

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

Tuesday, 6 June 2006

(Extract from book 7)

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¹ Ind from 17 September 2004
ALP from 10 November 2005

² Ind from 7 April 2005

³ Ind Lib from 30 November 2005

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Tuesday, 6 June 2006

The PRESIDENT (Hon. M. M. Gould) took the chair at 2.03 p.m. and read the prayer.

ROYAL ASSENT

Message read advising royal assent to:

Equal Opportunity and Tolerance Legislation (Amendment) Act

Financial Management (Miscellaneous Amendments) Act

Justice Legislation (Further Miscellaneous Amendments) Act

Melbourne Sailors' Home (Repeal) Act

Statute Law (Further Revision) Act

Terrorism (Community Protection) (Further Amendment) Act.

QUESTIONS WITHOUT NOTICE

Snowy Hydro Ltd: sale

Hon. PHILIP DAVIS (Gippsland) — I direct a question without notice to the Minister for Energy Industries, and I refer to his answers to questions last week in connection with the sale of Snowy Hydro Ltd. Will the minister advise the house of what action the government will now take to fill the \$600 million black hole in the budget left by the collapse of the government's plan to privatise the Snowy Hydro?

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — I am happy to respond to the member's question, although I must say, and as honourable members would appreciate, the question should more appropriately be directed to the Treasurer, who is responsible for the Victorian budget and delivered what was a fantastic budget for the people of Victoria, a budget which delivered a surplus and at the same time delivered one of the most extensive and ambitious capital works programs that we have ever seen in this state — and that included the education sector.

What I can say about the Snowy is that, as the Premier indicated, the Victorian government was a reluctant participant in the privatisation. In fact if you want to sheet home the source of the original idea for privatisation, it came from the commonwealth government and the New South Wales government. Let me make it clear: a proposal was put to the Victorian government and it was effectively told that it either

went along with this privatisation or it would have had a stranded investment.

I know that most members of the opposition are totally illiterate when it comes to economics, but honourable members should understand that when the privatisation was originally floated we could have retained our 28 per cent share. The trouble was that if we had retained that share, we would have been in a minority without influence, because it is not like a normal share.

Let us get this straight. What happened was that the commonwealth threatened Victoria with establishing another body, a holding company, which would have held 70 per cent of the Snowy's equity and would have therefore completely controlled whatever happened in the future. Faced with that prospect, the Victorian government reluctantly agreed to this privatisation, but did so bearing two important things in mind. Firstly, we wanted to protect water, so we put in place arrangements to ensure that water rights and Victoria's rights in relation to water were protected. Those are now not part of any agreement because the sale has fallen through. Secondly, we were very keen to make sure that it would be a viable entity that would invest in the energy industry and continue to play its role as an important provider of renewable energy for Victoria and for Australia.

We acted responsibly. John Howard, the Prime Minister, did what he normally does with these things; he played a bit of wedge politics. He decided at a given moment that the heat was too much and that he would scuttle the proposal when there were already mums and dads who had signed up for it. This is how far he went down the track.

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

Supplementary question

Hon. PHILIP DAVIS (Gippsland) — I thank the minister for his response to my question about the black hole that has been created in the state budget. I therefore ask: will the minister explain how it is that schools, which were looking forward to long overdue maintenance, refurbishment and renewal, can have any confidence that the government can competently fund requirements — —

Hon. M. R. Thomson — On a point of order, President, we allowed that first question — —

Honourable members interjecting.

The PRESIDENT — Order! Mr Forwood!

Hon. M. R. Thomson — One of the responsibilities of question time is to answer those questions that are asked in one's area of ministerial responsibility. As the minister to whom this supplementary question goes is neither the Treasurer nor the minister for education, who may notionally have responsibility for those areas, I ask that the supplementary be ruled out of order.

Honourable members interjecting.

The PRESIDENT — Order! Mr David Davis's leader is on his feet and I want to hear, even if Mr David Davis does not. I ask him to be quiet.

Hon. PHILIP DAVIS — On the point of order, President, quite clearly the minister has not heard the complete question, and therefore it would be inappropriate for note to be taken of her point of order. Were the substance of her point of order to have any merit, I would point to *Hansard* of last week, which reports your ruling, President, which permitted the minister to respond in the manner he did specifically within the broad policy parameters of the Snowy privatisation that reflected on his portfolio and therefore the budget implications for other sectors. If the minister's point is that the government is embarrassed — —

The PRESIDENT — Order! The point of order raised by the minister in the normal practice of the house is right. However, I have not heard the whole question being asked by the Leader of the Opposition. Last week the minister made a response that referred to the possible spending of \$600 million in education. If he has responded in that way, he can be questioned on that. But I will listen to the member's full question, and I will call the minister if I find the question to be in order.

Hon. PHILIP DAVIS — Thank you, President. I know that the minister will not have any problem answering the question. To conclude in the time allotted, I refer to an explanation with respect to the schools that are looking for overdue maintenance, refurbishment and renewal. How can they have any confidence that the government can fund the requirements to meet those commitments, given that the Snowy Hydro sale has collapsed?

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — Fortunately we have the best Treasurer in Australia, who, despite the deceit of the Prime Minister, will again deliver both a surplus and capital works for Victorian schools.

Nuclear energy: inquiry

Mr SCHEFFER (Monash) — My question is for the Minister for Energy Industries. I draw the minister's attention to the federal government's proposal for an inquiry into nuclear energy in Australia and to the report it has already released. I ask the minister: what are the implications for Victoria of this inquiry and report, and can he inform the house of the reaction of the Bracks government?

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — I thank the member for his question, and I know that he has a genuine interest in this issue. The Prime Minister has proposed an inquiry into — —

Honourable members interjecting.

The PRESIDENT — Order! There is enough interjection in the house. I ask members to stop so that we can hear the minister's response and so that *Hansard* can record it. If I continue to hear interjections from both sides of the house I will use sessional orders to remove members.

Hon. T. C. THEOPHANOUS — The Victorian government does not shy away from a debate, but it questions the Prime Minister's motives in this instance. We saw the backflip on the Snowy, which shows that this Prime Minister is prepared to say and do anything in pursuit of wedge politics in Australia.

Even Glenn Milne of the *Australian* — who, incidentally, is a good acquaintance of certain Victorian Liberals, I am told — quoted the Prime Minister's sudden discovery of nuclear power policy yesterday as being a drift in federal government policy. It really is a policy drift. The report by Professor Gittus, which was released by the federal government, argues that nuclear power is competitive but only if you subsidise it to the tune of \$1.8 billion, if you subsidise it by a further 20 per cent and if, on top of all of those subsidies, you also provide immunity from liability in relation to waste. If you provide immunity, you subsidise it and you do all of these things, then it is competitive. What a stupid argument. I am glad to see that the Honourable Philip Davis has been prepared to come out and support the Victorian government in opposing nuclear power for this state given the factors I have mentioned.

The Australian Nuclear Science and Technology Organisation (ANSTO) chief, Ron Cameron, said that nuclear power could not proceed unless government was willing to meet the costs of clean-up and guarantee against accidents. Those are the conditions the industry is putting on government. The ANSTO report makes it

clear that nuclear power is uneconomic without massive subsidies. Despite all of this, the Prime Minister wants a debate, but he wants to limit that debate. He does not want to discuss where nuclear power stations might go. But people are entitled to ask where nuclear power stations would go in the event that nuclear power was brought in, particularly when three or four nuclear power stations are being talked about. Would they be on the Mornington Peninsula? Would they be in Portland? Would they be in Werribee? Where exactly would they go?

As I said before, I congratulate Mr Davis for opposing nuclear power, and I ask him to join with me in calling on the federal Liberal government to rule out any challenge to Victorian law in its push to have nuclear power stations in this country. Victoria's legislation, which has been in place for many years, has been supported by both sides of Parliament, and on that basis the opposition should continue to support it. This is a no-brainer scheme when you think there is massive cost involved in establishing nuclear power. It is much more expensive than other forms of power — and it would leave us with a legacy of nuclear waste for generations to come.

Nuclear energy: inquiry

Hon. PHILIP DAVIS (Gippsland) — I welcome the minister's invitation to participate at a state level in a debate about nuclear power, and therefore I ask: given that the minister has administrative responsibility for the Nuclear Activities (Prohibitions) Act 1983, will he advise why the Minister for Environment in the other place is the minister in the Bracks government making representations to the federal government regarding the national review into nuclear power?

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — A feature of this government is that we think of ourselves as a team, unlike the opposition, and we operate as a team. The Minister for Environment obviously has a genuine interest in this issue.

Honourable members interjecting.

Hon. T. C. THEOPHANOUS — Let me give members an example. The Minister for Environment was on Jon Faine's program this morning and I was on Neil Mitchell's program. We were talking about the same thing — that is, why we oppose nuclear power. But guess what? The message was the same.

I know the Leader of the Opposition has trouble with this, because the opposition cannot even get agreement between the two Davises in this chamber. One prefers

more brown power and one prefers more green power, so you do not know whether it is Green Davis or Brown Davis. From the point of view of government members, at least we operate as a team. We certainly have virulent debates, but once we have finished those debates we then put our point of view very strongly.

Honourable members interjecting.

The PRESIDENT — Order! It is impossible for me to hear the minister's response. The Leader of the Opposition asked the question, and I am sure he wants to hear a response, so I ask members on both sides to stop interjecting.

Hon. T. C. THEOPHANOUS — I am very pleased that the Deputy Premier, on behalf of the government, wrote to the Prime Minister to seek assurances about this particular act of Parliament. I have given an invitation to the Leader of the Opposition to join us in that approach. I have invited him to join us in standing up for Victorians in relation to this particular issue by saying, 'We would not support it either, and we demand that you, Prime Minister, respect this particular law which has the support of both sides of this house' — or is meant to have.

Supplementary question

Hon. PHILIP DAVIS (Gippsland) — I stand up to ask a supplementary question. I refer to the minister's reply in respect of the Nuclear Activities (Prohibitions) Act 1983, and I ask: does the minister acknowledge that his administrative responsibility for this act is but a token and that he is subservient to the policy directions imposed by other ministers?

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — I take the question as being a bit lighthearted, because I cannot believe the honourable member opposite would think that I would be subservient to anybody in relation to the very strong views that I hold about this particular public issue and many others.

Environment: greenhouse gas emissions

Hon. KAYE DARVENIZA (Melbourne West) — I direct my question to the Minister for Energy Industries. Can the minister inform the house what the Bracks government is doing to develop an appropriate model for an emission trading system which can be applied Australia wide to reduce greenhouse gas emissions?

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — I thank the member for her question. As

members would be aware, the federal government has put nuclear power on the table as a way of reducing — —

An honourable member — Not seriously.

Hon. T. C. THEOPHANOUS — Not seriously, but one of the rationales used in putting it on the table is that it is a way of reducing greenhouse gas emissions. I think most commentators would argue — and indeed thinking people who have looked into this issue would certainly argue — that the most effective way of reducing greenhouse gas emissions in this country is through a national emission trading scheme. I know that the previous opposition spokesperson certainly had the view that such a scheme, if not desirable now, was something that we had to move towards.

An emission trading scheme is a significant issue, not just for all Victorians but for all Australians. The Bracks government has been working hard on a national emission trading scheme along with all other state and territory governments. We have been working on this for two to three years. We are in the process of developing a green paper to put out for consultation. But guess what? We cannot even get the federal government to talk to us about this proposal. Just think about this: the federal government refuses to participate even in the work of creating a design for such a scheme. It will not participate in debate on such a scheme.

The Prime Minister is saying, 'We want to debate nuclear power', but the single most important policy issue facing this country in relation to greenhouse gas emissions is whether we will have an emission trading scheme. He says, 'I do not want to talk about it. I do not want to debate it. I do not want it discussed'. It is obvious to anybody who has been following these issues, which are important for our children and the future of our children, that this approach by the Prime Minister is nothing but a smokescreen. He knows that nuclear power is not going to come on board, and for him it is a way avoiding a discussion about the real issues and the real ways in which we can reduce emissions in this country.

Not everybody will agree about an emission trading scheme, but let us at least have a debate about it. Let the federal government pay for an inquiry into whether Australia should have an emission trading scheme. We would be happy to participate in such an inquiry because it would actually go somewhere. It would give us something tangible to be able to reduce emissions in this country. But the federal government has abandoned its responsibility to climate change and the results of

climate change because it is not interested in talking about these things. It has abandoned the mandatory renewable energy targets and it has nobbled renewable energy in this country. The federal government has then said, 'We're not even interested in talking about emission trading.' All it does is say to people, 'Let us talk about nuclear power'.

Hon. D. McL. Davis — On a point of order, President, it is simply an inappropriate use of question time for the minister to talk about some view he has about the federal government when in fact he has omitted to inform the house in this diatribe that the federal government has announced \$500 million of low emissions technology funding — —

The PRESIDENT — Order! I do not uphold the point of order. I ask the minister to conclude his answer.

Hon. T. C. THEOPHANOUS — This emission trading issue is the most important issue we face. We believe it is the way forward to reduce emissions in this country. We hope the state opposition has the guts to stand up and say, 'We support emission trading,' and joins us in trying to convince its federal counterparts.

Gas: Bairnsdale supply

Hon. P. R. HALL (Gippsland) — I wish to continue this relentless attack on the Minister for Energy Industries by posing another question to him. On 3 May I asked the minister about government policy in respect of connecting government-owned businesses and service providers to new natural gas networks and, in particular, the circumstances requiring Bairnsdale Secondary College to contribute in excess of \$100 000 of locally raised school funds towards the cost of connection. The minister has said he would seek advice on these matters and get back to me. I now ask the minister to inform the house of the outcome of his investigations into these matters.

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — I thank the member for his question. Yes, the member did raise this issue with me, and I have pursued this matter vigorously, as he would expect me to do. Today, I think, I signed a response letter to the member in relation to that question, but I am happy to inform him that, in response to his question regarding Bairnsdale Secondary College, this change to natural gas will be funded by the Victorian government to the tune of \$200 000. It will be funded by the Victorian government; it will not have to be funded by the school. It is good news for Bairnsdale Secondary College, and I hope the member passes this on as yet another example

of the Victorian government listening to and helping and acting for Victorian schools and Victorian families.

The school will receive \$200 000 for the conversion that is involved, and not only that, it will receive an estimated \$40 000 to \$50 000 saving on its energy bills in perpetuity. That is not a bad outcome for the Bairnsdale Secondary College, and I look forward to Mr Hall's supplementary question.

Supplementary question

Hon. P. R. HALL (Gippsland) — I therefore ask the minister to give me an absolute assurance that Bairnsdale Secondary College will not be required to contribute one cent of its own locally raised funds towards the cost of this connection.

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — I was hopeful that the honourable member might have actually thanked the government and thanked me for making the effort to follow up an issue which Mr Hall raised with me. I have followed up the issue. I have informed the house that this will be totally paid for by the government, and I have informed the house about the ongoing savings. I do not know whether Mr Hall asked for \$100 000, but it is actually \$200 000, and in addition to that there will be a \$40 000 to \$50 000 saving to the school in perpetuity.

Environment: greenhouse gas emissions

Hon. H. E. BUCKINGHAM (Koonung) — My question is to the Minister for Energy Industries, who is also the Minister for Resources. Can the minister inform the house of any major new initiatives the Bracks government has undertaken as part of its greenhouse gas abatement policies to help reduce energy consumption and save money in Victorian households?

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — I thank the member for her question. Yesterday we launched a campaign encouraging Victorians to save energy, to save money in the process and to help save the environment as well. I noticed in the newspaper today that Mr David Davis also offered what I would call lukewarm support for the proposal, and I thank him for that. He probably could have been a bit kinder than he was, but never mind, even lukewarm support from Mr Davis is something.

The new statewide energy saving campaign focuses on what Victorians can do to reduce their energy use in order to reduce greenhouse gas emissions. This is a very powerful advertising campaign. For those members who may not have seen the campaign, what

we have done is that we have taken a black balloon and calculated that the black balloon contains the equivalent of 50 grams of greenhouse gases, so using it we are able to show what 50 grams of greenhouse gases might look like as a quantity. We have worked out that on average every single house in Victoria produces the equivalent of 654 of these balloons of greenhouse gases every single day. That provides a powerful visual image to consumers about how in some respects they are responsible for the production of greenhouse gases.

I guess the bad news is that we are all producing greenhouse gases. That is one of the messages we want to get out. But further to that, not only are we producing greenhouse gases, we are producing them at roughly four times the world average rate. We are producing more of these gases than other families around the world — four times the world average. We should think about that. That might be the bad news, but the good news is that we can actually do something about it.

That is why the campaign theme is 'You have the power' — you have the power to save energy. We believe a range of simple basic actions can be taken by people in the course of their day in order to reduce emissions considerably. We calculated you can save 16 000 balloons by choosing to do your washing in cold water. By turning off the second fridge in the garage you can save about 20 000 balloons in any one year. That is a huge amount of greenhouse gas from a family home, which in the future may not be necessary to produce.

The message we are trying to get across to people is that they have the power. You have the power to reduce energy, and in reducing energy you also help to save the environment. An improvement of only 1 per cent in energy efficiency in this state saves us over 6 million tonnes of CO₂. That is what we want to try to achieve.

Optus Oval: future

Hon. B. N. ATKINSON (Koonung) — I wish to give the Minister for Energy Industries a rest and direct my question to the Minister for Sport and Recreation, the Honourable Justin Madden. I ask the minister to outline to the house the future of Optus Oval at Carlton.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I welcome the member's interest in any sporting facilities in particular, and I also welcome the member's interest in any matters of sport and recreation in Victoria. Members would appreciate that the Princes Park ground in Carlton is a facility that is managed by the Carlton Football Club and, like many of the

Australian Football League venues, does not get much use any more. They might be used as training facilities, but they are not used in the way they were traditionally used as a venue for the local Australian Football League or Victorian Football League on a Saturday.

But there is an issue here, as with many other venues across metropolitan Melbourne, about how to best use these facilities. Whether it be the likes of Moorabbin, Glenferrie Oval or Punt Road, these are in many ways underperforming assets. They have traditionally been used by the community, but the great challenge now for all the football clubs that manage these facilities is how they get the best use out of them and also the best commercial advantage for their own operations. But what is most important is how we get the community back into these facilities.

I look forward to making further announcements about these sorts of venues right across Melbourne and how we might get better community use out of all these venues well into the future.

Supplementary question

Hon. B. N. ATKINSON (Koonung) — I understand that, if the minister checked his diary, he would be aware he is making a major announcement on the future of Optus Oval tomorrow. I therefore ask: is the minister more interested in press releases, stunts and circuses than he is in accountability to this Parliament under the Bracks government's frayed and tattered commitment to open and transparent government and a Parliament that upholds democratic traditions? I ask the minister to outline to the house is the future plan for Optus Oval.

Hon. Bill Forwood — Good question.

The PRESIDENT — Order! Yes, except that it was the same question that was asked previously and, on a supplementary question, the member cannot ask the same question again. I will give the member the opportunity to rephrase it.

Hon. B. N. ATKINSON — I ask the minister whether or not the plans that he will announce tomorrow for Optus Oval include a major redevelopment of that ground, including the demolition of stands.

Mr Viney — On a point of order, President, there are a number of issues in that question, particularly in the preamble to the question, that in my view appear to breach the rules relating to questions, particularly rule 1.02(c), (d) and (e) which say questions should not contain arguments, inferences or imputations. I believe

all of those things were contained in the question the member asked.

Hon. Philip Davis — On the point of order, President, it would seem apparent that in asking the supplementary question the member was entitled to set out some additional facts relating to the original answer. The additional facts that were set out dealt with the point that the minister has, well known to people involved in the field of sport, an arrangement to make detailed announcements tomorrow. That is relevant to the house, and so too therefore is the supplementary question.

Mr Viney — Further on the point of order, President, where I believe the question transgressed the rules in relation to questions was in various comments and inferences the member made in relation to the minister's intentions, and in particular the comments made about his only being interested in press releases and stunts. Clearly that is not additional information that was pertinent to the question as a supplementary. I believe the opportunity for members to have 1 minute to ask a supplementary question was being abused in the way that question was formed.

Hon. B. N. ATKINSON — On the point of order, President, Mr Viney might take issue with the preamble, but he clearly has not taken issue with the supplementary question. The reality is that this goes to accountability. Is the minister more interested in informing the public by way of press release or is he prepared to accept his responsibility as the minister to answer to the Parliament?

Honourable members interjecting.

The PRESIDENT — Order! With respect to the points of order that were raised, the concern that started off with Mr Viney about whether it was hypothetical was more to do with the preamble. The question that was asked, which I requested the member to rephrase because it was not supplementary, it was just a repeat of the original question, made reference to the minister's original answer saying that there could be announcements in the future. The member asked what an announcement tomorrow is going to entail. That is just over the line on a supplementary question, because it is almost the same as asking the original question.

With respect to Mr Viney's concerns about the preamble, I do not have a problem with that. But I remind members that supplementary questions are supposed to be based on the answers. It takes a little bit of effort. They should listen to the answer and base their supplementary question around that and not just

repeat the question, so that the supplementary question actually arises from the answer that is given by the minister.

A supplementary question should only be asked to elucidate or clarify the answer given to the original question. It should relate to that answer and should be asked only — only — if the member asking the question feels it necessary to seek further information on the matter or to ask the minister for a further explanation.

Based on the fair attempt to rephrase the question about an announcement the minister might be making tomorrow and whether that adds any further to the question about the Carlton football ground, I call on the minister to respond.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — Thank you very much, President, and I welcome the member's question. I am not actually quite sure what the member is trying to achieve with this question, which really is about an announcement in the future, as I alluded to before. There will be announcements in the future about facilities, but we will always make announcements in the future about facilities, because just as we have spent more than \$118 million on something of the order of 1450 community facilities right across Victoria, we will always be making announcements into the future. We will continue to make announcements into the future because we have policies about the future of sport in this state!

Honourable members interjecting.

Hon. J. M. MADDEN — Unlike the opposition, we are rising to the challenges of what this state needs in the future, and we will continue to make great announcements about sports facilities in Victoria.

Rural and regional Victoria: football and netball clubs

Hon. R. G. MITCHELL (Central Highlands) — My question is directed to the Minister for Sport and Recreation. I ask the minister to outline to the house how the Bracks government is getting on with the job of providing rural and regional communities with access to quality sporting infrastructure.

Honourable members interjecting.

The PRESIDENT — Order! Enough! I do not know how many members heard the question asked by Mr Mitchell. I am sure there were not many, because there were so many talking on either side. Members

will stop interrupting, stop interjecting and stop having conversations across the chamber. Mr Mitchell, to repeat his question.

Hon. R. G. MITCHELL — I am happy to, President. My question is directed to the Minister for Sport and Recreation. I ask the minister to outline to the house how the Bracks government is getting on with the job of providing rural and regional communities with access to quality sporting infrastructure.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I thank Mr Mitchell. I always appreciate the enthusiasm Mr Mitchell displays for community sport and recreation. I appreciate it because one of the great things Mr Mitchell has done — —

Hon. J. M. McQuilten interjected.

Hon. J. M. MADDEN — And one of the great things Mr McQuilten has done is participate in an inquiry into the status of country football. I remind the chamber that the terms of reference for that inquiry were provided by this minister. I will inform the chamber of the successful outcomes of that inquiry. I know opposition members have a bit of a football focus today, and I know we have a few football fanatics on the other side of the house, but one thing about football is that you have to operate like a team. We have already heard from Mr Theophanous that the opposition cannot even spell the word 'team', let alone act like one.

I had the great pleasure of announcing over \$1 million in funding for 42 projects across Victoria as part of the country football and netball program. This program came out of this inquiry. It came out of this inquiry because the inquiry highlighted the status of country football and netball and the community value they deliver to country towns right across Victoria. When I look over to the members of The Nationals I know it might not feel completely comfortable to them but I know they would endorse the outcomes of the inquiry and the outcomes of this project.

I want to remind the chamber of some of the great announcements we made. We provided \$20 000 to the Torquay Football and Netball Club. I was there with Mr Eren and Ms Carbines, in their electorate, to announce the refurbishment and enlargement of the kitchen at the Torquay Football and Netball Club. I can also announce \$50 000 to the Wandella football and netball clubs in Mr Drum and Mr Bishop's electorate — —

Hon. D. K. Drum interjected.

Hon. J. M. MADDEN — It is in your electorate, Mr Drum, just in case you do not know it. I would like to reinforce the \$50 000 to the Moe Football and Netball Club. Just in case Mr Drum does not know where that is, it is in Mr Hall and Mr Davis's electorate. I am not even sure Mr Davis is sure where the Moe Football and Netball Club is.

These grants represent our continued investment in community sporting facilities right across the state. We will continue that investment. I want to remind the chamber, just in case members did not get the message last week — —

Hon. D. K. Drum interjected.

Hon. J. M. MADDEN — Just in case you were not here for it, Mr Drum. I am sure Mr Drum heard the message, but I want to remind him. That is why this state is leading participation right across the nation. That is why 85 per cent of Victorians over the age of 15 are involved in exercise, sport and recreation. We are funding community sport and recreation. We are growing sport at the grassroots level, and we will continue to make announcements about investment in sport and recreation and getting the community into sport and recreation.

Hon. Bill Forwood interjected.

Hon. J. M. MADDEN — I am excited about this, Mr Forwood, because this is great news for the Parliament. The great thing about this program is the Victorian government has quadrupled its contribution to the country football and netball program from \$2 million to \$8 million. Isn't it good news, Mr Forwood? The Australian Football League has committed \$2 million to the program. It is a pretty big program when it comes to community sport and recreation. That shows that we can partner, that we can be a team, whether it is with local government and the AFL or community organisations. It is a great example of what can be achieved with team — —

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

US Services: performance

Hon. B. N. ATKINSON (Koonung) — I direct my question without notice to the Minister for Finance, Mr Lenders. South East Water has established a joint venture company with Theiss Services and Siemens to provide fully integrated, one-stop sales, construction, operations, maintenance and customer relationship management services, according to its brochures. US Services undertakes work for and on behalf of South

East Water and is also managing tender processes on behalf of the authority. I therefore ask the minister if he can assure the house that US Services, the joint venture company formed by South East Water and private sector partners, is compliant with the requirements of the Victorian Government Purchasing Board and government guidelines on tendering and competitive neutrality.

Mr LENDERS (Minister for Finance) — I am delighted to take questions on procurement from Mr Atkinson at any time. I might disappoint Mr Atkinson, but with hundreds of government bodies in the central departments which are required to follow the purchasing policies of the Victorian Government Purchasing Board and several hundred others which are required to have them as guidance I cannot answer in the house specifically what Mr Atkinson has asked, so I will take the details of his question on notice.

However, I will certainly take up the general comment about probity and best value for money in how we tender and do things. This government has given greater powers to the Victorian Government Purchasing Board. We publish on our web site all contracts over \$100 000 after they are completed. We put our policies up. All of our ministers, year in and year out, face the Public Accounts and Estimates Committee, unlike our predecessors, who weaved and dodged. This government stands up for things, unlike those opposite, who do not stand up for anything, especially their leader, Mr Baillieu — other than Mr Philip Davis, who stood up for a question, and Mr Forwood, who is standing up to be mischievous.

We believe in policies that give certainty to our community so people know they are transparent. We want value for money. We want ingenuity. We want partnerships to be developed between government agencies and the private sector. We want an environment that encourages all of that. However — —

Hon. Philip Davis — This is just filibustering. Sit down and let us get on with it.

Mr LENDERS — Mr Davis asked me to sit down but I assure him that we on this side stand up for a lot of things, unlike his leader, Mr Baillieu, who says things but does not stand up for anything.

I will take Mr Atkinson's question on notice and I look forward to his supplementary, which I am sure will further elucidate the question he wishes to ask.

Supplementary question

Hon. B. N. ATKINSON (Koonung) — The minister seems to like to take most of my questions on notice. I thank him for offering to follow up that matter so that I get a reasonable reply. What specific action will the minister take, on behalf of the Parliament, to ensure that US Services is not simply an attempt by South East Water to circumvent government tendering requirements? Is the minister satisfied that US Services adheres to proper corporate governance procedures in evaluating tenders and quotations from external contractors when it is also a competitor in that tender process?

Mr LENDERS (Minister for Finance) — First and foremost, this government calls members of this house together for 50 days a year. Regardless of the flack we get from those opposite who say we do not do much here, we call the Legislative Council into session 50 days a year so the opposition can ask questions, can raise adjournment matters, can debate reports and can review where the government is coming from. We stand up for things, and they include openness and transparency, unlike people like the Leader of the Opposition, Mr Baillieu, who say a lot of things but do not stand up for anything. We bring the Parliament together and face questions from Mr Atkinson.

Secondly, Mr Atkinson said I take a lot of questions on notice. I would have thought that was a matter of showing courtesy to the Parliament. I am happy to talk in general terms about my portfolios. If it is about something as specific as one of 600 agencies, which may actually be the responsibility of the Minister for Environment, I will take it on notice and reply. We are open and accountable, welcome Parliament meeting and are happy to take the member's questions any day.

Consumer affairs: rural and regional Victoria

Hon. S. M. NGUYEN (Melbourne West) — My question is to the Minister for Consumer Affairs. The Bracks government is governing for all Victorians and that includes Victorian consumers. In this light, can the minister advise the house on any recent activities that have been undertaken in the area of consumer affairs to protect Victorian consumers in regional Victoria?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I thank the member for his question. In fact, Victorian consumers are well protected in Victoria with a range of ongoing activities by Consumer Affairs Victoria as well as a legislative regime that protects their interests. One of the things that is most important, though, is that we are looking after all Victorian

consumers, no matter where they reside, and that they have access to the services that Consumer Affairs Victoria provides. That is why we opened Consumer Affairs Victoria (CAV) offices and mobile offices across Victoria, to go around and ensure that people can have face-to-face contact with officers from consumer affairs.

Not only do we do that, but we also ensure that traders in country Victoria are meeting their requirements under legislation and understand the laws under which they must operate. We are not frightened to act if businesses are doing the wrong thing. We are also prepared to sit down and talk to businesses about what their obligations are and what they should do. We expect that businesses will do the right thing by consumers — and I am pleased to say that on the whole in fact they are.

I notified the house in March that there was a compliance and enforcement operation conducted in the Warrnambool area. I can also say to the house that two weeks ago CAV conducted an exercise in Swan Hill. CAV officers visited 88 traders. They handed out free education packs to traders to help them in understanding the laws. They were also checking their business practices, products and services. This was a very positive visit. I am pleased to say that there were major problems in Swan Hill. This is a good sign. It does mean that the message is getting out there and that businesses do understand what their entitlements are. It is good for those residents of Swan Hill and their families to know that when they are dealing with their local businesses in Swan Hill they are in fact being dealt with fairly and appropriately according to the law.

The Bracks government has now visited almost 1000 traders in regional Victoria, including in and around Ballarat, Echuca, Geelong, Gippsland, Shepparton, Wangaratta, Warrnambool and now Swan Hill. We will continue to regularly visit country areas, ensuring that no matter where they are consumers are getting what they are entitled to and the appropriate treatment from traders according to the law. We want to make sure that Victoria is a great place to raise a family.

QUESTIONS ON NOTICE

Answers

Mr LENDERS (Minister for Finance) — I have answers to the following questions on notice: 5839–48, 6578, 6581–3, 6585, 6588, 6590–4, 6605, 6607, 7220,

7221, 7225–7, 7431–8, 7824, 7825, 7866, 7867, 7999, 8000–4.

Hon. PHILIP DAVIS (Gippsland) — I need to raise a matter with the Minister for Energy Industries. A question on notice asked on 30 March 2004 — more than two years ago — is still unanswered. I cannot believe the administrative incompetence that would allow a question on notice to stand for that long. Will the minister advise when there is going to be an answer? I make the point that I have written to the minister formally, seeking a response.

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — The question by the member was one which would have required an enormous number of resources to answer. It has been considered by the department and I believe that I will be able to get the member a response to the question by the close of business today. It might not be the response he likes, but I will get him a response.

Hon. BILL FORWOOD (Templestowe) — I am reluctant to raise the issue of question 5313 again because I know that the Minister for Aged Care is diligent in his efforts on my behalf to see if he can procure me an answer before the minister appears before the Public Accounts and Estimates Committee on Friday of this week. I wonder if there is any chance that on either Wednesday or Thursday we might actually see the response?

Mr GAVIN JENNINGS (Minister for Aged Care) — Thank you, Mr Forwood. There is definitely a chance. It is my intention that we step up and deliver an answer by the time the minister appears before the Public Accounts and Estimates Committee. I have it on good authority, as recently as within the last hour, that the Minister for Health has considered the answer today, so has focused on the answer today, and I am hoping that it will be tabled tomorrow.

Hon. BILL FORWOOD (Templestowe) — Thank you.

MEMBERS STATEMENTS

State Library of Victoria: newspaper service

Hon. ANDREA COOTE (Monash) — I have spoken in this chamber on many occasions about the State Library of Victoria. It has a very controversial policy of deaccessioning newspapers. The library has said that it is deaccessioning because it is going to concentrate on a Victorian-focused collection. The acting librarian has said that the State Library of

Victoria newspaper collection is the best in the country. In an interview that she had recently with Jane Sullivan, the State Library of Victoria librarian, on secondment to Arts Victoria, has said that there is going to be no deaccessioning. This is very confusing.

It is believed that the State Library of Victoria is deaccessioning because it cannot afford to keep the newspapers. The library received \$25 million in last week's budget, which is welcome, but why can the library not afford to keep this valuable resource? Is it or is it not deaccessioning and is it because it cannot afford it? If it is because it cannot afford it, why can they not take some of the money out of the \$25 million from the budget and put it towards keeping this very valuable newspaper collection? What will the library get rid of next, under the Victorian-focused collection policy at the State Library of Victoria?

Ian Little

Mr LENDERS (Minister for Finance) — It is with great sadness that I rise today to pay tribute to the late Ian Little. Ian Little, as many would know, was aged 50. He died last night in his sleep. He was the Secretary of the Department of Treasury and Finance. He joined the Reserve Bank of Australia in 1979 as an economist and the ANZ bank in 1987 as the chief economist and went to the Department of Treasury and Finance (DTF) in 1994 as the deputy secretary. In 1998, he became the secretary of the department. When the Bracks government came to office, I had the first opportunity to meet him when I was the parliamentary secretary to the department. Like many people who knew Ian, I was moved by him and respected him as a great Australian and a great Victorian.

Whilst he had numerous honorary economic and public administration roles, he also took enormous pride in being a member of a school council in Elwood, where his children go to school. Ian was a family man as well as being part of DTF. He leaves his wife Clair and his daughters Christina and Natalie.

Ian Little was an extraordinary man. I had the privilege of moving through the department this morning, talking to many of the people who had worked with Ian over his eight years in the department. The word 'wisdom' was spoken quite often about what Ian was like. He was a man of great wisdom and he was very thoughtful. He was also someone for whom the people who worked for him had enormous respect. He had a sense of humour. He also cared about those who worked for him. After budgets, Ian was always concerned about where the work-life balance was — that his staff had

not burnt out or overworked, which is a great thing in this day and age.

It is a sad loss to Victoria, a sad loss to his family and I mourn the passing of Ian Little, a friend and a very great man.

Honourable members — Hear, hear!

Landcare: Corangamite

Hon. DAVID KOCH (Western) — Last Friday night saw the inaugural Powercor Corangamite Catchment Management Authority catchment awards celebrated at the Sands Golf Club in Torquay.

This was a great gala environmental event that saw over 200 guests, including the local member for Polwarth and me, share in the celebrations of the Corangamite CMA's 10th anniversary and Landcare Victoria's 20th anniversary.

I salute Powercor for being the anchor sponsor, a stalwart of regional Victorian achievers. The nine award classifications were conferred on Landcare volunteers who have worked tirelessly to improve the health of catchments in the Corangamite CMA region. Recipients were drawn from individuals, community groups, local government and schoolchildren, with the evening's gold Logie for the Lifetime Achievement Award going to well-known Linton farmer Kevin Knight for his long-term commitment to working beyond the call in improving the health of the Woody Yallock.

Renowned radio personality, former politician and supporter of Landcare, Ian Cover, led the evening, keeping all entertained. Regrettably, the one negative comment made by many during these extremely important celebrations was about the lack of attendance by invited government Geelong and Ballarat members of Parliament, especially local South Barwon member in the other place, Michael Crutchfield, who chose to ignore this major event on the environmental calendar. Most Victorians were under the illusion that this government had environmental credentials.

My congratulations go to chairman Peter Greig, the CMA board —

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

Nuclear energy: inquiry

Hon. J. G. HILTON (Western Port) — My matter this afternoon is in relation to the Prime Minister's

announcement of an inquiry into nuclear power, which was discussed during question time.

I have no problem with an inquiry. We should always keep abreast of changes in technology, but I noticed that the Prime Minister gave as his reason that we are facing an upcoming crisis in the supply of fossil fuels. He is right. We are using more fossil fuels than are being discovered, and even though we have many years of supply, at some stage the reserves of fossil fuels will run down and we will have to consider alternatives.

Is it not ironic, therefore, that in Australia we have a fledging wind power industry which has been stymied by the federal government? Wind power produces no CO₂ emissions and there is no problem of waste, and yet because there was a remote possibility that once in 20 years an orange-bellied parrot may be killed by a wind turbine, a major development in Gippsland was vetoed. Is there no limit to the political hypocrisy of this federal government?

Schools: crossing supervisors

Hon. J. A. VOGELS (Western) — The failure of the Bracks government to adequately fund school crossing supervisors, putting the lives of our children at risk, is shameful. This Labor government can find \$182 million to pork-barrel the parents of prep and year 7 students with a \$300 grant, worth \$1 a week over a student's school career, while at the same time reducing the municipal claims and school crossings supervisor budget from \$89 920 million in 2004 to \$65 491 million in 2005. These figures are from the statement of financial performance at page 92 of the VicRoads annual report.

This \$25 million decrease is putting the lives of our schoolchildren at risk. It is one of the reasons councils across Victoria that share the cost of so-called lollipop ladies and road safety drop off/ pick up zones with the state are under increasing pressure to close certain school crossing supervisor locations and not consider new ones even though there is clear evidence that one should be established.

At the Urquhart Street Primary School in Russell Street, Ballarat, parents have collected a petition bearing 303 signatures fearing the inevitability of a serious accident. This busy street is known as a speed area by the local police as they frequently set up radar guns.

Ballarat City Council recognises the problem but says that due to budget constraints safe pickup/drop-off zones or the appointment of a lollipop lady can only be considered as perhaps part of a future budget allocation.

The parents of all children, including preps at the school, and no doubt all parents of primary and secondary school students, want to see their kids come home safely.

The Labor Party should be condemned for not adequately funding school crossing supervisors, safety zones et cetera, if they have enough money to pork-barrel one group of parents to try to win a few votes at this year's election.

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

MPs in Business program

Mr PULLEN (Higinbotham) — I had the opportunity to participate in the Victorian Employers Chamber of Commerce and Industry (VECCI) MPs in Business program last month. This time my business host was the Victoria Racing Club (VRC) at Flemington, and I have a great deal of respect and love for the racing industry.

General manager of human resources, John Anstey met me, and together with the chief executive officer, Dale Monteith, outlined the program for the day. Then it was off for a tour of the racecourse and facilities with Terry Watson, general manager, Flemington.

I viewed part of the \$60 million master plan, such as the completed nursery car park extension, the nearly completed wetlands precinct and the ongoing works of the flood wall.

The track is to be ripped up and rebuilt at the end of the 2006 carnival, and there are some 34 separate projects as part of the master plan.

Brendan Ford, general manager, sponsorship and corporate development, outlined sponsorship acquisition and retention, while general manager, strategic marketing, Stephen Silk, gave me an interesting insight into the Flemington brand, not only for members but also the general public and interstate and overseas visitors.

Other general managers I met with all gave their time freely and really developed my knowledge of the industry were Craig Malman, business and finance; Robert White, customer service; Julian Sullivan, membership; James Earls, racing; and Brendan Kneebone, Melbourne Cup carnival risk manager.

I also had the opportunity to chat with my friend, former secretary Rod Johnson, who is currently writing a history of the club, and other staff members. A credit

to the VRC is that everyone has worked there for many years and they really enjoy their work. I thank VECCI and the VRC for the opportunity to participate in the program again.

Box Hill Institute: apprentices

Hon. B. N. ATKINSON (Koonung) — Last Thursday night I had the opportunity to visit the Outstanding Student of the Year awards: TAFE apprentices of the Box Hill Institute.

It was an interesting evening. In fact, one of the overwhelming matters that appealed to me was that most of the winners of those awards were people who were late entry students so far as apprenticeships were concerned, very often people who had had existing careers and who changed those careers to take up apprenticeships.

That certainly indicates to me that we need as policymakers to think a little more carefully about the careers guidance facilities that are available to young people in particular, and also to look at the situation where this government seems to have a blind faith in high school completion rates regardless of the needs and interests of students.

I extend congratulations to Joseph Nieuwenhout and Traci Ely, both first year apprentices; Phillip Jepson and Michael Kavelj, both second year apprentices; Benjamin Minichiello, Christopher Henry, Matthew Freene, Sally Ann Johns, Dianne Sambrooks, Tom Marshall, Casey Thompson, James Foster-Green and Laura Hilet, who were third year apprentices, all finalists in those competitions and outstanding young people. Their presentations on the evening were exceptional. The trades are in good hands if we can continue to educate them.

Karoo Primary School and Antonio Park Primary School: facilities

Hon. H. E. BUCKINGHAM (Koonung) — I rise to congratulate the Minister for Education and Training in the other place, Lynne Kosky, for her recent announcement of \$3.1 million in funding for the modernisation of Karoo Primary School in Rowville in my electorate. Karoo Primary School was constructed in 1992. It now has 720 students and 55 staff, the majority of whom are learning and teaching in relocatable classrooms.

On Wednesday, 24 May, Anne Eckstein, the member for Ferntree Gully in the other place, and I were at the school when principal Jim Harry and his staff and

students welcomed Minister Kosky and demonstrated to her the need for new and upgraded facilities at the school. I am delighted therefore that Karoo Primary School was given the go-ahead in the state budget to construct a new six-classroom learning centre and that the library, physical education and administration areas are to be updated and integrated into existing facilities.

I congratulate the principal, Jim Harry, the school council president, Heather Betts, and the council and staff on the excellence of the programs and teaching offered at Karoo Primary School, and I am sure that the new facilities will be a great asset for their school and local community.

At the other end of my electorate, in Mitcham, I am also pleased that \$2.63 million in funds have been allocated in this budget for the stage 2 refurbishment of another terrific primary school, Antonio Park. I know that the principal, Hans Kueffer, the staff and school community will be looking forward to the building of five general classrooms, an art and craft area, library, canteen and especially the new toilets.

The Bracks government has made education a top priority for Victoria, and both Karoo Primary School and Antonio Park Primary School will be greatly enhanced by the refurbishments which have been made possible by these announcements.

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

Sustainability and Environment: awards

Hon. W. R. BAXTER (North Eastern) — Yesterday I came into possession of a copy of the in-house staff journal of the Department of Sustainability and Environment, which makes for illuminating reading, in particular that headed 'Awards recognise top DSE performers'. I found among the number of awards there the Secretary's Award for Outstanding Achievement, which lists nine staff members in the team. The project that won the award was, 'Removal of cattle grazing from the Alpine National Park'. There we have it: the removal of cattle from the Alpine National Park had nothing to do with science or anything like that or with protecting the environment.

There is actually a project team out there that is set the task of doing that. It has achieved it and won an award for it. I suppose that team has now been retitled 'Getting rid of cattle from Barmah forest task force'. No doubt the department will attempt to win an award with that project as well, regardless of what the science

is. It is outrageous that the staff journal should be crowing about the fact that the 40 families in the Alpine National Park have had their incomes and livelihoods undermined and that 26 or whatever it is graziers up in the Barmah forest are exposed to similar risk. It is an outrage.

Industrial relations: WorkChoices

Hon. J. H. EREN (Geelong) — If ever there was an example of how the Liberal-Nationals WorkChoices industrial relations laws are evil, we certainly have one today. I was devastated to learn that in this day and age children as young as 14 are being forced to sign individual contracts under the federal government's new industrial relations laws. Worse still, they are being employed as independent contractors, working for a commission, selling products at sporting events — a hard job for children if ever there was one.

Victoria's new workplace rights advocate, Tony Lawrence, has revealed this nasty sting to John Howard's WorkChoices legislation in an article titled 'Children's work fears' that appeared on page 12 of the *Geelong Advertiser* of 30 May 2006. Mr Lawrence says he has found one child who had to provide his own bag and uniform, was expected to be up to date with the relevant health regulations concerning selling food and would have any cash shortages deducted from his commission if he were to make a mistake giving change — in other words, this 14-year-old could not only work for an entire day without making money but he could be up for money if he made a mistake. I remind members that I am talking about a 14-year-old.

This is unfair and it should not be tolerated. The Liberals and the Nationals should be ashamed to support a system that could take such unfair advantage of children as young as 14. I say shame on them. For those who would like to contact the workplace rights advocate, they can contact the office by phone —

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

Member for Higinbotham Province: performance

Hon. C. A. STRONG (Higinbotham) — I was reminded recently of one Spiro Agnew, the vice-presidential candidate on the Richard Nixon ticket in the 1970s, who, in regard to the adage that all publicity is good publicity, famously said when there was a lot of media coverage about him, 'I do not read it, I measure it'. We all know that Spiro Agnew was subsequently removed from the Nixon ticket. I was

reminded of Mr Agnew by some recent media comment in the *Bayside Leader* from my friend Mr Pullen, who has had a remarkable foray into the local media since he has become the endorsed candidate for the seat of Sandringham in another place. He has something like four mentions in the current issue of 5 June. My favourite is:

Higinbotham Province Labor MP Noel Pullen said the state government had ...

... done 'a remarkable job with land tax' ...

This is in quotes. I can say only that that is a Spiro Agnew-like quote, and surely the residents of Bayside will not — —

The PRESIDENT — Order! The Honourable David Davis will sit down. Neither he nor any other member should have their back to the Chair.

Hon. C. A. STRONG — It is clearly a Spiro Agnew-type quote, in which the important thing is quantity not quality.

Refugees: offshore processing

Ms MIKAKOS (Jika Jika) — I rise to express my opposition to the federal government's policy of mandatory offshore processing of refugees which was announced on 13 April. I am particularly concerned at the potential for breaches of the human rights of refugees arriving in Australia, many of whom originate from countries where there are severe abuses of human rights. Despite the assurances of Prime Minister John Howard that women and children would not be kept in detention, this policy ensures that they will.

Furthermore, this new mandatory offshore processing policy will mean that women and children could be detained for an unspecified period of time. This mandatory offshore processing in effect excises the whole of mainland Australia from Australia's immigration laws — a ridiculous proposition. All asylum seekers reaching the Australian mainland by boat will be removed from Australia and processed on remote islands such as Christmas Island, Nauru or Manas Island off Papua New Guinea.

On 12 May the United Nations Refugee Agency, which is part of the UNHCR — the United Nations High Commissioner for Refugees — raised concerns about the new laws being ambiguous and said there were possible problems because processing standards in third countries might not be the same as in Australia. The UNHCR's spokesperson, Ms Jennifer Pagonis, raised the concern that these third countries such as Nauru were not signatories to the United Nations refugee

convention. The Victorian government has long supported refugees who settle in Victoria. I call on the federal government to likewise support refugees and to adhere to the 1951 United Nations refugee convention.

John Gow

Hon. BILL FORWOOD (Templestowe) — I wish to pay tribute to the outstanding contribution John Gow has made to education in Victoria. John is in his 50th year as a teacher in the Victorian system, which makes him, according to the old system, the most senior teacher.

On leaving teachers college he went down to Allendale, where like most teachers in those days he had a one-teacher school. Since then his career has spanned regional and rural Victoria. He has spent the last 20 years as principal of Mont Albert Primary School. He spent one year of his 50 years in a regional office, but he said quite quickly that he wanted to get back to the classroom. So in his 50 years in education, he has spent only one in administration. Think of the extraordinary contribution that someone who has spent 50 years in the system has made.

I was fascinated by his insights into the system as it is now and his willingness to adapt and to influence what is happening. He was the youngest teacher ever to get to principal first class. I asked him why he did not take 54/11, like most teachers, and he said, 'I liked the schoolroom too much'. Congratulations John — and congratulations to your wife, Anne — on a fantastic job on behalf of Victorian kids.

Nuclear energy: sites

Mr VINEY (Chelsea) — I wish to express my complete opposition to the path down which the Howard government is clearly wanting to take Australia regarding nuclear energy. I think we have a much more significant responsibility to our children than to be going down this path. I find it extraordinary that the Howard government is doing this at a time when it is rejecting renewable energy such as wind farms and failing to invest in innovations such as improvements to coal technology and solar energy.

I note that the federal Minister for Health and Ageing, Mr Tony Abbott, indicated that whilst he would be happy to have a nuclear power plant in his electorate, he did not think there was any room. I have some questions for some other federal members of Parliament. I would like to know whether Mr Greg Hunt, the member for Flinders and Parliamentary Secretary to the Minister for the Environment and

Heritage, would be happy to have a nuclear power plant in his electorate, given that it presumably has room. I would like to know whether Mr Russell Broadbent, the member for McMillan, would like to put a nuclear power plant in his electorate, given that it presumably has room, or if Mr Peter McGauran, the member for Gippsland and Minister for Agriculture, Fisheries and Forestry, wants one in his electorate because he presumably has room. These members need to express that they are also opposed to nuclear energy in their communities.

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

Drought: north-west Victoria

Hon. B. W. BISHOP (North Western) — For the information of members of the house, today I raise the issue of the extremely dry conditions being experienced across much of Victoria, with particular emphasis on the Victorian Mallee area and the north-east of Victoria, an area which I have discussed with my colleague the Honourable Bill Baxter. Whilst it is fair to say that most of the crops are in, there are some farmers who have not planted at all due to the very dry conditions. Given that the first couple of weeks of May is the optimum time for the Mallee grain crops to be planted, we are quickly drifting towards being a full month behind at best even if we have rain in the next couple of days.

I suppose it is the frustration of farming — a good start can be so near and yet so far. When speaking to some local farmers at a function the other night, that was just what they said, not only talking about getting the crops in and up on time, but also about the fact that stockfeed is just peeping through but needs another good rain to kick it away so it is worthwhile.

There is no doubt that the concerns being expressed about the lack of good rains to start the season off is driven by the fact we have had a decade of really tough years driven by not only lack of rain but also by low commodity prices, which is a devastating mix in today's world of agriculture where margins are thinner than ever before. Hopefully during the next week we will have good falls of rain not only in Victoria but in other states as well, because these dry conditions are causing great anxiety across a big area of Australia.

PETITIONS

Western Port Highway–Queens Road, Pearcedale: safety

Hon. R. H. BOWDEN (South Eastern) presented a petition from certain citizens of Victoria requesting that the Victorian Government direct VicRoads to investigate reinstating right-hand turns into and out of the Queens Road and Western Port Highway intersection between Pearcedale and Somerville (247 signatures).

Laid on table.

Disability services: language disorder program

Hon. W. A. LOVELL (North Eastern) presented a petition from certain citizens of Victoria requesting that the state government immediately reinstate the severe language disorder funding program thereby improving Victorian children with autism, Asperger's syndrome or other language disorders access to quality speech pathology (85 signatures).

Laid on table.

PAPERS

Laid on table by Clerk:

National Parks Act 1975 — Advice of National Parks Advisory Council to minister on several proposed excisions from existing parks.

Statutory Rules under the following Acts of Parliament:

Drugs, Poisons and Controlled Substances Act 1981 — No. 57.

Subordinate Legislation Act 1994 — No. 56.

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

Child Wellbeing and Safety Act 2005 — whole Act (other than Part 7 and section 48) — 1 June 2006 (Gazette No. G22, 1 June 2006).

PARLIAMENTARY PRIVILEGE

Right of reply

The PRESIDENT — Order! Pursuant to the standing orders of the Legislative Council, I present a right of reply from Mr Douglas Campbell, policy adviser, office of the Leader of the Opposition, relating to statements made by the Honourable Andrew

Olexander, member of the Legislative Council, on 6 April 2006.

During my consideration of the application I gave notice of the submission in writing to Mr Olexander. I have also consulted with Mr Olexander and conferred with Mr Campbell prior to the right of reply being presented to the Council. I have omitted some expressions which I deemed not to be in accordance with the spirit of the standing order.

Having considered the application and determined that the right of reply should be incorporated into the parliamentary record, I remind the house that the standing order requires me, when considering a submission under the order, to not consider or judge the truth of any statements made in the Council or the submission.

In accordance with the standing orders the right of reply is hereby ordered to be printed and incorporated in *Hansard*.

Reply as follows:

I write seeking a right of reply as provided for under Legislative Council standing order 19.02. Claims made in the Legislative Council by the Hon. Andrew Olexander, MLC, on 6 April 2006 adversely affect my reputation and therefore I request that I be permitted to incorporate the following response into the parliamentary record.

I understand that I have been named in Parliament as having directed inappropriate language at a member of the Legislative Council during question time on 6 April 2006.

I wish to strongly deny these unsupported allegations.

I did attend question time in the Legislative Council on 6 April 2006 just as I have attended nearly all such question times since late 2003 as part of my normal duties as policy adviser to the Leader of the Opposition.

At no time were any remarks directed at or about the member in question.

Yours sincerely,

Douglas Campbell

Policy Adviser

Office of the Leader of the Opposition

Laid on table.

Ordered to be printed.

Right of reply

The PRESIDENT — Order! On 7 March 2006, I received a submission from Cr Robert Gordon of Mitchell Shire Council seeking a right of reply in

response to comments made by the Honourable Robert Mitchell on 2 March 2006.

I now advise the house that, pursuant to standing order 19.03, I determined that no further action be taken in relation to the submission.

PRIMARY INDUSTRIES ACTS (MISCELLANEOUS AMENDMENTS) BILL

Second reading

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

Mr GAVIN JENNINGS (Minister for Aged Care) — I move:

That the bill be now read a second time.

Incorporated speech as follows:

The Primary Industries Acts (Miscellaneous Amendments) Bill 2006 makes amendments to two acts within the agriculture portfolio: the Fisheries Act 1995, and the Meat Industry Act 1993.

Amendments to the Fisheries Act 1995

The bill introduces amendments to the Fisheries Act 1995 (the Victorian act) to facilitate improvements to fisheries arrangements under the Offshore Constitutional Settlement (OCS). The OCS is the jurisdictional arrangement between the commonwealth, the states and the Northern Territory (NT) which sets out responsibilities for offshore fisheries, mining, shipping and navigation and crimes at sea.

The Fisheries Management Act 1991 of the commonwealth (the commonwealth act) and reciprocal state and NT legislation provide the legal and administrative basis for the commonwealth, the states and the NT to make an OCS arrangement, which in turn provides for the holistic management of fisheries. At present, there are some 50 arrangements in place between the commonwealth, the states and NT jurisdictions.

The 2003 Commonwealth Fisheries Policy Review identified inadequacies with the current OCS fisheries arrangements, highlighting the lack of consistency and effective cooperation on the management of some fish stocks straddling commonwealth, state and the NT jurisdictions. The commonwealth therefore introduced the Fisheries Legislation Amendment (Cooperative Fisheries Arrangements and Other Matters) Act 2005 (the amendment act) to address these concerns. The amendment act provides for three main changes to the commonwealth act:

1. The amendment act provides a broad, express power for the government to vary existing and future OCS fisheries arrangements. This will ensure that OCS arrangements are current, accurate and accord with developments in fisheries management.

2. The amendment act also provides a broad, express power to commonwealth, state and NT ministers to create and terminate OCS fisheries arrangements, which currently rests with the Governor-General and state and NT governors.
3. Finally, the amendment act introduces a further option for the management of fisheries resources by commonwealth, state and NT governments by providing for regional fisheries arrangements. This allows state laws, not just commonwealth laws, to be applied under an arrangement involving the commonwealth and more than one state as well as allowing more than one law to be applied in a fishery under a single OCS.

To take into account these proposed changes to the commonwealth act, the bill will amend the Victorian act to provide for the variation of an arrangement in accordance with the commonwealth act. It also allows for the granting, issuing, renewal of licences, permits and other instruments for the purposes of the operation of the arrangement as varied.

The bill also introduces amendments to the Victorian act to provide for a fee to be imposed for notifying the departmental secretary of the holder of an abalone fishery access licence who is nominated to take abalone under an individual abalone quota unit.

Amendments to the Meat Industry Act 1993

Amendments to the Meat Industry Act 1993 (the Meat Act) will enable the sale of pre-packaged pet food within retail butcher shops.

Currently, under the Meat Act, a person at a butcher shop must not sell any meat that is unfit for human consumption, which includes pre-packed pet food. These products are currently sold in supermarkets in Victoria along with fresh meat for human consumption, and in retail butcher shops in NSW and Queensland. Manufacturers in the pet food industry wish to expand their retail options by being able to supply pre-packaged pet food for sale in butcher shops in Victoria.

The bill will overcome this restriction in competition by allowing an exemption for some defined pet food products being sold in retail butcher shops in Victoria. The type of pet food products that will be able to be sold at a retail butcher shop in Victoria under the act amendment will include:

pet food that is manufactured, processed, pre-packaged and labelled in a sealed, robust, leak-proof container at an approved pet food processing facility operating in accordance with a licence under the Meat Act or an equivalent facility in another state or territory; and

pet food that is manufactured, processed, pre-packaged and labelled in a sealed, robust, leak-proof container overseas and that has been approved for importation under the commonwealth legislation by the Australian Quarantine and Inspection Service of the commonwealth Department of Agriculture, Fisheries and Forestry.

The implementation of relevant standards will prevent health risks through cross-contamination of meat for human consumption with pet food.

Pre-packaged pet food includes canned and chub-packed formulations of pet meat, grain dry extruded kibble (pellets),

and dry extruded snacks (for example treat strips). This amendment is not intended to include fresh uncooked pet meat.

I commend the bill to the house.

Debate adjourned for Hon. PHILIP DAVIS (Gippsland) on motion of Hon. E. G. Stoney.

Debate adjourned until next day.

PLANNING AND ENVIRONMENT (GROWTH AREAS AUTHORITY) BILL

Second reading

Debate resumed from 1 June; motion of Hon. J. M. MADDEN (Minister for Sport and Recreation).

Hon. D. McL. DAVIS (East Yarra) — I rise to make a contribution to the Planning and Environment (Growth Areas Authority) Bill 2006 and in doing so indicate that the opposition will oppose this bill and oppose it vigorously. There are a number of aspects to this bill in its genesis, its actuality and its future that we need to have clarified. I have to say that each step of clarification we have undergone over the last few weeks has made us more and more concerned about the operation of this bill and the practical effect it will have.

I start first with the fact that we do not oppose better and more thoughtful planning of growth in the growth areas. I will come back to the definition of those areas in a moment. We support sensible planning in those areas, but we believe that is a role for local councils in the first instance, with the support and assistance of the government and, from time to time, the minister. However, we do not support the creation in this bill of another layer of bureaucracy — a layer that is both expensive and cumbersome and will insert into the process additional bureaucrats. Far from making planning simpler, better coordinated and better focused on the future, it will make it more complex and more costly and create greater confusion in the processes — not only confusion for individuals, confusion for developers and confusion and costs for families but also a second-guessing of the role of councils and, over time, a squeezing out of councils from the key role they should have in their local areas. That is a matter which causes us some concern.

I will start with the process matters behind this bill. Of course the chamber will be well familiar with the issues that surround the urban growth boundary (UGB) and the steps that have occurred in relation to it over the last few years both here and in the other chamber. The

outrageous steps taken in the spring sittings of 2003 followed the establishment of the so-called smart growth committees around the fringe of the city. Those semi-secret committees did not take on board full community input and never fully released to the Victorian community the submissions made to them. In the spring sittings of 2003 the ratification process which instituted the UGB was undertaken. Members will remember the problems we faced when that was suddenly imposed on us and when members of both chambers had insufficient time to properly and fully examine the proposals. In 2005 the government amended the UGB with a similar seriously deficient process, and we made the same points at that time.

Ms Carbines — You didn't; you weren't in the chamber.

Hon. D. McL. DAVIS — I did actually — publicly. I make the point here that the government released, but not sufficiently broadly, *A Plan for Melbourne's Growth Areas*. That document looked at a number of these aspects of growth on Melbourne's fringes — the interface between the country and the city — and sought to work out useful strategies there. I think it is worth putting on the record some figures from that document. The Premier said in that document:

It is expected over the next 25 years up to 220 000 houses will be built in Melbourne's growth areas. These will provide a significant boost for Victoria's housing construction industry, creating more jobs, development and investment activity.

We would certainly support those key points. An additional document on the Growth Areas Authority itself, which dates from December 2005, was not distributed so widely. I will talk about that in a moment. *A Plan for Melbourne's Growth Areas* looked at employment and a whole series of issues around growth on the fringe of the city.

Melbourne's growth rate is hard to predict over a long period. Over the last decade or so since the revitalisation that occurred under the Kennett government Melbourne has been competitive nationally, but the growth patterns are heavily dependent on immigration from both overseas and interstate. Certainly in the late 1990s and during the first few years of the Bracks government migration was a significant driver of population increases. However, I make the point that these population estimates are hard to pin down over the longer haul because they are dependent not only on natural population changes but also on immigration changes and interstate migration patterns, which are susceptible to a whole range of issues, including taxation levels. I certainly have put on the record in this chamber before my concerns about

taxation levels under this government and the fact that they will have a negative effect on growth in Victoria in the longer term, including growth driven by additional interstate migration.

I note also that in theory this program — the Growth Areas Authority and so forth — does link with this state's Melbourne 2030 proposals and planning system that is creating so much controversy. I will make some comments about that a little later too, but at this early point in my contribution it is worth indicating the concerns the opposition has about the process.

The Growth Areas Authority consultation paper released in December 2005 for growth area councils, developers and key interest groups was not fully a public document. It was a document that was released to so-called stakeholders in the five growth areas defined in the bill. Those areas are Casey-Cardinia — there is some issue between the two councils in those areas as to whether they wish to be linked in the way that they so regularly are — Hume, Melton-Caroline Springs, Whittlesea and Wyndham. The document says:

... by 2030 Melbourne's growth areas will accommodate up to 454 500 additional people in up to 220 000 homes ... This task is comparable to developing new communities for close to the total population of Tasmania.

I think that puts the situation in a good context. It is significant that that is the size that is required. It is a challenge for any community to develop cohesively and with proper services at that sort of pace.

The problem with the failure to consult widely with the broad community is that the input has been restricted. There would have been a different outcome if broader consultation had been undertaken. Consultation was needed not just with the obvious stakeholders but down to the community level. At the end of the day this authority will affect individual communities and for that reason the members of those communities have the right to have a say. My concern is that this body will reduce that right. I should say that this is reminiscent of the government's approach to planning generally at the moment. Melbourne 2030 is increasingly being used to override local communities and councils. It is doing that in two ways. One of those ways is by ministerial call-in. We are increasingly seeing ministerial call-in, and I will come back to talk about that phenomenon under the Bracks government and Minister Hulls in a moment. Communities are also being overridden by the fact that developers are able to appeal very freely to the Victorian Civil and Administrative Tribunal, which, under the provisions of Melbourne 2030, has little

option but to rule heavily in favour of proposals that many communities oppose.

Obviously there is a balance to be struck in all of these things, but this government has not understood that the balance needs to involve proper community input that can get the right results. Our concerns with this bill relate to the likely impact of the proposed body. It is worth putting clearly on the record that the stated purpose is to amend the Planning and Environment Act 1987 to establish the Growth Areas Authority. As I said, the growth area councils defined in the bill are Cardinia, Casey, Hume, Melton, Whittlesea and Wyndham.

The first objective of the Growth Areas Authority is:

- (a) to ensure that development in growth areas occurs in a coordinated and timely manner ...

No-one could object to that. The second objective is:

- (b) to ensure that infrastructure, services and facilities are provided in growth areas in a coordinated and timely manner ...

Who defines these things? Will it be the authority? Is it the council in the local area? Is it the local community through its council? It is my strong view that it should be the local community through its council. The third objective is:

- (c) to promote sustainable development of land in growth areas ...

I strongly support that. There are opportunities for greater sustainable development of land in both growth areas and established areas and a good deal more should be done. I have no difficulty with that objective, although I note that when the minister is recommending persons to go on to the Growth Areas Authority the skills, experience or knowledge required, which are listed in proposed section 46AV(iii), do not include expertise in environmental science issues.

Talking of those listed skills, there are concerns that although local government is mentioned that does not necessarily mean experience of local government in growth areas or current experience of local government in the defined growth areas. My concern is that we may well get people who have broad local government experience but not the specific experience and close knowledge that one would seek. It has been put to us that there can be conflicts of interest in that. In theory conflicts can arise, but many members of statutory authorities have conflicts of interest from time to time, and they are able to be declared and managed. I think that could be managed if it arose in this case. I think it

is necessary for members of this body to have local government experience in some of the particular areas rather than broad local government experience, and for that reason we are concerned. The minister obviously has a lot of power in relation to these members, and I will also talk about that in a moment.

The other objectives are:

- (d) to promote housing diversity and affordability in growth areas;
- (e) to promote employment opportunities in growth areas;
- (f) to ensure that land is provided for commercial and industrial purposes in growth areas in a coordinated and timely manner;
- (g) to foster the development of communities in growth areas.

The issue is what will happen with the development contributions that lie at the heart of what the Growth Areas Authority is to do? The administration of those levies will be one of its central roles. I have to say that I am concerned those contributions may become onerous. The taxation — that is what it is in effect — occurring through this process is of concern to many. There is a fear that this authority will usurp local councils and squeeze them out of their role. I make the point that I can see planning scheme amendments being prepared by this authority, whether officially or unofficially, and those planning scheme amendments may well be bounced on councils. I think the task of delineating the role of the Growth Areas Authority and the responsibilities of councils will become an ongoing concern. I do not expect to see the minister acting precipitately in the lead-up to the next state election. However, a future minister, with this authority in place, may well be able to exercise considerable authority.

Under this bill the minister has powers of delegation, as indeed do local councils, but it is the delegation powers that come from the minister that most concern me because the minister has a complete suite of planning powers if he chooses to exercise them. The delegation of those powers, first to the Growth Areas Authority and, under a provision in this bill, to the chief executive officer, could create a very powerful body indeed, a body that could regularly override or usurp councils, that could force councils into a role of second-guessing it, and that would become a costly and expensive monster.

There is real concern here. A loss of local democracy is one likely outcome; a loss of local community input and increased central authority exercised through the Growth Areas Authority is what concerns me. No-one

has a problem with the reporting and coordination requirements, but the community, I think, will have a problem with the pseudo-taxation powers that this body will derive, and with the extraordinary powers that can be delegated to it by the minister.

I am concerned about the bill, and I am very concerned about how the government will use it. I have to say that the minister is developing a pattern around the state of call-ins and the use of arbitrary power that is overriding local communities, and I am increasingly concerned about how that power is being used. That power can be manifested through the bill, and I am at the point now where, along with many others in the community, I do not have great confidence in the minister and I do not believe he will act in a way that is fair and even-handed. And that is a concern when you put this sort of an instrument in the hands of the government and, indirectly, the Minister for Planning.

I should say that there are a number of sites under 2030 where the minister has begun to intervene. I met, for example, with the people concerned about the Stockland development at Tooronga again on the weekend, and my concerns about that call-in process — —

Ms Carbines — Is this about growth areas?

Hon. D. McL. DAVIS — No, but it is about the minister's pattern of behaviour under 2030, Ms Carbines, which relates to — —

Ms Carbines — This bill is about growth areas, Mr Davis.

Hon. D. McL. DAVIS — I have to say, Ms Carbines, that the minister's behaviour and his propensity to use additional powers is very much part of the concerns around this bill. Many people are concerned about the minister's activities, and how he can use this new authority in the light of his other behaviour around the state.

Ms Carbines says she is not concerned and does not think it relates to the bill. Let me give her another example in the recent broiler decision down in the Legislative Assembly seat of Narracan, which is held by Ian Maxfield. Mr Hall will know very well what I am talking about here. The call-in that was exercised by Minister Hulls in that case does point to the nature of the powers. This government has its planning issues wrong, it has the balance wrong, and it is now being forced to either willingly or unwillingly — and perhaps unwillingly in the case of the broiler farm, I am not sure — —

Hon. P. R. Hall — It got overturned by the Victorian Civil and Administrative Tribunal.

Hon. D. McL. DAVIS — Yes, and the Victorian Civil and Administrative Tribunal said the call-in was not sufficient and it was going to review the case no matter what the minister thought. This was regarded as an extraordinary and unusual decision because the minister had sought to second-guess VCAT, and I am sure that legal officials like those on VCAT — Justice Morris in this case — are increasingly concerned about the steps that are being taken by this minister. They are very much a part of the concerns people are expressing about how this bill, in setting up the Growth Areas Authority, will be implemented.

I return to the Stockland example, which is another example of ministerial call-in in the recent period — the fax from the minister rolled off just minutes before the council was due to make a set of decisions. This approach of effectively gazumping local councils is a real concern. When you step back and consider it dispassionately, no-one in the community thinks that this is the way planning should be conducted in Victoria, with councils going to enormous effort and expense in undertaking community consultation only to be zapped by a capricious act by the minister minutes before they are due to make their final decisions.

This has all the hallmarks of an arrogant government and an arrogant minister who is out of touch and is prepared to say to councils and to the community, 'If you do not make the decision that we want, we will send you back to do it again, or we will take it out of your hands'. And that is what I fear is occurring in this bill. The government has, in effect, made a decision to pull back a set of powers from local councils in the growth areas. I know many of those councils are increasingly concerned about this and it should not be thought that this is an insignificant matter at all. It is a highly significant set of points.

I want to make some comment here about what some of the councillors think. The chief executive officer at Wyndham wrote to our local government spokesperson on this matter, making some points. He said that:

The definition of the growth area provides for the minister to have powers to amend, add or remove land, but doesn't make reference to the urban growth boundary or the importance of consultation with —

urban growth boundary councils, and that is a very fair point.

The bill makes reference to these declared areas in such a way that they could be slightly further out or slightly

further in, which is confusing. I would like that clarified if possible. The Growth Areas Authority should be required to maintain a register of levies collected in each growth area, and arguably on each growth front, and interest earned on those levies should also be added to the register from time to time.

Let me give the house some flavour of what I think is occurring here. Developments occur in set growth areas. Development contributions are levied through agencies and coordinated and collected by this one authority. They are put in consolidated revenue and that money sits there until the development is at a certain point. We know about the uncertainty of planning and development and that there can often be a significant hiatus, sometimes a number of years, and that money is sitting in consolidated revenue for that period. I am very concerned about the ability to wrench that money back out of the hands of the Treasurer, Mr Brumby, and his cohorts. How will we ensure that the money is tracked well? There is also a provision in the bill that says that contributions can be made in kind. How will these matters be treated separately? A contribution in kind is not the same, in effect, as somebody paying out cash and it sitting in government coffers for perhaps a number of years.

At the heart of this there is a real tracking issue for contributions coming in. How will this register work? Who will be able to inspect it? What rights will the Parliament have to look at it? What rights will there be under freedom of information (FOI)? I thank the minister and the departmental officials for the briefing and for providing information about some of our questions, including issues like FOI, and I am pleased that normal FOI provisions will apply here, but I am very concerned about the complexity of these issues.

I now refer to the number of properties we are talking about. The government's own figures are that there are 454 000 additional people in up to 220 000 homes. The scale of this task is comparable to developing prosperous new communities for close to the total population of Tasmania. Anyone who thinks this extraordinary authority is not going to be a powerful beast is kidding themselves. This authority will be administering tens of thousands of dollars on many properties and even more on some, and will hold that money for lengthy periods of time.

There may be delays in dishing out money and delays in deciding what those development contributions are with very little in the way of ability to prevent departments and government authorities from ratcheting up those development contributions. I will return to *A Plan for Melbourne's Growth Areas* and

quote briefly from some of the figures in that. The figures are in the order of \$5000 per block, with a series of different amounts likely for the areas currently in the urban growth boundary and those that may be on the edge where adjustments occur. There are issues of equity in some of that, too, but I will leave that issue to one side. Amounts of over \$5000 are likely to be very common, and I make the point that one of the real issues about housing affordability is the level of taxation on properties around the edge of the city. The federal government only recently conducted an inquiry into housing affordability and ways to try to improve that.

I want to refer to the importance of the development and building industry and the need to get this right for the growth areas. The Charter Keck Cramer study for the Victorian division of the Urban Development Institute of Australia entitled 'Residential land development industry in Victoria — assessment of economic benefits (2005)' found that residential land is the foundation of urban development. The report was put out in May 2006, so it is extremely recent. It is worth putting on the record the significance of this industry, which obviously has a role in providing houses, accommodation, lifestyle and so forth for people on the fringe of the city, but is also a vital employer. The summary of the main points states:

Between 2000 and 2005 a total of 176 600 lots were constructed across Victoria at an annual average of 29 400. In 2005 —

last year —

27 260 residential lots were constructed, with 11 090 lots — or 40 per cent of overall activity — occurring in regional Victoria. It should, however, be noted that the Melbourne figure of 16 070 lots relates almost exclusively to greenfield development in outer municipalities.

...

In 2005 the total value of residential land development activity in Victoria was of the order of \$3.25 billion. This observed level —

I am quoting directly from the document here —

of industry turnover has more than doubled since 2000 ... The industry was responsible for generating \$2.02 billion of gross value added activity to the Victorian economy in 2005 by converting raw land into serviced lots.

The activities of the residential land development industry in Victoria are conservatively estimated to have generated \$965 million of taxes and charges payable to federal, state and local governments ...

It is a significant cash cow for this government, I have to say. It further states:

... it is estimated that 20.5 per cent of the sale price of serviced residential lots was accounted for by government charges and taxes that equated to an average of \$24 000 per lot in 2005.

My point is that these taxes and charges are already significant and this bill contemplates a further ramping up of additional taxes and charges on the industry, which will be passed through young families who are seeking to live in these important communities on the fringe of the city.

The tax that is collected is a big pump into this government's coffers. Land tax was discussed just a moment ago in this chamber, but — —

Hon. P. R. Hall — And stamp duty.

Hon. D. McL. DAVIS — Stamp duty is the one I was going to move to, Mr Hall, and that is a huge slug on a young family seeking to build their first home, perhaps on the edge of the city in one of these growth areas. This government has collected historically high amounts of land tax and increasingly large amounts of stamp duty that have targeted many of these young families that are first coming into the market. That is a real issue, an issue that needs to be dealt with and an issue that this bill does not help at all.

The bill is also, according to the City of Wyndham, silent in relation to communication liaison with growth area councils. You would imagine that that communication would occur, but given the capricious approach of this government I have little confidence that it will occur in a satisfactory way or that it will be genuine communication and will not come from an overriding, overweening authority that is able to dictate to local councils. I am very concerned about the growth area councils and the future of democracy in those areas, because I believe those councils will be subject to extensive and repeated overriding by this authority in the longer term. Mark my words, none of this will happen before November 2006, but after that date, unless this authority is dealt with seriously, there will be increasing use of these extraordinary powers.

Ms Carbines interjected.

Hon. D. McL. DAVIS — No, I am making the point that none of us knows the future, Ms Carbines. I sat on that side of the chamber and I saw a government lose unexpectedly, so I would suggest that the arrogance Ms Carbines is demonstrating today is unwise and certainly behaves her poorly.

In reading the minister's second-reading speech there were a number of things that struck me. Some of these also struck others, including people at Wyndham. The government says that the preferred model for the operation of the authority is a partnership model. Great!

It talks about a close working relationship with the growth area councils, which would be crucial. But how is this going to operate? It is all very well to say those words, but the ability of the minister to delegate is there, and those powers, in my view, will be used.

The acting chief executive of the City of Cardinia also had a good deal to say. He said:

Council, however, has significant concerns that the new authority meets its overall objective without actually complicating the current process through the addition of another bureaucratic layer.

I think that is what will occur. I think the council is spot on. I think there will be another bureaucratic layer. It is interesting to look at New South Wales, which has the Growth Centres Commission. The New South Wales budget for 2005–06 allocated \$33.9 million to that body, and I note that the current budget shows it as having 16 staff. That is my understanding of the size of the New South Wales body, so we are talking about a body that has some size and involves some expense. I think the submission from Cardinia is correct. There will be another layer of bureaucracy. The paper continues:

Of particular note are:

No growth area council representation on the board.

I have alluded to that already.

The proposal for the GAA to control local DCPs. It is council's view that this is unnecessary, will not improve delivery and will create substantial difficulties for the authority through lack of local responsiveness in particular.

A further point is:

The potential for exercising planning authority powers. Not enough detail has been provided to satisfy council of the intention of government in giving the GAA such powers.

It also points out that there is:

No clear financial support for local government's role in development of structure plans.

This is a broader point that is relevant to 2030. There is not sufficient support and assistance by government to establish structure plans across the state. Melbourne 2030 has left many councils scrambling to try to get structure plans in place. They are costly and time-consuming. Wrenching the effective powers away

from councils as 2030 has done without the structure plans being in place first has left many of them exposed, and we have seen the damage that has been done across the city.

If this government is returned and it maintains its 2030 proposals, as it says it will do if it is re-elected, I say to the community that in four and a half years time we will have a very different city — a city that many will find unrecognisable, a city that many will find not to their taste, a city in which local communities have been overridden and local democracy has been ripped away from residents and a city whose shape and fabric is very different and on a less human and less satisfactory scale.

Ms Carbines is rolling her eyes, but the other day I was at the rally at the Henley Honda site in Camberwell where there were more than 200 people in the middle of the day. I thought that was a significant turnout of people in an area like that on a Wednesday in the middle of the day. I make the point that there was palpable anger at the government's approach and palpable anger at the government's arrogance. Again there was a fear that the minister would act capriciously and call in that development. It would be inappropriate for the minister to use his call-in powers and call in that site. I believe the council has gone through every step it should have properly taken in order to make decisions. The idea that the minister would call in that site and overrule the local community is anathema. Taking that step would be simply an outrage.

The comments made by Geoffrey Rush in a written statement summarised what many people felt. He thought a dumbing down of planning was occurring in this state and that this Growth Areas Authority (GAA) bill is a further example of that dumbing down. Planning is complex. It requires community input, it requires councils to have proper assistance and it requires the proper steps to be gone through, and the idea of overriding councils and using extraordinary ministerial powers to achieve things is something that in my view this government will be judged very harshly for in the longer run.

I make the point that to my mind the arrangements about how the board will operate seem to be very murky. I want to get the message through about the issues the opposition has with the board. The chairperson and deputy chairperson will be appointed by the minister, further increasing the minister's direct and sharp control. A member holds office for the period specified in the instrument, which must be a period of not more than five years, and may be reappointed, giving the minister further lien. The size of the

authority is a concern to some, and the openness of its decisions is a concern. Council decisions on planning are subject to the provisions of the Local Government Act and are normally made in open session — even council planning committees are normally conducted in open session — and the documents are subject to freedom of information. I am pleased to hear that under this arrangement the government's documents will be subject to freedom of information, but I wonder about some of the issues involved with board decisions and whether they will be as open to scrutiny as council decisions are.

On my reading of the bill those decisions will not be as open, and in my view that leaves matters open to suspicion, to confusion, and in the worst of circumstances — and I certainly would not imagine that many members would behave in this way — perhaps to an individual on the board taking some advantage. I think the best way to conduct these issues is to have them as open as possible to community scrutiny, and I do not believe the board of the Growth Areas Authority will be as open as it should be. It certainly will not be as open as councils currently are. That is not to say that councils are perfect — far from it. A range of practices and approaches are adopted at council level and often there are criticisms, but in my view the idea that such criticisms would be lessened by referral of the decision to a body like this, having powers to in effect overrule or jump council decisions, is not feasible.

Other issues have been put to me. The Growth Areas Authority will operate as the collecting agency for the levies. I think Parliament and the community deserve a much more detailed explanation of how the levies will operate. We need to understand how the acceptance of in-kind contributions will operate, how that will be weighted against developers — and therefore indirectly the purchasers of property — who make cash contributions and how they will be treated. We need to understand that a pea and thimble trick will not occur here, with government spending on infrastructure being slashed or ramped down with a corresponding ratcheting up of the size of development contributions.

I have been informed that recently in Western Australia a development contribution was used to pay for a school. I seek reassurance that the government does not intend to use development contributions to pay for hospitals or schools or essential basic infrastructure that is supported by government throughout this state. I accept that there is a role for development contributions in assisting with parkland and perhaps community centres, bike paths and a whole series of other pieces of community infrastructure, but there is some core community infrastructure for which government has

responsibility. There is an idea that the Growth Areas Authority, with its overweening capacities, may extract sufficiently high contributions in kind to enable the government to shuffle out of its responsibilities.

By way of an aside, I point out that at the moment the government has its difficulties with certain pieces of education infrastructure. It has made commitments to schools and now it has a \$600 million black hole in its budget. For example, I would be worried if in the year or two after the state election the Growth Areas Authority were to start ensuring that development contributions were sufficient to cover some of the infrastructure areas that you would expect government to pay for. There is a fine balance to be struck here. There is a line over which the development contributions ought not intrude and where government responsibilities ought to remain.

Towards the end of the second-reading speech it says that the Growth Areas Authority is responsible for developing more mature contribution plans. That sounds Orwellian to me. What are 'more mature contribution plans'? I would appreciate some explanation from the minister about what he thinks more mature contribution plans are. Does that mean greater contributions? Does it mean contributions for some of the items I have just been talking about, which are more what I would call core government infrastructure provision items? There is no mention of limit or quantum of contribution that the GAA can determine, and it is not clear whether development and/or statutory agencies can impose greater or new levies in addition to the charges being imposed by the Growth Areas Authority. I think some ceiling should be put on the levies, and I would be interested in the minister's remarks about that ceiling.

I accept as a matter of principle that every development is to be treated on its merits. Obviously with each the topography is different, the proximity to other services is different and the transport is different, and obviously development contributions have to be struck on an individual basis in that way.

But I also make the point that there needs to be some protection for the development industry and therefore those who would seek to purchase properties in the growth areas. What is to stop the Growth Areas Authority simply ramping up these contributions year after year? What will cap the amount that the authority collects in its capacities at, say, the consumer price index? After a short period will the increases exceed the CPI? Will they go on and on, ramping up? How will this operate? It is not clear from the bill or the second-reading speech, but the phrase 'more mature

contribution plans' makes me curious as to what is intended.

I think also that financial predictability and security is important. Developers need to have some idea of what contributions they are likely to be up for. They may not know the precise amount but they have to know the order of magnitude of the costs they are likely to face. If there is this capricious unpredictability about the size of the infrastructure and development contribution levies, that is not conducive to good and predictable development.

Members of the opposition think that somehow or other the levy should be set or indexed in such a way — and I will be interested to hear the minister's response on this — as to ensure that developers are not required to pay more than a reasonable or fair share. What is that? Is that 50 per cent of the cost of an arterial road going to a development? How is this to be decided? There is a lot of wooliness and uncertainty about the impact of this bill. What is the likely percentage of the costs that are to be imposed on land development and how much will that contribute to higher costs for families who are seeking to make their homes in those areas? Increased housing prices on the fringe of the city cascade back into housing prices closer to the city and into the rural and regional areas. I make the point also that of course there is one beneficiary from higher prices, when properties are sold.

Hon. B. N. Atkinson — The government, through stamp duty.

Hon. D. McL. DAVIS — Exactly, Mr Atkinson, stamp duty. The government puts its hand into every family's pocket, to collect that extraordinary stamp duty — which in Victoria is still overwhelmingly the highest in the country.

Hon. B. N. Atkinson interjected.

Hon. D. McL. DAVIS — It is not good at all.

The government might well say that these sorts of questions are procedural and to some extent they are, but the scope of the authority's capacities, especially with the referral of the powers that the minister chooses to refer, leaves things very open indeed. Will there be some sort of default levy if there is not a great need for development contribution levies in an individual development? Will there be some baseline default level of levies that the government extracts anyway? How will it work? Will every cracker that is collected be put back into the development of from whence it is collected? It is fair to raise these issues, and they need

to be clarified by the government. They are not fully clear in the bill or the second-reading speech.

Hon. B. N. Atkinson — And may duplicate local government contributions.

Hon. D. McL. DAVIS — Indeed, Mr Atkinson, and I have talked at length about what is going to happen with local government because of this bill. I am concerned that local government will be overridden. I am concerned that it will be gazumped on many occasions. Planning scheme amendments may well be prepared at the behest of the minister and council presented with a *fait accompli* or leant on to refer powers to the Growth Areas Authority. I think that is one cascade that, if this government is re-elected in November, will occur soon in the new year. Council after council will be thumped until they refer certain powers to the Growth Areas Authority. That authority will then add those powers to the suite of ministerial powers that have been referred.

Hon. B. N. Atkinson — This authority is a retirement home for Labor mates!

Hon. D. McL. DAVIS — Indeed. I know that Mr Scafton is slotted for the gig. He is currently the general manager of the Growth Areas Authority establishment task force, but he had a broader role at a federal level prior to coming to Victoria.

I think I have said enough. I have made my points about the concerns very clear. At the end of the day the development industry in Victoria is very important. We have a time of great uncertainty with Melbourne 2030 and with the significant process and procedural issues with the urban growth boundary. But we also have the issues of the minister's call-in power, ability to gazump councils and referral of powers. I think this is a bad authority. I am very concerned about how it will be used. I am very concerned about the future of young families on the edges of the city who effectively will be forced to pay these development tax contributions. As I have said, I think the government will attempt to employ a pea-and-thimble trick, reducing its contributions to those core responsibilities of government and substituting additional levies wrenched indirectly out of those families in the growth areas.

I am pleased that the Liberal Party is opposing this bill. I do not think that anyone who thinks carefully about this bill thinks that it has been put together with proper checks and balances. It is not only a new taxation measure by stealth but also another nail in the coffin for democracy in Victoria.

Hon. P. R. HALL (Gippsland) — I am pleased to have the opportunity this afternoon to present the view of The Nationals on the Planning and Environment (Growth Areas Authority) Bill. From the outset I indicate that the Nationals generally share the lack of enthusiasm of members of the opposition for this legislation. We are not convinced that it will significantly improve planning measures in growth corridors and we do not believe that it will be any great advancement on improving service delivery in those areas. Hence we will not be supporting the legislation.

The bill implements planning policy that has already been outlined by the government in two documents. The first, the *Melbourne 2030* document, was released by the government in October 2003. The second is a policy document released in November of last year, entitled *A Plan for Melbourne's Growth Areas*. Two further measures were announced in that latter document — that is, the intention to establish a Growth Areas Authority and that developers in growth areas will attract what is called a development contribution levy, but what we call a new tax slug for developers and home buyers in those growth areas. The bill essentially addresses those two issues. It establishes the Growth Areas Authority and talks about the collection and use of the development contribution levy.

In establishing the Growth Areas Authority, the bill lists the objectives, functions and powers of the authority. It also sets out the membership of the authority and a framework for how the authority should operate and spells out the relationship between the authority and the government. I will not go through all those provisions. Suffice it to say that they are all set out very clearly in the bill. The bill also gives the Growth Areas Authority the responsibility for collecting the development contribution levies and it requires that the authority report on the use of those levies. I will talk about that in a moment.

To start with I shall make some general comments about planning and where the Growth Areas Authority may fit into those general views about planning. Firstly, The Nationals believe there needs to be orderly planning within municipalities, and that applies whether or not you are in a growth corridor. It is a significant challenge for both state and local governments, particularly in parts of rural Victoria, which The Nationals represent. Planning has become a significant issue for a number of reasons. Changes to rural planning zones has been a particularly big issue. The lack of people who are qualified to be employed as planners in local government has also been a big issue and has resulted in some problems in councils dealing with development applications and also planning

scheme changes. In terms of planning there needs to be orderly and proper planning whether you are in a growth area or not.

Also services need to be provided where developments take place, which I do not think anybody would argue against. What happens at the moment is that these tasks are generally undertaken by local government with some assistance from the Department of Sustainability and Environment. As I understand it that will generally continue to be the case. I looked for some reassurance that the Growth Areas Authority will not simply usurp the role of local government, and I note that assurance is given at page 4 of the second-reading speech where the minister says:

A close working relationship with growth area councils and developers in those areas will be crucial to its effective operations.

He is talking about the operations of the Growth Areas Authority. He then goes on to say:

The government has not removed planning or responsible authority powers from growth area councils. Neither has it plans to do so.

I welcome that, but at the same time I ask the question whether there is a need for the Growth Areas Authority at all. The minister goes on in the second-reading speech and says:

However, there may be occasions where either the Minister for Planning or councils request the authority to undertake a complex planning task.

Councils can do that now. They have a case history; they have done it before. They have asked for help in complex planning matters, and that is where the department fits in. We believe the Department of Infrastructure can provide that assistance where it is required. I note, for example, when there were significant changes to rural planning zones that it was an in-house production of the departments that set in place a process to review all those rural planning zones. That is the sort of work the department can undertake at any time. Therefore, The Nationals ask whether there is a need for a new planning authority called the Growth Areas Authority. We suggest there is not.

We concur with some of the views expressed by the opposition. There is significant potential for this new authority to simply become another layer in an already complex planning process in this state. We can see where developers and people applying for permits may well get bogged down by having to wade through that additional layer of planning process through the Growth Areas Authority.

Despite all the assurances given by the government, which are all well and good, you can see what might happen if the government disagrees with a council's planning decision. We see now that governments can call in planning decisions, if they believe a council has not made the right decision. There are plenty examples where we see that happening every day of the week. We can see that it may well happen in this instance. If the government is not happy with a planning decision undertaken by a council in a growth area, then it may well call in the Growth Areas Authority to fulfil a similar role — that is, to seek to overturn council's planning decision. It is an underhand trick by the government trying to distance itself from any action of intervention. As I said, it simply creates an extra level of bureaucracy within the planning process and may not always prove helpful.

I spoke to a person from the Cardinia Shire Council and sought views about this matter. I have to say honestly that the person I spoke to was comfortable with the concept and the assurances given, but I note by way of Mr David Davis's contribution some further commentary from the acting chief executive officer of the shire who had a different view. Nevertheless, this is based on trust. Given the government's record on planning, The Nationals do not trust this government to implement this legislation with the goodwill that it claims in the minister's comments as outlined in the second-reading speech. We do not think it is a progressive move from a planning perspective.

I shall make some comments about development contributions, which is a neat phrase used by the government. We could also use my term in that I believe it is a new tax slug on developers, and ultimately on those first home buyers who purchase in a developed area. It is important to note that development levies can be paid by local councils now, which I acknowledge. Many developments take place where local councils, as part of the planning permit, require a levy to be paid or require work to be done to improve amenity in that development.

Typically, either by way of a development levy or as part of the planning permit process, developers are required to construct roads, footpaths and green recreational areas in developments, which is a given and usually occurs as a condition of the planning process. They can also be required to pay a development levy for the provision of other local government services, such as libraries and kindergartens.

I also make the point that developers frequently go beyond their statutory requirements and provide

amenities that make their developments attractive, because after all the developers want to sell their blocks of land at the best possible price so they go beyond what is required of them by law. As I say frequently, they put in place much more amenity and services in that area so as to make those areas more attractive. I cite, for example, the Eastwood development in Bairnsdale, which is not a growth area, where the development has gone above and beyond what would be reasonably expected to make that development attractive. At Eastwood in Bairnsdale the developers have put in public open space at a far greater rate than what would be normally required. They have reserved a school site within that development, have developed open land and recreational amenities throughout the development, and done a magnificent job. The contribution from Ray and Maureen Hack of Bairnsdale, the principals behind that development, has been recognised by the community as an outstanding job. I live in Traralgon where equally there is a range of developments going on where recreation facilities and open space is a matter of course and has been done well during the course of the development.

I also question the state government's development contribution, especially when one takes into account that developers or purchasers of land already contribute significant state government revenue through a variety of means. Developers pay land tax and the purchasers of property within those developments pay significant stamp duties. Those are the sorts of revenues one should be using to provide services to those new developments.

I note again that the second-reading speech, which talks about development contributions, says:

A Plan for Melbourne's Growth Areas announced the introduction of a development contribution levy to support the provision of state infrastructure in growth areas including roads and public transport, regional open space, trails, creek protection, libraries, neighbourhood houses and major recreation facilities.

Local roads are usually part of the planning development permit, and the developer is already required to put them in as part of the planning process. It is the same for open space and environmental things such as creek protection and trails. I presume the government means recreational trails. It is usually infrastructure required of the developers as part of the planning process. I do not see a need for a separate development contribution charge to be applied to the developers in this instance.

There is potentially an argument that somebody has to pay for public transport and neighbourhood houses. I

say that developers, by way of the land tax they pay, property buyers, by way of the stamp duty they pay, already make significant contributions, and that money should be put towards providing public infrastructure and services to newly developed areas. I think there is a duplication here. I think the development contribution is simply another revenue-raising exercise by this government. I also see it being abused to the extent that the government will collect this revenue through the Growth Areas Authority, accumulate it to a point where it can use it to fund a new bus service or some other purpose and then come out and announce government funding for new services to these areas. In fact it will be the residents who will pay for it either through the developers or through the moneys they will pay to the state government when purchasing their property.

The last point I want to make in relation to the development contribution is about accountability. I note that the Growth Areas Authority's business plan is required to be published on the Internet, but I have not see anything about its annual report being required to be tabled in Parliament or even made public. I know the Growth Areas Authority is required to report to the minister. The Nationals would like to see some reassurance that there will be more than just a reporting to the minister. I think the activities of the Growth Areas Authority should be made public either through its annual report being tabled in Parliament or that information being published on the Internet.

In terms of accountability, I refer the house to clause 6 of the bill, which inserts proposed section 46QB(3A). I agree with clause 6; I think it is a sensible provision. It says:

- (3A) If the Growth Areas Authority is a collecting agency under this Part, a development agency to which an amount of levy is paid by the Growth Areas Authority under this Part must ...
- (a) report on the use of the amount in the development agency's annual report; and
 - (b) provide reports on the use of the amount to the Authority ...

That is a sensible accounting mechanism. If, for instance, the Growth Areas Authority commissioned VicRoads to build a major road into the developing area there would be a requirement for VicRoads to report back to the authority on how that money was spent and how much of it was spent. That makes sense. Again, those figures should be generally available to the public as well. I would hope that information, as part of the reporting requirements of the authority itself, would be conveyed back to the public. I also take note of and agree with comments made by the opposition in respect

of the allocation of the funds collected through the development contribution. If they are collected in one particular growth area, will they be spent in that growth area or could they be accumulated and spent in other growth areas? I think councils, developers and residents of growth areas who have contributed to the development contribution would like to ensure that what they have paid for is returned back to their area.

Hon. B. N. Atkinson — According to community need, not government whim.

Hon. P. R. HALL — Mr Atkinson makes a good point. Who will decide what sort of service or infrastructure is going to be provided through the development contribution? I would hope that the Growth Areas Authority, which I understand makes recommendations to the minister, would take into account and set in place the process to receive local views as to what services or what infrastructure is actually needed in the area.

Many issues remain unresolved and therefore The Nationals are not enthusiastic about this bill. We think there are still more questions to be answered. For the reasons I have spoken about in my contribution this afternoon we think that the contribution development levy is a bit of a con trick by government to justify another new tax on developments. We think that the Growth Areas Authority will become a further layer in a planning bureaucracy the functions of which could well be performed, as they are now, by local councils and by the department itself. We believe this is nothing more than another charade and a display of the incompetence this government has already shown in respect of planning in Victoria. For those reasons we will not be supporting this bill.

Ms CARBINES (Geelong) — I am very pleased to speak tonight in support of the Planning and Environment (Growth Areas Authority) Bill. I am pleased with this legislation because it builds on the Bracks government's visionary policy of managing Melbourne's growth. Our policy is Melbourne 2030. By 2030 there will be about 1 million extra people in Melbourne. We have had to tackle that challenging issue. We have had to take it very seriously and attempt to manage in a sustainable way the growth that will come from that increase in population. We have done that quite deliberately because we had no choice. The choice is between a well-planned, livable city in which services are provided where they are needed or ad hoc urban sprawl. We know that the people of Victoria and Melbourne expect the growth to be managed sustainably. That is why we are steadily implementing the Melbourne 2030 policy.

Earlier this term we put in place an interim growth boundary around Melbourne to define the extent to which Melbourne can grow. We also identified the growth areas — the areas in which there is capacity for Melbourne to grow. They are in Casey-Cardinia, Hume, Melton-Caroline Springs, Whittlesea and Wyndham. We established smart growth communities to have a look at those growth areas and to make recommendations to the government as to where the finalisation of the growth boundary could occur. That took place at the end of last year, when the smart growth committees made their recommendations to the Minister for Planning. The minister introduced legislation to amend the interim urban growth boundary to settle the boundary and guarantee 25 years supply of land for Melburnians.

I remember well what was supposed to be a debate on the settlement of those changes to the urban growth boundary in this place last year. I remember it well because it did not occur. Mr David Davis was not in the chamber when the debate was to come on— he was missing in action. The debate did not occur and the legislation was passed with the full support of members of the house. The opposition chooses to thump its chest and talk about how hopeless the Bracks government is in terms of planning and how difficult and controversial Melbourne 2030 is, but the opposition could not get its act together and have its spokesperson on planning in this place when we came to settle the urban growth boundaries of those growth areas. It is with some amusement that I remember and reflect on the evening of Mr David Davis's embarrassing gaff. His big opportunity to decry Melbourne 2030 and the process by which the government settled those changes went missing because he was missing in action.

We have heard Mr David Davis's typically hyperbolic speech about Melbourne 2030. I would like to contrast that with Mr Hall's measured criticism of this bill. We do not expect all of The Nationals to support what we are doing, but usually they have a fairly straightforward contribution to make, unlike Mr David Davis's contribution which was outrageous. He seems to have completely forgotten the time he was part of the former Kennett government, when planning and the democracy of local government went completely out of the window. There is nothing more undemocratic than sacking all the local councils of Victoria. Mr David Davis was part of that.

The former Minister for Planning, Rob Maclellan, was the master of the call-in. In fact he called things in before they were even out there. He rezoned land, certainly in my municipality, without any reference to local councils or to the people. Mr David Davis has had

an amazing conversion to democratic principles. Now that he is the shadow Minister for Planning, he is all care and no responsibility. Yet when he had the opportunity to be responsible and stand up for democracy in Victoria and stand up for appropriate planning principles, he was missing in action. Mr David Davis has a pattern of being often missing in action.

This bill today seeks to implement the government's announcement last year that it was setting up the Growth Areas Authority. We are doing this to make sure the government has in place a mechanism to receive advice about the management of land in those five growth areas that I previously outlined, and to make sure we have affordable and accessible housing for Melburnians. The Growth Areas Authority is going to work with councils. This afternoon I heard some concern that the Growth Areas Authority will usurp the power of councils. That is just errant nonsense which Mr David Davis is obviously going to run with out to those growth areas. The Growth Areas Authority will work with councils, communities and developers to ensure the strategic release of land to structure the more timely delivery of infrastructure and services to new communities. That is very sensible and prudent. It is a forward-looking authority which will provide prudent and timely advice to government.

I wonder whether any member of the opposition has ever lived on a barren housing estate, because I certainly have. There is nothing worse than a very poorly planned brand-new housing estate which has no services, no schools, no public transport and is not close to shops. It is very difficult for government to provide those services to keep up with the sprawl of municipalities. That is how planning occurred in the past. Melbourne was allowed to keep growing with little regard given to the provision of services that were needed for people who were forced to live in outlying areas because of the housing crisis. The Growth Areas Authority is all about making sure that new areas and new estates are properly planned and that there will be access to shops, schools, health services, jobs and transport.

The Growth Areas Authority will provide advice to the government and will make recommendations on the planning and development of land in growth areas and the use and expenditure of levies collected in growth areas under development contribution plans (DCP). The authority will also advise the government about any future release of land to ensure there is strong competition between developers. We know that through that competition there will be a downward pressure on prices which will ensure housing affordability.

Development contribution plans are not new. They have been in place for the last two decades. Developers financially contribute towards the cost of the necessary infrastructure for new suburbs. There is nothing new in this. The developers are going to be expected to contribute to the provision of infrastructure services for these new estates in these growth areas. DCP might be used for transport infrastructure, including roads, parks, trails, walking tracks, creek protection, neighbourhood houses and libraries. At the moment the department is preparing for the government's consideration the initial development contribution plans for each of the growth areas.

The Growth Areas Authority will ensure that new estates are well designed and have good access to roads and public transport. The authority will also be a one-stop shop for councils and developers, because it will provide necessary coordination for all government agencies. The Growth Areas Authority will take on that very important role. Its board will have five to seven members, who across the membership must have skills in planning, development, economics, financial management, local government and housing, and the board will report to the Minister for Planning.

We announced our plans for the five growth areas in November last year, and at that time we made some commitments in relation to modifying the urban growth boundary (UGB) to provide enough land to meet Melbourne's housing and employment needs for the next 25 years. We have done that; it went through this place without a squeak of opposition from members of the opposition because they were missing in action. In fact I think they actually supported the government's work. We indicated that we would introduce a development contribution regime to support the more timely provision of infrastructure for new communities and that we would be establishing the Growth Areas Authority to bring together everyone involved — councils, communities and developers — in the development of Melbourne's new growth areas.

The bill gives effect to the government's commitment to establishing a Growth Areas Authority. The Bracks government takes seriously the issue of managing Melbourne's growth in a sustainable way and is tackling a very real issue confronting our capital city. We are trying to manage growth sustainably to ensure that our capital city remains the most livable city in the world, and we are prepared to make some hard decisions.

I am sure that if the opposition were in power its members would be very happy to see ad hoc urban sprawl, so that if a young family wanted to buy a new

home they would have to live on the outskirts of Melbourne, which would probably stretch to Seymour by the time the opposition was finished or would take up the whole of the corridor between Werribee and Geelong. Opposition members are not prepared to make the hard decision about where the UGB should be. They are quite happy to see ad hoc urban sprawl because they know they will never have to live in those places.

It is important that new growth areas are not only identified but also serviced appropriately, and this is what this bill is all about. It provides a mechanism to service those areas appropriately, and that is very important. Government members are prepared to make the hard decisions in planning, and in doing so we are governing for all Victorians. We are aiming to get the balance right between managing forecast population growth sustainably, protecting the environment and ensuring the capacity of the building industry to continue to provide competitively priced, affordable housing.

It is an ambitious plan, and we are determined to get it right. The policy is visionary, but it has its detractors amongst members of the opposition. I am not quite sure how they would attempt to manage the growth of Melbourne over the next 15 to 20 years. Maybe they do not have a plan and would like to see it spread further and further. It is typical of members of the opposition that they are quite prepared to decry the government's visionary policy but have no policy of their own.

The shadow Minister for Planning, Mr David Davis, is again missing in action; we have heard nothing from him about how the Liberal Party would manage planning if it were elected, should that fateful day occur in November. But this afternoon we heard from Mr Davis that he certainly is not going to put his money on that prospect. With those few words I am very pleased to support the Planning and Environment (Growth Areas Authority) Bill.

Hon. B. N. ATKINSON (Koonung) — To create another level of bureaucracy does not seem to be a particularly visionary process or step for the government to take. In many ways this legislation coming into the Parliament indicates that the government does not have confidence in the local government authorities to deliver planning policy. I think it establishes the fact that the government is conceding that there are problems in achieving its objectives under Melbourne 2030. The government actually believes it needs to create some new bureaucracy to try to steamroll through its Melbourne

2030 objectives and to override the local government authorities that have had responsibility for planning.

In this place we have heard a lot of rhetoric — particularly from Ms Broad — about how important local government is, how the state government leaves local government to manage its own affairs and has respect for its decision making and the fact that it makes decisions on the basis of local communities' needs, yet here we have a piece of legislation that seeks to override local government authorities. It seeks to create a bureaucracy that has a very distinct opportunity to direct planning policy in the urban growth areas well into the future and to usurp the authority of both local government authorities or municipalities and other government departments and agencies.

This legislation concerns me in a number of areas. First of all, and perhaps most importantly, rather than this extra layer of bureaucracy bringing some degree of certainty to the planning process and establishing some greater cohesion in terms of planning in urban growth areas, I believe it is going to lead to excessive duplication — and duplication equals extra costs. It seems that the government also anticipates extra costs, because it is racing off to create a development levy as part of the process of establishing this body. Obviously it has arranged for a substantial budget allocation in the latest budget to establish the organisation. I notice that whilst not all the appointments have been announced — that would be somewhat presumptuous, given that the Parliament is yet to pass the legislation — there are already indications of some of the people who are under consideration to serve on this board, especially as the chairman. I understand that has been referred to by the Honourable David Davis. Certainly that appointment would seem to be a job — a reward — for a Labor mate. I am concerned that in future this authority might become a retirement home for Labor mates.

I am also concerned about the cost of housing for young people today. When my wife and I bought our first home in Nunawading it cost roughly the equivalent of twice the salary I was earning at the time. My daughter is perhaps one or two years shy of the age I was when I bought my first house and is currently in the market to buy her first house. The cost of that house will be eight times her current salary — eight times! — compared with an a multiple of two when I was buying my first home. I look with some bemusement at housing affordability indexes, because they often claim that housing has become a little bit more affordable lately.

Debate interrupted.

DISTINGUISHED VISITOR

The ACTING PRESIDENT

(Hon. J. G. Hilton) — Order! We have a visitor in the gallery — His Excellency Mr Mohammad Anwar Anwarzai, Afghanistan's ambassador to Australia. He is very welcome in the chamber.

Debate resumed.

Hon. B. N. ATKINSON (Koonung) — It would be improper for me to refer to the gallery, but on behalf of the opposition I certainly extend a warm welcome to the ambassador and hope he enjoys his visit to the Victorian Parliament and to Melbourne.

Going back to the points I was making, I am very concerned about the presumption that in some way housing affordability has improved. When I measure where I was some 25 years ago and where my daughter sits today in terms of the prospect that she will find a property — and she is looking at about an average property — I think young people face an extraordinary challenge when they look at moving into the housing market.

Whilst the housing affordability index might be jumping up and down and some analysts might suggest that it is improving because interest rates are pretty good or because salaries have moved up a little bit, the fact is that in a real context housing affordability is a lot tougher today than it was 10 or 20 years ago. When this government puts on additional imposts such as development levies, when it fails to address issues such as stamp duty and when it fails to introduce appropriate tax-on-tax measures that involve the goods and services tax and other charges, imposts or levies, then it is increasing the cost of housing for young people, making it extraordinarily difficult for them to get into the housing market and creating social infrastructure issues for the future.

I agree with the points that were made by Ms Carbines in that we cannot afford to be wasteful in the planning of our city going forward. We need to have cohesion in the services that are provided to new areas and growth areas. We need to ensure that facilities such as schools, preschools, medical services, public transport, road infrastructure and so forth are available to the new growth areas, so that people are not isolated and have the opportunity to access, at a reasonable price, the services that they expect from government. Those facilities ought to be of a high standard, as they are in established areas.

The reality is that, whilst we need that cohesion, I am not sure that we need another authority to achieve it. I am not at all convinced that we need to introduce a new body, which sits on top of local government as an extra layer of bureaucracy, to achieve that sort of cohesion. It certainly seems to me that the Minister for Planning in the other place has worked very closely with local government. The department has regional offices and works in conjunction with local government on planning schemes. It works with them on strategic plans and integrating public policy with the aspirations of local communities, as expressed by local government. That has worked satisfactorily up to this point. I fail to understand why we need this new body, unless it is that this particular government does not trust the municipalities of Casey, Cardinia, Hume, Melton, Whittlesea and Wyndham.

My experience, particularly of the municipalities of Wyndham, Casey and Cardinia, is that they have done a terrific job in terms of planning their local communities. The facilities that are available to the residents of Wyndham, Casey and Cardinia are exceptional. The concern of residents about the availability of services or facilities inevitably comes from the failure of the government to provide particular services or facilities rather than any problem in terms of the local planning of those municipalities. I was in Casey and Cardinia two weeks ago with Liberal Party candidates for that area, and we visited quite a range of facilities. I was most impressed with what they had done. In terms of sports provision, which I think is a very important part of the social infrastructure of communities in these areas and is not always attended to by local councils because it is seen as perhaps less important than delivering the roads, footpaths and so forth, what Casey and Cardinia have done is fabulous. I do not see a reason for their authority and power, and the efforts they have put into planning over a considerable period of time, to be usurped by the government.

I share the government's concern about the Hume City Council, which is a Labor-controlled council that has distinguished itself as a result of the antics of some of its councillors rather than some of the better planning work that it might have done. Communities across the northern suburbs of Melbourne like Sunbury have been given considerable attention and thought by the City of Hume and neighbouring councils, and facilities seem to have been provided to communities on a basis which shows cohesion in their planning structures. Again, the concern would be more the fact that government facilities and services have not kept pace with the growth of those growth corridors, rather than any problem with the councils — for instance, one thinks about South Morang railway station and the

government plan to extend the railway to South Morang that has yet to materialise. It is another one of those broken promises.

I am concerned about this legislation in terms of the opportunity it gives the Minister for Planning to call in planning schemes and developments that come within the defined growth area corridors and the opportunity it gives him and the Growth Areas Authority to work together to circumvent local government policies. There is no doubt that there is a great deal of mistrust in the general community, not just in these communities that will be covered by the Growth Areas Authority, about what Melbourne 2030 is all about.

Again, I agree with Ms Carbines on some of the intentions of the government. We have to manage our population growth. We have to achieve some consolidation, because it makes sense in terms of the effective and efficient use of public services and facilities. The reality is that Melbourne 2030 so far has not delivered the sort of character, style or scale of development that communities had anticipated and which the government had promised in 2002 in much of its promotion of the introduction of Melbourne 2030.

In my electorate of Koonung, which is clearly not a growth area, Melbourne 2030 has so far delivered a 17-storey residential tower in Mitcham and a 5-storey development proposal for a hostel on the edge of Blackburn Lake, one of the icons of the eastern suburbs. That development is totally out of character with that area.

In terms of 2030 and the aspirations the government had for consolidation and management of population growth there is some value in the objectives, but clearly the government has to do a lot more to address its own policy regime if it is to achieve its objectives in a way that is acceptable to the community, because at this stage the community is not at all happy with 2030.

When it comes to the growth area corridors, the government needs to have a serious look at how it approaches development. From my point of view the creation of another level of bureaucracy is not the panacea for the issues involved in those areas. Indeed the government might well have saved the money it is spending on the establishment of this authority and rather directed it to some of the services that are sorely needed and for which local government is advocating and for which the communities are crying out. Certainly Liberal candidates are talking with local residents about it as they undertake their campaigns looking towards the November state election. The community is very concerned about a wide range of issues in these growth

area corridors, and when it comes to actually looking at where the deficiencies are in planning and the delivery of services and facilities to these areas, inevitably you find it is at the back door of the state government rather than being part of some situation where local government has failed its community in providing services or facilities.

I do not believe this legislation is good legislation. I am happy to oppose it as much as a matter of principle as I am as a matter of practicality, because I am very concerned about the introduction of a new tax that adds to housing costs. The government needs to understand what the implications really are, what the impact of this legislation will be on housing markets across Melbourne, and particularly the extra costs it will add for young people trying to establish themselves in these urban growth areas. It also needs to understand that local government seriously has to be a partner in planning these areas and that it ought not be usurped by a government authority.

Mr SCHEFFER (Monash) — Last Thursday the *Age* editorial criticised the government for failing to get the politics versus policy balance right in the budget and for having no grand vision. While I am absolutely comfortable with a government that turns away from triumphalism and grand gestures, I think that the *Age* is wrong. Melbourne 2030 qualifies as a grand vision in the best sense of the term. Its objective is to benefit future generations rather than merely to win the next election, and its scope is — —

Hon. Bill Forwood — On a point of order, Acting President, I put it to you that Mr Scheffer is slavishly reading his speech.

The ACTING PRESIDENT (Hon. J. G. Hilton) — Order! Mr Scheffer has barely started his contribution to the debate. He is referring to his notes, and I believe that is totally in order. I ask the member to continue, and I do not uphold the point of order.

Mr SCHEFFER — I will keep slavishly going. As I was saying prior to the point of order, the objective of Melbourne 2030 is to benefit future generations rather than merely to win the next election, and its scope is in my view far reaching, impacting upon the preservation of the natural environment and the sustainability of the future urban structure and livability of Melbourne. Very importantly, Melbourne 2030 is concerned to foster the growth of a good society that is characterised by principles of equity, equality and multicultural community harmony. There can be no bigger vision than this.

The Planning and Environment (Growth Areas Authority) Bill 2006 represents a further step in the development of the Melbourne 2030 strategic framework. The establishment of the Growth Areas Authority will enable a necessary and better oversight and coordination of processes relating to the ordered release of land for development in the five growth areas.

The government released *A Plan for Melbourne's Growth Areas* late last year, signalling its intentions regarding the management of growth and how more affordable housing choices and jobs could be created in the five designated growth areas. The purpose of the urban growth boundary has always been to help manage Melbourne's pressure to expand outwards. The interim boundary introduced in 2002 was intended to protect Melbourne's farming, conservation and recreation areas, not ruling out any subsequent review of the five growth areas in the light of longer term development needs. The smart growth committees carried out these reviews in 2004 and 2005.

Committees for smart growth were responsible for reviewing and revising the then existing plan or developing new plans for the development of the designated growth area in ways that were of course consistent with Melbourne 2030. The committees considered and advised the Department of Sustainability and Environment and local councils on development constraints and issues, strategic planning, preferred development sequence and what sort of guidelines should apply to achieve the desired outcomes.

The members of the committees for smart growth were individuals with knowledge, experience and expertise in the issues. Committees for smart growth made recommendations on how the urban growth boundary should be amended, and these amendments were detailed in the planning schemes approved by the Minister for Planning in November last year, and they are shown on the growth area framework plans that will inform the development of Melbourne's five growth areas. Changes to the urban growth boundary need approval from the Minister for Planning and also from Parliament.

Committees for smart growth conducted extensive consultations with communities in their areas of responsibility. In August 2004 the Casey-Cardinia Smart Growth Committee, for example, conducted a community workshop that attracted some 250 people. It pooled community views that could be included in the new growth area plan, which was then in preparation. Not surprisingly the top priorities of people living in the

area were transport, environment and land use planning, and according to Tammy Lobato, the member for Gembrook in another place, and Rosie Buchanan, the member for Hastings in another place, who both spoke at the workshops, the community identified the areas where housing should be located and the areas that should be protected because of environmental values.

Workshop participants, I believe, also identified the range of services that an increased population in the area would need. In announcing the plan for Melbourne's growth areas last November the government said that the urban growth boundary would be modified, that developer contributions would be introduced for the five growth areas and that the Growth Areas Authority would be established to bring together everyone involved in the development of Melbourne's five growth areas.

The Planning and Environment (Growth Areas Authority) Bill sets out the objectives of the Growth Areas Authority as: ensuring that development, including infrastructure, services and facilities delivery, happens in a timely and coordinated manner and that the sustainable development of land is promoted. As well, the Growth Areas Authority is responsible for ensuring that housing diversity and affordability, and employment are promoted in the communities in these areas. The Growth Areas Authority also must have a broad focus. The authority will need to keep close account of the pace of development and the linkages between the provision of services, infrastructure and facilities required to support the developments.

The authority will also need to have a focus on how the development advances the government's sustainability objectives and promotes housing affordability and diversity — both critical questions in the present environment. The authority, whose members will be appointed on the recommendation of the minister and on the basis of their skills, experience or knowledge, will play an important role in ensuring that land is available for economically productive purposes that can create employment as well as providing land for housing.

As all this goes on the Growth Areas Authority will need to make sure that cohesive and multicultural communities are fostered. The success of these very complex and interrelated activities will be highly dependent on the development of partnerships between local government, the development industry and state government agencies and departments.

The bill very clearly states that the Growth Areas Authority has an advisory role. There is no intention

that the authority should impinge on the role of local councils as planning authorities. The state government will not step in, through the authority, to take over the role of councils. The functions of the authority are to recommend and report to the minister on planning use, development and protection of land in growth areas and to make recommendations on the use and expenditure of levies collected in growth areas under development contribution plans. This means that the authority will act as a collection agency for developing contribution plans for state infrastructure in growth areas, administer the development contribution plans and advise the government on the levies to assist with determining their adequacy and effectiveness.

Development contributions are not new, and councils have a long history of requiring developers to make a contribution towards the cost of providing local infrastructure for new developments. These ad hoc arrangements were standardised in the Planning and Environment Act in 1987. In 2004 the act was amended to allow the minister and public authorities to collect development contributions towards the funding of infrastructure that was provided by the state. The announcement that the government made last November was to introduce development contributions in the five growth areas. The government will continue to meet most of the infrastructure costs, but the levy will contribute to funding transport, environmental facilities and state supported community infrastructure. The big advantage of this is that the services and infrastructure can be delivered earlier. The functions of the authority are flexible and the minister may delegate powers, discretions or functions to the authority or the chief executive officer so that the work of the authority can develop as the government determines.

I think the establishment of the Growth Areas Authority will improve the oversighting and coordination of the ordered release of land for development in the five growth areas in ways that will benefit the communities that are established there, while at the same time the environment can be looked after to the best possible degree. I commend the bill to the house.

Hon. J. A. VOGELS (Western) — The Liberal Party does not support the Planning and Environment (Growth Areas Authority) Bill 2006. There are a few reasons for that, but one of the main ones is that this is just another developer tax. This government is hooked on taxes, fees, fines and charges. I have heard this said many times, but when the Bracks government was elected in 1999 the state revenue was approximately \$19 billion. The budget says that this year it is something like \$32.4 billion, so we have had almost a 100 per cent increase in six years. Tomorrow we will

probably be debating another bill which will be a tax slug on developers in the Dandenong area.

The purpose of this bill is to establish Growth Areas Authority. Proposed section 46AO states:

What is a growth area?

- (1) The Minister may, by order published in the Government Gazette —
 - (a) declare an area of land in the municipal district ... a growth area ...

It can add and remove land basically at the whim of the minister. The six councils mentioned here are Cardinia Shire Council, Casey City Council, Hume City Council, Melton Shire Council, Whittlesea City Council and Wyndham City Council. No doubt other councils will be added to this list in the future.

The objective of the Growth Areas Authority is to ensure that development in growth areas occurs in a coordinated and timely manner. Up to this stage it has traditionally been the role of local government to ensure that happens — to ensure that infrastructure and facilities are provided in growth areas, to promote sustainable development, to promote housing diversity, to promote employment opportunities, to provide for commercial and industrial purpose areas and to foster the development of communities. That is traditionally what councils have done, and they have done it fairly well. We can argue about the sprawl of Melbourne over the last 150 years, but we still live in one of the most livable cities in the world. It is probably not very livable sometimes, especially when you are trying to get to work in the morning or heading home at night.

I think local government has done it fairly well, but the missing link has been the state government. I remember very clearly that one of the promises of this Bracks government to Whittlesea Council in 1999 was that it would build a railway line to South Morang. We have heard that mentioned before, because that is a growth area and a greenfield site. New suburbs are being developed in a lot of those areas, and there is a perfect opportunity to make sure that infrastructure such as the public transport, the road network, recreation facilities and parking spaces are all part of this development. Local government has not failed. The state government has failed to make sure that the people who go out to those areas to live and form communities have access to essential services and education facilities. That has not happened.

This legislation stems back to the Melbourne 2030 policy, which was released some four years ago. The government introduced urban growth boundaries in the

spring sittings of 2003 following the so-called smart growth committee reports. I think on one occasion we sat until about 7.00 a.m. and were back in here again at 9.30 a.m. because the urban growth boundaries had to be rammed through this place in the dead of night. What always concerned me about the smart growth committees was that most of the people on them were appointed at the whim of the minister. Any submissions that were made to those so-called smart growth committees were never made public. That worries me. Why should they not be made public? Why should the community not know what the committees wanted to happen in certain regions? Why did these things have to be kept secret?

We now find that property owners who have lived in quiet suburban streets for many years — in the Box Hills of the world, the older suburbs with houses on quarter-acre blocks — all of a sudden find that the house next door is being pulled down and there is a two-storey block of six units being built in its place, overlooking their backyard. The parking in the street is not up to scratch; and it has destroyed their privacy. If David Attenborough were doing a story, he would be saying it had destroyed their habitat. It is sad. I know some families very well who love the areas they live in but who all of a sudden, because of Melbourne 2030, find they have flats and units et cetera overlooking their backyards. If development that is out of character with the local area and does not accord with the wishes of residents or the local council is proposed, the Minister for Planning steps in, uses his dictatorial powers to call in the development and, bingo, the local residents' desires are completely ignored.

I contacted the six councils nominated in this bill to see if there were concerns. I would like to share some of those concerns with the house. The definition of a growth area provides for the minister to have the power to add or remove land but does not make reference to the urban growth boundary or the importance of consultation — in other words, the planning minister can, as we have seen in other examples of changes to the urban growth boundary, ram changes through Parliament to achieve whatever he desires without much consultation with the local community or the local council.

The Growth Areas Authority should be required to maintain a register of levies collected in each growth area and arguably on each growth fund, and interest earned on those levies should also be added to the register. Where do those funds go? Do they go back to the growth area where they were raised, or do they go into consolidated revenue? I cannot see mentioned

in the bill where the money would go, but I assume it would go into consolidated revenue.

There are indicative charges estimates in the government's discussion paper. Per hectare costs, presuming 10 to 12 houses per hectare, will be: \$2200 to \$3100 per block within the urban growth boundary (UGB) zoned urban but not developed; \$4000 to \$4400 per block within the UGB but not yet zoned urban; and \$4900 to \$5400 per block for land bought within the UGB in November 2005 — in other words, millions of dollars will be sitting in this fund. Councils are concerned, as am I, about where this money will eventually finish up.

I heard some Labor members saying that councils have not been sidelined, but the bill is silent about communication and liaison with growth area councils. You would hope that the Growth Areas Authority would want very close relationships with local councils, but there is nothing to guarantee that in this legislation.

In developing priorities to ensure compliance with the objectives of the Growth Areas Authority, will any consideration be given to the policies, commitments and priorities of these six councils? In his second-reading speech the minister alludes to a partnership model and a close working relationship with growth area councils and developers. However, on past form they have every right to be very concerned that it could be, and probably is, just political speak.

The proposal that the new authority is skills based should automatically mean representation from local government, but although the legislation refers to members having expertise in planning, development, economics, financial management and local government, I have not seen it mentioned that local government representatives will be on the authority. I think they should be the first cabs off the rank, because they are the ones who will be affected.

In conclusion, the authority will be just another tax collector for the Bracks government. As I have said, this week we will be debating the Victorian Urban Development Authority (Amendment) Bill, which will bring in another tax on development. It is a tax on new subdivisions and a tax on home buyers, and the millions collected will not necessarily go back to the areas where the money was collected. It will be a bit like what happens with the Community Support Fund, which was set up on the theory that the gambling funds collected would go back to the areas where they were collected, but over the years very little money has filtered back to where it was collected.

This government continually claims it consults, but it only consults with its mates, and not necessarily in the interests of local communities. What we have here is another layer of bureaucracy in the planning process. It duplicates local government, it fails to use local government expertise and it will add to the cost of buying a home. Therefore the Liberal Party does not support the legislation.

House divided on motion:

Ayes, 23

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

Noes, 19

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

Motion agreed to.

Read second time.

Third reading

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

That the bill be now read a third time.

In doing so I wish to make a few comments on some of the queries raised by Mr David Davis. I hope I can cover most of the issues; if not, I am happy to pursue some of the issues through the minister without prolonging the debate here.

Mr Davis raised matters about the board. The board will be skills based, it will be a representative board, and representative positions would of course provide a conflict in relation to the governance of the board.

Hon. Bill Forwood interjected.

Hon. J. M. MADDEN — Do you want me to answer this or not, Mr Forwood? I do not have to — —

Hon. Bill Forwood interjected.

The PRESIDENT — Order! Mr Forwood is out of his place!

Hon. J. M. MADDEN — Do you want to go into committee?

The PRESIDENT — Order! I ask the minister to respond through the Chair and ignore the illegal interjection by Mr Forwood.

Hon. J. M. MADDEN — I thank the President for her comments. As I mentioned, the meetings will not be open to the general public, but they will be subject to freedom of information through the normal process. It should also be appreciated that they will undertake the role of negotiating for state infrastructure within government, something that councils are not necessarily successful at. The minister can delegate powers to the board, and these are existing powers. There are no new powers here. The board will not usurp council decisions in relation to any of those powers.

It is worth appreciating that this is really about providing infrastructure where it is needed, on the basis of the revenues developers will no doubt secure from these developments. It is a contribution to things like transport, environmental elements and community facilities. We well know that the building of those facilities in the early stages of a project adds value to the development and the revenue. The state will continue to pay the full cost of health, education and police and emergency services facilities; I know the member was concerned about that so I wanted to clarify that. It will continue to provide the infrastructure. This will provide greater certainty for developers and communities.

Similar contributions are charged in New South Wales and Queensland but at much higher rates. The legislation already in existence is not used by the state of Victoria. Land provided with infrastructure and services is more valuable than land without infrastructure and services. This therefore enhances the value for developers and purchasers. Levies are covered in existing legislation, and the legislation requires proper records to be kept. This enables negotiation over land in a way that obtains the best value for the community. Initial contribution plans are based on budget and transport plan commitments that have already been made. These contribution plans will be progressively updated to include infrastructure to which

the state is committed. In addition, the calculation of the levy is tightly constrained.

If there are any additional elements or queries from the member which I have not answered, I am happy to seek clarification of those matters from the responsible minister in the other place.

The PRESIDENT — Order! The question is:

That the bill be now read a third time and that the bill do pass.

House divided on question:

Ayes, 23

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

Noes, 19

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

Question agreed to.

Remaining stages

Passed remaining stages.

INFRINGEMENTS (CONSEQUENTIAL AND OTHER AMENDMENTS) BILL

Second reading

Debate resumed from 1 June; motion of Hon. J. M. MADDEN (Minister for Sport and Recreation).

Hon. RICHARD DALLA-RIVA (East Yarra) — I rise on behalf of the Liberal Party to make a contribution on the Infringements (Consequential and Other Amendments) Bill. The opposition, in keeping with the principal act, will not be opposing the bill. We

know this bill follows on from the Infringements Bill which was passed recently. In fact, it was assented to very recently. This raises again in my mind the extent to which Parliament appears to be using the legislative process. It is now probably a month and a half since the original bill was passed in this house. I say that because I was the lead speaker for the Liberal Party on the Infringements Bill and here I am following on from that bill with the Infringements (Consequential and Other Amendments) Bill. It raises the question of this government's commitment to legislation and the process it undertakes.

I remember debating various acts in this chamber in 2004 — the surveillance devices bill, the amending bill, the Ombudsman bill and legislation upon legislation. From memory there were about seven pieces of legislation, amendments to legislation and further introductions of bills to amend previously passed legislation.

If members go through the bill before us tonight, they will see that it raises the same spectre of another bill amending a bill. I understand that some of the amendments are consequential on the implementation of the principal act, but it is also important to put on the record that there are other amendments. In other words, when the original bill went through both chambers, it had errors in it. Ms Mikakos, who is in the chamber, will probably make a contribution because she spoke on the original bill. She will probably talk about the fact that this is a continuation of the original bill and that substantial amendments will be required to other bills. I appreciate that but I do not appreciate the other amendments it makes.

Members need to look at the history of the way the government has dealt with legislation in this chamber. The Terrorism (Community Protection) Bill was brought in in 2003. In 2006 we had an amendment to the principal act and not much later than the original date in 2006 we have a further amendment to that act.

In 2004 we had the Sustainable Forests (Timber) Bill and in 2006 we had a subsequent amendment to that. We had the Sex offenders Registration Bill in 2004 and early in 2005 we had the Sex Offenders Registration (Amendment) Bill. Who could ever forget the initial Public Holidays and Shop Trading Reform Bill of March 2003? We had that stuff-up, and in April 2003 the government had to bring in the Shop Trading Reform (Essential Goods Amendment) Bill. Then the government brought in the Shop Trading Reform (Simplification) Bill in November 2003.

What I am demonstrating is that time and time again we have brought into this chamber legislation that is ad hoc and not clearly thought out. Time and again, as certainly members on this side of the chamber would be aware, members get up to speak on a bill for an hour or whatever time they are allocated and soon after we are debating the bill again. The last example I want to put on the record is the Outworkers (Improved Protection) Bill in 2003. Again there was another amendment bill. In the short time allocated I went through *Hansard* trying to cross-reference the number of original bills brought into this chamber in the term of the Bracks government with the amendments to them. I found that amendments made to principal acts have not been introduced three or four years after the original acts were passed but in some cases have occurred within only a couple of months. This bill is yet another example of that. I raise as concerns not the consequential amendments but the other amendments to the principal act.

We debated a lengthy and weighty Infringements Bill. In my original statement to the chamber I indicated that I was supportive of the notion, given that it followed the work done after evidence was taken by the Law Reform Committee. The committee's terms of reference included looking at the existing laws. The members of the committee looked at the existing rules, including the way that the PERIN system works and how it impacts on the special circumstances for courts and a whole variety of other issues. I was pleased that at the time we had a legislative framework that was actually moving us forward. There is no doubt that this is a weighty bill and that it takes into account a substantial number of changes. I understand that the consequential amendments affect some 60 acts. Obviously they will be included as part of the legislation being debated tonight.

As I said, I do have some overarching concerns that we have to go back. It continues to be primarily the same minister whose huge department puts forward these bills. I am sure that is not easy, but the numbers are huge. The original bill was about 150 pages long and the amending bill is made up of 111 pages. It ends up being a bureaucratic nightmare for those who have to enforce it. Time and time again I have said that it is all very well for us to stand in here and make statements about a bill. The realities are that we are not applying its provisions in the real world; we are trying to provide the law. But if we continually update the law on such an ad hoc basis and so regularly so soon after original bills are implemented, that does not give some level of comfort to those who are trying to enforce the law, nor does it give some comfort to those who are trying to work within the system to understand it.

For example, the bill creates a new offence of breaching a community work permit. How will that affect those who currently have community work permits and are breaching them? There is a sort of overlapping there. I cannot work out why we need to clarify the consideration of 'special circumstances' so that they will not impede the considerations of the Magistrates Court. I do not understand why that was not included in the original bill.

There is an amendment to the procedures relating to the service of infringement notices. Again, the Law Reform Committee went through a detailed process and outlined in some of its recommendations how the members of the committee thought that should be applied. I would have thought those who drafted the original bill would have at least looked at some of the work of the Law Reform Committee.

I think it is important to put on the record that we have committees in operation. A member of a committee puts a lot of their heart and soul into it. The staff working for the committees are putting in a lot of time and effort and the committee reports are then tabled. One of the sad things is that members have only a short time to talk about the reports, either when they are tabled or subsequently when we can take note of reports. The fact of the matter is that the Law Reform Committee report was fantastic and covered a wide variety of issues. I do not propose to go through what I said in my original speech, except to say that we seem to bring in one piece of legislation after another that follows the original legislation.

I put on the record what I have always said is important to note. The explanatory memorandum of the bill is extensive. It is always important to acknowledge the work that individuals and the bureaucracy have done in putting that together. I always say that where it is thorough and detailed we should acknowledge the work of the relevant bureaucrat or officer who has done that work. Again, I congratulate the person or persons who have prepared that explanatory memorandum.

Turning to the bill, part 2 amends the principal act. This is an example of an issue I was talking about earlier. We have added and tried to expand on the definitions — for example, of 'prescribed costs' in clause 4(2). In clause 4(4) we are inserting a new provision clarifying the definition of 'special circumstances' so that it does not fetter the Magistrates Court in its discretion. I am just referring to these amendments to indicate that these matters were discussed quite extensively. In relation to special circumstances I recall that members of the Law Reform Committee went to court to see Magistrate Jelena

Popovic undertake that process. It certainly swayed me. Whilst in the chamber we may appear to want to have hard enforcement, the realities are that the court that considered special circumstances was very good. It certainly changed my view about people needing that outlet should the need arise.

I was concerned about the definition of 'special circumstances', given that the Law Reform Committee report regarding the special circumstances court was detailed. Other amendments in the bill are detailed, which may give an indication of the significance of the various changes to the principal act. Not all the amendments qualify as corrections of errors in the principal act, but in my view a substantial amount of work was not done when the principal act was passed.

Part 4 of the bill refers to amendments to other acts. Division 1 refers to amendments to the Road Safety Act 1986, for which there are extensive notes in the explanatory memorandum. Division 2 refers to the Marine Act 1988. Clause 69 amends the Marine Act 1988 to ensure that the provisions relating to marine infringement notices are consistent with the framework set up by the principal act. Why was that not established when the principal act was passed?

Division 3 refers to the Transport Act, and clause 74 amends the Transport Act 1983 to ensure that the provisions relating to transport infringement and ticket infringement notices are consistent with the framework set up by the principal act. The Law Reform Committee conducted an extensive examination of the processes of transport infringement, including those for motor vehicles. I would have thought those amendments would have automatically been dealt with in the initial stages. That was an oversight that should have been dealt with earlier.

Division 4 deals with the Chattel Securities Act, and clause 78 amends the definition of 'debtor' in section 3 of the Chattel Securities Act 1987 to replace the reference to a 'penalty enforcement warrant' under the Magistrates Court Act 1989 with a reference to an 'infringement warrant'. Again, that should have been done at the time.

Division 5 refers to the EastLink Project Act, division 6 refers to the Melbourne City Link Act 1995 and division 7 refers to infringement offences under the Liquor Control Reform Act 1998 and extends the infringement coverage under that act to offences such as failure to notify the director of Liquor Licensing Victoria of a person ceasing to be an associate permitting a person to carry on a business of supplying liquor on licensed premises without consent.

Division 8 refers to other acts, of which there are many. The bill makes consequential amendments to 60 acts. It is hard to consolidate all those acts in the time I have available, but I am supportive of the fact that we are at least trying to improve things even though I do not like the process we are following to get there. I am sure Ms Mikakos is champing at the bit to add some weight to the reasons for the amendments being included, and I will be interested to hear her explanations.

I do not wish to waste the time of the chamber because these are consequential amendments to the principal act. I made my contribution to the debate when the bill for the principal act was introduced two months ago, when I spoke for nearly an hour, so I do not propose to waste time other than to say the opposition does not oppose the bill.

Hon. P. R. HALL (Gippsland) — It is my pleasure to indicate that The Nationals will be supporting the legislation. We supported the Infringements Act 2006 in April this year when it was debated in this chamber, and we will be supporting this amending bill as well.

When the Infringements Act was introduced we made the comment that there were a number of attractive elements about it, not the least being the ability to pay fines by instalments. That had always been an anomaly that we saw in the system, in that people who could not afford to pay a fine in total had no option but to default on the fine and go to the PERIN court and incur an interest penalty. Then the PERIN court had the ability to arrange an instalment payment process for those people. It seemed to us ridiculous that pensioners or low-income earners did not have the option of demonstrating a need to be able to pay an infringement notice penalty by way of instalments. That was one of the attractions in the Infringements Act.

As we understand it, the new infringements system will come into operation on 1 July. It seems extraordinary that we already have an amendment bill to an act of Parliament that was debated in April. Although the need for an amending bill was foreshadowed, the extent of the amendments in this bill are somewhat surprising. There are a significant number of amendments. I will not go through all of them because a number are consequential; I will mention groups of amendments, which I thought was an appropriate way to deal with them.

I will start in reverse and refer to the schedule to the bill, which lists amendments to 51 acts of Parliament. They are being amended essentially to adopt the terminology of the new Infringements Act, so they are consequential upon the principal act. As I said, they are

listed in a detailed schedule rather than being listed and commented upon individually in the bill itself.

Part 4 of the bill makes amendments to 11 other acts, predominantly in ways that reflect the provisions and processes in the Infringements Act. Those amendments are more detailed, but the acts they amend include acts of Parliament where one would expect to see the application of infringement notices on a fairly consistent basis. Acts referred to in part 4 of the bill include the Road Safety Act, the Marine Act, the Transport Act, the Chattel Securities Act, the EastLink Project Act and the Melbourne City Link Act, as well as the Liquor Control Reform Act, the Magistrates' Court Act, the Corrections Act and the Bail Act.

The Honourable Richard Dalla-Riva referred in detail to what some of those provisions are, but I will not do so, except to essentially say that they clarify the processes and procedures which were outlined in the principal act and are therefore in most respects consequential upon it. Part 3 of the bill sets out some transitional provisions necessary to achieve a smooth transition from the old system to the new.

Part 2 of the bill contains almost 50 amendments to the principal act, which again are essentially of a clarifying nature, although in the art of clarification sometimes one has to be somewhat technical. Some of the almost 50 amendments in part 2 of the bill are technical in detail, but they are all designed to change and improve the system and from our consideration of them members of The Nationals do not have any opposition to them. I note, for example, that one amendment changes the name of the PERIN court to the infringements court. That, to us, seems to be an appropriate measure.

The bill contains a lot of amendments to a significant number of acts, but they are all consequential or providing clarification of the principal act, so we do not object to them. We simply hope this bill will enhance the infringement system that was put in place with the new principal act that was given royal assent in April of this year. No doubt we will be back here again in the future to clarify certain other matters. There are a lot of acts of Parliament to which infringements apply, so I am sure we will be back here to clarify things in the future. From our reading of this bill it is in our view a valid attempt to clarify procedures that are largely consequential on the principal act, so we have no objection.

Ms MIKAKOS (Jika Jika) — I am pleased to make a brief contribution on the Infringements (Consequential and Other Amendments) Bill. I am

pleased that the other parties will not be opposing the bill. By way of introduction I will say that this bill seeks to make a number of amendments to the Infringements Act 2006, which this house recently debated and passed. However, it is important to note that the original bill was introduced in November of last year and held over for debate and passage until the autumn 2006 sitting in order to enable further community consultation and input. In particular, the fact that the bill was held over provided us with the benefit that, for example, local governments subsequently agreed to the inclusion of local laws under the new infringements framework, therefore providing a number of benefits to Victorians through the comprehensive infringements framework system that we have put in place.

I should note also that the second-reading speech indicated that a further bill was going to be introduced at a later stage. That is because of advice from the parliamentary counsel that we have a separate bill in order to facilitate this transition to a new system which is to begin on 1 July 2006.

A number of speakers have already indicated that the infringements system we have put in place has consolidated provisions that currently exist across 60 different acts of Parliament. It is a wholesale rewriting and streamlining of those infringement notice regimes and related matters, which is to ensure consistency across various types of infringements, whether they are issued by state or local government. Consequently it is important that Parliament has an opportunity to finetune that legislation. That is what this bill seeks to do. It seeks to make a number of consequential amendments. In some cases they are quite minor issues such as typographical or cross-referencing issues in the original legislation, but also there are a number of transitional and saving provisions. I will indicate to the house where there are minor policy changes.

At the time the first bill was introduced I said that it was a significant bill in that it was seeking to make the system by which we process minor infractions much fairer for Victorians but also to make it much tougher on those who chose to deliberately flout the rules. The Infringements Act 2006 was designed to deal with a large number of outstanding fines in Victoria. I note that the Auditor-General calculated at the end of June 2004 that the amount of outstanding fines was \$694 million, which is a very significant figure.

The government was concerned and has always acknowledged that even fines of a fairly small monetary amount can present a significant financial burden for low-income earners — for example, people

on fixed pensions and the homeless, the vulnerable and the disadvantaged. In some cases people may not be aware that their actions could incur infringements, whether that is due to mental illness or some other type of disability. We have put in place a much fairer system that enables people to pay off fines by means of instalment. We also introduced a fee-waiver system which ended on 31 May for those people who were experiencing hardship as a result of accumulated fees and fines.

I understand that since 1 February Civic Compliance Victoria has entered into nearly 6000 payment plans with an average value of around \$500. This is already starting to assist Victorians who have accumulated fees over time.

The fee-waiver scheme that I mentioned involved the participation of 28 local councils, including one of my local councils, the City of Darebin. That is terrific in that it has provided Victorians with an opportunity to put their finances into some order in relation to state government and many local council debts. Whilst the final figures are not yet available, I understand that from 1 February to 30 April more than 45 000 debtors settled a total of 65 307 obligations with full payment and had a total of \$5.5 million in fees waived under that scheme.

In that same period a further 39 806 debtors with a total of more than 200 000 PERIN obligations either entered into or had existing PERIN payment plans, leading to \$21.3 million in fees waived. This fee-waiver scheme, which was put in place until 31 May has therefore benefited many Victorians and has also assisted government and local councils in some cases to recoup those fines.

It is intended that the bill will come into operation on 1 July 2006 at the same time as the original Infringements Act, which was passed by this house and received royal assent on 11 April. This bill makes a number of consequential amendments. In particular it makes a number of amendments which clarify the extent to which the Magistrates Court needs to consider the definition of special circumstances contained in the act by expressly providing that the infringements registrars and the court are not bound by the definition in the act of special circumstances in hearings for the revocation of enforcement orders or in considering the substantive infringement offence upon a referral of the matter to the court following an internal agency review or a revocation hearing. This is important because it reinforces the independence and discretion of the court system, which of course this government is committed to protecting.

As well as that, the bill fixes a loophole which has been identified in relation to fine notices which are returned to the issuing agency and are marked 'Return to sender'. It ensures that there is an emphasis on offenders to keep their address details up to date, and so closing the loophole by which a validly served notice is returned. If an offender deliberately marks a fine notice as 'Return to sender' in order to avoid a fine, despite being at that address or having supplied a fake address, this bill ensures that the infringement can still be legally enforced. The bill also provides a safety net to protect offenders who have moved house or are genuinely unaware of their infringements. They can apply to have those offences withdrawn should the matter proceed to court.

The bill also makes a number of improvements in relation to the prosecution for breaches of community work permits issued under the act. It also includes a deemed service provision in response to concerns that there is a lack of clarity as to the actual date when service by post is affected. The amendment will provide that subject to evidence to the contrary, where a document is served by post, it is deemed to be served 14 days after the date of issue of the notice.

The other substantive change in the bill I want to note is the extension of the legislative provisions to local laws and to children and young persons, particularly in parts 1, 2 and 3 and also many of the provision in part 13 of the Infringements Act, so that we can have consistency of provisions between the regime applicable to fines issued by state government and those issued by local government.

In conclusion, this is a bill that complements the Infringements Act 2006. Essentially it puts in place a much fairer infringement system. It protects the integrity of our fine and infringement system and also ensures that the most vulnerable members of our society who have infringed a state government or local council law receive adequate safeguards and assistance in meeting their obligations to society. Of course we are committed to ensuring that we have a fair system in place that deals with infringements. This bill, together with the act, provides exactly that. I thank the other parties for also supporting this legislation. I commend the bill to the house.

Hon. ANDREW BRIDESON (Waverley) — I rise to speak on the Infringements (Consequential and Other Amendments) Bill. I must say that I am somewhat surprised to hear that there is over \$700 million of outstanding fines in the community. This is a massive impost for any government of any persuasion to carry. I am sure that even when the Kennett government was in

power, there was probably an equivalent amount of money which was outstanding in fines. It never ceases to amaze me that governments do not seem to want to use their power and authority over certain individuals to get them to pay these fines. What further amazes me is that the younger generation today do not seem to care too much about how many fines they rack up. I know young people who owe approximately \$10 000 in outstanding parking fines. They just park their motor vehicles anywhere at any time that suits them, then they pick up a fine and do not pay it. I was raised under strict parenting and if you were fined, then you would pay it.

Hon. W. R. Baxter — And you did not park illegally!

Hon. ANDREW BRIDESON — That is right — you did not park illegally. You obeyed parking notices in the first instance. But it is not just parking fines that people owe; it is a range of fines across a large range of essentially minor offences that have been committed. The passage of this bill will hopefully hasten the payment of many of these fines. From listening to previous speakers in this debate, I believe it will be a fairer system, and certainly a system that the opposition parties — the Liberal Party and The Nationals — support.

I note from the second-reading speech that the bill is cognate with the Infringements Act 2006, which received royal assent on 11 April. As members will be aware, that act provided for a new infringements system, firstly, by protecting the vulnerable while improving community rights and options in the process, and secondly, by providing additional enforcement sanctions to motivate people to pay their fines. I hope that once this bill is implemented this government will take the opportunity to advertise — in fact I am sure it will. The government seems to be lining the pockets of advertising agencies. In this instance I would certainly encourage the government to go down the path of an advertising campaign which encourages people to pay their outstanding fines. Why should decent, law-abiding citizens in effect be subsidising the government's coffers by paying other people's fines? I know well we certainly do.

The bill makes a large number of consequential amendments necessary as a result of the passage of the Infringements Act 2006. That act provided a new framework for the issuing, serving and enforcement of infringement notices while also changing the mechanisms of enforcement of infringement penalties. In excess of 60 existing acts currently make provision for infringement notices, and each one of them is now amended by this bill to accommodate the new system.

Finally, the bill also amends the Infringements Act 2006 to improve the effectiveness of the new infringement system, which is a process of requiring a large number of minor amendments, particularly about children and local laws.

I must say in conclusion that the opposition has consulted widely, particularly with the Law Institute of Victoria and the Victorian bar. As a result of those fruitful discussions the opposition agreed to support the government, and I wish the bill a speedy passage.

Motion agreed to.

Read second time.

Third reading

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

That the bill be now read a third time.

In doing so I thank members for their contributions to the debate.

Motion agreed to.

Read third time.

Remaining stages

Passed remaining stages.

Sitting suspended 6.28 p.m. until 8.02 p.m.

VICTORIAN URBAN DEVELOPMENT AUTHORITY (AMENDMENT) BILL

Second reading

**Debate resumed from 1 June; motion of
Mr LENDERS (Minister for Major Projects).**

Hon. PHILIP DAVIS (Gippsland) — My contribution this evening will be to the point. I therefore take as my text for this address this evening something said by Jean-Baptiste Colbert in 1665. I quote:

The art of taxation consists in so plucking the goose as to obtain the largest possible amount of feathers with the smallest possible amount of hissing.

I say to the minister that he is a champion goose plucker. The minister knows full well that in introducing this bill the government is adding another new tax to the armoury of the highest taxing government in the history of Victoria. This government has introduced a number of new taxes in its term of

office and has increased taxation to extraordinary levels — for example, under the Bracks government land tax has gone up by 104 per cent; stamp duty has increased by 120 per cent; police fines have increased by 226 per cent; fees, fines and charges now increase automatically each year with the consumer price index; insurance taxes have doubled to more than \$1 billion; and the poker machine levy last year doubled from \$46 million to \$91 million, an increase of \$45 million.

Labor has course brought in new taxes, including land tax on properties owned through trusts, the \$800 city car parking tax, the new tax on homeowners referred to earlier this evening, the urban growth boundaries levy and the 5 per cent tax on water bills. Here we go again — and I cannot actually hear the goose hissing. The Minister for Major Projects must be a champion goose plucker, because he is actually achieving his objective of introducing a new tax in such a complex manner that those parties who will be so affected by it have not yet been able to recognise the impact on them and their businesses.

The Liberal Party's position is quite clear. We could debate this bill in some detail as to technical points of merit, but I do not propose to do that. This is a tax bill. It is disguised using the concept of development. I have to say that the minister, who is scurrying from the chamber because he is embarrassed to be described as a goose plucker — a champion goose plucker, nevertheless — is well aware that the budget papers reveal quite clearly what it is he is up to. On page 342 of budget paper 3 under the heading 'Revenue initiatives' the government sets out that this new tax will raise only \$2.2 million in its first year but that by the end of the forward estimates period it will be raising \$11.8 million a year, which indicates significant growth. Given that the budget papers set out that that tax initiative will be imposed initially only in respect to the Dandenong development precinct at the rate of 5 per cent, it is quite clear that the potential for progressively extending the reach of this tax is pretty extensive.

Over the course of the next few weeks, as the budget papers and then the appropriation bill are formally considered, members of this house will be hearing much about the opposition's view of the competence of the government in respect of economic management. However, I need to say now that the opportunity for us to reflect on what this bill actually means should not pass. We have seen the government, under the guise of creating a focus on urban development, factoring into its policy an approach that says that, notwithstanding the obligations of government and the fact that the Victorian budget sector is awash with a level of funds that no previous government ever dreamt of having,

particularly from the growth in GST revenue, it cannot manage its budget and cannot meet its core responsibilities to the community from that budget. Even today we have heard proud boasts in this chamber about the government's economic management. I say to the government that the underhanded approach it has taken with the introduction of what is clearly a new tax is something to be ashamed of.

I do not intend to speak at length on this bill simply because it would serve no purpose. This bill is quite clearly an embarrassment to the government. In time the community will be well aware of the implications of this additional new tax, and it will judge the government for what it is — that is, the most grasping government in the history of Victoria. There is some merit in proper accountability for the taxes collected, but there is no merit in the government collecting taxes in a rapacious way. I argue that that is the nature of the tax that is being introduced in this bill. I make the point that in referring to the text around which I wanted to speak this evening that I do say — —

The PRESIDENT — Order! We are having some technical problems with the sound system. The Leader of the Opposition's speech is not being recorded. I am not sure what has happened and what we have missed of the member's contribution. For the moment, if the Leader of the Opposition would like to continue we have a shorthand writer in the chamber, so the member's comments will be picked up. That will give me an opportunity to find out how much of the member's contribution, if any, has been missed.

Hon. PHILIP DAVIS — Does that mean I have to do it all again? I think I was talking about the Minister for Major Projects being the most effective goose plucker in the history of the Victorian Parliament, and he has been able to get away with it without a great deal of hissing! I am at a bit of a loss because I do not know how much of my previous contribution to repeat, therefore I will not repeat any of it.

I really want to finish where I started, by reminding members that the nature of politics is that members of Parliament, at the end of the day, and governments in particular, ultimately are accountable for their actions. It is certainly the view of the opposition that the government is endeavouring to avoid accountability by introducing this legislation. The industry stakeholders who are directly affected and, importantly, the wider community will become progressively aware of the impacts of the costs of these additional taxes as they are passed on.

It would seem to me that if the Minister for Major Projects wishes to be remembered for something in his parliamentary career, he can be assured that he will be remembered for the introduction of this tax, which is a neat sleight of hand and is done in such a way as to minimise the hissing of the geese.

The PRESIDENT — Order! As a result of the difficulties we are having with the sound recording, we need to reboot the system, which will take about 10 minutes. I will leave the chair. The sitting is suspended until the ringing of the bells.

Sitting suspended 8.14 p.m. until 8.27 p.m.

The PRESIDENT — Order! I thank members for their tolerance of the technical difficulties we have had with the sound system. We have now rebooted the system, and it is online. The Leader of the Opposition was about to conclude his remarks.

Hon. PHILIP DAVIS — President, in conclusion, let it be clear that we make no pretence about the fact that the government has made no intellectual case to bring in another new tax. A further new tax by the highest taxing government in the history of Victoria is a position which we find intolerable, and therefore we oppose it.

I therefore say with respect to the suggestion that the art of taxation consists of plucking the goose to obtain the largest possible amount of feathers with the smallest possible amount of hissing, there is no question but that the Minister for Major Projects is the champion goose plucker of them all.

Hon. W. R. BAXTER (North Eastern) — The Nationals are also opposing this legislation, basically on the grounds outlined by the Leader of the Opposition — that it is another Labor tax. But I have to say at the outset that I found myself in somewhat of an ambivalent position when the legislation was first presented, because I have long held the concern that possibly we as a community and a society have not been charging those families and individuals a fair amount for choosing to cluster around the outer edges of this great sprawling city of Melbourne, as livable as it might be. Those families do not feel the full cost that they impose on the rest of the community by taking that decision in terms of the cost of the provision of infrastructure such as roads, water, power, schools, hospitals and all those other items people come to expect.

It has seemed to me over a number of years that if those people were making a fairer contribution to the cost that they impose by adding to the sprawl and the congestion

that is Melbourne, they might, through the hip pocket, be more tempted to go and settle in Warrnambool or Wodonga. There would certainly be some benefits for our community if we had a more dispersed population than we have. I am not certain that we should, notwithstanding Melbourne 2030 and the other arrangements that are in place to better manage and plan Melbourne's growth, acquiesce too easily to the concept of Melbourne becoming one of the world's largest cities, not necessarily in population, because it is far from being in that category, but in terms of area.

Hon. J. H. Eren interjected.

Hon. W. R. BAXTER — It would be nice if Mr Eren on occasions might actually entertain the gallery by getting up in this chamber and making a speech about his own views!

Hon. J. H. Eren — I'll have my say, don't you worry about that.

Hon. W. R. BAXTER — We look forward to it, instead of your sitting there interjecting inanely time after time, night after night. It does get a bit wearing.

We surely should be concerned that Melbourne is becoming geographically one of the largest cities in the world. We should be taking into account the immense cost that that imposes upon our economy.

To a degree I initially had some sympathy with the proposals that might have been in the bill. I received a very good briefing from the minister's department, and I thank the officers who made themselves available last Monday. We had a good discussion on the provisions of the bill, and I thought they were very helpful. I considered my position and rewrote my bill report twice, but it was ultimately taken to my party room at 5.00 p.m. last Monday, and the party — —

Hon. Philip Davis interjected.

Hon. W. R. BAXTER — No, upon my final recommendation, Mr Davis, my party chose to oppose the bill on the ground that it introduces a new tax — there are no two ways about that. It introduces another new tax in addition to the \$8000 per block tax that the government announced some time ago. The mechanism by which that \$8000 is going to be collected is not clear to me, but it is not part of this bill, so I will not speculate on the means of collection.

This bill adds to the powers VicUrban already has to charge. As I understand it, at the moment it is able to impose a charge in a declared area, and this bill increases that capacity to two additional levies — a

general development charge and an infrastructure recovery charge. The infrastructure recovery charge can be a very significant sum of money. It can be up to 10 per cent of the development cost. The bill contains a definition of 'development cost'. Basically it is the land cost plus the value of the developments — the buildings et cetera — that are being constructed thereon. I suppose in a sense it is equivalent to the capital improved value. It can be up to 10 per cent, as I have indicated. I understand that the first place this is likely to be used is at the redevelopment of the central business district in Dandenong, where it is going to be set at 5 per cent.

There is nothing in the bill that appears to give any guidance as to at what level this infrastructure recovery charge is likely to be set. There is a pretty alarming provision as well: if subsequently it is found that the amount recovered is in excess of the costs incurred, there is no requirement for that money to be returned. I could not help but notice that when that matter was mentioned by my colleague the member for Lowan in another place someone on the Labor benches exclaimed, 'You wouldn't give it back to the developers, would you?', or words to that effect. That to me just epitomised the misunderstanding that Labor members of Parliament have about how business operates and how development takes place. Does that interjector seriously believe it is the developers who pay these costs? Does he or she not understand that those sorts of costs are passed on to the end user, the consumer — either the tenant of the shop, the owner of the home or ultimately the person who buys goods from that shop? It is just another illustration of the lack of business understanding and business knowledge that is so rampant on the Labor backbench.

It seems to me that, if we were to accept legislation of this nature and allow the imposition of these sorts of charges, we should have in the bill a much more stringent means of establishing at what level it is going to be set, because VicUrban is not a private developer. It is not subject to the same rigour that private developers, who get their share capital from the market and have a responsibility to shareholders and investors, are subject to. I know in its charter — this is clear from the principal act — VicUrban is charged with acting commercially, but acting commercially is sometimes in the eye of the beholder. It can be a fairly wide definition, and unless you have that rigour you do not necessarily operate as commercially as you might, or as some of us would like.

It seems to me that if we are going to allow VicUrban to set these sorts of charges, there needs to be a much more rigorous process to establish at what level they

ought to be set. There has to be a greater connection between what the costs are and what the revenue garnered is going to be, and there has to be a greater connection with establishing at what level the infrastructure is going to be set, what quality it is going to be and how extensive it is going to be.

I know the minister is likely to respond later on and say, 'There are appeal mechanisms in the bill, and all this can be taken off to the Victorian Civil and Administrative Tribunal or to the Supreme Court and can all be tested'. That may be so, but is that the sort of cost that ought to be imposed on developers? Are we happy to be handing over to VicUrban, which is a non-commercial operation in the sense that it is a government instrumentality, these sorts of powers and to rely simply on giving people the opportunity to go off to some quasi-legal body to have intensely commercial matters adjudicated? I do not think it is particularly desirable at all. I think what VicUrban ought to be doing is acting much more as a benchmark setter, as a facilitator, as an aggregator of land, perhaps, but it needs to leave the development much more to those who do it best, and that is the private developers — those who have their dollar at stake, those who make their living from it. That would be much better than having VicUrban acting in its own name and taking these decisions because it has the capacity, which this bill proposes to give it, to impose a charge of up to 10 per cent of the development cost that purports to be for infrastructure but could well be hiding some of its inbuilt inefficiencies as well. I do not think the Parliament ought to be giving VicUrban that sort of power.

You can say it is a taxing measure, and it certainly is — and Mr Davis has illustrated that to the house. That is why at the end of the day, despite my concerns about whether we are properly charging people for the costs they impose on society and preventing cross-subsidies from one to another, I felt that this was not the appropriate mechanism. I came to that conclusion for a whole heap of reasons, not the least being this government's record.

We could not help but notice that in delivering the budget on Tuesday last week the Treasurer talked about how many taxes had been abolished or reduced under his stewardship. A few taxes have been abolished, most as a result of the GST agreement as well as one or two others, but the Treasurer failed to set out all the new taxes that this government has introduced. Here we have yet another one.

Hon. B. N. Atkinson — Most of them were lost because of GST requirements, not the government's own decision.

Hon. W. R. BAXTER — Mr Atkinson is right; I noticed that most of them were a consequence of the GST agreement. It seems to me that this is a mechanism to get in a new tax but dress it up in such a way that some people might well be fooled into thinking that it is not a tax. In the process of doing that the intention is also to give a pot of money to VicUrban. I have confidence in the board and management of VicUrban. I think it is a pretty well-run organisation. It has a good board. The chairman is a gentleman named Mr Darvall, whom as minister I appointed to another position, so clearly I have confidence in him. Nevertheless it seems to me that this is not a suitable way of giving VicUrban whatever financial resources it might need to carry out its charter. In a sense it is giving a VicUrban blank cheque. I do not think that is wise. I am not happy to go along with that and neither are The Nationals. It seems to me that in many respects this has become a bit of a device. It is a means of collecting revenue by dressing it up as if it were not a new tax when in fact that is exactly what it is.

On that basis I indicate that The Nationals will be opposing the legislation. We do not think this is a desirable way for public administration to go in terms of developing the state.

Mr SCHEFFER (Monash) — I rise to speak in support of the Victorian Urban Development Authority (Amendment) Bill. Since its establishment in 2003 through the merger of the Docklands Authority and the Urban and Regional Land Corporation, VicUrban has had a major and positive impact on urban renewal across the state. The projects undertaken by VicUrban are required to establish community infrastructure that provides environmental benefit and, importantly, housing affordability. VicUrban's projects are required to meet these objectives within a commercial framework. VicUrban also has the important role of delivering the government's key statewide renewal projects, especially in areas where there are obstacles that might impede such developments, such as market failure.

VicUrban projects include the Melbourne Docklands and transit city revitalisations as well as projects on the urban fringe in the new growth areas and across regional Victoria.

Hon. B. N. Atkinson — Are they covered by this?

Mr SCHEFFER — I understand so from my reading. VicUrban's portfolio of projects is changing to give greater emphasis to urban redevelopment projects that are consistent with Melbourne 2030 and so will increasingly involve working on the in-fill developments or developments within existing activity centres. VicUrban also has a major involvement in the growth areas and has also been involved in projects that work towards providing affordable housing for low-income groups in all residential and urban developments in Victoria. In fact VicUrban has developed an affordable housing framework and has set a target of 10 per cent affordable housing in all new developments.

In September last year the Minister for Major Projects, Mr Lenders, announced a \$92.8 million infrastructure package for the Revitalising Central Dandenong project. He announced that as part of the project a defined area of land had been declared under the VicUrban act to provide land for future infrastructure developments. The minister said at the time that all new commercial developments within the declared area would attract an infrastructure recovery charge of about 5 per cent and that this would recover only part of the state government's investment in the Dandenong infrastructure project within the area. VicUrban market assessments suggested that the project would generate up to 5000 new jobs, increase commercial and retail activity to the value of about an extra \$150 million over the next 15 years and generate investment in an extra 4000 homes over the same period, including a minimum of 400 affordable homes.

In addition to the \$92.8 million announced last September, in April the Premier announced a further \$197 million Dandenong transit city initiative to go towards this project, the largest urban renewal project undertaken anywhere in Australia, which will be delivered by VicUrban. The Dandenong transit city initiative will stimulate significant business, residential and public infrastructure development in Dandenong over the next 20 years.

The Treasurer pointed out in his second-reading speech on this bill that the government is committed to delivering high-quality infrastructure across Victoria, but he also said that if the government is to continue to provide funding it must have a range of options at its disposal to fairly recoup a portion of its investment. He added that this would only occur in VicUrban declared project areas where levels of investment are expected to be substantial. The Treasurer pointed out that major urban development projects with considerable government investment in them would not be

sustainable unless the government could recoup some of that investment.

The ability to levy a charge has existed under the VicUrban act since 2003 but was not used until the central Dandenong project was declared in September 2003. The bill makes minor changes to the existing charges and adds the infrastructure recovery charge. That charge will initially be used in the Dandenong project and will enable the government to recoup a part of its investment in what is a VicUrban declared project area. The charge can only be applied to a project in an area in which the government is investing a significant amount of money. The charge is fair as it applies only to developments of a commercial scale or for commercial purposes and should not affect home owners. The charge is based on a percentage of the development value and is payable only upon development.

The bill defines 'development' as the construction of three or more dwellings on a lot, the subdivision of land into three or more lots and works to the value of more than \$250 000 for development of any other kind. 'Development value' refers to both the construction — that is, the site value on purchase and construction value — and subdivision processes. The amount payable would be the percentage levied calculated on the sum of the site value and the construction value. In the case of the charge on the development value as it applies to a subdivision, it is the same — a percentage of the site value of the land to be subdivided and the estimated cost of building work.

The average home owner will not have to pay the charge. A property owner who wants to put up two dwellings on a single lot or undertake a double-lot subdivision will be exempt from having the charge applied. Typical new home owners will not have to pay the charge, and neither will retailers doing minor alterations at a value of less than \$250 000. Under the bill infrastructure recovery charges would not necessarily be applied in all declared areas. Each declared area would be assessed on its merits and would need to be approved by the Minister for Major Projects so recommending to the Governor in Council. The charge would only be applied within an area in which the government is investing a significant amount, and the money collected in this way must be paid into the VicUrban declared project fund.

The business community can be confident that the infrastructure recovery charge is fair and equitable, as it is levied only at the time of development. Developers will appreciate that developments of the scale of the Dandenong renewal project are only possible if the

government invests. As the Treasurer said in his second-reading speech: where government leads, private investment follows.

The provisions in the bill will strengthen VicUrban's capacity to operate flexibly in setting the level of the infrastructure development charge and balancing that against the government's objectives. This is good legislation, and I commend it to the house.

Hon. B. N. ATKINSON (Koonung) — This legislation is absolutely disastrous news for the city of Dandenong. Honourable members opposite perhaps need to understand basic market forces and economics. If you are a private sector investor you have a certain amount of money to invest and you look at your opportunities. You would look at this position — that is, a push by the government through this legislation towards Dandenong being an investment opportunity — and you would say, 'If I put my money into Dandenong, I am going to have to come up with extra funds to pay these extra development charge costs. If I go to Ringwood, Box Hill, Cheltenham, Moonee Ponds or wherever, I can develop cheaply without the constraints of government regulation and without the constraints of a development area authority — and I can get a return on my investment'.

It is very basic economics. The reality is that this legislation runs the very real risk of making Dandenong a blighted area for many years to come. The reality is also that already with the government's involvement through an authority in Dandenong there has been very little private sector interest in the redevelopment of Dandenong and very little private sector investment in Dandenong. I predict that if this government happens to survive the November state election, Dandenong will in fact be its Waterloo, because there are some very serious governance issues in how the government has approached the Dandenong area and its redevelopment. The reality is that people in the private sector have very clear expectations when they look at development. I suggest that, unless this government is prepared to put freezes elsewhere and force investment into the Dandenong area, the added costs that are going to be associated with this development levy and the constraints associated with the authority that controls investment and development in the Dandenong area will simply shift or displace that investment that might have been bound for Dandenong and it will go somewhere else.

We are not talking about an area that necessarily has a lot of investment fundamentals in place, notwithstanding the fact that Dandenong is a significant industrial and commercial hub and a very significant

gateway to Gippsland. Certainly it had the potential and aspirations to be a second central business district within the metropolitan area. But the reality is that the government's approach to development in the area — particularly through this legislation that brings in additional charges — is now going to be a significant anchor on the redevelopment of Dandenong.

Indeed, I would say that in Dandenong already significant opportunities have been lost by the government. There were certain parcels of land that might well have been consolidated to form much better development parcels and there have certainly been opportunities to become more involved in assembling packages of land that would be more attractive for development and urban renewal within that area, which is certainly part of the authority's guidelines or objectives, but in fact those opportunities have passed. In part they have passed because very clearly the private sector has not had confidence in the government's administration of this area under the Dandenong redevelopment authority and is very wary of the imposition of these additional charges.

I find it particularly interesting that the government in its second-reading speech and in the debate in the lower house talked about the application of this legislation to only Dandenong as being the only declared area at this time. We note that VicUrban is involved at Docklands and in a number of projects throughout regional Victoria and has actually offered to extend its facilitation, services and expertise to assist local municipalities throughout country Victoria to undertake certain renewal projects, particularly of industrial estates. I wonder, given what Mr Scheffer offered in the debate tonight, whether this legislation applies also to those sites. When I asked by way of interjection if it did, Mr Scheffer said yes, it was his understanding that this legislation applied to areas within the urban growth corridors and to Docklands as well as Dandenong. That is not what we have been told previously in the debate, and that has not been the subject of second-reading speech notes. Whilst Mr Scheffer did not comment on it, as I said, because of the authority, VicUrban is involved also in regional Victoria.

I seek that the minister in his reply confirm that at this point this legislation will apply to only declared areas and that at this point Dandenong is the only declared area. I think the opposition certainly needs that clarification and members of the industry, who are watching this debate and this piece of legislation, also require that. If Mr Scheffer is wrong, it is unfortunate that the lead speaker of the government on an issue simply is not across the detail of the issue — because it

is an extraordinarily important issue for the development industry.

I conclude at this point because I do not think there is much point in prolonging this debate. I simply warn the government that I think this is very bad legislation. The government is effectively looking at trying to recoup some of its development costs. I suggest that the government already gets a significant whack from the redevelopment of areas and urban renewal projects. Indeed, when members look at the income to government by way of rates, land tax and so forth, as well as other taxes applicable to development — stamp duties and so forth — they see that the government is already doing very nicely out of the projects that are there. It is in its best interests, not just in economic but social terms, to make sure that those projects work.

I am familiar with a number of projects in Perth that the Western Australian government has undertaken. In its approach to many of those projects it has taken different tacks to those taken by the Victorian government and I think the Western Australian government has been considerably more successful in the approaches it has taken. This government could well take a leaf out of the Western Australian government's book in looking at those. That is not to suggest that in its projects in the past VicUrban has not been successful, because it certainly has been — and I have an admiration for the work it has done. I simply say that this is inappropriate legislation that will have consequences that I do not think government members really understand because the fact is that none of them comes from a background where people understand the private sector, the imperatives of investment and that, for instance, developers are not subject to just the development costs of a particular piece of property but, as I said, are faced with financing and holding costs, land tax, stamp duty and a range of other costs.

Mr Viney interjected.

Hon. B. N. ATKINSON — I really do not respect your credentials in the private sector. I do respect Mr Hilton's. I think that more than any member on that side Mr Hilton would understand what I am talking about when I talk about investment imperatives. I think that he would understand exactly what are some of the drivers of economic investment and what people in the private sector look for in terms of having the confidence to invest in a particular area.

I suggest to the government that if the settings in this legislation are applied to the Dandenong area we could very well see the government's objectives of trying to see urban renewal in Dandenong becalmed for quite

some years to come and that in fact we will see further blight in this area because private sector investment simply will not follow the government's objectives. The government is in fact providing disincentives for development in this area and not creating a level playing field between the Dandenong area, which this legislation applies to, and other areas of Melbourne where developers could invest exactly the same amount of money and simply get a better return — a better return in the short term and quite probably a better return in the long term. It is basic economics and members of the government need to understand it if they are going to trot out this sort of legislation. This is disastrous, not good, legislation and deserves to be opposed and thrown out.

Mr SOMYUREK (Eumemmerring) — I was undecided whether to speak on this bill. However, after hearing Mr Atkinson's contribution, I could not but make a contribution tonight.

Mr Atkinson symbolises the Dandenong bashing by the former Kennett government and which continues in the current Liberal Party. The Leader of the Opposition in the other place, Mr Baillieu, the other day made a statement that he did not know why anyone would want to invest in Dandenong. That is outrageous.

Today Mr Atkinson went through his nonsensical reasons why Dandenong will not benefit from this project. He asked why anyone would want to invest in Dandenong and what it has got going for it. Dandenong has 43 per cent of the state's manufacturing output and is clearly a manufacturing hub of this nation — it is an engine room of this nation. EastLink is being built; when it is open, a truck will be able to deliver its goods to any of the ports of Melbourne within 25 minutes. Dandenong not only has a hard-working and strong labour force, but it is also a socioeconomically depressed region. It has, more than most, suffered the negative effects of globalisation. In the 1990s Dandenong needed some buttressing and some pump priming. Where was the Kennett government when Dandenong needed this support? It had gone missing. The then government made some comments about Dandenong needing to deliver two Liberal seats to the government for it to make Dandenong a tourist city. That is outrageous. He must have been confused with the Dandenongs.

The other day when the Minister for Major Projects was discussing the recent investment in Dandenong, Mr Atkinson made a comment about ugh boots. That comment went down badly in Dandenong.

Hon. B. N. Atkinson — On a point of order, President, the member has already been rebuked for taking that comment out of context. You, President, confirmed what you heard the other day. The member tried again to read into the record absolute nonsense. I take offence to it, and the member should get his act together. I ask him to withdraw.

The PRESIDENT — Order! The difficulty is that the member who has taken offence must appreciate that I was talking to another member at the time, but I have been advised about the comments. I have ruled previously on this issue. Once again I will ask the member to withdraw, and I expect this to be the last time this matter is raised in this Parliament.

Mr SOMYUREK — I withdraw.

The PRESIDENT — Order! The member, to continue.

Mr SOMYUREK — I know a lot of people are cynical about politics, and rightly so. There is a view that governments do a bit of polling and do not really formulate policy that is necessarily good for the community. That is a view to which I do not subscribe. Based on their polling they deliver policies and pork barrel or invest in electorates where votes can be rotated or moved. In other words, there is a view that marginal seats get more funding than safe seats. In that respect the district of Dandenong is a 25 per cent Labor seat. There is no electoral advantage in pumping \$290 million into Dandenong in the space of six years.

The \$290 million that is being pumped into Dandenong is the basis for the proudest moment of my political career. You can see the air of confidence in the place. It is different. People have that confidence back. It is like the halcyon days are returning to Dandenong, it is going back to its golden past. People of Dandenong are very proud. It may be one of the most socioeconomically depressed regions in Australia, but it is a proud area and that confidence is coming back. I commend the bill to the house.

Mr LENDERS (Minister for Major Projects) — I am delighted to sum up the second-reading debate on the Victorian Urban Development Authority (Amendment) Bill and particularly proud to do so as Minister for Major Projects. Firstly, I thank the Leader of the Opposition, Mr Baxter, Mr Scheffer, Mr Atkinson and Mr Somyurek for their comments.

Mr Atkinson specifically asked me in my summing up to assure him and the house as to what the bill applies. I can assure Mr Atkinson that it applies only to declared areas, and the only single declared area is the central

Dandenong area. In summation, it is, as Mr Somyurek said, a \$290 million commitment from the state to central Dandenong. I remember as a kid growing up in Gippsland coming to Dandenong, whether it was for the eisteddfod, the cattle market or to go to Myer. It seems strange to me now that I am a bit older and a little more affluent, but going to Myer was like going to paradise when you were a kid coming from Gippsland. I assure Mr Atkinson that I still go to Myer in Dandenong, the Village in Dandenong and I swim in Dandenong every day. I am proud of Dandenong.

The bill facilitates that development of Dandenong. We think it fairly shares the burden of that, and it is legislation that will, as Mr Somyurek said, restore in a sense that light to Dandenong. It is a great commitment from the Bracks government to Dandenong through the council and the state government agency, VicUrban. We think it will make a difference, and I commend the bill to the house.

House divided on motion:

Ayes, 22

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

Noes, 19

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

Motion agreed to.

Read second time; by leave, proceeded to third reading.

Third reading

The PRESIDENT — Order! The question is:

That the bill be now read a third time and that the bill do pass.

House divided on question:

Ayes, 22

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

Noes, 19

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

Question agreed to.

Read third time.

Remaining stages

Passed remaining stages.

ENERGY LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL

Introduction and first reading

Received from Assembly.

Read first time for Hon. T. C. THEOPHANOUS (Minister for Energy Industries) on motion of Mr Lenders.

BUDGET PAPERS 2006–07

Debate resumed from 1 June; motion of Mr LENDERS (Minister for Finance):

That the Council take note of the budget papers 2006–07.

Mr VINEY (Chelsea) — I am very proud to stand today to support another outstanding budget from the Bracks government, a budget that is delivering for all of Victoria.

Honourable members interjecting.

The PRESIDENT — Order! The Leader of the Opposition! Mr Viney is to sit down. Mr Strong is also to keep his mouth closed while I am on my feet. It is always nice to have a bit of enthusiasm about a bill which is before the house. I know the budget excites people, but it is impossible and highly inappropriate for members to interject while Mr Viney is attempting to speak on the budget, and it is impossible for Hansard to report his contribution to the debate. I ask members to stop interjecting so that the house can be orderly.

Hon. E. G. Stoney — Some decorum.

The PRESIDENT — Yes, that is the word — decorum.

Mr VINEY — I appreciate the fact that the members opposite have cost me 1½ minutes of my time. The President said she was concerned that Hansard could not record my words, so let me repeat them: I am very proud to stand here — —

Honourable members interjecting.

The PRESIDENT — Order! I warn the Leader of the Opposition to stop interjecting. If he continues to do so, he will be removed from the chamber. I also warn Mr Atkinson, because he is constantly interjecting. Ms Hirsh is out of her place, which is highly inappropriate, so I may use sessional orders to remove her. Honourable members are to stop interjecting.

Mr VINEY — For the third time: I am very proud to stand here today and indicate my support for another outstanding budget from the Bracks government, a budget which delivers for all Victorians, a budget which delivers in traditional areas that Labor stands for, a budget which delivers in health and in education, a budget which delivers in infrastructure and invests for the future of Victorians. It stands in stark contrast to the kinds of continuous budgets that we had under the previous government, which were for only a few and starved regions and country Victoria of vital funds they needed to grow and prosper.

This is a budget that delivers: \$4.9 billion, a record total estimated investment in capital works, with \$12.6 billion to be spent over the next four years and \$1.4 billion of savings to Victorian businesses over the next four years from cuts to payroll tax, land tax and WorkCover premiums. This is a budget that delivers a further \$1.2 billion for schools and skills, a further investment in Victoria's future — this is on top of those billions of dollars of extra funding which have been put into the state education system since the Bracks government came to power in 1999. It is a budget that again delivers for health. It delivers \$2.5 billion to

health, community services, aged care and medical research. There is a \$3.3 billion investment to meet our transport challenges in roads and public transport. There is \$818 million for A Fairer Victoria — —

Honourable members interjecting.

The ACTING PRESIDENT

(Hon. R. H. Bowden) — Order! Honourable members should understand the situation: the Chair wants to hear Mr Viney's contribution, just as it wants to hear every member's contribution. I am up to the challenge — if any member wants to try it — of calling the President back to the chamber and applying standing orders. I do not want honourable members to kid themselves. I insist that the proper protocols and the proper standing orders are followed. Mr Viney is to continue without assistance or else the President will return and her judgment will prevail.

Mr VINEY — Members of the opposition are achieving their goal of winding down the clock to minimise my contribution to the debate, because we have had nothing but nonsense from members of the other side of this chamber during this debate. We had nonsense from Mr Rich-Phillips when he suggested that this budget was mediocre. I will come to that matter in more detail in a minute. I will continue with the general highlights of this budget. There is \$766 million for the maintenance of Victoria's livability and to improve our environment and \$444 million to crack down on crime, boost emergency services, improve access to justice and help keep Victorians safe. I might say that this is on top of the investment this government has already put into emergency services, particularly policing, in this state.

Let us not forget that when in government members on the other side sacked 800 coppers. They reduced the number of police in this state to dangerously low levels. It is this government that has invested substantially in bringing in over 1000 additional police to improve safety in our community. We have put in \$1.1 billion for projects across provincial Victoria.

Honourable members interjecting.

The ACTING PRESIDENT

(Hon. R. H. Bowden) — Order! The Minister for Local Government! The Honourable Philip Davis!

Mr VINEY — Let us just look at health. The \$2.5 billion health and community services budget will again deliver more hospital beds. It will reduce waiting lists and improve services in mental health. Let us just go into some of the — —

Honourable members interjecting.

Hon. Richard Dalla-Riva interjected.

The ACTING PRESIDENT

(Hon. R. H. Bowden) — Order! Mr Dalla-Riva! I caution him again.

Mr VINEY — In 2006–07 it will bring in an extra — —

Honourable members interjecting

Hon. C. A. Strong — On a point of order, Acting President, I draw your attention to the fact that the member is slavishly reading his speech.

The ACTING PRESIDENT

(Hon. R. H. Bowden) — Order! There is no point of order.

Mr VINEY — What rubbish! What absolute rubbish! This is a bloke who sends everyone to sleep when he makes a contribution to debate in this chamber. He is the guy who comes in here and somehow says he thinks an employer has got the right to drive down on employed people on the lowest possible wages. He came in here one day saying, ‘If one is employing people, one ought to be able to negotiate whatever wage one likes’. That is the sort of view that bloke has, so for him to come in here and start to comment about what I am doing in my speeches is a bit of a joke.

Let us look at the health system. We have allocated \$56.3 million to double the size of the — —

Honourable members interjecting.

The ACTING PRESIDENT

(Hon. R. H. Bowden) — Order! I have already asked for order in the house, and I can assure honourable members that, if the present level of noise and interruption to Mr Viney’s contribution continues, I will recall the President to the chamber and ask her to intervene and to take appropriate action. For the last time I am asking for some level of reason and decorum. Mr Viney, to continue without assistance or interruption.

Mr VINEY — Thank you, Acting President. They are effectively winding down the clock, but I will get through.

Honourable members interjecting.

Mr VINEY — It does not matter what they do; I will get through.

Honourable members interjecting.

The ACTING PRESIDENT

(Hon. R. H. Bowden) — Order! Mr Philip Davis! I will call the President.

Honourable members interjecting.

The ACTING PRESIDENT

(Hon. R. H. Bowden) — Order! The Minister for Local Government! Mr Davis! I am going to recall the President because I feel that members are disrespecting the Chair. By making this request I am asking the President to return and exercise her prerogatives should she wish to do so, because I feel that members are being uncooperative. The President is invited to return to the chamber and use her appropriate powers. There will be a slight pause. Stop the clock so that Mr Viney is treated fairly with respect to his contribution. I am requesting the President to return to the chamber so that her prerogatives can be exercised.

The PRESIDENT — Order! The Acting Chair reports that the house has been unruly in my absence for about 7 minutes and after I had called the house to order on a couple of occasions. I will remain in the Chair for at least the next 15 minutes or so, and if there are any interjections from anyone I will use sessional orders to remove them. Mr Viney, to continue.

Mr VINEY — Thank you, President. They have effectively wiped about 5 minutes off my contribution, but, as I was saying, I will get through the key points I want to make despite that. Let me just say that this government’s investment in health — about which I was making some points — includes in this budget additional funding for the rebuilding of the Royal Children’s Hospital.

The government recently released its Healthy Futures policy. This policy outlines the key areas of activity in which the government intends to invest in our innovation economy. As the Parliamentary Secretary for Innovation and Industry I want to make a few comments in this area. There is the delivery of \$50 million towards a \$130 million expansion of the Walter and Eliza Hall Institute. There is further funding of a \$35 million Australian regenerative medicine institute and \$16 million towards the \$90 million project of merging the Austin Research Institute and the Burnet Institute.

There is the very exciting Australian Centre for Neuroscience and Mental Health Research project — \$53 million towards a \$150 million project — that will create one of the world’s largest institutes dedicated to solving disorders of the brain and mind. There is

funding for the Austin Biomedical Alliance facility. A commitment to provide an additional 240 commonwealth medical student places in regional Victoria was also announced in that statement, as was funding for the Victorian Cancer Agency. This is on top of the \$1.6 billion the government has invested in the innovation economy since it was elected in 1999. This is a government that is investing in the future.

I want to touch on the comment made by Mr Rich-Phillips during his contribution: that this budget is mediocre. I beg to differ, and I dare say that a number of people in many electorates will beg to differ from Mr Rich-Phillips's analysis of this budget. Certainly the people of Frankston will disagree that it is a mediocre budget; it gives \$11.6 million towards the Frankston transit city project. The people of Lyndhurst, and particularly those at River Gum Primary School, will disagree that it is mediocre to provide \$1.7 million for redevelopment and upgrades to their school facilities. In Nepean I am sure the people of Dromana Primary School will disagree that \$1.79 million is mediocre. I am also sure that the people of Morwell will disagree that the expenditure of \$4.13 million on a replacement school at Traralgon Secondary College's east campus and \$3.7 million for facilities at its west campus is mediocre.

Honourable members interjecting.

Hon. Richard Dalla-Riva interjected.

Debate interrupted.

SUSPENSION OF MEMBER

The PRESIDENT — Order! Pursuant to sessional order 31, Mr Dalla-Riva will remove himself from the chamber for 30 minutes.

Hon. Richard Dalla-Riva interjected.

The PRESIDENT — Order! On his way out Mr Dalla-Riva will not utter a word.

Hon. Richard Dalla-Riva withdrew from chamber.

Debate resumed.

Mr VINEY (Chelsea) — I am sure that the people of Narracan, including those at Moe (South Street) Primary School will disagree that \$4.2 million is mediocre and that the people of Gippsland East will disagree that \$2.83 million of funding for Orbost Secondary College is mediocre. I am sure that the people of Hastings will disagree that \$3.4 million for

Pearcedale Primary School and \$2.5 million for the upgrade of the Hastings police station is mediocre. I am sure the people of Gembrook will disagree that funding of \$2.6 million for the Gembrook Primary School is mediocre or that the \$1 million police station replacement at Yarra Junction — —

Honourable members interjecting.

Hon. Philip Davis interjected.

Debate interrupted.

SUSPENSION OF MEMBER

The PRESIDENT — Order! Pursuant to sessional order 31, the Leader of the Opposition, the Honourable Philip Davis, will remove himself from the chamber for 30 minutes.

Hon. Philip Davis withdrew from chamber.

Debate resumed.

Mr Somyurek interjected.

Debate interrupted.

SUSPENSION OF MEMBER

The PRESIDENT — Order! Pursuant to sessional order 31, Mr Somyurek will remove himself from the chamber for 30 minutes. Immediately!

Mr Somyurek withdrew from chamber.

Debate resumed.

Mr VINEY (Chelsea) — Or that in Evelyn the people will disagree — —

Hon. E. G. Stoney — President, I draw your attention to the state of the house.

Quorum formed.

The PRESIDENT — Order! Mr Viney's time has expired.

Hon. ANDREA COOTE (Monash) — On the day that the Treasurer brought down the budget he was seen on the evening news. He was seen to be smug, self-congratulatory, smirking and self-satisfied. He had thrown around figures and he had been quite expansive. There were handshakes and kisses all round, but what does it really mean? Let us make this simple. If we equate it to the budget we have at home, it means that

the money we had saved for Christmas has just been spent six months early. Not only will there be no presents or Christmas turkey but there will be no festivities either — and the year beyond will also be exceedingly bleak. These are the ramifications of the budget that Mr Brumby brought down.

There are some major concerns with this budget. The debt is set to rise from \$1.5 billion in 2005 to \$7.1 billion in 2010. Victoria still has the highest rate of stamp duty in the country. Land tax has not really been cut because property prices will soar. Hospital waiting lists are longer, and every Victorian will pay an additional \$900 in tax compared to when the Bracks government came to power in 1999 — and that was before there was the withdrawal of the \$600 million Snowy hydro scheme windfall. Under this budget Victorians will pay record taxes in the next 12 months and the debt will rise further. Due to this further waste and financial mismanagement we will be suffering well and truly into the future. Shadow Treasurer Robert Clark, the member for Box Hill in another place, said on the day the budget came down:

It is worrying that Labor is increasing debt further this year, with no plan as to how the money will be spent. Debt is set to rise from \$1.5 billion in June 2005 to \$7.1 billion by June 2010, a massive 373 per cent increase in just five years.

Labor has a track record of massive borrowing and leaving Victorians with nothing to show for it, as in the Cain-Kirner years.

Not only was it bad when we saw what the fundamentals were like, but then we had the bombshell that the sale of the Snowy Mountains hydro scheme had been withdrawn and that the expected \$600 million would not be received — in other words, the government had spent more than it had. It counted on money that it did not have, which was totally and utterly irresponsible.

I have five shadow portfolios. I would really have liked to have spent 15 minutes on each, but sadly I have only 15 minutes in total. I will speak briefly on those issues in my portfolio areas that are reflected in this budget. I will start with the arts. The funding for festivals in this budget sounds as if it is quite a large amount but equates to only \$1.2 million over four years. It will not go very far. Most of the festivals mentioned in the budget are held in metropolitan Melbourne and very little is going to happen in country Victoria. I would also like to know where the accountability is for the Digital Media Fund; there is no mention at all about how the government is going to be accountable for that fund. Funds for Orchestra Victoria and Opera Victoria will have to be spread too thinly. The Lilydale Museum

will be provided with only half the funding that was announced for it in the federal budget four weeks ago. If there is such a huge budget surplus, why did the government not fund the whole Burrinja theatre?

What about carers? This is a big spending budget for just about everybody except the disabled and their carers. There is nothing for supported accommodation for the 14 000 people aged over 30 who are living with a co-resident or carer, nothing for increased out-of-home supported accommodation and nothing for increased respite care for primary carers. It is absolutely outrageous. The government has deserted the disabled once again.

Turning to aged care, the concept of the Aged Care Land Bank is quite positive, but the budget is very light on detail. I am still not certain what it actually means. When is this pilot program for the \$4.8 million going to start? Where is it going to be? It seems that it is going to be in Labor seats. Where is the accountability? How long is the pilot program going to run? There are many unanswered questions. It is also very unclear about how much money is going to be put aside for the University of the Third Age. I was pleased to see it mentioned, but once again there are no details. This is of grave concern. It is not specified how much money is going to be spent on the prevention of elder abuse; there is no understanding on that at all, but I am certain that this will come to light. Once again I believe this money is out there. The rhetoric sounds okay, but I am not sure we are going to see the reality.

This budget is a mixed bag for children and kindergartens. If there is such a huge surplus in the budget that the Bracks government has brought down, why has there not been more money provided for kindergartens? Why has there not been more money provided for infrastructure and capital works for kindergartens? There are no fee rebates or fee concessions for low-income families with children in kindergartens. This is just not good enough. The budget sounds all right but the devil is indeed in the detail, and that is evident all through my portfolio areas.

I want to go into further detail on aged care. Significant funding was requested by areas in the aged care sector but they did not get a lot of clarity. I welcome some of the money being spent on some high-care beds in the Grovedale area, but, as I have said before, there is much detail we have not seen that needs to be filled in here.

The Council of the Ageing (COTA) was expecting a whole range of support. It wanted to have an elder abuse prevention unit. We did not see that anywhere in

the budget, and in fact Patricia Reeve, who is the acting executive director of COTA, said:

We assume that the Treasurer is holding his big ticket spending items for older Victorians for his upcoming election policies.

I do not think there will be too many. The government had to find an additional \$600 million for schools and school maintenance it was not expecting to have to find because it had counted on money from the sale of the Snowy hydro scheme, which it will not get.

There is absolutely nothing at all for dementia, and we know that dementia is an epidemic waiting to happen in this state. I quote from a letter from Lynette Moore, who is the executive director in Victoria of Alzheimer's Australia. She raised some key points. She said:

This year in Victoria there will be 265 new cases of dementia every week.

Broadly, the commitment that is needed can be encompassed in three strategies:

community awareness and education about dementia;

increased access to assessment and diagnosis;

increased access to a range of support services ...

However, she says:

We note that there is no reference to dementia in the state budget documentation.

This is certainly not good enough. We know the huge impost that an increase in dementia will cause, and this government is totally turning a blind eye to it.

But it is the carers who have been badly treated, particularly the carers of disabled people. They have been badly abandoned in this budget. I quote from Jean Tops, who is a lifelong parent and carer. Jean is the president of the Gippsland Carers Association. She says in an email to carers and friends dated 30 May:

I have taken a look at the budget for disability services handed down today and you might as well say there isn't one! \$46.5 million over four years?? Big spending budget for everyone except disabled and their carers, that means you.

Our claims that the Bracks government has dumped people with disabilities and their carers is confirmed here today. Ms Tops says there is:

Nothing for supported accommodation for the 14 000 people aged over 33 years and living with a co-resident parent carer;

Nothing for increased out-of-home supported accommodation services ...

Nothing for increased respite care for stressed and stretched primary carers ...

The insults just continue. I wonder what the Disability Advocacy group has to say about this? I quote:

Disabled adults and their frail elderly parents sentenced to life in the family home!

Margaret Ryan from One Voice also had something to say. She says in an email headed 'Budget crumbs for disability shows ugly side of Bracks government':

The ugly side of the Bracks government is nowhere more evident than in its cruel refusals to provide support for people with disabilities and their families and carers.

She goes on and on. The disabled have been absolutely and utterly neglected in this budget. It is outrageous and the government should have given much more attention to these particularly vulnerable Victorians.

We also heard from Carers Australia, which wants recognition of the increasing demand for family care. They want the government to be involved in sharing the care, they want the government to make a significant investment in family, community and workplace to sustain care for those with chronic illnesses and disabilities, and they want the government to extend the capacity of key services. They also want \$250 000 over two years to ensure that the capacity of existing programs and services are built on.

There are 200 000 people living with a disability in Victoria. I have just read out what they got, which was not very much at all. Carers Victoria went on to say in its budget reply that:

Carers Victoria is disappointed at the reluctance of the Bracks government to provide a significant investment in long-term accommodation support services to relieve ageing carers and other families who can no longer realistically care.

It also said that there is a lack of any specific initiatives to support carers and to promote more carer-inclusive and sensitive practices, which is disappointing but it hopes there will be progress and that it will see money spent on this in the election year. The government should listen to what these people are saying because they are at the coalface facing huge difficulties. They should have been recognised more than they have been to date.

As I said before, this budget contains some significant flaws. It has not looked after all parts of the five portfolio areas that I deal with. The arts area is disappointing. The money is very thinly spread, although I must concede that the \$25.1 million allocated to the State Library of Victoria is certainly welcome and is something for which I have been

calling for a significant time. In this chamber I have brought the plight of the state library to everyone's attention, so I was very pleased to see that \$25.1 million allocated. However, as I said earlier today, I hope the collection of the state library will be boosted instead of it deaccessioning things such as its collection of newspapers because it says it cannot afford to continue to keep the newspapers. This is seriously not good enough. With \$25.1 million, hopefully the state library will be able to keep those excellent newspapers that are an historical part of Victoria.

In conclusion, this budget is lacking in detail in each one of those areas — the arts, carers, disability, dementia, children and kindergartens. It is a budget that talked a lot about what it was going to do, but when reality hit and there was no \$600 million windfall from the Snowy, we saw that this was an unsustainable budget. In fact this government is backing away from it, and trying very hard to get out of it.

In stark contrast to the stable, sustainable, responsible and fair budget the federal Treasurer Mr Costello delivered to Australians in May this year, this state budget of Mr Brumby's is inherently flawed. It has systemic debt problems and it seriously disadvantages disabled and vulnerable Victorians. It is outrageous.

Mr PULLEN (Higinbotham) — If I can pick up on where the Deputy Leader of the Opposition left off, in actual fact the comparison of the state and federal budgets is really like comparing chocolates to boiled lollies, because the Bracks government has delivered the chocolates and of course the Howard government has got the boiled lollies.

Time will not permit me to detail fully the obscene budget handed down by the Howard government, but I refer to a few pointers.

The *Australian Financial Review* of 10 May 2006 was headlined 'Super-sized tax cuts'. Of course it was for the top earners, but not for the low and middle-income earners. A person on \$150 000 a year will get an 11 per cent tax cut or \$6200 per year, and yet a person on average earnings will get a 4 per cent tax cut or \$510 per year. And why is the cost of living still generally the same for both those people? It is exactly the same for them both. It is obscene, and I trust that someone from the opposition can explain that to me.

What does Prime Minister Howard have to say to workers who have been asked to sign away their penalty rates?

Hon. Andrea Coote — On a point of order, Deputy President, this is a state budget and not a federal budget.

I ask you to draw the member's attention to ensuring that he comments on the state budget.

Ms Broad — On the point of order, Deputy President, the member who has just raised the point of order referred in her remarks to the federal budget and the federal Treasurer, so she has clearly set the precedent that it is in order to refer to the federal budget.

Hon. Andrea Coote — Further on the point of order, Deputy President, I mentioned it in one line. I encourage you to rule that there is no point of order because that was one line at the end of my contribution, and this is the beginning of his contribution.

The DEPUTY PRESIDENT — Order! We are not debating, Mrs Coote.

Hon. Bill Forwood — On the point of order, Deputy President, far be it from me to take issue with my deputy leader, but I make the point that if it was not for the GST the Victorian government would be broke!

The DEPUTY PRESIDENT — Order! I do not uphold the point of order. This is a wide-ranging debate. Various members have mentioned other budgets in comparison, and Mr Pullen can do so to a limited degree. However, I ask him to come back to the matter at hand, which is the Victorian budget. I ask other honourable members to desist from interjecting, so that he can be heard.

Mr PULLEN — Thank you, Deputy President. I know they want to stop me from talking and they are trying to take up my time, but I will keep going regardless of what happens. What has the Prime Minister said about this? He said that people at Spotlight could sign away their conditions and get a pay rise of 2 cents an hour. He said they could do it for the general health of the economy. I say to Mr Howard, 'Bring in decent tax cuts'.

The Howard government was handed a very strong economy by the great P. J. Keating. The Howard government yells loud about the fact that it paid off government debt. Whoopee! Why shouldn't it have? It has taxed the life out of people and sold off whatever it could, whether it was nailed down or not. The fact is that when Mr Keating made his banana republic statement 20 years ago Australia's foreign debt was \$78 billion — this is important because I am coming to state debt — but today it is \$500 billion — some 55 per cent of gross domestic product.

I am going to talk about state debt because that is all opposition members have attempted to hang their hats

on here today. We know it is companies and consumers, aided by the free-lending banks, who are responsible for the debt, because the federal government has continued to dud the workers and the battlers. As George Megalogenis says in his book *The Longest Decade*, if the economy that Howard took on as Prime Minister in 1996 had been the same as the one he left the great P. J. Keating in 1983, we would have been sucked into the Asian financial crisis. The reason I am talking about debt is that the opposition is getting excited because it has no policies. The fact is that the state debt — I will remind the people over there again — was started by the Bolte government, when it reached 40 per cent of GSP.

Hon. B. N. Atkinson interjected.

The DEPUTY PRESIDENT — Order!

Mr PULLEN — It increased even further under the Hamer government. Of course the Kennett government was elected on the lie that the state was bankrupt. When it came to office the debt was \$33 billion; when it left office it was \$5 billion. How did it do that? Quite clearly it sold off the gas and electricity for \$28 billion. Members might have to take their shoes off to count this up, but if you take \$28 billion away from \$33 billion you get \$5 billion. Of course along the way it increased land taxes, introduced the obscene property tax and sold off the public transport system promoting the crazy idea that subsidies would not be needed in the future. The Kennett government sacked 9000 teachers and 10 000 hospital staff, closed railway lines and closed 350 state schools. Really the people over there would have massively increased debt as the Bolte and Hamer governments did. They would sell up everything — nailed down or not nailed down — the same as the federal government has done.

When the Bracks government was elected, Victoria's net debt was 3.1 per cent of GSP and today it is 0.9 per cent of GSP.

Hon. B. N. Atkinson — What is GSP?

Mr PULLEN — Gross state product. There you are, Bruce; you are learning something here today. Members opposite should all sit there with their mouths shut and I will teach them a bit here tonight. The situation is that the debt will rise to 2.5 per cent of GSP by 2009–10. They should remember that Victoria's gross state product has grown — I will explain one day to Mr Atkinson what makes up the gross state product — by 21.4 per cent since the election of the Bracks government — and it is still well above the gross domestic product of Australia.

I admit that I am a supporter of borrowing provided it is for infrastructure — even some of Bolte's borrowing was for infrastructure — and so is my good friend Mr Atkinson, because he said so in a speech to this house on 15 September 2004.

Hon. B. N. Atkinson interjected.

Mr PULLEN — He can go and have a quick look at that. I am glad to see he has come into the chamber to learn. We know that the Kennett government invested \$6 billion in infrastructure in six years, most of it in monuments, whereas the Bracks government has invested \$13 billion in infrastructure. This budget delivers the largest capital works program in our history.

The opposition carries on about the money we get from the goods and services tax, as Mr Forwood did. Let us not forget that we still get duded by the opposition's mates in Canberra and get only 89 cents in every dollar from the GST. Victoria is leading the way in the abolition of state taxes. We have abolished the mortgage, lease and other duties, marketable securities duties and cheque duties — and in 2007 we will abolish the final tax we agreed to under the GST, and the rental duty.

This is a great budget for business. I will give you a couple of pointers. You are learning a lot here tonight, Bruce.

The DEPUTY PRESIDENT — Order! Through the Chair, Mr Pullen.

Mr PULLEN — We will have further substantial land tax relief of \$167 million over the next four years, on top of the \$823 million we introduced last year, including a reduction in the middle tax rate of 20 per cent, the elimination of indexation and a cut in the tax top tax rate of 3 per cent.

Hon. Bill Forwood interjected.

Mr PULLEN — Property prices go up, Mr Forwood. Will you please wake up.

The DEPUTY PRESIDENT — Order! Mr Pullen will direct his remarks through the Chair. There is no need to respond to the interjections. I ask members of the opposition to desist from interjecting to allow Mr Pullen to complete his remarks.

Mr PULLEN — I know I get excited. It is such an exciting budget. I will direct my remarks through the Chair. Before I was rudely interrupted by the

opposition, I was talking about land tax. I will come back to that, if time permits.

Let us look at payroll tax. The reduction from 5.25 per cent to 5.15 per cent on 1 July 2006, phasing down to 5 per cent on 1 July 2008, will save over 20 000 Victoria businesses more than \$530 million over four years. I checked in my own electorate, and I found that the savings for 2006–07 will be nearly \$21 million. The third consecutive 10 per cent reduction in WorkCover premiums, taking Victoria's premiums to a historic low, will save business an initial \$170 million in 2006–07. The cumulative effect of these three reductions will provide savings to business of \$520 million a year.

Business interrupted pursuant to sessional orders.

ADJOURNMENT

The DEPUTY PRESIDENT — Order! The question is:

That the house do now adjourn.

Minister for Community Services: adviser

Hon. BILL FORWOOD (Templestowe) — I wish to raise a matter with the Minister for Community Services in the other place. At the outset let me say that I am slow to anger, but tonight I am absolutely furious at the thuggish, bullying and intimidatory behaviour that the minister's adviser, Ian Parsons, has shown towards Margaret Ryan. Ms Ryan is a disability advocate who is well known to many of us. She is an advocate because — —

Ms Broad interjected.

The PRESIDENT — Order!

Hon. BILL FORWOOD — He can have a right of reply. The minister should shut up and listen to this.

The PRESIDENT — Order! Mr Forwood will sit down!

Hon. BILL FORWOOD — You are a disgrace!

Debate interrupted.

NAMING AND SUSPENSION OF MEMBER

The PRESIDENT — Order! Pursuant to sessional order 31, Mr Forwood will remove himself from the

chamber immediately. I ask the minister and other members to stop interjecting.

Hon. BILL FORWOOD — Hang on!

The PRESIDENT — Order! Mr Forwood will not speak like that to a member of this house. Pursuant to sessional orders — —

Hon. BILL FORWOOD — Throw me out! Come on, throw me out!

The PRESIDENT — Order! Mr Forwood, you referred to another member in the house in a quite abusive way. I find that offensive and, leaving aside that it is offensive, it was inappropriate behaviour.

I have warned members on numerous occasions in the last couple of hours about behaviour in the house, and Mr Forwood should know better and should know not to be provoked. I will not tolerate members of this house speaking like that to other members across the chamber. Now, under sessional order 31, I ask that he remove himself from the chamber for 30 minutes.

Hon. BILL FORWOOD — Throw me out! Go on, throw me out! Bring it on! Bring it on! The minister doesn't know what I was going to raise about this! She doesn't know what I was going to raise, and she sat there and shouted at me across the chamber!

The PRESIDENT — Order! Mr Forwood!

Hon. BILL FORWOOD — She was appalling, and for her to be protected by the President in that way is atrocious!

Member having remained in chamber:

The PRESIDENT — Order! Pursuant to standing order 10.04, I name Mr Forwood for wilfully disregarding the authority of the Chair.

Hon. BILL FORWOOD — You were even — —

The PRESIDENT — Order! Mr Forwood!

Hon. BILL FORWOOD — Don't you talk to me! You sat down and started talking to me!

Honourable members interjecting.

The PRESIDENT — Order! I name Mr Forwood, and I ask the Minister for Local Government to move the appropriate motion.

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

That the Honourable Bill Forwood be suspended from the service of the Council during the remainder of the sitting.

Hon. E. G. Stoney — On a point of order — —

The PRESIDENT — Order! There is no point of order; there is no debate. The question is that the motion be agreed to.

House divided on motion:

Ayes, 22

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

Noes, 13

Atkinson, Mr	Hall, Mr
Bishop, Mr	Koch, Mr (<i>Teller</i>)
Bowden, Mr	Lovell, Ms (<i>Teller</i>)
Brideson, Mr	Rich-Phillips, Mr
Coote, Mrs	Stoney, Mr
Dalla-Riva, Mr	Vogels, Mr
Forwood, Mr	

Motion agreed to.

The PRESIDENT — Order! I ask the Honourable Bill Forwood to leave the chamber.

Hon. Bill Forwood withdrew from chamber.

Debate resumed.

The PRESIDENT — Order! The motion that was just before the house came as a result of interjections from my right, from Minister Broad, which were inappropriate and highly unparliamentary. The language used by Mr Forwood in response to the minister was inappropriate, and that is why I ordered the member to withdraw under sessional order 31. I remind the Minister for Local Government, who is also the Minister for Housing, in particular, and all members that the way the house has behaved today is totally unacceptable and highly inappropriate. People within their profession ought to know better. The state of the chamber today, as I said, has been totally unacceptable, and if that behaviour continues through tomorrow, there will be no warnings to members. I will just use sessional orders to remove them. It is unbelievable that members behaved the way they did today. I feel ashamed as the President of this chamber of the way

members have acted. I expect more from the ministers on the front bench of the government side as well.

We are dealing with the adjournment debate, and I call Mr Bob Smith.

Skye Quarry: water management plan

Mr SMITH (Chelsea) — I wish to raise a matter with the Minister for Resources, the Honourable Theo Theophanous, and seek his assistance with an issue concerning Skye Quarry, which is located at Skye near Frankston. Residents near the quarry are alarmed and have raised concerns regarding the site. The concerns include the discharge of ground water, noise and hours of operation.

Last year the Department of Primary Industries conducted an inspection of the site and found that Skye Quarry had constructed new drains to enable water to be discharged via an unauthorised central drain in breach of its approved work authority and work plan. I understand Melbourne Water and the Environment Protection Authority have written to Skye Quarry requesting that a water management plan be provided.

The discharge of ground water and the proposed landfill by Skye Quarry is disturbing and of great concern to the local community. In light of this I ask the minister to ensure that there is community involvement in the formulation of the water management plan.

Melbourne to Warrnambool Cycling Classic

Hon. DAVID KOCH (Western) — My adjournment matter is for the Minister for Sport and Recreation and concerns an urgent plea for the government to help save the Melbourne to Warrnambool Cycling Classic, which is Australia's no. 1 cycling event. It is the second-oldest cycling race in the world and the world's longest one-day cycling event.

This historic race was first run in 1885, so now is in its 111th year. Many famous names in cycling are associated with this prestigious race. The winners include Sir Hubert Opperman, Geelong collegian Russell Mockridge, Robbie McEwan, Dean Woods and local hero Jamie Drew. Last year the race was won by Swedish road champion Jonas Ljungblad, making it a truly international race. Indeed, a one-hour television documentary about the event was produced and screened Australia wide and overseas. This is a truly great event, not just in cycling circles but also for all those who enjoy seeing world-class sport.

The classic is administered by a dedicated voluntary band of Warrnambool enthusiasts who contribute countless hours and financial support to ensure the race survives. They see the many rewards and benefits to cycling and their local community in hosting such a magnificent event. Those involved with the classic know that it is events such as the Melbourne to Warrnambool Cycling Classic that give Commonwealth Games, Olympic and world championship cyclists the preparation and experience necessary to win gold. Given that it has such a rich heritage and high profile as an Australian cycling institution, it is puzzling to understand why the Bracks government is reluctant to financially back this world-renowned cycling race. The Melbourne to Warrnambool classic is up there with the Easter Stawell Gift, which has rightly received substantial financial assistance in recent times, as has the Herald Sun Tour and the Melbourne F1 grand prix.

John Craven, the race director of the classic, has expressed his deep concern that:

... while the classic's viability looks rosy on the surface, in reality it is under siege.

With the very significant financial challenges facing the organisers of the classic, surely the Bracks government could provide similar assistance to support the Melbourne to Warrnambool classic? If this showcase event is not supported and as a result the classic succumbs to a lack of financial sponsorship, this government will have been party to the loss of a Victorian sporting icon event.

My request is: will the minister advise the house why to date the government has failed to provide funding for the historic and prestigious Melbourne to Warrnambool Cycling Classic, despite several requests for such funding support?

HMVS *Cerberus*: restoration

Hon. ANDREA COOTE (Monash) — My matter tonight is for Mr Hulls, the Minister for Planning in another place. But before I go on with that, I think today we have hit a low point in this place. I feel seriously ashamed to be part of it and to be in this chamber and see the disgraceful behaviour. The fact that it was not properly and adequately picked up is very disturbing for the standards and behaviour in this place.

For Mr Hulls, I want to talk about the HMVS *Cerberus* which, thanks to the federal government, has been included on the National Heritage List. On 14 December last year, Andrew Robb, the federal

member for Goldstein, announced that the federal government — that is, the Howard government — had listed HMVS *Cerberus*, located in Half Moon Bay, Black Rock, on the National Heritage List. This was done after some significant work by a number of people over a sustained time, but it was the federal government that finally did something about it.

Ms Carbines interjected.

The PRESIDENT — Order! Ms Carbines!

Hon. ANDREA COOTE — Indeed, the HMVS *Cerberus* was once the flagship vessel of the Victorian colonial navy. The *Cerberus* was named after a mythological three-headed dog and was regarded as the guard dog of Port Phillip Bay, having spent her career protecting from foreign attack Melbourne, the Victorian colony and the gold being mined in the Victorian goldfields. The ship came from Britain and was commissioned in the 1860s by the Victorian colonial navy. At the time it was a revolutionary vessel, being the first iron-hulled British warship designed without masts and to be powered purely by steam. After spending her career in the bay, she was decommissioned in 1926 and scuttled in Half Moon Bay off Black Rock to act as a breakwater. Since that time she has steadily disintegrated. Recently the guns were taken off her deck and stored so that she could be stabilised.

It is absolutely vital that the *Cerberus* have some significant funding allocated to stabilise it. I ask the minister whether he will provide from this year's huge budget surplus the \$7 million of funding which is needed to stabilise the historically significant HMVS *Cerberus*.

Disability services: funding

Hon. H. E. BUCKINGHAM (Koonung) — I wish to raise a matter for the Minister for Community Services in the other place, Sherryl Garbutt. The matter I wish to raise concerns the issue of affordable housing options for people with a disability, particularly options that allow these people to maximise their participation in the community and live independently. Disabilities can be sensory, physical or intellectual and each has its own special needs and requirements in order that people are able to carry out their daily lives. This government and the minister are making every effort to increase opportunities for people with a disability to improve their quality of life. My electorate has many people who every day are challenged to lead independent lives. That is why the government has established a housing trust fund.

My specific query to the minister is: what action is she taking to ensure that a fair share of the trust fund will be allocated to looking after the needs of my constituents in the east with a disability, thus ensuring that they have many housing options available to them, thereby giving them a chance to participate and improve their quality of life and, most importantly, live independently?

Country Fire Authority: Thornton brigade

Hon. E. G. STONEY (Central Highlands) — I raise an issue for the Minister for Police and Emergency Services in the other place about the need for a new fire shed at Thornton. Thornton Country Fire Authority brigade members have been promised a new fire shed for about the last six years, without any luck. Their old shed is small and just not adequate for the job. Thornton is the centre of a quite big pastoral area and the Country Fire Authority (CFA) attends a lot of fires.

Hon. David Koch — How many years?

Hon. E. G. STONEY — Six years they have been waiting for a fire shed. I would like to quote from the 24 May report of the Thornton CFA captain:

The brigade has seen its busiest fire season for possibly 36 years, with extensive and extended fires in the Yea and Yarck areas which put a lot of strain on most brigades in the area.

On top of those fires and with members off to Erica, there were the local McIntyres Lane and Bulls Lane fires, that both had the potential to become major problems.

...

We also had what seemed by comparison some other minor fires to attend, such as lightning strikes, grass and scrub fires, a house fire, pole fire et cetera.

The captain goes on in his report to outline the growth around the Thornton area and the subsequent demands being put on the CFA. He then mentions the urgent need for a new shed and the history of the application. I quote further from his report, which demonstrates what the problem is:

First Shorty then myself entertained the thought that our fire shed would be upgraded during our stints as captain. That now looks another five years away, for whatever reason. When one considers quotes were called and a builder nearly appointed some five to six years ago, one can possibly put it down to the fact that the CFA is a bureaucracy and wheels move very bloody slowly and notwithstanding the possibility that as personnel come and go so do priorities.

Here we have a dedicated CFA brigade in a local area in Thornton, which is a very good, tight-knit community. Its members do a good job in the area extending for many kilometres around Thornton. All

they are asking for is a decent fire shed at Thornton — and really that is not much to ask for. I ask the minister to expedite the building of a new fire shed at Thornton.

Walhalla Goldfields Railway: timber supplies

Hon. P. R. HALL (Gippsland) — Tonight I wish to raise a matter for the attention of the minister responsible for primary industries, the Minister for Agriculture in the other place. It concerns timber supplies for the Walhalla Goldfields Railway. In raising this, I refer to two Gippsland icons, the first one being an absolute legend in the Gippsland area, Mr Ron Aucote, of Bruthen. He is one of the very few if not the last remaining sleeper cutter in Victoria. The other icon I refer to is the Walhalla Goldfields Railway. Not surprisingly, both are somewhat dependent upon each other.

As I am sure many members would know, the Walhalla Goldfields Railway is a recreation of the historic railway line. Currently it has been recreated to connect an area near the Thomson River, where there is a small station called Thomson station, to Walhalla. It has been an engineering feat to recreate the railway line, and it has been done at great expense. Both the state and federal governments and the local community have put a lot of money into the recreation of that historic railway. There are plans to extend the railway line from Thomson station to Boola Road and eventually back to Erica. When the Walhalla Goldfields Railway is completed it will become the equivalent of the Puffing Billy tourist experience, if it is not already its equivalent, because it is a magnificent venture itself now.

Yellow stringy-bark is required for both construction timber and sleepers to complete the historic railway. That is where Mr Aucote comes in. He is 70 years of age and left school when he was 13. He has been cutting sleepers in the Bruthen area for 56 years, being the last of the 240 registered sleeper cutters who were once in Bruthen. If anyone wants to know more about Mr Aucote, they only have to look at the full page article on him in the *Herald Sun* of Saturday, 8 April. It mentions some of the things he has done, like supplying the Walhalla Goldfields Railway with 3000 sleepers and providing a lot of the timber for the Puffing Billy track. He also recently supplied 600 metres of railing for the Commonwealth Games mountain bike track.

Mr Aucote selectively harvests and does not clearfell. Since VicForests took over the operation of commercial forestry in 2004 Mr Aucote has been on a limited tenure, and it appears that as of yesterday his licence to harvest any yellow stringy-bark in the forests of East

Gippsland is terminated. That comes at the expense of the Walhalla Goldfields Railway, which will not be able to get timber supplies from any other source. This is a great shame. I call on the Minister for Agriculture, Mr Cameron, to immediately intervene in this matter to ensure that people like Mr Aucote can continue this magnificent tradition and that historic icons like the Walhalla Goldfields Railway can continue to access timber supplies for their needs.

Hume: Sunbury separation

Hon. J. A. VOGELS (Western) — I raise an issue with the Minister for Local Government, Ms Broad, that concerns the splitting of Sunbury from the City of Hume. It is quite obvious that the restructure of Hume City Council, which occurred some 12 years ago, has failed. Like any partnership that has failed from the outset, action needs to be taken for the benefit of all concerned.

The Liberal Party has clearly stated that it will put in place the processes needed to allow for de-amalgamation — in other words, a new municipality will be created if that is what the locals desire. If we win government we will appoint an independent panel similar in scope to the one Labor appointed to Delatite Shire Council, which saw the emergence of two new municipalities, Benalla and Mansfield. Residents will have the opportunity, once all the cards are laid on the table, to vote yes or no in a referendum conducted in the proposed new municipality. If the answer is yes, those eligible to vote will be able to vote for their own elected council at the November 2008 election. The action I seek from the minister is to follow the lead of the Liberal Party and start the process which will once and for all settle this unhappy relationship.

The Bracks government claims it has been through this process. However, the Sunbury residents believe it was a kangaroo court with false allegations of huge rate increases et cetera. It is interesting to look at how council rates compare in Victoria. Metropolitan council rates are on average 10 per cent higher than rates levied by rural and regional councils — approximately \$1100 in metropolitan councils and approximately \$1000 in rural and regional councils. Therefore the argument that big is cheaper does not stack up and is a fallacy.

The most important aspect for the Sunbury municipality is that the residents are in charge of their own destiny. Anybody who has been in local government understands clearly that if you are to be successful in obtaining grants from either state or federal governments, the starting point is your local council; otherwise you are doomed to failure.

The PRESIDENT — Order! What action is the member seeking?

Hon. J. A. VOGELS — The action I seek from the minister is to follow the lead of the Liberal Party and start the process which will once and for all settle this unhappy de-amalgamation of Hume City Council.

Housing: Wantirna land

Hon. B. N. ATKINSON (Koonung) — I wish to raise a matter with the Minister for Housing. I have been approached by a number of residents of Wantirna, most recently today by John Purdy of Kingloch Parade, Wantirna, and had discussions with the Liberal candidate in the seat of Bayswater, Heidi Victoria, who has also had discussions with local residents, about a proposed housing development on land that local residents seek in Kingloch Parade, Wantirna, to be transformed as open space.

As I understand it, the housing ministry is pursuing a development on a block at 54 Kingloch Parade, Wantirna, for public housing. This issue has some history, and the minister is perhaps aware of some aspects of this because, as I understand it, the member for Bayswater in the other place, Peter Lockwood, presented a petition to Parliament on 6 June to have the minister review her position on this land and to have it retained as public open space.

The residents believe the housing ministry is pursuing a housing development on this block without proper consultation and that they have been excluded from any process of consultation on the use of this block, despite the fact that they have very clearly made their concerns and desires evident in terms of what should be happening with this block of land. Given the lack of open space in the area, residents and their children require open space to meet their needs at this time.

The people in this area are certainly not averse to some of the aspects of consolidation under Melbourne 2030, or indeed to the housing ministry pursuing housing development in their area, but they certainly believe this particular block in Kingloch Parade ought to be retained as public open space because it is required by the community for that purpose. I ask the minister to review the housing ministry's position in terms of this particular block and to look at opportunities that might be available to perhaps pursue a housing development somewhere else and retain this particular block for public recreational space.

Sunraysia Community Health Services: funding

Hon. B. W. BISHOP (North Western) — My adjournment matter tonight is directed to the Minister for Community Services in the other place. The issue I raise is the lack of funding in the budget relating to the building of the Sunraysia Community Health Services proposed new facility on the old hospital site in Mildura. The land was allocated some six years ago, and over the past three years I and many others have supported the building of a new facility.

This \$17.5 million project is a great concept as the Mallee sexual assault unit will also be within the new facility, which is a sensible and practical way to consolidate services. I must say that when the old hospital site became available some six years ago I was an enthusiastic promoter of a co-location of justice, which would have included the law courts, police, ambulance, fire brigade, the State Emergency Service and other like services. However, I did not receive any support from the government or the local member for Mildura in the other place, and despite strong community support, that once-in-a-lifetime opportunity just disappeared. I believe there would have been room for both that idea and Sunraysia's new community health services facility. However, as I said, that innovative idea was ignored, so now I fully direct my efforts to our proposed new community health building.

This is a great service. It is well run and has dedicated and committed staff who have responded to the growing requirements of an expanding area and of course to the extra tasks given them by government. The organisation provides an ever-growing range of services, including aged care and disability, alcohol and other drug treatments, allied health, community health, nursing and health promotion, district nursing and associated services, Mildura and rural aged care assessment services, public dental services, the victims assistance program, welfare counselling, and other services such as a venue for various self-help groups, which adds up to a huge range of services provided for the region.

It is obvious that the new facility is absolutely essential to the organisation maintaining the high level service it provides. We have the site, the business plans are done and everything is ready to go; however, there is no money in the budget. The action I request from the minister is to fund this worthwhile project now up to the stage of development necessary so that the next budget would see a completion of it within a few months.

Responses

Ms BROAD (Minister for Local Government) — Mr Smith raised a matter for the attention of the Minister for Resources. He sought the minister's intervention to ensure public involvement in the development of a water management plan. I will refer that matter to the minister.

The Honourable David Koch raised a matter for the attention of the Minister for Sport and Recreation. He sought funding for the Melbourne to Warrnambool Cycling Classic. I will refer that request to the minister.

The Honourable Andrea Coote raised a matter for the attention of the Minister for Planning in another place, Rob Hulls. She sought funding for HMVS *Cerberus*. I will refer that matter to the minister.

The Honourable Helen Buckingham raised a matter for the Minister for Community Services in another place, Sherryl Garbutt. She sought the minister's action in relation to access by constituents in the east to the Disability Housing Trust. I will refer that request to the minister.

The Honourable Graeme Stoney raised a matter for the attention of the Minister for Police and Emergency Services in the other place. He sought the minister's intervention to expedite an application by the Country Fire Authority brigade at Thornton for a new fire shed. I will refer that request to the minister.

The Honourable Peter Hall raised a matter for the attention of the Minister for Agriculture in the other place. He sought the minister's intervention to ensure ongoing access to timber supplies for sleepers for the Walhalla Goldfields Railway. I will refer that request to the minister.

The Honourable John Vogels raised a matter for my attention as Minister for Local Government. In response, I can advise the member that this government will most certainly not follow the lead of the previous Liberal government and sack councils across Victoria. As Minister for Local Government I will continue to urge Hume council to act in the best interests of all the residents across the municipality.

The Honourable Bruce Atkinson raised a matter for my attention as Minister for Housing. He raised the issue of land in Kingloch Parade, Wantirna, which is owned by the director of housing and which the Office of Housing is seeking to develop for social housing. I undertake to respond to the member with details of the endeavours the Office of Housing is making together with the council to seek a resolution to this matter.

ADJOURNMENT

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COUNCIL

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In the final matter, the Honourable Barry Bishop raised an issue for the attention of the Minister for Community Services in another place, Sherryl Garbutt. Mr Bishop sought funding to develop the old hospital site in Mildura. I will refer that request to the minister.

The PRESIDENT — Order! On Michael Stubbings's birthday, the house is now adjourned.

House adjourned 10.35 p.m.