, staff and members of the public and make a number of other amendments to improve the operation of Victoria's court system.

Acting judicial appointments

The bill consolidates the offices of acting judge and reserve judge and revamps the office of acting magistrate to create a

uniform suite of legislation for acting judicial officers across the Supreme, County and Magistrates courts.

The new provisions will provide greater flexibility in the appointment of acting judges and magistrates to deal with periods of high demand in Victoria's court system. In particular, it will make it easier for short-term judicial appointments to be drawn from the ranks of barristers, solicitors, legal academics and interstate judicial officers. At the same time, it will continue to enable retired judges and magistrates to be appointed acting judicial officers thereby preserving the pool of experience and expertise which the courts currently use.

The concept of acting judicial appointments made from outside the ranks of judicial appointments is not new. It has existed in Victoria and in interstate and overseas jurisdictions for many years. However, since the mid-1980s reserve judges, that is, acting judges appointed from the ranks of retired judges, have been used exclusively in Victoria.

The bill recognises that a wider pool of acting judges and magistrates, available on a short-term or sessional basis, will enable a more flexible approach to the needs and demands of our courts. Acting judges and magistrates could, for example, provide relief to Victoria's court system during times of significant but temporary increases in workloads and in dealing with case backlogs. It is intended that the power to appoint acting judicial officers will be used judiciously. For example, it would not be appropriate to appoint a large cohort of acting judges or magistrates to deal with ongoing resourcing issues in the courts. To this end, the Attorney-General intends to consult with the various heads of jurisdiction on the development of guidelines for the appointment of acting judicial officers.

The Attorney-General has stated that judicial independence rests on the twin pillars of security of tenure and secure and adequate remuneration. The Bracks government has already enacted legislation which will ensure that there is salary parity between Victorian judges and their federal counterparts over the next four years. This bill will provide an additional degree of transparency and tenure to the appointment of acting judges, without impinging on the security of tenure of full-time judges and magistrates.

The views of a range of stakeholders has been sought and taken into account in developing this bill. The new system of acting judges and magistrates takes a more contemporary and flexible approach and will provide major benefits during those times of unavoidable strain on our courts.

Court security

The primary consideration of court security should be the integrity of the judicial process and the Bracks government believes that court security legislation should enable the courts to appropriately deal with matters which could adversely affect the security, good order or management of courts.

The bill will provide protective services officers in Victorian courts with the necessary powers to search and remove people from courts in situations which compromise safety or interrupt the orderly running of the courts.

Other amendments

The bill also makes a number of minor amendments to various pieces of court legislation including providing that service as a master of the Supreme or County courts will be counted for pension purposes if a master is appointed a judge, and allowing magistrates to direct parties to mediation in civil proceedings. The latter provision mirrors County Court legislation and is intended to operate only with regard to civil disputes, not to other forms of litigation such as proceedings under the Crimes (Family Violence) Act 1987.

I commend the bill to the house.

**Debate adjourned on motion of
Hon. C. A. STRONG (Higinbotham).**

Debate adjourned until next day.

STATUTE LAW REVISION BILL

Second reading

**Debate resumed from 14 December 2004; motion of
Mr LENDERS (Minister for Finance).**

Hon. C. A. STRONG (Higinbotham) — In rising to speak on the Statute Law Revision Bill I indicate the opposition will not be opposing this legislation. It is very much an administrative bill in nature. It makes no new policy changes; it makes no substantive amendments to any other piece of legislation. As I say, it is a machinery bill and as such is very much non-contentious.

The bill covers a series of major areas. The first and probably the most significant is the repeal of a great many existing acts. These acts that are repealed are generally of an amending nature — in other words, they were brought in to amend an existing piece of legislation and therefore, as a consequence, their provisions are incorporated into the existing or parent legislation. It is probably worth giving some examples of those. The acts that are declared as redundant are set out in schedule 3, which goes to many pages.

The schedule includes the following 2001 acts for repeal: the Health Services (Amendment) Act, the Forestry Rights (Amendment) Act, the Police Regulation (Miscellaneous Amendments) Act and the State Taxation Acts (Further Miscellaneous Amendments) Act. Most of these acts amended various pieces of legislation. Indeed some three pages of 2001 acts are listed for repeal. For the year 2000 there are some three pages of acts listed for repeal. As we move backwards in time through that schedule, for instance, we get only one 1972 act to be repealed. Something like seven 1990 acts are repealed, and something like six 1991 acts are repealed. So it can be seen as we go back

in time that many of these amendment acts that were brought in in 1990, 1991, 1992, 1993 et cetera, have already been repealed by statute law revision bills which come to this place every couple of years and go through this process of repealing many acts.

As members would know, many of these amending acts have transitional provisions. So if one is repealing amending acts, it is necessary to ensure that those transitional provisions, if they are still active, are not lost. Therefore, the bill also goes through those transitional provisions and places any live transitional provisions that happen to be in the acts that are being repealed into the parent act. They are set out in schedule 3. Something like three or four pages of transitional provisions are being taken out of the acts that are being repealed and are being put into the parent legislation. Once again we see the same sort of process whereby there is an ongoing culling over time.

If we go back to the 1990s we see that there are not many amendments, whereas when we come forward in time we find there are more and more. Once again that reflects the fact that this is a process that takes place every couple of years.

I think that is the main substance of the bill, this repealing of redundant acts and the placing of any transitional provisions from those acts into the parent legislation.

The bill makes a few other little changes. It makes a few terminology changes, and we can all probably understand how some of these terminology changes happen. We have courts, tribunals et cetera which have name changes, and these have to be reflected in their new form in existing acts. This bill does some of those. By way of example I might highlight a few. There is an amendment to the Children's Services Act 1996 to replace the words 'the Administrative Appeals Tribunal' with the words 'the Victorian Civil and Administrative Tribunal'. In other words, these are not in many cases significant changes, they are just terminology changes. For instance, we have an amendment to the Planning and Environment Act 1987 which changes the terminology 'the Liquor Control Act 1987' and substitutes 'The Liquor Control Reform Act 1998'.

There are also various typographical and punctuation errors and omissions which, like all these changes, have generally been picked up by Chief Parliamentary Counsel, who has requested that these changes be made. I will give a few examples to demonstrate that these changes are necessary but are certainly mechanical and administrative in nature. In this

category of typographical and punctuation corrections there is an amendment to the Agricultural Industry Development Act 1990 where in section 63(2) the words 'arising out amendments' are replaced by the words 'arising out of amendments'. You can see they are just simply corrections. There are corrections to the Credit Act 1984. In section 6(1)(a) the expression 'a court—' is replaced by the expression 'a court—'. There is a series of punctuation and typographical changes.

The last type are changes in administrative arrangements. In many pieces of legislation that come to us a director of a department may be given certain powers to do certain things, but we can also have a restructuring of government in which that department may move from one particular ministry to another, so that the administrative arrangements stipulating who is responsible for various things also need to be upgraded. By way of example, paragraph 25 of the schedule amends section 19(2) of the Vocational Education and Training Act 1990 by substituting 'Secretary to the Department of Education and Training' for 'Director'. We see that sort of change again in the Water Industry Act 1994: in section 65(1) for 'Chief General Manager within the meaning of the Health Act 1958' substitute 'Secretary to the Department of Human Services'.

As far as the opposition is able to see and as was highlighted in our briefing on this piece of legislation, the amendments are administrative and mechanical in nature, making no significant changes to any piece of legislation. A bill to clear up the statute book with regard to acts that amend other acts is a fairly non-contentious piece of legislation which I would recommend to the house.

Hon. W. R. BAXTER (North Eastern) — Likewise The Nationals are supporting this legislation. It is, as Mr Strong has explained, in the nature of housekeeping legislation. It should not be discounted because it is simply that. It is important that the statute book be kept up to date, that errors be corrected and that it be made as simple and readable to the general population as possible. It is clear that on occasions errors have escaped the attention of ourselves or our predecessors and someone — sometimes the Scrutiny of Acts and Regulations Committee or more particularly parliamentary counsel — identifies these discrepancies over time and assembles them into bills such as this, and usually at least once in the life of a Parliament we have this sort of legislation. It is obviously necessary as well as desirable.

One of the great innovations in our lifetime has been the introduction of the Web. Statutes are now accessible

on the Web to anyone who has access to that technology. The great advantage is that you can now look at current up-to-date law. We have a situation where amendments are inserted in acts. If one consults an act on the Internet, one knows that it is an up-to-date version, whereas in former times when members of Parliament and others — solicitors and the like — kept paper-based records it was a horrendous task keeping legislation up to date. One was never sure that one's copy was the latest. I commend the people from Anstat, who keep our paper-based statutes up to date here in the chamber and around the building. They do an immense amount of work inserting the paper stick-on amendments until the acts are reprinted to incorporate amendments. It is a massive but necessary job. I appreciate the work they do.

Despite the fact that this bill has been on the notice paper since it was introduced as a privilege bill on the first day of the sitting after the 2002 election, it is an important piece of legislation and deserves our support.

Mr SOMYUREK (Eumemmerring) — I rise to make a brief contribution in support of the Statute Law Revision Bill. The explanatory memorandum states:

The purpose of this bill is to revise the statute law of Victoria. The bill makes minor amendments to a number of Acts to correct grammatical and typographical errors, to update references and for other similar purposes.

As previous speakers have said, this is a machinery bill, a housekeeping bill. As Mr Strong said, it is an administrative bill, but it is nevertheless important in terms of the public's accessibility. The Honourable Mr Bill Baxter went through some of the arguments as far as accessibility of the general population is concerned, and I agree. He made a good point that legislation these days is easily available to the general public through the Internet. Once upon a time it was the preserve of legislators and lawyers. These days most people have the skill and the ability to key in a few words and get access to various pieces of current legislation. To keep up with this, it is prudent for us to be constantly repackaging and making sure that the ambiguities are removed from various pieces of legislation.

The bill performs three important tasks in relation to removing the ambiguities and typographical errors from past legislation. This includes correcting legislation, repealing redundant legislation and codifying administrative arrangement orders. All members in this place will be aware that orders made under the Administrative Arrangements Act 1983 have the effect of reallocating references made in acts to departments, ministers and officers but do not amend the act

concerned. Accordingly over time an increasing number of acts have contained outdated references, which results in confusion when the acts are applied. This may not be a significant bill in terms of its length and scope, but it is nevertheless a very important bill in cleaning up legislation or making it easy for the public to understand. The bill is most necessary, and I commend it to the house.

Motion agreed to.

Read second time.

Third reading

For **Mr LENDERS** (Minister for Finance), Hon. M. R. Thomson (Minister for Consumer Affairs) — By leave, I move:

That the bill be now read a third time.

In so doing I thank honourable members for their contributions.

Motion agreed to.

Read third time.

Remaining stages

Passed remaining stages.

ADJOURNMENT

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I move:

That the house do now adjourn.

Monash Province: public safety

Hon. ANDREA COOTE (Monash) — My question in the adjournment debate tonight is for the attention of the Minister for Police and Emergency Services in another place. I refer to a discussion paper produced by the inner city entertainment precinct task force entitled *A Good Night Out For All*. We of the opposition acknowledge the need for improvements to be made to the cities of Yarra, Melbourne, Stonnington and Port Phillip in regard to safety for the public, particularly in entertainment precincts. The entertainment precincts that we have looked at that we are particularly concerned about in Monash Province are the areas around Commercial Road and Chapel Street.

I have enormous sympathy for the number of people who are trying to run businesses there and for people

who have children who go into that area at night and who want to be confident they will be safe. There is also a problem with transport. People cannot move. People in trams or cars travelling in an east-west direction along Malvern Road, Commercial Road and Toorak Road cannot get across Chapel Street at night because of this huge traffic problem.

I was very pleased to see this document — the member for Prahran in another place is the chairperson of this task force — but I have some concerns about some of the recommendations in the document and some of the issues that are to be looked at. I am particularly concerned about the dispersal powers, which could create a curfew for children and grant police the power to take them home from areas such as Chapel Street. I also have some major concerns about some other parts of these recommendations.

My question is: with so many issues yet to be worked through, when will a final and more realistic version of this report be produced? Some of the other issues that the opposition is concerned about include the fact, as I said, that the dispersal powers would also give power to the police to move people along areas such as Chapel Street, Prahran, if members of the public felt scared or threatened by their presence, even if they were doing nothing wrong. This is going to be a very difficult issue, and there could be people who might see the minister, for example, and put in a report. This aspect needs to be clarified, and I urge the task force to look at the situation in a very realistic way.

Additionally, I am concerned about the concept of altering the way St Kilda businesses trade by restricting kerbside dining after 11.00 p.m. to solve congestion problems. Fitzroy Street and other parts of St Kilda are particularly attractive to people because of the after-hours dining and some businesses in that area have grave concerns about what this task force is going to look at. I reiterate that the Liberal Party and I are very pleased to see this happening. I hope it will be realistic and not draconian and I encourage many people to contribute.

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

Bridges: rural funding

Hon. W. R. BAXTER (North Eastern) — I raise a matter for the attention of the Minister for Transport in another place. It goes to the vexed issue of country road bridges. Many municipalities in country Victoria are in charge of a large number of old timber bridges that cross rural local roads — these include the shires of

Moira and Strathbogie, and in particular the Rural City of Wangaratta, all of which have bridges numbering in the hundreds — compared to municipalities elsewhere in the state, especially in the north-west, where bridges are less common.

Many of these bridges were built more than 100 years ago to cater for horse-and-buggy traffic. They now have to withstand heavy loads passing across them and are deteriorating, not only from age but from the additional weight they are expected to bear. In recent times the Shire of Moria has had to put load limits on three of its bridges in the western part of the shire. On Wright's Bridge there is only a 2-tonne load limit and this basically limits its use to passenger cars only. James Bridge on Broken Creek has a 9-tonne load limit, and the Kotupna Bridge across the Wakiti Creek has a 9-tonne load limit as well. This is imposing a real economic penalty on the residents in that locality.

I acknowledge that local government roads are the responsibility of councils. I also acknowledge that this government and previous governments in the state have assisted rural municipalities with bridge replacement, and I acknowledge that the commonwealth government, through its Roads to Recovery and other programs, has also played a part, and that is very much appreciated.

I have long been an advocate of the establishment of a separate bridge replacement program for ageing bridges on rural roads in country Victoria. If we could replace 80 or 90 of these bridges a year — which would probably cost something like \$40 million a year — it would be an extraordinarily good investment in the economy of the state of Victoria because so much of the product going out of the Port of Melbourne has to pass across these bridges on the way to processing factories and the like. Unless we are able to maintain these links we are going to be in strife. It does not matter much how rough the road gets, you can travel along it, but once the bridge falls down that particular artery is breached, and that is a very serious concern. I ask the minister to give some attention to establishing a specific bridge replacement program when he is considering road-funding initiatives.

Disability services: integration aides

Hon. BILL FORWOOD (Templestowe) — The issue I raise tonight is for the Minister for Education and Training in the other place. I refer to an email I received from Ms Therese Quinlan of Eaglemont, one of my constituents. I point out that this email was copied to the Minister for Education and Training in the other place, the Minister for Education Services in the

other place, and the Premier. I will quickly read it to the house.

Dear Mr Forwood

Re: Funding of educational support for disabled children

My son, Patrick, who is now nearly 11, fell off a fence in a park in Eaglemont on 16 February 2003, and sustained a 'severe closed head injury', which nearly killed him. The ambulance service and the Royal Children's Hospital saved his life and restored him to a remarkably good standard of health.

However, he sustained permanent brain damage which means he has severe language processing and learning disabilities. With the brilliant ongoing rehabilitation work of the RCH, and the solid support of his excellent school (Ivanhoe East Primary School) Patrick's faculties are continuing to improve.

Patrick's return to school would not have been anywhere near as successful, perhaps not even possible, without the support of an aide, for whom funding has been provided until the end of this year.

The education department has apparently decided not to provide this funding in future, even though Patrick's level of need has not changed.

I say 'apparently', since the government has failed to communicate its intentions in this regard. It has also utterly failed to consult with Patrick's family, school or the RCH.

It is impossible to describe the anguish caused by not knowing if Patrick will be supported in his education in future. This little boy is very bright, always learning new things, with an infectious sense of humour, and mountains of personality! This is a person with huge potential to contribute to society, if only he gets a little help with his school work.

Yet it appears that the government is simply not interested in Patrick's case: the education minister has not even acknowledged my emails!

Please, Mr Forwood, for Patrick's sake would you raise this matter in Parliament ...

I am doing that tonight. I think the issue is pretty simple. It goes to whether or not the education department has decided to stop this sort of funding, and secondly, to the issue of whether or not this has been communicated to the parents of these children. I mean not just Patrick Quinlan's parents, but those of all other children who fall into this category.

I am reminded of some comments made by Hubert Humphrey, a United States of America Democrat vice-presidential candidate, who reminded members that it is the most vulnerable in our society who need the most help. I put it to the minister and to the education department that this is one of those circumstances that need to be considered carefully. I hope the government will be able to arrive at a positive outcome.

Western Port Highway, Lyndhurst: traffic control

Hon. R. H. BOWDEN (South Eastern) — I would like to reiterate some comments I have made on several occasions about my growing concern over the deterioration in efficiency and safety on both the Monash Freeway and the Western Port Highway, in particular at Lyndhurst. To give an example of the deterioration in performance on the Monash, this morning I left my home at Somerville at 6.35 and arrived here at 8.40, and I came by the direct route. That is a distance of 67 kilometres in 2 hours, and I do not think that is acceptable. It is very unfortunate that it is an experience shared by thousands of motorists every day, many of whom I have the privilege of representing. I may say that I am unimpressed with the efficiency of our roads, but I have constituents who express their feelings a lot more forcefully than I am doing right now.

There have been situations in recent months where the City of Casey, with its recalcitrant, ignorant and unhelpful approach, has contributed greatly to this congestion through its practice of approving, with the support of VicRoads, the imposition of difficult circumstances for motorists on the Western Port Highway. I have asked for, and I again call for, the removal and re-engineering of the very dangerous intersection with Moreton Bay Boulevard at Lyndhurst. That has to go. It can be done, because the space is there. The first set of traffic lights that motorists will find as they cross Melbourne, having come all the way from Geelong, is at Moreton Bay Boulevard, Lyndhurst, courtesy of the unhelpful, ignorant and uncooperative City of Casey.

Further south of Moreton Bay Boulevard we have an enormously difficult intersection at Thompsons Road. That intersection is an absolute disaster, negatively affecting the productivity and safety of the area. Again the unhelpful attitude of the City of Casey has played a part in engineering this, and its accomplices at VicRoads also deserve a thorough caning on the matter. I have no confidence in either of those organisations on those two aspects at the present time.

My question is: will the Minister for Transport in the other place at last be responsive? Will VicRoads understand that it has caused problems and is causing difficulties, and will it and the City of Casey make arrangements to improve the Thompsons Road intersection and stop interfering with this highway?

YouthBiz: funding

Hon. DAVID KOCH (Western) — My adjournment matter is for the Minister for Employment and Youth Affairs in another place. It concerns the highly successful YouthBiz program, which was established in 1997 under the Kennett government and involves establishing environments where young people can feel at ease accessing health and community services targeted to their needs. Today YouthBiz centres provide a range of essential services which deal specifically with the challenges and concerns of young people aged from 12 to 25. The centres provide support for those who are no longer studying or who are not employed as well as providing after-school support to young people from local colleges.

Services at YouthBiz include drug and alcohol counselling, family planning, study and job skills programs, housing and accommodation assistance, and access to a community health nurse and general practitioner. In the shire of Southern Grampians YouthBiz addresses the identified needs of young people by providing a youth-specific venue, with access to professional people and resources.

Annual funding for Hamilton's YouthBiz runs out on 30 June 2005, giving rise to serious concern that this vital and essential facility will close. The current grant is a meagre \$60 000 annually, which is heavily supported by the Western District Health Services and generous contributions from the local community. The department is apparently looking at alternative funding options over the long term and at new programs 'as a reflection of ongoing, stable remote rural communities', yet the Public Accounts and Estimates Committee report on the 2004–05 budget estimates lists no new initiatives for youth and no new performance measures in the youth affairs portfolio. The Bracks government has again proved that its rhetoric outperforms its ability to come up with any new ideas and deliver positive programs for our young Victorians.

Victoria needs a strategy to tackle the many concerns young Victorians have, the obstacles they face and the inspiration they need to further themselves. As there are no youth services in the Southern Grampians region it is essential that YouthBiz continue to receive funding while other opportunities are fully explored. The government must listen to youth and be prepared to respond to vital views and needs of young people instead of constantly churning out rhetoric and false hope. Young people are our future. We must invest in them, listen to them and ensure that we work in partnership, not gag and deny them opportunities as Labor is doing.

My question is: will the minister give an assurance that YouthBiz will be maintained and adequately funded so that our young people can continue having access to this valuable program?

Water: Campaspe irrigators

Hon. W. A. LOVELL (North Eastern) — I wish to raise a matter with the Minister for Water in the other place. Last Friday I attended a very emotional meeting of Campaspe irrigators held in Rochester. The irrigators are angry because they have been allocated only 39 per cent of their water right for the 2004–05 irrigation season. Members should note that this is only 20 per cent of the water they are used to getting, because they normally get a 100 per cent water right plus 100 per cent of sales.

They are also angry because they feel they have been misled about a further 5 per cent of Lake Eppalock water that should be made available for them to use this year. At a meeting in September last year Goulburn-Murray Water's water system manager, Geoff Earle, told the irrigators that it was GMW's first priority to give 100 per cent of water right to customers. He was also quoted in the *Campaspe News* as saying, 'We allocate all the water we can lay our hands on'.

In a recent survey conducted by GMW that asked irrigators whether they wished to have a further 5 per cent allocated this year or to preserve it for the supply of domestic and stock water next year, respondents voted overwhelmingly in favour of all or at least part of the water supply being made available this year, with 48 per cent voting for the entire 5 per cent to be allocated, 20 per cent voting for part allocation and 31 per cent wanting to preserve the water for next year. However, the irrigators have been told that the board of Goulburn-Murray Water had made a decision to reserve the water regardless of these results. This is the first time Goulburn-Murray Water has ever made a decision not to allocate available water.

Irrigators at the meeting spoke passionately about what the allocation of water would be worth to them at this time of year. Dairy farmer John Horkings told the meeting that every additional megalitre of water would produce up to 5 tonnes of desperately needed additional feed. Some irrigators made the point that they had already paid for the water that is being withheld from them. Others expressed concern that, if they did not receive any additional water now, they would not have to worry about stock and domestic usage next year, as they would be out of business. Others were concerned that although the water is supposed to be reserved for next year's stock and domestic supply, they may not

receive the water next year if the minister deems it more important for the water to be used for town water supply or environmental flows. To be fair there was one brave soul who expressed his wish to reserve the water for domestic and stock supply next year, but the overwhelming feeling of the meeting was that the irrigators were desperate to have the water now.

A further concern was expressed about Goulburn-Murray Water's lack of consultation with the water services committee over this issue. I have written to the minister asking him to receive a delegation of Campaspe irrigators in order for them to put their case directly to him. I ask the minister to intervene in this dispute between the irrigators and Goulburn-Murray Water to find an avenue to assist these irrigators, who are facing very desperate circumstances.

Antonio Park Primary School: funding

Hon. B. N. ATKINSON (Koonung) — I raise a matter for the Minister for Education and Training in another place. It concerns Antonio Park Primary School in Mitcham. I could add another school that has the same problem, Rowville Primary School, but on this occasion I am only able to discuss the one school, despite the fact that they both have the same problem — that is, they both have completed master plans for school developments and have commenced projects but have not been given funding for further stages of those projects.

In the case of Antonio Park, which is the school I particularly draw to the minister's attention on this occasion, it was indicated to me that it is waiting for approval for the commencement of stage 2 works that have an estimated value of \$1 million. Part of that project is the urgently required replacement of toilets. This was included in the project when the school, as a master plan exercise, proposed the school redevelopment and upgrade to meet its burgeoning enrolment as a single-stage project. The facilities branch of the Department of Education and Training split the project into two stages. The first stage has now been completed, but the school has been given no funding for the second stage. Indeed it has been advised that under the department's capital works funding programs for the 2005–06 budget there will effectively be no allocation for the final stages of the school's project, meaning that at best, unless the minister is prepared to intervene — which of course will be the nature of my request to her — there will be no opportunity to complete this very important project within the next two years, given construction delays.

This is not acceptable to the school, which entered into redevelopment planning in good faith. It waited a long while, as this work was under discussion for some years both with me when I was on the government benches and subsequently with the Labor government. The school has waited, been patient and prepared a project which is not lavish but is very important for the school community. The funds it has utilised so far have produced an outstanding result for the school, including recycling buildings from other schools.

I ask that the minister take another look at the capital works budget and find an opportunity to provide funding in this forthcoming budget for Antonio Park Primary School's second-stage works.

Boating: licences

Hon. P. R. HALL (Gippsland) — I raise a matter for the attention of the Minister for Transport in another place regarding boat operators licences. I am prompted to do so on receipt of correspondence from a constituent of mine, Mr Joffre Gilchrist of Eagle Point, which is on the Gippsland Lakes. Mr Gilchrist raises what I think are valid concerns and suggestions about boat operators licences in Victoria.

By way of background, in November 2000 the Marine (Amendment) Bill introduced the concept of a boat operators licence in Victoria. During the course of the debate on that bill The Nationals expressed concern about the lack of uniform laws for boat operators licences across borders in that New South Wales and Victoria had different requirements for obtaining a licence. We also raised some issues relating to people who operated hire boats because they did not require a licence. It seemed to me an almost ironic anomaly that if you were a boat owner and were experienced in operating boats, then you were required to demonstrate that experience by obtaining a licence, but if you were a one-off user who hired a boat, you did not have to demonstrate any competence and did not have to get a licence.

At the time the government said it would consult with the hire boat industry, which was appropriate. On 4 December 2001 there was debate in this chamber on a further amendment to the Marine Act, which put in place a requirement that so long as you hired a boat with a speed capacity of less than 10 knots you would not require a boat licence. As is pointed out by Mr Gilchrist in his letters to me, there is an anomalous situation where some users of hire boats do not require a licence but owners of boats require a licence. He is also concerned that the introduction of an annual fee for the renewal of a licence is just a revenue-raising racket,

or an RRR, as he says in his correspondence to me. He suggests that we should keep the standard charge and test but make it a one-off charge, so that once people have sat the test and have a licence it is a licence for life, but he also suggests that should be applied to all users of boats, both owners and hirers.

In the view of The Nationals we should have some uniformity and rules that apply equally to all, but it is also our view that people who own and operate craft with a speed capacity of under 10 knots should be exempt from the requirement to have a boat operators licence. I seek some response from the Minister for Transport on this issue, particularly to the suggestions put forward by Mr Gilchrist that only a one-off charge and test fee be payable and that the minister investigate ways to achieve consistency in respect to licences for all boat users, whether they be operators or hirers.

Rail: fencing

Hon. ANDREW BRIDESON (Waverley) — I have a serious and urgent issue to raise with the Minister for Transport in another place. A couple of days ago a constituent of mine came into my office and reported to my electorate officer that there had been two youth suicides some 200 metres and 300 metres respectively west of the Mount Waverley railway station, which is near my office. These suicides occurred in the last eight weeks. Any suicide is tragic, but youth suicides are particularly so.

The police informed my electorate officer upon her inquiries that these suicides may well have been preventable had there been a fence along both sides of the railway line. The young man who suicided laid across the tracks and the 14-year-old girl ran into the path of a moving train as a result of some alleged argument with her boyfriend. The police also advised my electorate officer that there are some five to six suicides per annum on the Clayton railway line not far from the Clayton railway station. Again there are similarities with the Mount Waverley railway line as the vicinity in which people choose to suicide is unfenced. It set me thinking that perhaps lives could be saved if there were simple structures parallel to the railway lines.

I know it would be very expensive to fence all railway lines, but I ask the Minister for Transport to investigate the possibility of some sort of fence structure which may prevent people rushing onto the lines. I know it is always difficult to prevent these sorts of deaths, but it is a serious social issue in our community. I am sure all members would agree with me that any government of the day must act promptly to prevent further accidents,

especially when you think about the trauma that is caused to the families of the deceased, to the train drivers and to any person in the community who witnesses these accidents. It must be horrific, and there must be inordinate costs to the community as a result. As I said, a fence may prevent a lot of future costs and pain to the community.

Responses

Mr GAVIN JENNINGS (Minister for Aged Care) — Mrs Coote raised a matter for the attention of the Minister for Police and Emergency Services in the other place in the other place relating to a review that has been undertaken of a precinct in Chapel Street and the St Kilda area. She has asked the minister to provide a timely report that will deal with realistic options about enforcing public safety in the precinct. I will pass that item and all other items that I will be referring to during the course of my responses to the appropriate ministers.

The Honourable Bill Baxter raised a matter for the attention of the Minister for Transport in the other place in which he asked the minister to introduce a specific bridge replacement program within the state.

The Honourable Bill Forwood raised a matter for the attention of the Minister for Education and Training in the other place, and I will pass this reference on to the Minister for Education Services in the other place as well, relating to the case of Patrick Quinlan, the child of a constituent, who sounds like an outstanding young man who has suffered acquired brain injury and is now grappling with his education and the challenges that confront him due to that acquired brain injury. By all accounts he is doing a remarkable job of rehabilitating himself. I can understand, and I am sure government members and the relevant ministers will appreciate, the things that Patrick and his family endure, and they are trying to make the best of their circumstances and their life ahead. On behalf of Ms Quinlan I will pass on to the minister the request for some clarification about the ongoing support that they are seeking for their dear son.

The Honourable Ron Bowden raised a matter for the attention of the Minister for Transport in the other place, and perhaps not for the first time, some concerns about the efficiency of the Monash Freeway. Indeed he took the opportunity to criticise action taken by the City of Casey. Obviously he is lamenting the fact that he cannot convey to the current mayor of the City of Casey his immediate concerns that he perhaps once would have when the mayor was a member of this chamber. The City of Casey is clearly within the vision of Mr Bowden, and he wants the council to take some corrective action. He called upon the Minister for

Transport to join him in that action of correcting the errant behaviour of the City of Casey.

The Honourable David Koch raised an issue for the Minister for Employment and Youth Affairs in the other place seeking support for YouthBiz in the Southern Grampians Shire Council to ensure the ongoing provision of services by YouthBiz.

Ms Lovell raised a matter for the attention of the Minister for Water in the other place specifically relating to the allocation of water in the Campaspe system and sought the minister's intervention to support the allocation of water resources to the irrigators within that region.

The Honourable Bruce Atkinson raised a matter for the attention of the Minister for Education and Training in the other place, and perhaps also for the attention of the Minister for Education Services, also from the other place, regarding the outlay of capital to make sure that both stages of the capital works at Antonio Park Primary School are completed at the earliest opportunity.

The Honourable Peter Hall raised a matter for the attention of the Minister for Transport in the other place on behalf of a constituent, Mr Gilchrist, who is seeking a one-off payment fee for all boat operators, whether they be permanent or temporary, who operate low-powered boats, and is seeking the support of the Minister for Transport to introduce such a licence fee.

The Honourable Andrew Brideson raised a matter also for the attention of the Minister for Transport in the other place, alerting the house to some tragic instances of youth suicide that have occurred on two railway lines within the metropolitan area. He seeks the support of the Minister for Transport to see whether at those critical areas where those suicides may occur it would be appropriate and feasible to fence those railway lines to prevent further tragedies from occurring.

Motion agreed to.

House adjourned 5.35 p.m.

