

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

Tuesday, 13 March 2007

(Extract from book 4)

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

By authority of the Victorian Government Printer

The Governor

Professor DAVID de KRETZER, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

Premier, Minister for Multicultural Affairs and Minister for Veterans' Affairs	The Hon. S. P. Bracks, MP
Deputy Premier and Minister for Water, Environment and Climate Change	The Hon. J. W. Thwaites, MP
Minister for Education	The Hon. J. Lenders, MLC
Minister for Skills, Education Services and Employment and Minister for Women's Affairs	The Hon. J. M. Allan, MP
Minister for Gaming, Minister for Consumer Affairs and Minister assisting the Premier on Multicultural Affairs	The Hon. D. M. Andrews, MP
Minister for Victorian Communities and Minister for Energy and Resources	The Hon. P. Batchelor, MP
Treasurer, Minister for Regional and Rural Development and Minister for Innovation	The Hon. J. M. Brumby, MP
Minister for Police and Emergency Services and Minister for Corrections	The Hon. R. G. Cameron, MP
Minister for Agriculture	The Hon. J. Helper, MP
Minister for Finance, WorkCover and the Transport Accident Commission, Minister for Tourism and Minister for Information and Communication Technology	The Hon. T. J. Holding, MP
Attorney-General, Minister for Industrial Relations and Minister for Racing	The Hon. R. J. Hulls, MP
Minister for Community Services and Minister for Aboriginal Affairs ...	The Hon. G. W. Jennings, MLC
Minister for Public Transport and Minister for the Arts	The Hon. L. J. Kosky, MP
Minister for Planning	The Hon. J. M. Madden, MLC
Minister for Sport, Recreation and Youth Affairs	The Hon. J. A. Merlino, MP
Minister for Mental Health, Minister for Children and Minister for Aged Care	The Hon. L. M. Neville, MP
Minister for Roads and Ports	The Hon. T. H. Pallas, MP
Minister for Health	The Hon. B. J. Pike, MP
Minister for Industry and State Development, Minister for Major Projects and Minister for Small Business	The Hon. T. C. Theophanous, MLC
Minister for Housing and Minister for Local Government	The Hon. R. W. Wynne, MP
Cabinet Secretary	Mr A. G. Robinson, MP

Joint committees

Scrutiny of Acts and Regulations Committee — (*Council*): Mr Dalla-Riva, Mr Eideh, Mr Elasmarr and Ms Pulford.
(*Assembly*): Mr Brooks, Mr Carli, Mr Jasper, Mr McIntosh and Mr Thompson.

Heads of parliamentary departments

Assembly — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey
Council — Clerk of the Legislative Council: Mr W. R. Tunnecliffe
Parliamentary Services — Secretary: Dr S. O'Kane

MEMBERS OF THE LEGISLATIVE COUNCIL
FIFTY-SIXTH PARLIAMENT — FIRST SESSION

President: The Hon. R. F. SMITH

Deputy President: Mr BRUCE ATKINSON

Acting Presidents: Mr Finn, Ms Pennicuik, Mrs Peulich, Mr Somyurek and Mr Vogels

Leader of the Government:

Mr JOHN LENDERS

Deputy Leader of the Government:

Mr GAVIN JENNINGS

Leader of the Opposition:

Mr PHILIP DAVIS

Deputy Leader of the Opposition:

Mrs ANDREA COOTE

Leader of The Nationals:

Mr PETER HALL

Deputy Leader of The Nationals:

Mr DAMIAN DRUM

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Lenders, Mr John	Southern Metropolitan	ALP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Lovell, Ms Wendy Ann	Northern Victoria	LP
Broad, Ms Candy Celeste	Northern Victoria	ALP	Madden, Hon. Justin Mark	Western Metropolitan	ALP
Coote, Mrs Andrea	Southern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Darveniza, Ms Kaye Mary	Northern Victoria	ALP	Pakula, Mr Martin Philip	Western Metropolitan	ALP
Davis, Mr David McLean	Southern Metropolitan	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Davis, Mr Philip Rivers	Eastern Victoria	LP	Petrovich, Mrs Donna-Lee	Northern Victoria	LP
Drum, Mr Damian Kevin	Northern Victoria	Nats	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Eideh, Khalil M.	Western Metropolitan	ALP	Pulford, Ms Jaala Lee	Western Victoria	ALP
Elasmar, Mr Nazih	Northern Metropolitan	ALP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Scheffer, Mr Johan Emiel	Eastern Victoria	ALP
Guy, Mr Matthew Jason	Northern Metropolitan	LP	Smith, Hon. Robert Frederick	South Eastern Metropolitan	ALP
Hall, Mr Peter Ronald	Eastern Victoria	Nats	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Tee, Mr Brian Lennox	Eastern Metropolitan	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Theophanous, Hon. Theo Charles	Northern Metropolitan	ALP
Kavanagh, Mr Peter Damian	Western Victoria	DLP	Thornley, Mr Evan William	Southern Metropolitan	ALP
Koch, Mr David Frank	Western Victoria	LP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Vogels, Mr John Adrian	Western Victoria	LP

CONTENTS

TUESDAY, 13 MARCH 2007

CONDOLENCES

Hon. James Lionel Simmonds..... 495

ROYAL ASSENT 500

SELECT COMMITTEE ON GAMING LICENSING

Confidentiality..... 500

QUESTIONS WITHOUT NOTICE

Melbourne Water: drainage charges 500

Aboriginals: life expectancy..... 501

Planning: Cedar Woods development..... 502

Olympic Park: rectangular stadium..... 503

Rural and regional Victoria: social disadvantage 505

Small business: skilled workers..... 506

Victorian government business offices: review 507

Aboriginals: housing..... 508

Water: infrastructure projects 509

Tertiary education and training: TAFE funding 509

Supplementary questions

Melbourne Water: drainage charges 501

Planning: Cedar Woods development..... 503

Rural and regional Victoria: social disadvantage 506

Victorian government business offices: review 507

Water: infrastructure projects 509

Tertiary education and training: TAFE funding 510

QUESTIONS ON NOTICE

Answers 510

SCRUTINY OF ACTS AND REGULATIONS

COMMITTEE

Alert Digest No. 3..... 511

PAPERS 511

MEMBERS STATEMENTS

Port Phillip: parking..... 511

International Day for the Elimination of Racial Discrimination 511

Eastern Palliative Care: volunteers 512

Libraries: Heywood 512

British Columbia: greenhouse gas emissions 512

Parliament: independence 513

Water: Wimmera–Mallee pipeline..... 513

Pako Festa: multicultural celebration..... 513

Transport: ministerial portfolios 514

Melbourne Cricket Ground: redevelopment 514

World Economic Forum: S11 protesters..... 514

Mildura Wentworth Arts Festival 514

Gippsland Lakes: entrance 515

Peter James Centre: achievements..... 515

WATER AMENDMENT (CRITICAL WATER

INFRASTRUCTURE PROJECTS) BILL

Second reading..... 515

ADJOURNMENT

Aboriginals: stolen wages..... 543

Gippsland Lakes: entrance..... 543

Keilor Downs Secondary College: upgrade 544

Telstra Dome: pass outs 544

Local government: boundary review..... 545

Water: bulk entitlements..... 545

Port of Hastings: development 546

Police: Shepparton 546

Police: Lexton 547

Gaming: Quizmania 547

Responses..... 548

Tuesday, 13 March 2007

The PRESIDENT (Hon. R. F. Smith) took the chair at 2.02 p.m. and read the prayer.

CONDOLENCES

Hon. James Lionel Simmonds

Mr LENDERS (Minister for Education) — I move:

That this house expresses its sincere sorrow at the death, on 3 March 2007, of the Honourable James Lionel Simmonds and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as a member of the Legislative Assembly for the electoral district of Reservoir from 1969 to 1992, as Minister of Employment and Training from 1982 to 1985 and as Minister for Local Government from 1985 to 1988.

Jim Simmonds, as he was known to everybody, was a man of few words but strong convictions. Jim Simmonds was a man who served this Parliament well as a member in the Legislative Assembly for the electorate of Reservoir, which is a working-class area. He devoted his life to looking after his constituents — the people of Reservoir — and working people.

Jim Simmonds was a toolmaker who, from the shop floor, found his way into politics through his union and then into Parliament, and he then served in a number of portfolios. It is interesting to look at where Jim came from. He attended Preston West Primary School, the Preston Institute of Technology, the Collingwood Technical School and the Melbourne Technical College. As I said, he rose through the ranks of his union from the shop floor to being a member of the Trades Hall Council.

However, he was also involved in an extraordinary number of community activities, which reflected the man and his passions and what was important to him. He was a foundation member of the Preston Community Health Centre and remained a member from 1976 until his death. For Jim that was one way of helping his community — by making health and medicine more accessible. He was a founding member of his local migrant resource centre. He was also a member of the Federation of Italian Migrant Workers and their Families. He worked on a number of bodies involved in international politics and had strong views in those areas.

Many members of this house knew Jim in his later years through his role as a convenor of the Friends of Fred — the Fred Hollows Foundation. I do not know if this happened to all members of the house but certainly

on the Labor side Jim would come around once a year to seek support for a cause that meant an extraordinary amount to him — that is, the Friends of Fred, which assists people in the great traditions of Fred Hollows. Jim was motivated by his background and how he could assist others.

In his time in this Parliament Jim spent a long time in opposition. He served as shadow minister for labour and industry and shadow minister for consumer affairs. The highlight for Jim was the three years from 1982 to 1985 when he served as the Minister of Employment and Training in the Cain government. While he enjoyed his time as local government minister, it was his three years as employment and training minister that gave Jim the fulfilment of his political life and about which he was very excited.

Jim was a man of few words but extremely strong convictions. In his time as Minister of Employment and Training he loved nothing more than to be out and about on the shop floor in factories talking with men like him — people of few words but strong convictions, who had worked with their hands and who had seen the dangers and opportunities in workplaces. In the oldest of old Labor traditions he believed the three most critical things for success for working people were jobs, jobs and jobs. If you got those jobs, that was what mattered.

He also had very strong views about the need for safe workplaces. When we celebrated the 21st anniversary of the passing of the Occupational Health and Safety Act and the WorkCare act during the Cain government, Jim and I, as the Minister for WorkCover and the TAC at the time, spoke at the exhibition centre. Jim was quite amazing. He would have been 80 by that stage and very frail, but he walked up to the podium by himself and did not want anyone to help him. He spoke far more eloquently than I did as a minister, and that was 20 years after he had been a minister. He spoke without notes and from the heart about the great battle to get the Occupational Health and Safety Act in place and the early WorkCare legislation. He spoke of his vision. Some of his language was probably 20 years older than what I or other members of this house would use but the passion was there.

For Jim the passage of those two pieces of legislation was the most fundamental and critical contribution from the Cain government. He also took great pride in the fact that when the Cain government had the numbers in the Legislative Council for five weeks in 1985 those two pieces of legislation were at the top of its agenda of things to be achieved, above and beyond anything else. That was Jim. He spoke very well. He

spoke with a great degree of passion about the things that mattered to him.

I would like to formally offer my condolences and those of the government members in this house to his wife, Shirley, their daughters, Linda and Julie, and their grandchildren, Tim, Dasha, Richard and Lachlan. They have lost a man who had very firm beliefs, a man of action, a man who put his money where his mouth was and who gave his entire life to the labour movement. He will be sadly missed, but it was a life well spent.

Mr P. DAVIS (Eastern Victoria) — I rise to support the Leader of the Government in the condolence motion for Jim Simmonds. Jim Simmonds had a great reputation in the Parliament as being a quiet man who went about his business with few words. The colleagues I have spoken to who served with Jim attest to that and his powerful conviction of what he was about. For evidence of that all one has to do is look at his life of community service, not just in the labour movement — the union movement — and the parliamentary Labor Party but also out in the community in which he lived and involved himself.

I will not reiterate those various memberships which the Leader of the Government just referred to, but a testament to any of us who pass through this place is not just our parliamentary record or achievement in this place but also how we have contributed to our communities and left them in better shape. Jim Simmonds clearly demonstrated that he was a worthwhile member of Parliament because he took his service to the community beyond the office which he held in this place.

Jim Simmonds was the Minister of Employment and Training from 1982 until 1985, Minister for Local Government from 1985 to 1988, and a member of the State Development Committee from 1970 to 1982, which is a remarkable achievement. I hope he felt satisfied that some of the views he developed about the way the state should progress were reflected in policies implemented by succeeding governments, including those he served in and others. It is important to note that, as I understand it, when Jim came into the ministry he was not the preferred or priority pick for the frontbench by the Premier of the time. However, he obviously had strong support within the parliamentary Labor Party, which ensured that he succeeded in being a cabinet minister in two Cain governments — in the first from 1982 to 1985 and then again from 1985 to 1988.

It was probably Jim's appointment as Minister for Local Government that created the greatest community

interest. I refer to an article I found that appeared in the then *Sun* newspaper of 14 August 1985, which states:

Jim Simmonds is the type of local government minister councils fear — he's far too much like your average ratepayer.

I must say that is something all of us as elected representatives have to be mindful of: at the end of the day, what we do is judged by those who elect us. If as the Minister for Local Government Jim Simmonds took the view that local government needed to be more accountable, more efficient and more effective, he reflected it in further comments that are quoted in that same article. He said:

Our approach is that restructuring and amalgamation will lift local government performance.

I make that point because Jim Simmonds tried and failed to do something that a successor government implemented. I am sure that he was applauding all the way when the reforms to local government occurred in the 1990s. I have to say that he was a man before his time, as it were. The conservative forces in local government resisted change in the 1980s, and it took a herculean effort to overcome them. I am sure that Jim Simmonds would have largely supported those reforms in principle if not in detail.

It is important to note that Jim was very passionate about issues and he was regarded as the leader of the Socialist Left of the state branch of the Australian Labor Party. I would not know whether that is true, but that is what is reported, and certainly it is the view that it was because of his strong internal party affiliations and because people respected the work he did within the party and in the community that he was able to hold the offices he held.

I think the most useful comment about Jim's career to make in conclusion appeared in the *Spring Street Digest* of the week ending 14 May 1982. Jim is reported as saying:

Perhaps the greatest compliment I have received since I was elected was when an old party member said to me, 'It's hard to think of you as an MP, Jim. You've always been such a worker'. If I can be seen as a worker in Parliament too, that's how I'd like to be described.

Most people I have talked to about Jim Simmonds's career in Parliament and his activities in the community regarded him as the quiet achiever. He worked hard and diligently and achieved some significant outcomes for his community.

To his family, his wife, Shirley, his two daughters, Julie and Linda, and to the grandchildren, I express the opposition's deepest sympathy.

Mr HALL (Eastern Victoria) — This afternoon I wish to associate The Nationals with this condolence motion for the late Honourable Jim Simmonds. Jim, as has been said, served this Parliament for a period of 23 years, from 1969 to 1992, and by any measure that is a good length of time to serve in that role. Of those 23 years, 6 were served as a minister of the Crown, first as Minister of Employment and Training and then as Minister for Local Government.

As the Leader of the Government has pointed out, Jim Simmonds also had a proud history of serving his community, and as can be seen in the biographical notes he also had a strong history of serving his political party, the Australian Labor Party. We say that for each of those areas of service — to the Parliament, to the community and to his party — he deserves to be commended.

Jim Simmonds served in Parliament from 1969 to 1992, and while that period overlapped with my first term as a member of Parliament, I do not think I met Jim Simmonds. I certainly did not have a long conversation with him — it often happens that members of the Council do not cross the paths of members in the Assembly, and I did not have the opportunity to have any extensive consultations or chats with Jim Simmonds. More is the pity, because when you read the history of the man and see the service he gave to so many organisations you realise that that was a lost opportunity.

Talking to some of my colleagues in The Nationals who knew Jim, and knew him very well, they verified that, as the Leader of the Government and the Leader of the Opposition have said, he was a man of few words, but they described him as being a very friendly person, a very decent person and a person of strong character. He was also a good minister, being very responsive to the requests that were made of him by other MPs. Some in my party described him as a man whose only weakness was his passion for the Collingwood Football Club — but for that he can be forgiven, I am sure.

I am also told that he was one of the first to describe some members of The Nationals as 'bush socialists', and some in our party do not deny that either. He may well have been quite accurate in that comment. From recollections of my colleagues who knew Jim well during his time in Parliament, they thought he was to be respected for his decency, fair-mindedness and strong character. He passed away on 3 March at the age of

80 years. To his wife, Shirley, his children and their extended family The Nationals convey our condolences.

Hon. T. C. THEOPHANOUS (Minister for Industry and State Development) — I add my support to this condolence motion. As many of you would know, I knew Jim Simmonds quite well, having shared an electorate area with him during the period from 1988 to 1992, when he was the member for Reservoir in the Legislative Assembly and I was a member for Jika Jika Province.

I well recall the meetings that took place in his electorate office, because the Reservoir branch of the Labor Party used to meet there. In those days I was not a minister and was more inclined to go to branch meetings of the Labor Party than I probably can at the moment, and I certainly went to many meetings in that electorate office. It was a place where there was intense debate about all sorts of issues of the day. I remember how quietly spoken but passionate — if you can understand how somebody can be both those things at the same time — Jim was in the way that he presented the issues.

Jim cared deeply about local government, and to take up a point made by the Leader of the Opposition, he certainly was passionate about having efficient and representative local government, but he was also passionate about local democracy. He was particularly concerned when, as a result of changes to local government, local democracy was abandoned by the previous government. He was very happy to see local democracy come back in throughout local government areas — to see councils elected by locals.

Jim Simmonds had a broad range of interests. He believed in a number of key social issues. He believed that education is the great social leveller — the way in which people in our community who are less well off are able to get somewhere — and that therefore we had to have an education system that allowed people that opportunity. He believed in employment as the critical factor in society — that it is the mechanism whereby people obtain meaning and are able to raise their families and take part in the community. He also believed that real charity begins with practical things. That is why he was such a big supporter of the Fred Hollows Foundation. He was instrumental in the beginning of that foundation and played an active role in it for a very long period of time.

Jim had these three elements to the way he operated, but he was also somebody who looked outside Australia. He had causes that were outside of the state.

That section of the Labor Party at the time, which included Joan Coxsedge, Jean McLean and a few others, was interested in issues outside Australia, and he was no exception. If you look at the list of the international issues he took up, you will see he was part of the Congress for International Cooperation and Disarmament. He believed that international conflict was something we all should be concerned about. The other thing he and I sometimes spoke about was his interest in the Justice for Cyprus Coordinating Committee. His interest in that committee was a result of his belief that there are places around the world where injustice has occurred and that we should not just be concerned about what happens in our own state or local government area but also about what happens in the rest of the world.

I had many engagements with Jim. We did not always agree; in fact we quite often strongly disagreed on a range of issues. I do not think he ever voted for me on anything. However, we were in the Labor Party together, and it was a place of debate and a place where he believed passionately in what he was doing. He should be remembered for the contribution he made on many levels. I add to the condolences of others my condolences to his wife, Shirley, to his daughters, Linda and Julie, and to his grandchildren.

Ms HARTLAND (Western Metropolitan) — I wish to speak on behalf of the Greens on this motion. I have fond memories of Jim. As a very young shop steward I went along to a number of meetings when the then government was battling to bring in the first WorkCare legislation. As someone who has worked in factories and as a cleaner, I know how much difference those occupational health and safety laws made to the lives of workers, and I am aware of the continuing benefit they bring. If nothing else, Jim will be remembered for bringing in that great piece of legislation, which he did with a great deal of difficulty and with opposition from a number of businesses and the Liberal Party. I would like to extend my condolences to Shirley and the family.

Ms MIKAKOS (Northern Metropolitan) — Sadly, Jim Simmonds passed away on 3 March 2007. Jim was a person whom I regarded as a mate. He was a worker himself, coming from the factory floor and going on to become a trade union official for over 20 years in what was then the Amalgamated Metal Workers Union before being elected to the Parliament. As I understand from media reports at the time, Jim was elected unopposed, which is probably a very rare event in itself. He was elected to the Parliament in a by-election in 1969.

Jim was passionate about the rights of workers and was a committed advocate on their behalf. He was the member for Reservoir in the Legislative Assembly — and I hasten to add that he was born and bred in Reservoir and was educated at West Preston Primary School — and went on to serve as the Minister of Employment and Training from 1982 to 1985 and as the Minister for Local Government from 1985 to 1988. While serving as Minister of Employment and Training, in 1983 Jim introduced groundbreaking occupational health and safety legislation which unfortunately was defeated in this chamber. The Labor Party persevered and eventually occupational health and safety laws were passed in 1985. For this reason Jim is fondly remembered as Mr Occupational Health and Safety.

I was able to attend Jim's state funeral last Friday, which was attended by family and friends, the Premier, the Governor, former colleagues, community members, trade unionists and many others. This was a demonstration of the high regard in which Gentleman Jim, as he was known, was held by the community and by people in the Labor Party in particular.

Other members have already referred to Jim's quietly spoken nature. I found a clipping from the *Sun* of 14 August 1985 which referred to Jim Simmonds as a man of few words and plenty of action. I think that is a very good summary of Jim's career, both his political career and his post-political career, which I will come to shortly.

Because Jim lived just up the road from my electorate office in Reservoir, he used to pop into my office quite regularly and regale me with his efforts in relation to the Fred Hollows Foundation and the plight of the Collingwood Football Club, of which he was a passionate supporter. He would bring in things he wanted me to read about Labor Party history. As I said, Jim was a passionate supporter of the Collingwood Football Club, of which he was a member for over 50 years. I understand that in November 1990 Jim was responsible for the introduction of a private member's bill, the Collingwood (Victoria Park) Land Bill, which sought to put Victoria Park on a secure footing for the Collingwood Football Club into the future. A long time ago Jim provided me with a copy of a letter he received. He put great store by this letter and obviously thought a great deal of it. It is dated 1 December 1992. It reads:

We would like to thank you most sincerely for the fantastic assistance you have given to our club in having the Victoria Park land act legislated by Parliament. The result being that the Collingwood Football Club will own the land upon which

its social club stands and have a long-term lease of the balance of Victoria Park.

The service you have given to the club in achieving this fantastic milestone I am sure will be recorded as part of Collingwood history and will be seen as one of the greatest things to happen to the club in its 100-year history.

We know we speak for all Collingwood supporters when we say a humble 'thank you' for making this dream come true for the club after so many years of negotiation with the City of Collingwood.

The letter is signed by Allan McAlister, Bob Rose, Errol Hutchesson, Peter White, Tim Loveless, Ron Richards and Wayne Richardson. I know this letter meant a great deal to Jim because it showed that he had been able to support his club and the local community, and the Collingwood Football Club is very important for the northern suburbs.

The connection Jim had to the Fred Hollows Foundation also emanated from his love of football. As I understand it, back in 1990, when the late Fred Hollows was Australian of the Year, a contact of Jim's who also knew Fred organised to take Fred to see his first-ever match played in what was then the Victorian Football League. It was at lunch during that game that Fred Hollows explained to Jim Simmonds his vision for what eventually became the Fred Hollows Foundation and for its work in not only improving indigenous health but also restoring the sight of many thousands of people around the world, in the Third World in particular.

It is a demonstration of Jim's character that once he left this place he did not go on to become a highly paid lobbyist or go to work in the corporate sphere. Jim decided to devote his energies to philanthropy and the Fred Hollows Foundation in particular. It was through that work I got to know Jim. Because he was elected to Parliament in 1969, the year I was born, I did not have the opportunity to know Jim, the politician, or Jim, the trade unionist, but I got to meet Jim, the philanthropist. It is important to acknowledge the work of not only Jim but also the other members of the Victorian fundraising group of the Fred Hollows Foundation, who include Kathy Feathers, Ron Edwardes, Christine Shepherd and Kerryn Flatt. They have been responsible for raising over \$350 000 for the foundation by holding an annual fundraising dinner. I understand the 15th annual fundraising dinner was held last year, and I have probably attended the last seven or so. Jim was very passionate about his activities on behalf of the Fred Hollows Foundation. He persevered in attempting to get high-quality and well-known speakers to attend the dinners. He was able to persuade the Treasurer, John Brumby, both when he was opposition leader and after

he became Treasurer, to attend these events and speak at them on an annual basis. The fact that he was able to get the state Treasurer to attend a fundraising dinner is an indication of just how determined Jim was to make sure that those functions were a great success for the foundation.

Jim was a founding member of the Preston Community Health Centre at its inception in 1976. He was also a founder of the migrant resource centre. Both agencies are very important for the local community today, and Jim was instrumental in putting both on a solid footing right from the start.

Jim's passing so close to the Labour Day holiday was remarked upon at his state funeral. It also struck me as a coincidence, because Jim had been responsible for hosting the Festival of Labour at Edwardes Lake in Reservoir for 14 years in succession. The Labor Party being involved in putting together a community festival is the sort of thing that does not happen anymore. The council got behind the festival and eventually the original purpose was usurped, I guess you could say, in years following. It was a coming together of the community and the Labor Party to celebrate what Labour Day is all about, so the timing of Jim's passing away is very interesting.

I would like to thank the late Jim Simmonds for his enormous contribution to the local community and to the Labor Party. I also offer my sincere condolences to his wife, Shirley, his daughters, Linda and Julie, and his grandchildren.

Ms TIERNEY (Western Victoria) — I also rise to support this condolence motion. Following the passing of Jim Simmonds I have been visited by a number of memories of events going back to the early to mid-1980s, when I first arrived in Melbourne and began living in Reservoir. I remembered my first Reservoir ALP branch meeting in McFadzean Avenue and a whole range of wonderful people who were dedicated to improving the lot of the working class.

The words of Giovanni Sgro at Jim's funeral last Friday rang so very true to me — that Jim was always Jim, whether he was a metalworker, a parliamentarian, a minister of the state government or selling Australian Labor Party raffle tickets. Jim practised equality. If you saw him up the street he always had time for a chat and time to hear your concerns, and you felt you were chatting to your next-door neighbour. There was nothing pompous about Jim. It was the job ahead that was important, and he knew it was important to embrace people from diverse backgrounds if progress was to be made. A local reading group was set up by a

mix of older metalworkers, like Alec Pate and Kevin Hardiman, sole parents, young mums, pensioners, members of different ethnic communities, university students from La Trobe University and, dare I say it, some of us brash feminists. It was all pulled together by Jim to give a voice to residents in Reservoir.

Jim's beliefs also led him to undertake a number of activities, and we have just heard from Ms Mikakos about the Festival of Labour held down at Edwardes Park Lake every Labour Day weekend. He also started the ALP newspaper, the *Labor Star*. Bringing people together and creating space for discussion and debate were actively pursued by Jim. Even in retirement Jim Simmonds continued to make this place a better world. The Friends of Fred dinners are held each year and continue to be iconic. They have included the special speeches of Fred himself and speeches from Frank Hardy, Gabi and Jim, as well as the phantom Melbourne Cup race calls, the constant reminders of the Collingwood Football Club and the magnificently executed charity auction led by the Treasurer, John Brumby. I am sure Jim Simmonds would want more than ever for the Friends of Fred Hollows dinners to continue and grow stronger.

I simply wish to thank Jim for his commitment to pushing ahead with the changes that needed to be made in the northern suburbs. I also wish to thank him for the apprenticeship system and in particular for stopping employers, who wished to avoid paying public holiday rates, from indiscriminately laying off workers in the period leading up to public holidays. As we have heard, Jim Simmonds made many other enormous contributions, but none of them would have been brought to fruition without the support of his family. It was a team approach by Jim's wife, Shirley, and his two daughters. Today we recognise the whole family and we thank them and wish them well during this very sad time.

Motion agreed to in silence, honourable members showing their unanimous agreement by standing in their places.

Sitting suspended 2.39 p.m. until 3.41 p.m.

ROYAL ASSENT

Message read advising royal assent on 6 March to:

**Control of Weapons Amendment (Penalties) Act
Interpretation of Legislation Amendment Act
Murray-Darling Basin Amendment Act.**

SELECT COMMITTEE ON GAMING LICENSING

Confidentiality

The PRESIDENT — Order! My attention has been drawn to an article in the *Age* on Friday, 2 March 2007, which appears to detail matters discussed at a meeting of the Select Committee on Gaming Licensing held the previous day.

I want to take this opportunity to draw members' attention to the provisions of standing order 24.11, which states:

Select committee deliberations will always be conducted in private.

It is absolutely essential for the efficient operation of the committee system that the confidentiality of committee deliberations, the minutes which record them, the notes of any committee discussions and any committee files is preserved. Committee deliberations should be reported to the Council only in the proper way, through the tabling of a report. Information not reflected in a report can never be divulged.

I remind all members that any unauthorised breach of this confidentiality may be dealt with by the Council as a contempt.

QUESTIONS WITHOUT NOTICE

Melbourne Water: drainage charges

Mr GUY (Northern Metropolitan) — My question is to the Minister for Planning. Noting Melbourne Water's 52 per cent increase in drainage charges for outer urban developments imposed last week, I ask: what briefing or analysis did the minister receive on the probability that this tax increase will be passed on to new home buyers?

Hon. J. M. MADDEN (Minister for Planning) — I always welcome Mr Guy's questions in relation to planning matters. I know Mr Guy's silver bullet for everything is to reduce taxes. I suspect that if Mr Guy were asked how to solve problems in Iraq or how to solve world poverty, he would say to cut taxes. That is the answer to everything you have to have when you do not have a policy. Mr Guy can come in here and ask a million questions about planning — —

Mr Finn — And he won't get one answer.

Hon. J. M. MADDEN — But unless he has a policy, Mr Finn, his questions are meaningless. What

Mr Guy should do first of all is present an alternative policy to the vision we have, which is to provide land supply for the next 25 years to make sure we do our bit in assisting housing affordability in this state.

Supplementary question

Mr GUY (Northern Metropolitan) — Can the Minister for Planning advise the house how he will stand by his Melbourne 2030 commitment to home affordability when he has clearly done nothing to stop Melbourne Water drainage charges rising by more than 50 per cent and continues to do nothing to stop the planned developer tax?

Hon. J. M. MADDEN (Minister for Planning) — Again I say to Mr Guy that while he might like to lay the entire issue of housing affordability at the feet of the state government, he might also note that Victoria is performing better in terms of housing affordability than just about any other state, particularly the eastern seaboard states and even better than Western Australia. This is a nationwide issue, and we are doing what we need to do in relation to housing affordability. As part of that we have committed to providing 25 years of land through the Growth Areas Authority to assist those growth areas. However, there is also the important issue of making sure that not only is land available but that it is zoned accordingly and that housing stock makes it to market.

Mr Guy would appreciate that housing affordability is a complex issue and that, most importantly, all levels of government have a role in it, whether it be local government making as much housing stock available to the market as it can by doing its bit, the state government doing its bit or the federal government, which has to do its bit. It is interesting. In this federal election year the federal government will no doubt be putting its hand up to say it has raised average household net worth — it is happy to claim that on the basis of the capital asset any family owns — but it will not put its hand up and claim it is disadvantaging a relative section of first home buyers through housing affordability.

I wonder whether Mr Guy is asking his federal colleagues the same hard questions in relation to housing affordability. We are doing our bit. We are doing better than any other state. People are coming to Victoria in droves. The member should ask his federal colleagues if they are doing the same thing.

Aboriginals: life expectancy

Ms BROAD (Northern Victoria) — My question is to the Minister for Aboriginal Affairs, Gavin Jennings. It goes to the very great concern many people have about the discrepancy in life expectancy between indigenous and non-indigenous Victorians. I ask the minister to inform the house what the Bracks government is doing to improve life expectancy for indigenous Victorians.

Mr JENNINGS (Minister for Aboriginal Affairs) — I thank Ms Broad for her question, which relates to the wellbeing of Aboriginal people in the state of Victoria. I note that the last time I was in the chamber I was asked a question about what the government is doing to make sure we measure our performance in trying to turn around the sorry circumstances Aboriginal people find themselves in, particularly as reflected by low life expectancy. I am very pleased to say to the house that between that sitting week and this sitting week we have collectively added to the wherewithal of Aboriginal communities to rise up and do something about the life expectancy and health status of Aboriginal people, particularly those living in the eastern suburbs of Melbourne.

I had the good fortune last Wednesday to be in the company of my colleagues Mr Tee and Mr Leane and a number of other community members at the Eastern Access Community Health Centre in Ringwood East for the launch of a collaborative effort between the Aboriginal community-controlled health organisation in the area, the Mullum Mullum Indigenous Gathering Place, and the Eastern Access Community Health Centre.

It is a new collaborative effort designed to try to turn around the access to and availability of top-quality health care for Aboriginal people living in the eastern suburbs. In a great partnership, people from the primary care partnership, from the Royal Australian College of General Practitioners and from Eastern Health, a great series of providers of health services throughout the eastern suburbs, have come together with the Aboriginal community to design programs and implement them in a way which will provide for more effective service delivery.

People are mindful of the sorry discrepancy in life expectancy between Aboriginal people and the rest of the population. People have focused on that issue and realised that in Victoria Aboriginals have a life expectancy that is years below that of the rest of population. They wring their hands in angst at the dire circumstances of Aboriginals without knowing what to

do about it. We have tried to design programs that will adopt specific interventions to deal with the drivers of that sorry statistic in certain areas. We have realised that Aboriginal people are 26 times more likely than the rest of the population to be admitted to hospital for conditions such as chronic lung disease. We will start to tailor services to address that situation through universal programs such as antismoking campaigns, and beyond that we will try to ensure there is a greater level of support for people so they do not become part of that sorry statistic.

Certainly people who know much about the Aboriginal community realise that you are 15 times more likely than the rest of the population to be admitted to a hospital in Victoria as a result of a diabetes-related illness if you are an Aboriginal person. The provision of diabetes education and early intervention and preventative strategies will ensure that we stop that. Aboriginal people should receive primary, home-based and community-based care and should not end up requiring acute tertiary-based services within hospitals. There are downstream consequences of being treated too late for conditions which are best dealt with through an early intervention approach. This is the intervention model that we will see arise from the partnership between the Eastern Access Community Health Centre and the Mullum Mullum Gathering Place.

I find the great support that is evident in the community pretty encouraging. It suggests that we will have a more inclusive and engaged community and that better services will be delivered now and in the years to come. We are very happy to support this with \$400 000 as part of the \$7.6 million commitment we made to this program in the 2005 budget.

Planning: Cedar Woods development

Ms HARTLAND (Western Metropolitan) — My question is to the Minister for Planning, the Honourable Justin Madden. My question is about the Laverton air force base site, which supports one of the highest quality, most species-rich remnants of native grassland in the Port Phillip region. Western basalt plains grasslands are listed under the Flora and Fauna Guarantee Act. Two key species on the Laverton air force base site, the plains rice-flower and the large-fruit groundsel, are both listed under state and federal legislation, including a critically endangered listing for the plains rice-flower, which is found in different age classes outside the existing reserves. Last week the minister approved a rezoning of the Laverton air force base from industrial to commercial-residential, which appears to give the go-ahead for development on the site and the destruction of all native grasslands there

outside the existing reserves. Did the government receive or require to be prepared detailed mapping of the grassland quality and the variety of threatened species outside the existing reserves before making its decision on rezoning?

Hon. J. M. MADDEN (Minister for Planning) — I welcome the member's question. The Cedar Woods development is a particularly interesting one given the issues the member has just raised. The proposed redevelopment provides for the protection and conservation of the majority and most intact areas of habitat in three conservation reserves. The reserves form 55 hectares, or 20 per cent, of the total site area. The site is known to contain native grasslands, as the member mentioned, which form the habitat for three species of national significance — the plains rice-flower, the large-fruit groundsel and I believe the striped legless lizard. The developer has also agreed to provide contributions to the Trust for Nature (Victoria) as an offset, in accordance with the state government native vegetation management framework.

The development will include a new rail station and a bus interchange, which are much-needed facilities in the Laverton-Point Cook area. It will also include a major retail and employment centre, new schools, and sporting and community facilities. It is expected to provide up to 5000 jobs, including white-collar jobs, which currently are underrepresented in the west.

As the member may well appreciate, the Laverton air base site is located within the urban growth boundary and is strategically located in terms of road and rail infrastructure.

Mr Atkinson interjected.

Hon. J. M. MADDEN — It has also been long identified, Mr Atkinson, as a site for a future major activity centre. The government's decision was made following advice from the priority development panel and a submission by council in response to that advice. Council supported the proposed development and will be the responsible authority for the applications for each stage of the development.

All round this is a win-win. We have been able to get development accommodated on a fairly substantial piece of land within the urban growth boundary. It will provide jobs into the future and economic impetus in the western region of Melbourne. As well as that we have been able to look after a substantial area of native grasslands and protect those species of national significance mentioned by the member.

Supplementary question

Ms HARTLAND (Western Metropolitan) — As the question has not been answered, has the area been surveyed, who did the survey and how can we access that survey work, because it is the understanding that that work has not been done?

Hon. J. M. MADDEN (Minister for Planning) — It is my understanding that when proponents make submissions in relation to native vegetation a substantial amount of work has to be done to prove up their case not only for any development but also for native vegetation — that is, to survey that and to determine what it is and what effect there might be on that native vegetation. It is my understanding that that needs to be completed in proposed developments when native vegetation is an issue. In many instances the body of knowledge gained through either a survey or the work done is actually a major insight into what the native vegetation contains. In many locations across the state some of the native vegetation has not been surveyed to that level of detail. This has been significant in confirming not only what was known but also many of the details in relation to those three species.

It is worth bearing in mind that any developer proposing a development has to jump through a number of hoops, and one of those relating to native vegetation is to make sure that the detailed homework has been done and submitted. Not only does it have to be supported by council but also — when it comes to government, as it has in this case — the developer has had to jump through those hoops to confirm what is or is not there in relation to either native habitat or the relevant threatened species.

Olympic Park: rectangular stadium

Mr THORNLEY (Southern Metropolitan) — My question is to the Minister for Major Projects. Can the minister advise the house of recent announcements on the development of Victoria's new rectangular stadium?

Hon. T. C. THEOPHANOUS (Minister for Major Projects) — I thank the member for his question. I know that he has a keen interest in football codes that use a rectangular stadium as well as codes that use the traditional oval stadium. I am very pleased to report to the house that the government has announced that we will be proceeding with the rectangular stadium. It will be an exciting new venue for the people of Victoria and will cement Melbourne's place as the sporting capital of Australia.

The new stadium will be bigger and better than what was initially envisaged — we envisaged a 20 000-seat stadium — following requests from Football Federation Australia to review the size of that stadium and following the phenomenal success of Melbourne Victory in recent times. The government, as you would expect, has re-examined the issue of the stadium. We have ultimately settled on a 27 750-seat facility. It will be a fantastic venue. It will use the new bioframe system for the roofing and will provide, for the first time in Melbourne, an experience of games like soccer and rugby in a stadium which is purpose built for them and which allows the spectator to get very close to the action and see the game as it is meant to be viewed. We are very pleased about it. The stadium has been — —

Mr D. Davis interjected.

Hon. T. C. THEOPHANOUS — It has been warmly welcomed by Melbourne Storm and the Melbourne Demons.

Mr D. Davis interjected.

Hon. T. C. THEOPHANOUS — David Davis, I am trying to talk about a rectangular stadium, not your blockhead, not your square head.

Mr D. Davis — You're the one with the square boots.

Hon. T. C. THEOPHANOUS — This is — —

Mr D. Davis — On a point of order, President, I seek your guidance. This is objectively offensive on every count, I think, and on previous occasions you have thrown members out of the chamber for their referring to the minister as a certain type of feathered bird. I seek your guidance and ask you to bring the minister into line.

The PRESIDENT — Order! Mr Davis can take comfort in the knowledge that if any member in this chamber says something clearly or palpably offensive, then I will act. I think it is drawing an extraordinarily long bow to suggest that the comments made by the minister could be construed in any way as being offensive. Therefore I rule there is no point of order.

Hon. T. C. THEOPHANOUS — Thank you, President.

Honourable members interjecting.

The PRESIDENT — Order! The house would well know that on occasions comments made can be taken as being offensive and the Chair will rule on them. The

Chair has to decide whether they are clearly offensive or not. In my view the term 'blockhead' is clearly not offensive in all circumstances but in some it could be. I will take into account the circumstances in which the words are used and delivered.

Hon. T. C. THEOPHANOUS — Thank you, President. I want to thank — —

Mr P. Davis — On a point of order, President, it is offensive to describe the Minister for Major Projects as a goose, but it is okay for the Minister for Major Projects to refer to members of the opposition as blockheads. Could you elucidate for the house and clarify the principle of parliamentary procedure here?

The PRESIDENT — Order! I understand the point of order. Just to elaborate let me say this: there are some people who may think the term 'blockhead' is offensive in all circumstances. I can name one, and I will, who did not agree with that. His name was Ian Dury. Think about that!

For the house's edification I will refer to previous rulings relating to this particular point of order. On 6 May 1992 the then President said:

The mere request for a withdrawal is not sufficient to make certain that one must be made. Words used in robust debate should not be taken offence at — if they are held to be a reflection as distinct from robust debate a withdrawal would be requested.

On 8 April 1992 he said:

The President must be satisfied before asking a member to withdraw: firstly, that a person has taken exception; and secondly, that there was validity in the exception taken. The mere request for a withdrawal is not sufficient — there must be grounds for the request. Unless the Presiding Officer makes a judgement on whether there are grounds for withdrawal, debate can be curtailed by requests for withdrawal that should never be made or entertained.

On 19 April 2002 the then President said:

In determining whether there are grounds for withdrawal, the President assesses whether the remark is objectively offensive.

I think I have made my point. The minister, to continue.

Hon. T. C. THEOPHANOUS — Thank you, President. Isn't it great to have so much extra time to be able to answer and debate these issues — the difference between square and rectangular and so forth! All I can say is that David Davis is definitely a chip off the Liberal blockhead.

I want to talk about the stadium because it is an important piece of infrastructure in the sporting

catalogue we have in this state. It is important for us to be able to promote these other football codes, because as members have seen in recent times, particularly with respect to soccer, there has been an increase in patronage and support. We get confused sometimes because the rest of the world calls soccer 'football' and refers to our football as 'Australian Rules football'. I prefer to call it soccer, because at least you can differentiate between soccer and Australian Rules football, of which I am a very strong supporter.

In relation to this stadium we have said we will build a stadium with a 27 500 capacity. However, we have also said that we will make allowance in that stadium to enable it potentially to be expanded to a seating capacity of 31 500, and that decision will be made depending on whether Melbourne Victory and by extension Football Federation Australia support a soccer team playing at that stadium. Melbourne Victory has to make a decision about this, and I will be setting a time line for it. I am not prepared to do that today, but I will set a time line for Melbourne Victory to make a decision in relation to this because we have to finalise contracts with the builder and we have to be certain about what size the stadium is going to be.

We have also taken another precaution: we have decided that in constructing the stadium we will make the foundations stronger than required for a seating capacity of 31 500. The purpose of making the foundations stronger is that at some future time some future government may decide that soccer — or rugby for that matter — has taken off to such an extent that a really large stadium is required and that the stadium size has to be increased. If that were to be the decision 10 or 15 years down the track, then a future government would be able to build on to this stadium because the foundations will be strong enough to support those additions on the outside of the stadium to increase its size.

We have tried to allow for the future while building for today. I have been told by Melbourne Victory itself that it wants to play in the new stadium; it wants to play the majority of games in the new stadium; and it wants to reserve the right to play some of the blockbuster games at Telstra Dome — and that is an appropriate solution to this issue. We are having ongoing discussions with Melbourne Victory in order to get to a stage where we are able to reach a formula where the majority of the games played by Melbourne Victory are at the stadium with allowance for some games that are deemed to be blockbuster games being played at Telstra Dome.

This is a very important and exciting new piece of infrastructure, which has been welcomed by I think

every sports-loving person in the community. I just wish that for once the opposition would wake up to itself and get on board with what is going to be another important and exciting project for Melburnians.

Ordered that answer be considered next day on motion of Mr D. DAVIS (Southern Metropolitan).

Rural and regional Victoria: social disadvantage

Mrs COOTE (Southern Metropolitan) — My question without notice is to Mr Jennings, the Minister for Community Services. Catholic Social Services Australia in its report *Dropping Off the Edge — The Distribution of Disadvantage in Australia* stated that poverty was being compounded in certain areas through lack of education, disability and sickness. The report identified high-risk areas by postcode. The major characteristics of Victoria's most disadvantaged postcode areas are low family income, early school leaving, domestic violence, child maltreatment, rental stress, criminal convictions and lone-parent households. I advise the minister that 21 of 27 of Victoria's most disadvantaged areas by postcodes are rural. How does he justify this discrepancy between city and rural Victoria?

Mr JENNINGS (Minister for Community Services) — I would not in any shape or form try to justify those outcomes. I find those outcomes disturbing. I find any circumstances by which disadvantage occurs in any municipality, whatever the postcode, throughout Victoria a distressing situation. As part of the government we have committed ourselves to addressing disadvantage regardless of whether it occurs on the basis of geography, demography or circumstances that people find themselves in.

One of the hallmarks of our government has been that on any number of occasions since being elected in 1999 we have tried to try to reduce the sorry disadvantage in the circumstance where we inherited the erosion of services right throughout Victoria, one by one, whether in education, health or community safety — a whole range of measures of infrastructure and support services had been run down during the course of the 1990s in the name of cost savings and so-called efficiencies.

Right across the state of Victoria we saw one community or another crying out for the restoration of services. That has been a hallmark of the Bracks government — reinvesting in those services, whether it be in aged care, which I have had the good fortune to be responsible for over the last five years where we have redeveloped 43 residential aged-care facilities — —

Hon. T. C. Theophanous — Good job, too!

Mr JENNINGS — Thank you very much, Mr Theophanous, for that encouragement. But we are not alone there because we have reinvested in more schools, in more hospitals — probably roughly the same number of hospitals that we have redeveloped during the life of the government — to try to restore universal services. Beyond that in terms of A Fairer Victoria, the hallmark of the 2005 budget and beyond, we have tried to design specific programs to address that disadvantage whether it be through the delivery of services out of schools, whether it be in the area of disability, during the life of our government — —

Mr Finn interjected.

Mr JENNINGS — Mr Finn, you may or may not know anything about this subject; I am not certain.

Mr Finn — I know a fair bit about it!

Mr JENNINGS — Good on you! If that is the case, you would know that this government has invested significantly during its life in restoring the calibre of disability services, and we have actually seen significant increases — —

Mr Finn — That is nonsense, total nonsense.

Mr JENNINGS — It is absolutely significant. Mr Finn. If you do know this area — through you, President — you will know there has been a significant increase in disability services throughout the life of the Bracks government, and that permeates right across Victoria.

Mr Finn interjected.

Mr JENNINGS — Mr Finn, I live in this century. I don't know what century you live in, but it is not this one.

The PRESIDENT — Order! The minister will address the Chair.

Mr JENNINGS — The measure of A Fairer Victoria is trying to ensure that we provide place-based solutions by bringing a range of service configurations to neighbourhoods right across Victoria. Neighbourhood renewal is a prominent, well-known example, but not the only example of the government having invested significantly through the prism of A Fairer Victoria, which was an ongoing commitment of our government to make sure there are place-based solutions.

Indeed I and other members of the government had the good fortune to be briefed thoroughly on the Jesuit Social Services report the member referred to. We were also given a detailed briefing on and analysis of the organisation's prior report on disadvantage. Before the most recent publication the good people associated with it — Tony Vinson and his team — came in and spoke to members of the government about the work. They encouraged us to build on the place-based solutions we have embarked upon through A Fairer Victoria. They encouraged us to pursue this approach. We gave an undertaking then, as we give an undertaking now, that we will design programs to meet the specific circumstances of communities regardless of where in Victoria they are to make sure that ongoing disadvantage does not occur in Victoria — in any postcode.

Supplementary question

Mrs COOTE (Southern Metropolitan) — The report says that both New South Wales and Victoria show a very considerable geographic concentration of cumulative disadvantage. I ask: what will the minister do to reverse this trend in Berriwillock, Cabbage Tree Creek, Korong Vale, Nowa Nowa, Nyah West, Port Welshpool, Thorpdale, Ultima, Benambra, Daylesford, Heathcote, Jeparit, Koondrook, Marong, Massey, Minyip, Nyah, Portarlington, Rosebud West, Tallangatta Valley and Thornton?

Mr JENNINGS (Minister for Community Services) — I think in my substantive answer I demonstrated to the member and the chamber the commitment of the government to addressing these matters. It is stretching the form of a supplementary question to ask about the specific circumstances of what must be close to 20 postcodes, if not more, and expect a supplementary answer to address those in detail. I maintain my commitment to the chamber and the Victorian people to act within my responsibility as part of this government to address disadvantage regardless of where it exists and to do so in a strategic and determined fashion, not in the flippant and disregarding manner the member seems to expect of me in asking me to drop off answers to questions regarding 20 or 30 postcodes during the course of my supplementary answer.

Small business: skilled workers

Mr VINEY (Eastern Victoria) — My question is to the Minister for Small Business, the Honourable Theo Theophanous. Can the minister advise the house of any initiatives the Bracks government has undertaken to assist small business to find and keep skilled workers?

Hon. T. C. THEOPHANOUS (Minister for Small Business) — I am very pleased to answer the question from the honourable member. One of the large differences between the government and the opposition is the way in which we see, treat and try to help small business. The Liberal Party believes it is its duty to drive down wages, make it easier to sack people and make the lives of working people — whether they work in small business or large business — less secure than they would otherwise be. That is why it supports WorkChoices. Whereas the way in which the Labor Party looks at helping small business is by getting to the real issues small business is concerned about. Small business is concerned about red tape; that is why we have a program of reducing red tape by 25 per cent. There will be a 25 per cent reduction in regulations over the next five years. That is addressing an issue small business has.

Small business wants to know how to find and develop skills in their workers. Increasingly small businesses are telling me that their greatest asset is their workforce. It is the people who work for them who are skilled up, able to do the job that needs to be done and able to deliver value for them and help them make a profit. The Labor Party understands that, because it listens to small business. In fact Sweeney Research found that 60 per cent of small businesses have difficulties finding and retaining skilled staff. Three-quarters of the businesses surveyed did not have a workplace plan in place to address this specific problem. Skills and maintaining skilled people were identified by small businesses themselves as the major issues they wanted to be addressed.

What did the Labor government do? I was pleased to be able to announce the \$10.6 million My Business, My People program we have put in place, which is specifically directed at helping small businesses address this issue by helping them to recruit the right people for the job, by helping them to retain quality staff, by helping them to improve staff training and development and by helping them to develop management capabilities. We have identified the problem. We have identified what it is that small business needs — it needs highly skilled staff.

I launched this program at a place called Koko Black, which is a chocolate manufacturing and distribution company. One of the things I was told there was that not so long ago it started off as a one-man show with the assistance of a small government grant to build the business. They built the business and now there are about 100 Victorians working for them. That is a very important thing, and it was done through one

mechanism — by skilling their people and making them capable of delivering value to the business.

I see as one of my jobs as minister to identify the significant differences between us and the opposition. Here is our answer: skilling people to work in small business. What is the opposition's answer? It is WorkChoices sucking people dry and making them less secure in their jobs. These are the differences that divide us. These are the differences that we are happy to go to an election with and fight at any time against the opposition.

Victorian government business offices: review

Mr D. DAVIS (Southern Metropolitan) — My question is to the Minister for Industry and State Development. I refer to the decline in Victoria's export performance relative to the rest of Australia and to the January Australian Bureau of Statistics figures which saw Victoria's share of national goods exports fall to just over 10.5 per cent — the lowest level on record. In light of these devastating figures will the minister make public the full terms of reference of his recently announced review of overseas business offices or does he intend to keep the full terms of reference secret?

Hon. T. C. THEOPHANOUS (Minister for Industry and State Development) — It is interesting that in every single question David Davis has asked of me in this place he has started off by bagging the state. That is his modus operandi. That is how he operates. He comes in here and he bags the state. He started off bagging me over the stadium. Then he had to cop the fact that we announced a larger stadium, one which the people of Victoria want. This is the bloke who came in here with data that he had put on his website which criticised the Victorian government over its small business program; but he forgot to do one thing. The data he put on his website which he used to criticise the Victorian government was all national data. It did not differentiate between Victoria and the rest of Australia. It was — —

Mr D. Davis — On a point of order, President, I do not have a website that is accessible at the moment. My website is under construction. I am interested to know which website the minister took this from.

The PRESIDENT — Order! There is no point of order. I remind all members of the house that, whilst I am not proud of the fact, the reality is that in the last Parliament I was ejected from the chamber for taking a frivolous point of order. I warn the house that that standard has already been set.

Hon. T. C. THEOPHANOUS — The honourable member opposite knows exactly what figures I am talking about. They are the St George Bank-Australian Chamber of Commerce and Industry figures, which he has sought to use to criticise Victoria. They happen to be national figures only. The member's leader, Philip Davis, ought to start to think about the fact that this bloke is not helping his side. All he does is misquote figures and make a fool of himself in and outside this house, because he has a tendency to not tell the truth when he comes in here and makes statements.

Let me tell members what we are doing about exports. Exports are a very important part of what we need to achieve in this state. The export figures we are achieving are absolutely phenomenal. Let me give some examples of what we have been able to achieve in this state. Who would have thought Australia would be exporting cars out of Victoria in the main? Of all of the cars produced in Australia, 45 per cent are exported, largely by Toyota and GM Holden. I recently announced that GM Holden was to send cars to the United States of America — 40 000 vehicles — rebadged as Pontiacs. They are going to the United States because this government works with local manufacturers to get exports on the books. Toyota is exporting about 50 000 vehicles into the Middle East. It might not be known or understood by members that Toyota, a motor car manufacturing company, has now become one of the top three companies earning export income for this state. It does not happen by accident. It happens because you put the right policy frameworks in place and have the right offices overseas doing the right things.

What we want to do, and what the Premier has said we will do, is conduct a review of the Victorian government business offices overseas. We want to do a review because we want to make them even more effective in delivering export earnings for this state. That review will cover the operational efficiency and the strategic direction of those offices and make them even better than they have been in the past. I look forward to the completion of that review and the recommendations that will be made to us. David Buckingham is a spectacular person to be doing the review, and members who know him know what a great job he has done in Britain. I look forward to receiving the results of the review, which will help our exports even further.

Supplementary question

Mr D. DAVIS (Southern Metropolitan) — That was a very disappointing response from the minister. Since the Bracks government was elected, Victoria's share of

exports has declined from 19.2 per cent of national exports in October 1999 to just 10.5 per cent in January. The review the minister has announced has no clear formal terms of reference and no public or transparent process for assessing the performance of business offices. Will the public, exporters and businesses be able to make formal submissions to the review, and, if so, will the minister enlighten them on how to make those submissions?

Hon. T. C. THEOPHANOUS (Minister for Industry and State Development) — This will be an important review which will look at how we can improve from where we are now. I can assure the house that the review will be conducted in a professional manner by David Buckingham and the departmental officers who are helping to conduct it. It is a review of our overseas offices. Information about the review and about exports can be found on our website. I do not know whether the honourable member has a website now; I daresay that he may have pulled it down because he realised that the St George Bank-Australian Chamber of Commerce and Industry small business survey was a national survey and he got it wrong on his website. I can assure the house that we will not get it wrong on our website. We will keep the community informed of how we will use our overseas offices to expand exports.

Mr D. Davis — On a point of order, President, I simply asked the minister whether the public would be able to make formal submissions and how they would do it. He has not answered that question at all.

The PRESIDENT — Order! I remind the house that there are no limits on the amount of time ministers can take to answer questions, and there are no guidelines as to how ministers answer questions. There is no point of order.

Aboriginals: housing

Mr ELASMAR (Northern Metropolitan) — My question is to the Minister for Aboriginal Affairs. Could the minister inform the house of the implications for Victoria of the recent announcement on Aboriginal housing by the federal Minister for Families, Community Services and Indigenous Affairs, Mal Brough?

Mr JENNINGS (Minister for Aboriginal Affairs) — I thank Mr Elasmarr for his question and his concern for the wellbeing of Aboriginal people in relation to their housing. There is a bit of noise from the other side voicing concern about people who are homeless or who may be in dire circumstances so far as

the security of their housing is concerned. Where are the voices saying to the commonwealth, ‘What are you doing ripping out funding for 570 houses in Victoria that have been funded previously under the community housing infrastructure program?’. Yes, opposition members should raise their voices a little bit and stand up for Aboriginal people in Victoria, but on this issue there will be deafening silence. There is no doubt that opposition members will be silent on standing up to Mal Brough and others within the commonwealth government who are turning their backs on the state of Victoria and saying, through public pronouncements in Canberra, that they are about rip out \$4 million from Aboriginal housing in Victoria. This is adding to the sorry situation in which since 1994 the commonwealth has ripped \$900 million out of housing programs in the state of Victoria — the equivalent of 4500 public housing units.

Where have opposition members been in the past decade in standing up for people who are homeless? I ask them to step up. Where are the voices now? There is not a voice. There is deafening silence. Nobody from the other side is going to stand up for any housing situation in Victoria. Not one member of the Liberal Party or The Nationals is standing up. There is no chorus of support here by members standing up for the wellbeing of Aboriginal people, public housing tenants or the homeless in this state. Where is the concern about the income and housing security of people who live in disadvantaged suburbs throughout Victoria? If you have a look at where housing exists through the community housing infrastructure program — at where these 570 Aboriginal houses are — it is mostly in the disadvantaged communities that the opposition spokesperson was happy to talk about before but is now deafening silent about when it comes to providing the wherewithal within the community to provide for adequate housing in small country towns, such as many the postcodes of which were mentioned.

The state of Victoria will stand up for Aboriginal people and try to protect funding arrangements for those 570 houses for which funding is currently at risk of being withdrawn. Goodness only knows where that money is going to be reallocated across the country. We do not know whether they are going to rob Peter to pay Paul in relation to this program, because we do not know where the money is going. It is consistent with the approach of the commonwealth government to rip money out of Aboriginal programs in Victoria, and we do not have any certainty about ongoing funding.

I look forward to anybody from the opposition jumping to their feet and adding to the chorus of concern about this matter, adding their voices to those of the

government in Victoria in protecting the wellbeing of Aboriginal people whose houses are at risk from the whimsical and dismissive attitude of the commonwealth minister. We look forward to members of the opposition joining us in standing shoulder to shoulder with Aboriginal people in standing up for those houses and that program and ensuring we do not repeat the sorry circumstance where the commonwealth rips housing money out of the state of Victoria.

Water: infrastructure projects

Mr D. DAVIS (Southern Metropolitan) — My question is to the Minister for Major Projects. I refer to the critical water infrastructure program promised by the Bracks government, including the upgrade of the eastern treatment plant, the Bendigo–Ballarat and Latrobe Valley pipelines and now the desalination plant. Will these projects be designated as major projects and thus be the responsibility of the Minister for Major Projects or will they be managed by the Department of Sustainability and Environment and other line agencies?

Hon. T. C. THEOPHANOUS (Minister for Major Projects) — The member well knows that there is a process we go through in determining whether a project will be a major project or not. It includes consideration of the appropriate agency to manage the project, and that depends on a range of factors. It is normally discussed within government. A series of issues are taken into consideration in determining major projects, then a determination is made. Once that determination is made about the particular project, then it will be either handled by the agency itself or it may be handled by Major Projects Victoria, for which I am responsible.

I can assure the member that that process will be followed. I do not know which of those major projects will ultimately finish up with Major Projects Victoria and which ones will finish up with the relevant agencies involved. I can assure the member that there is a large number of major projects for which Major Projects Victoria is already responsible. They include all the projects that come under VicUrban, for which I am also responsible as the Minister for Major Projects. I look forward to building up the infrastructure of this state, and we will inform the community about who will take individual responsibility for those major projects as they come up.

Supplementary question

Mr D. DAVIS (Southern Metropolitan) — Another pathetic answer! I ask the minister what criteria are used to designate projects as major projects, given that

past major projects have included cattle underpasses and the Parliament House kitchen renovation.

Hon. T. C. THEOPHANOUS (Minister for Major Projects) — I really do not know what to do with David Davis. I really have no idea how I can educate him in some way to make him at least ask questions which are not so stupid and so ill thought out. He is embarrassing his own side by asking ridiculous, stupid questions that have nothing to do with the way forward, nothing to do with my responsibilities at the moment, nothing to do with what might be a major project in the future and nothing to do with current major projects.

He asks stupid questions that put ministers such as me in difficult positions, because we just do not know how to answer stupid questions without making some reference to the honourable member which might involve upsetting you, President. I wish you, President, in one of your rulings could ask him to stop asking stupid questions.

The PRESIDENT — Order! The minister can rely on me to do just that on every occasion.

Tertiary education and training: TAFE funding

Mr DRUM (Northern Victoria) — My question without notice is to the Minister for Education, Mr Lenders. How does the Bracks government maintain its claim that education is its no. 1 priority when its operational funding contributions to TAFE colleges in this state on a per capita basis are by far the lowest of any state or territory in Australia?

Mr LENDERS (Minister for Education) — I will take Mr Drum's question in relation to the TAFE area on notice for the Minister for Skills, Education Services and Employment in another place. She is responsible for the TAFE area; I am not. But on the issue of education being the Bracks government's no. 1 priority, I remind Mr Drum that the Bracks government has just committed \$1.9 billion to rebuilding schools, which by any measure is the largest build since the Second World War and in actual dollars is the largest in the history of the state. I certainly remind Mr Drum of that.

I also advise Mr Drum of our commitment to education. Some two years ago the former Minister for Education and Training in another place, Lynne Kosky, brought forward the *Blueprint for Government Schools*, which clarified — —

Mrs Peulich interjected.

Mr LENDERS — Mrs Peulich scoffs. As a former teacher she should hang her head in shame, because she

knows that one of the problems in teaching in this state was that there was no sense of direction from the centre as to what was a good way of teaching and learning. There was this philosophy out there — a 1960s philosophy during the time of former education ministers Sir John Bloomfield and Lindsay Thompson — of letting a thousand flowers bloom so that best practice would somehow or other morph or evolve from a school, whereas Lynne Kosky, with her blueprint, gave schools helpful advice on what are good methods of teaching and learning. It was advice that would be helpful.

Mrs Peulich interjected.

Mr LENDERS — I take up Mrs Peulich's point, because it is important in responding to Mr Drum, of where the government is in this area — that is, education being the government's no. 1 priority. It is our no. 1 priority because we believe in devolved responsibility to schools, but we believe also in providing some guidance and direction on what works and what does not work.

Also, \$1.9 billion in capital is being injected into the education system, and beyond that —

Mrs Peulich interjected.

Mr LENDERS — Mrs Peulich says we have had seven years. What I would say to Mrs Peulich and Mr Drum is that there is not just the blueprint. For instance, we had the Council of Australian Governments' *National Reform Agenda — Victoria's Plan to Improve Literacy and Numeracy Outcomes*, a document containing 21 actions —

Mrs Peulich — A book!

Mr LENDERS — Mrs Peulich says 'a book'. I am sure Mr Drum is interested, because he asked what there is for education. This one alone is on plans to improve literacy and numeracy outcomes. The government has capital and programs, and if Mrs Peulich and Mr Drum read the book they will find — for instance, in the Premier's education and training reform proposals — that we propose three essential ingredients to move forward to make education the no. 1 priority.

The first is quality teaching. Therefore we put into teaching the resources and thinking that are necessary if we want the best teachers possible. I suggest to Mr Drum and Mrs Peulich — for the parties they represent federally, which over the last 10½ years have cut funding for tertiary education for teacher training by 7 per cent — that they look to member countries of the

Organisation for Economic Cooperation and Development, which on average have increased education funding by 48 per cent. In Australia the federal Liberal-National government has cut funding for teacher training by 7 per cent, whereas, on average, OECD countries have increased it by 48 per cent.

Mr Drum said education is a no. 1 priority. I draw to Mr Drum's attention the \$1.9 billion in capital investment, the blueprint, the reform package and this government actually putting teachers into schools. The Kennett government cut 8000 teachers and we have put 7000 back in; the Kennett government did not invest in schools, we have; and the federal Liberal-National government mocks education. Julie Bishop is creating a problem so that she that can ride in on her white charger to find a solution, but in the process she is destroying the system and talking it down so that every parent and teacher in the state, Catholic and Independent systems are all sitting there and looking agog at her. Clearly Ms Bishop and Mr Finn both come from the Jurassic era. They come from a bygone era when predators roamed, hung around in packs and tried to pull down the system.

Education is the Bracks government's no. 1 priority, and it will continue to be. Through things like the national reform agenda —

An honourable member interjected.

Mr LENDERS — Here comes the velociraptor! Our plan for literacy and numeracy means that Mr Drum, Mrs Peulich and their parties can also embrace the agenda making education our no. 1 priority, and they can do that by talking to their colleague Julie Bishop and telling her to get on board.

Supplementary question

Mr DRUM (Northern Victoria) — My supplementary question to the minister revolves around his answer. Does the Bracks government's no. 1 priority for education therefore stop when a student enters a TAFE college?

Mr LENDERS (Minister for Education) — No.

QUESTIONS ON NOTICE

Answers

Mr LENDERS (Minister for Education) — I have answers to the following questions on notice: 41, 75, 117, 118.

**SCRUTINY OF ACTS AND REGULATIONS
COMMITTEE**

Alert Digest No. 3

Mr EIDEH (Western Metropolitan) presented *Alert Digest No. 3 of 2007, including appendices.*

Laid on table.

Ordered to be printed.

PAPERS

Laid on table by Clerk:

Conservation, Forests and Land Act 1987 — Code of Practice for Timber Production.

Emergency Services Superannuation Board — Report on the Actuarial Investigation of the Emergency Services Superannuation Scheme as at 30 June 2006 (two papers).

Essential Services Commission Act 2001 — Review of the Act and Minister's Response to the Review of the Act pursuant to section 66(3) (two papers).

Keilor Cemetery Trust —

Minister's report of failure to submit report for 2005–06 to the Minister within the prescribed period and the reasons therefore.

Minister's report of receipt of 2005–06 report.

Parliamentary Committees Act 2003 — Minister's response to recommendations in Law Reform Committee's report on the review of the Coroners Act 1985.

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

Brimbank Planning Scheme — Amendment C88.

Greater Bendigo Planning Scheme — Amendment C95.

Greater Geelong Planning Scheme — Amendment C110.

Swan Hill Planning Scheme — Amendment C24.

West Wimmera Planning Scheme — Amendment C9.

Wyndham Planning Scheme — Amendment C82.

Statutory Rules under the following Acts of Parliament:

Associations Incorporation Act 1981 — No. 8.

Co-operatives Act 1996 — No. 9.

Estate Agents Act 1980 — No. 7.

Fundraising Appeals Act 1998 — No. 10.

Residential Tenancies Act 1997 — No. 11.

Supreme Court Act 1986 — No. 5.

Supreme Court Act 1986 — Serious Sex Offenders Monitoring Act 2005 — No. 6.

Subordinate Legislation Act 1994 —

Ministers' exception certificates under section 8(4) in respect of Statutory Rule Nos. 5 and 6.

Minister's exemption certificates under section 9(6) in respect of Statutory Rule Nos. 8 to 11.

Premier's exemption certificate under section 9(6) in respect of Statutory Rule No. 7.

MEMBERS STATEMENTS

Port Phillip: parking

Mrs COOTE (Southern Metropolitan) — I raise an issue about planning. The Bracks government wants to expand inner suburban Melbourne exponentially by 2030. The reality is that the pressure this will place on the people already living in those suburbs is unsustainable. One hundred and twenty of my constituents signed a petition to the Port Phillip City Council raising 170 objections regarding parking, particularly in Danks, Rouse, Pickles and Johnston streets.

My constituents believe removing a substantial number of on-street parking places from Danks Street would be seriously detrimental to the amenity of people living in this vicinity. Some of the issues they raised with me include decreased values for apartment owners due to lack of parking, stress and frustration for drivers and an increased risk for those parking several streets away from their homes and having to walk in the dark.

Parking is a secondary concern for the Bracks government — it is already charging the inhabitants of the city of Port Phillip to park in their own park, Albert Park. This important parking issue affecting my constituents is indicative of the lack of understanding of the Bracks government. Local councils can push ahead with these unsuitable proposals because of the Bracks government's long-term inappropriate planning philosophy.

**International Day for the Elimination of Racial
Discrimination**

Mr ELASMAR (Northern Metropolitan) — I rise to speak about the International Day for the Elimination of Racial Discrimination, which will be held on 21 March. This year's theme is 'Empowering youth to fight racism', an issue I am passionate about and which I mentioned in my maiden speech. Engaging with people

from other cultures helps us to learn from each other, open our minds, deepen our understanding of humanity and break down barriers between different groups.

Welcoming refugees and migrants into our community is also important. Many people coming to live in Victoria have faced much hardship, and we aim to give them the opportunity to create happy and secure lives in our community. Further, I consider the one key practical measure that should be taken by all Victorians is that we protect our Aussie values and respect our institutions — our democracy, laws, courts, parliaments and police forces. All Australians should agree to abide by these values and laws, reaffirming our belief in the right of all to live without fear of racial and religious discrimination.

The theme of the week implies that all Victorians are able to acknowledge that while we speak many languages and observe different faiths and cultures, this diversity actually strengthens and unites us. The event will provide an opportunity for Victorians to celebrate our cultural, linguistic and religious diversity. Australia's young people, who are proud to belong to this nation, are our hope for the future.

Eastern Palliative Care: volunteers

Mrs KRONBERG (Eastern Metropolitan) — On Thursday, 8 March, I had the pleasure of joining with over 200 ladies at a breakfast held by the Maroondah City Council to commemorate International Women's Day. One of the guest speakers was Ms Lyn Hayes, executive director of Eastern Palliative Care. EPC is a not-for-profit organisation which delivers its services in the homes of its clients. It receives government funding but relies very heavily on community fundraising and donations in order to maintain its services to clients, caregivers and families. Central to the care delivered by Eastern Palliative Care is what the organisation calls the privilege of caring for and accompanying the dying in their final phase of life.

The breakfast audience was held in thrall when the executive director told us about the inspirational work of the EPC volunteers who work with patients. Volunteers are currently helping sufferers record their life stories to pass on to their families and friends. It is an incredibly moving experience to hear, as we did, from a terminally ill patient who has received this level of support by means of this sensitive distraction from his suffering. My heartiest congratulations go out to the teams of Eastern Palliative Care and especially to those caring volunteers.

Libraries: Heywood

Ms PULFORD (Western Victoria) — On 9 March, along with many schoolchildren, library enthusiasts and the Glenelg mayor, Cr Gilbert Wilson, I attended the official opening of the redeveloped Heywood library and telecentre. The redevelopment was funded by a \$20 000 contribution from the Glenelg Shire Council, \$40 000 from the Living Libraries program of the Department for Victorian Communities and \$20 000 through Regional Development Victoria's Small Towns Development Fund. Attendance at the library has already increased since the work was completed, and it is expected to increase further.

This light, bright and cheerful library has a reading room, five new PCs with broadband access, printing and scanning facilities. There is a very popular Xbox as well as a TV with DVD and video facilities. The telecentre will enable local businesses and community organisations to access data projectors, digital cameras and laptops.

I met two students from the Heywood Consolidated Primary School — the school captain, Tom Gorey, and his mate Casey Dixon. Both are in grade 6 and have access to computers at home and at school, but they did say of the new computers, 'Wow, this is the fastest computer ever' while checking out the Bubblegum Club website. I am sure that with their young imaginations the possibilities provided by their new high-tech access will be limitless.

The redevelopment will enable the community to enjoy a meeting room that is now where the old library stood. I am confident that Heywood's population of 1200 will thoroughly enjoy this updated facility. I congratulate the staff at Glenelg Libraries on this fine achievement for Heywood.

British Columbia: greenhouse gas emissions

Mr BARBER (Northern Metropolitan) — I want to let members know about something that was said in the Speech from the Throne — the equivalent of our Governor's speech — at the opening of the legislature for the Province of British Columbia in Canada. The government there intends to introduce greenhouse gas reduction targets. It was noted in the speech that:

British Columbia's greenhouse gas emissions are now estimated to be 35 per cent higher than in 1990.

It also states:

Voluntary regimes have not worked.

British Columbia intends to put in place targets that will cut its current levels of emissions by 33 per cent by 2020, and it will set interim targets for 2012 and 2016.

That is quite interesting, because British Columbia has a conservative Premier who, in setting those targets, appears to have leapfrogged the proposal set out in the Governor's speech put forward by the Victorian government. I understand that the proposal here is to cut greenhouse gas emissions by 60 per cent by 2050; however, that proposal is made using a 2000 benchmark, and I can inform members that on my calculation it is the equivalent of a 53 per cent cut by 2050.

The targets set by British Columbia — a state that seems to be very similar to our own in many ways — are much more ambitious and will kick in much sooner.

Parliament: independence

Mr O'DONOHUE (Eastern Victoria) — Democracy is not built around nebulous and ill-defined charters of human rights. Codification of these issues always leads to the question of what has been omitted, and, as documents fixed in a moment of time, they often fail to stay current with changing expectations and societal norms.

Moreover, the charter of human rights that now has effect in Victoria is in fact undemocratic, as the will of the previous Parliament is being forced onto the current Parliament with all legislation now being subject to statements of compatibility. True democracy should allow each and every Parliament to have its voice, will and mandate enacted. Conversely, the great strength of the Australian commonwealth constitution is its silence on some issues, which, with the assistance of an apolitical judiciary, has enabled it to be a living and lasting document.

The key to democracy lies in its institutions, and one of the key institutions of democracy is an independent bureaucracy. I am aware that one of the servants of this place has recently marked 40 years of service. May that person be congratulated for 40 years of dedication to the people of Victoria. May the government resist the temptation to appoint its mates and fellow travellers to positions in the bureaucracy, so that it remains a bulwark for liberty and good government in Victoria for many years to come.

Water: Wimmera–Mallee pipeline

Mr VOGELS (Western Victoria) — Last week while attending the Wimmera field day at Longerenong, the Leader of the Opposition in the other place, Ted

Baillieu, David Koch, Donna Petrovich and I took the opportunity of obtaining a briefing and looking at the progress of the work on the Wimmera–Mallee pipeline. I would like to thank the chairman of the project control group, Peter Vogel, the regional development leader, Jo Bourke, and Jeff Rigby for giving up their valuable time. The Wimmera–Mallee pipeline project is a \$501 million investment funded equally between the commonwealth, the state and local governments, with each contributing \$167 million. The state and federal components are capped but local councils are concerned that if the project goes over budget, which most of these projects usually do, they will be left to pick up the extra cost.

Farmers are also responsible for putting in another \$83 million to make sure that beyond the point where the water comes onto their properties it is their responsibility. When it is finished the new system will replace 17 500 kilometres of urban open channels with an 8800-kilometre piped system. One of the best things about the project is that it will deliver water savings of 80 per cent; at present that water is lost through seepage and evaporation as it flows along the open channels. That will be an excellent outcome.

Apart from a reliable, high-quality water supply system to 36 towns and reticulation to 2 million hectares of farmland, the other 83 000 megalitres will be available for the environment, which I also think is an excellent outcome. Let us hope it rains soon so there is water available to go down the pipeline because the Rocklands Reservoir is down to 2 per cent.

Pako Festa: multicultural celebration

Ms TIERNEY (Western Victoria) — I had the pleasure of attending the 25th Pako Festa held on Saturday, 24 February, in Geelong — the largest festival held outside Melbourne. The theme of the first festa this year was Reflections on Culture. Over 70 cultural groups joined a vibrant, exciting and at times very noisy procession down Pakington Street. It was clearly a joyous celebration of past lives and the present. Children and teenagers were well represented in all cultural presentations. This means there is good cause for optimism that our next generation will continue to build and weave the intricate fabric of multiculturalism into our society, whether it be through a combination of dance, language, costume, art, food or music. Friendships and greater understanding will only build a more tolerant and robust society. I am sure that the 100 000 people who attended the festa will, like me, return next year and in the meantime foster greater cohesion between people of different backgrounds.

Recognition must be given to Diversitat, Louisa La Fornara, Michael Martinez and the Wathaurong Aboriginal Cooperative for their enormous efforts, and to the Bracks government's for its \$25 000 contribution to the festa and the \$27 000 contribution for multicultural activities to community groups around Geelong. It is an indictment of the federal government that it does not have a similar commitment. Increasing community interaction and promoting goodwill — —

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

Transport: ministerial portfolios

Mrs PEULICH (South Eastern Metropolitan) — Members opposite would be aware of the recent implementation of the Liberal Party's outstanding transport policy which was initiated by Geoff Leigh, a former member for Mordialloc in the other place, and which was taken to the 2002 election as well as the 2006 election — that is, the abolition of zone 3 fares. We believe this showed leadership in the area of policy. It is good public policy because it makes transport more affordable and encourages people to use public transport and lessens the number of cars on the road. That is why I was very concerned that the Bracks Labor government decided to split the two arms of transport into two portfolios — one being public transport overseen by Minister Kosky and the other being roads overseen by — —

Mr Guy interjected.

Mrs PEULICH — Yes, Typewriter Tim Pallas, as my colleague Mr Guy has endearingly labelled him. In view of the big issue in transport being connectivity, in particular what are called cross-modal projects and the like, it is an absolute disgrace that the government has split these portfolios as a way of avoiding public scrutiny.

In relation to the South Eastern Metropolitan Region where public transport is a key issue, these issues cannot be progressed without an integration of the key portfolios which this split makes impossible. I call on the Premier to reverse the decision.

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

Melbourne Cricket Ground: redevelopment

Hon. J. M. MADDEN (Minister for Planning) — I noticed in a newspaper today that Wembley Stadium in the UK will be commissioned over the next few months. That substantial project and redevelopment of

Wembley has taken seven years. Seven years ago I was in Manchester for the staging of the Manchester Commonwealth Games. At that stage the demolition of Wembley Stadium had come to a grinding halt. At the same time the MCG redevelopment had commenced.

The contrast between the two redevelopments has been outstanding in demonstrating the way in which building collaboration should take place. There is no doubt that there has been an enormous amount of confrontation and litigation during the Wembley Stadium redevelopment and it has been accordingly delayed. But the MCG redevelopment is absolutely a benchmark redevelopment.

My compliments go to all those parties involved in the MCG redevelopment — the Melbourne Cricket Club, the Australian Football League, the Australian Cricket Board and all the people involved in the project. The MCG was comprehensively redeveloped for in the order of \$450 million, yet throughout its history not a single dollar has been contributed to the MCG by a conservative government of this state.

World Economic Forum: S11 protesters

Mr FINN (Western Metropolitan) — Last week, like most Victorians, I awoke with some considerable disgust to the news that a group of thugs and ratbags from the S11 protest in 2000 was to receive compensation of more than \$700 000 from the state government. I have to say that this group is so reprehensible it would not even get a reference from Telmo Languiller in the other place. That is how bad the group is!

My first thoughts were for the men and women of Victoria Police who have been sold out by the Premier, their minister and their Chief Commissioner of Police. How must they feel? These great men and women put themselves on the line every day of the week and every time they walk out the door. They put themselves out there to protect us. They have been treated in a despicable, disgraceful way by a government that clearly has total contempt for the police force and continues to show it merely by the fact that it keeps the chief commissioner in her job. How must the men and women of the Victoria police force feel to be treated in this way? Victoria is no longer the place to be. Victoria is now the place to bash police and get paid for it. This government should hang its head in shame.

Mildura Wentworth Arts Festival

Ms BROAD (Northern Victoria) — It was my great pleasure to represent the Minister for the Arts in the

other place, Lynne Kosky, at the opening of the 13th Mildura Wentworth Arts Festival in Mildura on Friday, 2 March.

The festival is recognised as one of Victoria's major regional arts festivals because it draws musicians, writers, visual artists and performers to the district to create work that invites broad community participation. Its strong cultural component and celebration of the food and wine produced in the area makes the event an enormously popular celebration of the arts and the local community. It also helps to attract tourism to the area with a significant economic impact.

Last October the Bracks government, through Arts Victoria, announced additional funding of \$700 000 for Victoria's major arts festivals. I am pleased to say that the Mildura Wentworth Arts Festival was one of the big winners with its base funding being doubled to \$80 000 this year. The additional funding recognises the importance of this festival both to the local community and to the whole state. In addition, a further \$20 000 will be made available this year.

I wish to acknowledge and congratulate for their efforts all those people who have contributed to the festival, especially the chair, Ross Lake; members of the board; the festival director, Helen Healy; and the festival founders, Stefano de Pieri and Donata Carrazza.

Gippsland Lakes: entrance

Mr P. DAVIS (Eastern Victoria) — I raise for the attention of the Parliament an environmental and navigational disaster at Lakes Entrance due to sand accretion both on the bar and within the Gippsland Lakes to the extent now that navigation is so threatened that it is bringing commercial activity to a stop.

I visited Lakes Entrance last Thursday and had discussions and inspections on this matter, but as recently as today the sand bar has virtually closed the entrance to all boats. Commercial fishers are refusing to negotiate the bar, and the bar is also extremely dangerous for all recreational boats. As a result the Lakes Entrance fishing and tourism industry is at a standstill. This issue needs to be addressed as a matter of urgency, because the future of Lakes Entrance depends on the entrance being open.

The Victorian government has failed to take appropriate action and has failed to keep the navigation area in the Gippsland Lakes clear of sand accretion. Not only is it important for the economic and social wellbeing of that community, but there will be large inflows of fresh water when the present drought breaks with an

inevitable consequence of a flooding risk to that community. This is a matter that has run out of time. We now have a disaster on our hands, and the government must take urgent action.

Peter James Centre: achievements

Mr LEANE (Eastern Metropolitan) — Recently I was lucky enough to have a tour of the Peter James Centre, thanks to its general manager, Janet Compton. The Peter James Centre on Burwood Highway, Forest Hill, is part of the Eastern Health group, which has a number of major medical facilities in my electorate including the Box Hill and Maroondah hospitals. The Peter James Centre focuses on delivering high-quality health services in rehabilitation, aged care, aged mental health and health promotion in the eastern suburbs. It was good to have a firsthand view of how challenging and important the work is in these areas and what a fantastic job the centre does.

It was also good to see the newly renovated haemodialysis facility, which opened last month. The Bracks government provided \$300 000 for the expansion of the dialysis facility and the establishment of eight new chairs. This means that the Peter James Centre now has a total of 20 dialysis chairs operating in this unit staffed by two shifts of health professionals from early in the morning into the evening, so people who regularly need treatment and who live in the area can access it closer to home rather than having to go to Box Hill or to the city.

The Peter James Centre also has another important new facility for the electorate opening this year, the Knox palliative care centre, which I intend to report on to the Council in the near future. Hopefully that centre can help in the work of the eastern palliative care group Mrs Kronberg mentioned earlier.

WATER AMENDMENT (CRITICAL WATER INFRASTRUCTURE PROJECTS) BILL

Second reading

Debate resumed from 27 February; motion of Hon. J. M. MADDEN (Minister for Planning).

Ms LOVELL (Northern Victoria) — It is a pleasure to speak on the Water Amendment (Critical Water Infrastructure Projects) Bill. In doing so I say to the house that this bill is a stunt and is camouflage to cover up the fact that the Bracks government has done nothing about critical water infrastructure over the past

seven years. However, in the interests of having critical water infrastructure built in this state, because the Liberal Party believes a lot of work needs to be done in water infrastructure, the Liberal Party will not oppose the bill. Nonetheless I foreshadow moving amendments to restrain the government in the way it proposes to compulsorily acquire private land for so-called critical water infrastructure projects.

The purpose of the bill is to extend the government's planning processes to facilitate critical water infrastructure projects, and it gives the Premier extensive powers to declare a project a critical water infrastructure project. There are no guidelines to assist the Premier in his decisions on this. The projects will be declared on the recommendation of the Minister for Water, Environment and Climate Change after he has consulted with the Treasurer and the Minister for Planning. They will be declared by a notice in the *Government Gazette*. A copy of the order, together with a statement of the reasons for making that order signed by the Premier, will be presented to Parliament within 14 sitting days.

Under our current sitting pattern 14 sitting days could blow out into months. As an example of this, if a critical water infrastructure project had been gazetted on the last sitting day of the 55th Parliament, which was 5 October last year, that order and statement would not be required to be in this Parliament until 18 April 2007 — that is, six and a half months after it was in the *Government Gazette*! Even if a project were listed in the *Government Gazette* this Thursday, the last sitting day of this week, the statement and order would not be required to be tabled in the Parliament until 20 June — over three months after the project was gazetted. Surely, at the time he gazettes a piece of infrastructure as a critical water infrastructure project the Premier must have reasons for doing so, and it would be nice if the Parliament could be informed of that at the same time. There is no reason to have such long delays. We wonder why the government is providing for the tabling to take place up to 14 sitting days after a project has been gazetted.

What will it mean if the Premier declares a project to be a critical water infrastructure project? Firstly, it will mean that the Minister for Planning will become the responsible authority for planning decisions rather than local government being the planning authority. Secondly, the water authority will have increased powers to compulsorily acquire private land without going through the current processes of planning scheme amendments for public acquisition. This is the area where the Liberal Party has concerns with the bill. These powers that the government is seeking

significantly increase its ability to acquire land from private land-holders without going through a public process. We will seek to alter these powers via our amendments. The Liberal Party and the community are nervous about giving the government additional powers in acquiring private land. Thirdly, only authorities defined in the Water Act may be facilitating authorities for the construction, operation and ownership of works that will be completed as part of a critical water infrastructure project.

The project specifically referred to in the second-reading speech is the pipeline that starts at the Waranga West channel and goes to Lake Eppalock to supply water to Bendigo, and then from Lake Eppalock to White Swan Reservoir to supply water for Ballarat. Interestingly this project demonstrates that the legislation is just a bit of government spin. This piece of legislation is not needed to facilitate the fast-tracking of critical water infrastructure projects because the government already has power to do that under the Land Acquisition and Compensation Act. This project has demonstrated how poorly the government treats private land-holders, and it gives us an insight into the way the government may abuse any increased powers in seeking to acquire private land. The second-reading speech states that the government made a pre-election commitment to legislate to fast-track the approval of critical water infrastructure projects. It particularly highlights the Waranga West channel to Lake Eppalock to Ballarat pipeline — a project which we are all aware is well under way without this legislation.

The government is also well aware that it does not need this legislation and that it did not need it before the election. I would like to quote from a press release by the then Minister for Water in the other place on 28 August 2006 headed 'Bendigo pipeline tenders this week'. It talks about the minister, together with the members for Bendigo East and Bendigo West in the other place, visiting Coliban Water in Bendigo to discuss the Bendigo water pipeline project. It states:

Mr Thwaites said tenders for supply of pipes for the Waranga to Eppalock pipeline would be advertised this week and close by the end of September, with deliveries expected by early next year despite the high demand for pipes around Australia.

It goes on to say:

'Negotiations with landowners are well advanced and construction work is expected to commence in January next year ...

That was last August when they were talking about negotiations with land-holders being well advanced and saying construction was expected to commence in January this year. This shows there was enough time

and it was not necessary to declare this to be a critical water infrastructure project. The government did not need increased powers to acquire that private land. Again, the proof of that is that the notice of acquisitions for the land for the Coliban–Eppalock section of the pipeline was in the *Victoria Government Gazette* of Wednesday, 31 January this year. Certainly plenty of time was available to the government from the commencement of that project to acquire that land under the current legislation.

As I said, this project has demonstrated how the government has treated private land-holders through land acquisition programs in Victoria. We saw an example of how arrogant this government is, how it does not consult with the community and how poorly it treats people when the water minister, the Premier and the members for Bendigo East and Bendigo West in another place, Jacinta Allan and Bob Cameron, and also Ms Broad from this house went up to Colbinabbin for a media event on 7 February. This was reported in the local *Campaspe News*, which states:

The visit was essentially a media photo opportunity but a group of Colbinabbin farmers gathered outside the site in the hope they might have been able to secure a meeting with Mr Thwaites.

One of the farmers, Eiril Rathjen, said she, her father-in-law and some other neighbours were originally told it —

meaning the visit —

was a media event —

which we are not surprised about —

and they —

the farmers —

were not allowed on site.

However, Mrs Rathjen said a government adviser later ushered them into a workers portable building on the site and told them Mr Thwaites would meet with them.

But:

No meeting took place, with Mr Thwaites getting into his car and driving off while they were inside the building.

I have spoken to some of the farmers who were present. They were there just to try to get a few words with the minister, but in the typical arrogant style of this government the minister would not meet with them. The farmers were told to go away and that they were not welcome there. Eventually an adviser said to them, ‘If you just come over here into this workers hut, out of the sun, we will bring the minister in and he will have 5 minutes with you’, but as soon as they got them

inside the hut, away from the minister, the Premier, Ms Broad, Ms Allan and Mr Cameron, the government members got into their car and just drove off. The article goes on to say:

Mrs Rathjen ... said farmers in the area wanted to speak to Mr Thwaites about the impact the pipeline would have on the area and how it would affect their water supply.

She was particularly concerned that farmers had not been properly consulted on the issue.

‘They haven’t done feasibility studies on how it will affect the Goulburn Valley community’, Mrs Rathjen said.

She said:

They’ve done an environmental study, a flora and fauna study, a frog study — where’s the local land-holders impact study?

We’ve had no general consultation.

The frogs have a voice in this project, but we don’t.

Since that event there has actually been a meeting in Bendigo with Minister Thwaites, but that was only following media exposure of the way the government had treated these farmers. There was national television coverage of this event, and it was also reported in many of the newspapers. Mrs Rathjen says about the second meeting, where the minister offered to meet with them:

We never would have had that meeting if he hadn’t pulled that stunt —

of running away from them on the day of the visit to Colbinabbin.

I also refer to an article in the *Herald Sun*, which talks about the same event. It is quite a classic little line. It says:

Despite almost outnumbering the farmers, not one of the MPs would stay to talk to them ...

We have had debate previously in this house where Ms Broad said the farmers were more interested in talking to the media than talking to the government. I have spoken to the farmers about that. They said the only reason they spoke to the media was that the government would not speak to them.

An email sent to the Premier and all members of the Parliament by Earl Downing also referred to that event. It states:

Dear Mr Bracks

It is not hard to believe that you and the others ran like cowards when confronted with straight, no-bullshit-please questions from a few farmers. I have always contended you

are a coward and now you prove my contention beyond all doubt.

It was a cowardly move for the government not to consult those land-holders.

What has occurred with the Lake Mokoan irrigators is a further example of how the government is prepared to trample on the rights of individuals. Each received a letter from the Department of Sustainability and Environment, the Goulburn Broken Catchment Management Authority and Goulburn-Murray Water last week. The first paragraph of that letter states:

The Victorian government, as part of its Our Water Our Future action plan, with the support of other states and the commonwealth, has made the decision to close Lake Mokoan and return it to the original Winton wetlands.

That statement is totally incorrect. It is a blatantly political statement. The commonwealth has not agreed to the decommissioning of Lake Mokoan. In fact, the commonwealth has always said that it would not agree to that decommissioning unless there was security of water supply for irrigators. The Bracks government has been promising this for a long time, but it has not occurred. No business case has been put to the commonwealth as yet, so it certainly has not agreed to this plan. An article in a newspaper refers to the letter sent to the Broken system irrigators and states:

Broken system irrigators are concerned the Victorian government will not offer them enough cash for water it needs to decommission Lake Mokoan.

The irrigators are saying this water is their property and the government is offering them very little money for it. The letter says \$1000 to \$2000 a megalitre is the going rate for permanent entitlement. That is the going rate for people selling permanent entitlement at the moment but Ray Henderson, the Broken system water services committee chair, was quoted in the article as having said:

... the price in the letter was not enough for their water considering it was being retired from the system.

He also said they were very concerned about the effect this would have on the price of water and the sales market. Once again the government is trying to take away these irrigators' water entitlements and pay them as little as possible for them.

These are just two examples of how the Bracks government has trampled on the property rights of private land and water entitlement-holders in recent weeks. It is coincidental that they are in close proximity in northern Victoria, where the government does not care about country communities. However, this makes

me wonder how badly this government would treat individuals if it had the acquisition powers it is seeking in this bill.

The government needs to understand that fast-tracking is not about legislation, it is not about removing the rights of private property owners, and it is not about government spin. Fast-tracking is about project management and the ability to deliver projects on time and on budget. That is something this government cannot do. We could go through a long list of Bracks government failures, such as fast rail or Spencer Street station, but we would be here all day.

The Goulburn-Ballarat pipeline is another perfect example of this government's inability to plan, inability to budget and inability to project manage major projects so they can be delivered on time and on budget. The proof of that is the time line and the completion dates for the Ballarat pipeline. The government cannot even get its story straight. It issued a press release on Tuesday, 17 October 2006, just before the state election was called. The press release is headed 'Ballarat's future water supplies secured by major Bracks government action plan'. It states:

Mr Bracks said the Ballarat section of the pipeline would cost approximately \$180 million and be fast-tracked for completion by ... 2008.

Completion by 2008! — that press release was issued on 17 October. But then, when the pre-election budget update came out on 6 November, about two or three weeks after that press release, we saw that the bulk of the money for this project would not be spent until after 2008 — that is, \$40.7 million of the \$71 million is going to be spent in 2009–10. We see in the press release that the project is costed at \$180 million, yet in the pre-election budget update it is costed at \$71 million. I see why there is only \$71 million; it is because that is all the Bracks government is putting in. It might be a \$180 million project, but the government is only putting in \$71 million. But that does not change the fact that the government says it will be completed by 2008 while \$40.7 million of its funding will not be allocated until 2009–10. I do not know how you can pay for more than half the project after its completion. We have seen the Bracks government treat small business in the same way — it is very poor at paying and keeping up with its bills. Perhaps that is the way it intends to pay for critical water infrastructure projects as well. It would be nice if the government clarified for us which one of its statements is correct. Is its press release of 17 October correct or is its pre-election budget update of 6 November correct?

Another concern with this bill is the removal of planning powers from local government. I note that the minister has the ability to do this now. He has the ability to call in any project, so he does not need to include this power in the bill. New section 161Q, proposed in clause 3 of the bill, provides that any project declared a critical water infrastructure project will automatically bypass local government and that the Minister for Planning will be the responsible authority for the project. As I said, the government now has the ability to call in a project, but as we know, when the government does that it upsets local government, which is normally the planning authority. This provision gives the government an easy road to call in a project.

Much concern about this has been raised among local councils in my area. Several letters from local councils have been sent to me. The first one came from the Shire of Mitchell. In its letter it said:

Our experience of the speed of decision making in the state planning system does not give us confidence that their decision making is speedier than local government ...

The council does not believe calling in a project will mean that decision making will be any quicker than it is under local government now. The Shire of Mitchell went on to say:

The constraint that water authorities will still need to obtain other usual approvals concerning environment protection, native flora and fauna conservation, Aboriginal cultural heritage, forests and national parks, whilst removing the ability of landowners to object to the compulsory acquisition of their land seems unreasonable. Either it appears to be that the interests of private landowners are of less importance than those parties with an interest in the conservation/heritage issues listed above, or it may be that water authorities will still take just as long to get approvals as would have been the case prior to these proposed changes.

The council went on to say that this bill would remove local government from the decision-making process and eliminate, or at least substantially reduce, private property rights.

The Rural City of Swan Hill has also raised concerns. Its letter says:

Whilst we appreciate the necessity for government to secure water for those areas where storages and supplies are becoming increasingly less reliant, council is concerned with any bill that will allow the government to expedite this process without consideration of the long-term impacts of its actions.

Council is concerned that decisions will be made using the critical water infrastructure project bill to deal with the immediate drought issues and not consider the long-term implications on the catchments from where the water is sourced.

If decisions are made on the critical water infrastructure projects with haste and without reflection of the impacts that this transfer of community wealth may have into the future, the government may have a legacy that will disadvantage rural communities that have relied on this water to drive their economy.

It concludes:

Unless safeguards are in place to protect these rural industries, council finds it difficult to contemplate legislation that will in the long term affect the financial sustainability of our community.

Members of the Wodonga City Council are also concerned, and their letter states:

Council recognises the importance and timeliness of action to address water supply issues. While an integrated approach to water supply issues is welcome, this should not be at the expense of the involvement of local government in the review of the environmental and planning approval processes for critical water projects.

There ought to be guidelines and a strategic-based process in place to consider important community, economic and environmental issues, and this safeguard should be considered as part of the review process with the involvement of local government.

Councils do not like it that this bill will remove them entirely from the planning process. It is something that could seriously impact on their local communities.

The second concern that members of the Liberal Party have with the bill is the increased power it gives government to compulsorily acquire land. This is of particular concern to many Victorians but also to members of the Victorian Liberal Party. I have already foreshadowed that we will move an amendment to retain the status quo of the acquisition powers. They are achieved under the Land Acquisition and Compensation Act 1986 and the Land Acquisition and Compensation Regulations 1998. The powers under the current act and regulations have been enough to acquire land for the Waranga–Eppalock section of the pipeline. As I said, acquisition of that land has been gazetted, so there was certainly plenty of time for that to happen.

Currently section 5(1) of the Land Acquisition and Compensation Act provides for the reservation of land before it is acquired. It states:

The Authority must not commence to acquire any interest in land under the provisions of the special Act unless the land has been first reserved by or under a planning instrument for a public purpose.

When land is reserved for a public purpose, at least the land-holders are advised and have some limited opportunities to put forward their objections — that is, they can have some say in what is going to happen in

their local area and on their privately owned land. Local government can also have a role, with input into the process.

In part 2, clause 6, headed 'Land not requiring reservation', the regulations provide for some classes of land to be exempt from the requirements of section 5(1) of the act. Some types of land do not require reservation as public land. That includes land to be put aside for a minor road deviation or, as provided in clause 6(b), which I think is the clause that has been used to acquire the land in Colbinabbin:

land over which an easement is to be acquired if the acquisition of that easement will not reduce the value of the unencumbered freehold interest in the allotment by more than ten per centum.

As the pipeline will go just along the edge of large farming blocks, I guess the value of those blocks will not be reduced by more than 10 per cent, so the government was able to acquire that land without putting an overlay of a reservation for public use over the land.

Bruce Bassed, one of the farmers in Colbinabbin, wrote to me about this legislation. He said:

The legislation that Mr Thwaites introduced into Parliament on 20/12/06 re the fast-tracking of water infrastructure projects is a worry for landowners as it changes the planning act to remove the rights of property owners previously upheld by legislation. The authority can compulsorily acquire land immediately the project is proclaimed.

Mr Bassed went on to say:

The Colbinabbin–Eppalock pipeline is being built under the existing legislation and both Mr Bracks and Mr Thwaites state in any speeches they make that this pipeline has been fast-tracked by the government. What is the point of the new fast-track legislation when they can fast-track it under the old legislation anyway? The design for any pipeline takes 6 to 10 months prior to starting on the construction phase, which is ample time to acquire land under the existing legislation.

He went on to say that the bill's prime function seems to be giving the government more power unnecessarily. Mr Bassed makes a very good point when he says that the design of any project takes a good 6 to 10 months. Certainly that is plenty of time for the government to go about the land acquisition under the current legislation, as it has done with Colbinabbin.

The third concern we have with this bill is that, if it is passed without amendment, whilst it will make it easier for the government to trample on the rights of private land-holders, the second-reading speech goes to great lengths to point out:

Water authorities will still need to obtain the usual approvals concerning environment protection, native flora and fauna conservation, Aboriginal cultural heritage, forests, and national parks.

But further it says:

The government will undertake a review of current planning and environmental approval processes with the aim of expediting critical water infrastructure projects and the results of this review may require further legislative change.

The government's flagging of further legislative change shows two things. One is that the government has the rights of environmental and cultural groups in its sights, and the other is that the bill was hastily prepared and rushed into Parliament before it had been thoroughly thought through and the government therefore felt the need to flag further amendments to the legislation.

It is interesting to note that if anything will hold up the Eppalock to Ballarat section of the pipeline, it may be Aboriginal cultural heritage issues. Over the weekend it was reported that 17 sites found along the route for the Ballarat section are under review in respect of Aboriginal heritage. The very thing the government has left to be considered in the planning process and not the private property rights of individuals is what may hold up the pipeline. In saying that I also say it is most important that we take into account any significant sites of Aboriginal cultural heritage that are found along the way. None of us wants to see anything that is significant destroyed just for the sake of it. We all want to see any significant sites retained.

I would like to touch on the government policy of buying water on both the temporary and permanent markets for the supply of water to Bendigo and Ballarat and why the policy is bad for Victoria. The no. 1 point is that buying water takes water away from irrigators and from production in this state. That will mean less jobs in the Goulburn Valley, less production and less food for Melbourne. It will also mean less exports for this state. In the Goulburn Valley we produce \$1.4 billion worth of produce at the farm gate, but that underpins an \$8 billion regional economy. We have a large dairy industry in the Goulburn Valley that produces around 30 per cent of the nation's milk — and we all know that 40 per cent of the exports that go out of the port of Melbourne are from the dairy industry.

It is most important that water is not taken away from production and also that the price of water is not driven up. The Liberal Party supported building the Erskine pipeline from the Goulburn system to Bendigo, but the key difference between the government's policy to buy water from irrigators and the Liberal Party's policy is that the Liberal Party said it would invest in

infrastructure in the Goulburn system to find savings to supply water to Bendigo. We never intended to take water away from irrigators; we never intended to put the government into the marketplace to buy water and drive up its price.

If the government is in the marketplace for water it will drive up the price of water. A government chequebook can far exceed the abilities of farmers when they are purchasing on the open market. In turn, by driving up the price of water you will also drive up the cost of production for our farmers. Some of our farmers will not survive. Again, this will mean less food and more expensive food for Melbourne, and also less exports for our state. I would like to take this opportunity to encourage the government to adopt the Liberal Party's policy of investing in infrastructure to find savings in the Goulburn system to supply the water it intends to send to Bendigo and Ballarat. I encourage it not to buy water from irrigators, not to take it away from production and not to drive up the price of water. Irrigation underpins an \$8 billion economy in the Goulburn Valley. It is a very important part of Victoria's overall economy, and it needs to be supported.

I take this opportunity to inform the house that the government was not the first to support the Erskine pipeline. It was the Liberal Party that first supported the building of the Erskine pipeline. That was because we did the work and consulted with the Bendigo community. We were well aware of the dire straits Bendigo was in. We consulted with people in the Bendigo community about possible solutions, and we found a solution that would supply water to Bendigo without affecting irrigators in the Goulburn system.

The government jumped on that. It jumped on the Erskine pipeline after the Liberal Party made its announcement. We know it came to that decision at the very last minute, because it was announced by an insert in the budget papers — —

Mr D. Davis — On a point of order, Acting President, I draw the attention of the house to the fact that Minister Theophanous has fallen asleep.

The ACTING PRESIDENT (Mr Elasmarr) — Order! There is no point of order.

Ms LOVELL — The Bracks government needs to consider the fact that for seven years it has failed to address the crisis that was looming in Bendigo. Several weeks earlier the members for Bendigo East and Bendigo West in the other place had announced that the Bracks government would build the \$20 million

pipeline from the Waranga channel to the Campaspe system and supply water to the Campaspe irrigators that way. It would then take the Campaspe irrigators' water for Bendigo. But the Campaspe irrigators are on zero allocations, so that was not going to work.

After the Liberal Party announced its policy of building the Erskine pipeline, the government jumped on that and announced that via an insert in the budget papers. Unfortunately it did not pick up the key point, which was to provide investment in infrastructure to find savings in the Goulburn system to supply that water. It just said it would simply buy it from the irrigators. There is no such thing as willing sellers in the irrigation district. People are being forced to sell to pay off debt, and it is a very sad situation. It is an absolute insult to the irrigators for this government to say it would buy from willing sellers.

The Goulburn system is not a bottomless pit either. The government is saying it is going to take 4 per cent of water out of the Goulburn system to supply Bendigo and Ballarat, but 4 per cent of 1000 megalitres in allocations from the Goulburn system this year would have actually equated to more like 15 per cent of the water that was available. The government needs to look at some of the figures. We have Lake Eildon currently at only 8 per cent of capacity, and we are looking down the barrel of many of our irrigators being on zero allocations. The Goulburn system is not the answer to Victoria's water crisis. The government has got to do its homework. It has to invest in a lot of infrastructure and invest in Victoria's future.

Whilst discussing a bill that involves water and Lake Eppalock it would be remiss of me not to mention the plight of the Campaspe irrigators who are facing extremely hard times. The Campaspe irrigation system has traditionally been one of Victoria's most reliable irrigation areas. Over the past three years it has completely failed. Over the past three years Campaspe irrigators have received only 39 per cent, 31 per cent and this year 0 per cent of their allocations. Previously the average was about 193 per cent.

Before the system failed three years ago we had 28 dairy farmers in Campaspe West. It was one of the most productive areas in the state. We are down to only about 16 farmers now. We have lost at least 12 farmers in the Campaspe irrigation district. During the election campaign I took the Leader of the Liberal Party in the other place, Ted Baillieu, and our shadow minister for water in the other place, Denis Napthine, to talk to the Campaspe irrigators.

We talked to one family that was about to walk off its farm. They had bought two dairy farms several years ago because their young son had just wanted to be a farmer. At 18 years of age he was being told, 'Go off the farm and go and work in town'. They had a magnificent herd of dairy cattle. Denis Naphine, the member for South-West Coast in the other place, who is a vet, commented on the quality of that dairy herd, yet the herd had been booked into Greenhams for slaughter in the following weeks. It was a very touching story and something that I still find very difficult. I have not spoken to Norm and his wife for several weeks now but I must catch up with them and find out how they are getting along.

Certainly the Campaspe irrigators are grateful to the Liberal Party because the Liberal Party has shown a great deal of concern for their plight. As I said, Ted Baillieu has been there and Denis Naphine has been there on a number of occasions. I have had Louise Asher there just to talk to the women of the Campaspe district to find out how it is impacting on the women and families, and of course Donna Petrovich, another member for Northern Victoria Region, and Tony Plowman, a former member for Benambra in the other place, and I have visited the district on many occasions.

However, the Campaspe irrigators cannot get a meeting with this government. The Campaspe irrigators urgently need a meeting with the Minister for Water, Environment and Climate Change in the other place, and I plead with him to meet with them in the very near future to discuss their situation and their future.

Some of the irrigators do have access to bore water. However, the access to their bores has been capped at 75 per cent. They are desperate to have that cap lifted to 100 per cent, but Goulburn-Murray Water has rejected their proposal even though it has been estimated that there are around 2 million megalitres of water in the underground system and only 14 000 megalitres of that have been allocated. Surely it would not hurt the minister to at least sit down and talk to these farmers who have suffered long enough and who deserve some answers from this government.

In summary, I repeat that this bill is a stunt. It does not really achieve anything. It is purely the government trying to have something on the agenda in an attempt to look as if it is doing something about critical water infrastructure. It is not about fast-tracking critical water infrastructure projects at all. It is about government spin and making it appear that the government is doing something about infrastructure.

Also, this bill should not really have been a water bill; it should have been a planning bill, because it is more about planning than it is about water. Whilst the Liberal Party will not oppose this bill, it will seek to amend the bill to provide the right balance between the rights of land-holders and the need for the government to have in place procedures to acquire land. I urge members to support the Liberal Party's amendments.

Mr DRUM (Northern Victoria) — It is a pleasure to rise to talk about the issue of critical water infrastructure projects, which are an extremely important issue in northern and central Victoria with the current state of play in relation to all matters to do with water. We need to think very carefully about what is happening in the north.

I will comment on Ms Lovell's contribution to the debate. It was a reasonable contribution. It had a fair amount of truth in it, but it was not totally truthful. We need to be very mindful of the exact chronology of these infrastructure projects. The Labor Party announced a totally different project — that is exactly right. It announced that it would build a \$20 million pipeline from the Waranga channel to the Campaspe Weir, and it stuck to that line for about three weeks. While this was going on the government had already commissioned a review by an independent consulting firm. It indicated only two to three weeks prior to the announcement that it still had about six or seven weeks of its review process to go and that it was a good two months away from handing down any report, let alone any recommendations. If you look at what happened at the time, you see that most observers of the water situation were simply waiting for the consultants to hand down their recommendations. They were looking at seven ways of acquiring water for Bendigo. At that stage there was no thought whatsoever about including Ballarat in the project; it was all about how to best get water for Bendigo. That is what was happening at the time.

In the middle of the independent review process Minister Brumby got wind of the fact that there was a bit of angst on the part of the opposition parties, who were saying, 'Maybe there is a better way to do this'. Some three weeks after the initial announcement he in effect rode into town and said that the Labor Party had had a rethink and would now complete a \$90 million pipeline from Colbinabbin to Lake Eppalock. The government put up \$20 million for that and started screaming for the federal government to fund the rest. It said that if the federal government did not jump on board, it would cost the people of Bendigo an awful lot of money, that there would be huge rises in the water bills that each person in Bendigo and the surrounding

area would have to pay. There was no thought that the Labor government would fund the project properly; it would simply put up a small amount and get either the feds or the local water authorities — and therefore the Bendigo region's water users — to pay the rest. As Ms Lovell said, the government followed suit when it came to Ballarat. It put up a small amount of money that would be paid after the project was finished and so forth.

The most important aspect of this issue is that the super-pipe project — the pipeline from Colbinabbin across to Lake Eppalock and then to Ballarat — is in no way dependent on this bill going through the chamber. That point was made very clear by the government's own staff when they gave us a briefing on the bill. The government has the powers it needs to put the pipeline in. It has already taken these powers away from local government. The Campaspe shire was quite upset and certainly does not like some of the aspects associated with this project but has no power and no opportunity to voice those concerns. The City of Greater Bendigo, which was very supportive of this project, effectively did not really care that this project had been taken off its hands.

This project was called in by the minister many months ago, and some studies were able to be done. I understand the environment effects statement was not actually called for, but many other impact studies, such as flora and other environmental studies, which are normally done in consecutive months, were done. Usually we do one study, get approval from that, then move on to another. We make sure we do a third and a fourth study, if they are needed. But all the studies for this project were done concurrently, and that was how the project was able to be fast-tracked.

This project is going to go ahead and will be on time provided the contractors can do their work, provided the pumps do not sink on the way across from England and provided the pipes make it across from Perth. I understand they are being shipped over here on road trains. I do not understand why they are not being brought on trains, but that is up to the contractors to work out. Anyone driving around north-western Victoria will be running into a group of trucks bringing those things across, four pipes to a truck. It is quite amazing that they are making the journey across the Nullarbor to bring pipes to Victoria.

This bill will facilitate any other critical water infrastructure project the government desires to declare. Provided the Premier, in consultation with the Minister for Planning, the Treasurer and the Minister for Water, Environment and Climate Change in the other house,

determines that a specific project needs to be declared a critical water infrastructure project, then all of a sudden all of the respective procedures simply fold into one, and they can effectively do as they want. As Ms Lovell correctly said, this is a power grab using the very dire situation existing currently in central Victoria. We have an unbelievably dire situation, which I will get to at a later stage, and it is just not right for any government to use the urgent need for water in our state in this way, to tag a grab for power on the back of delivering water at the last minute to a city such as Bendigo.

This project has nothing to do with getting the super-pipe delivered on time, and yet that is how the second-reading speech reads. If we believed the second-reading speech, we would think that getting this legislation through is an integral part of delivering this project, but that is clearly not the case. We have been told that by the government's advisers and departments, and we have also spoken to the people who are having their land acquired in the region. They have already been given the government's offer. They have realised through their legal representation that they do not have any options in relation to opposing the offer that has been put forward by the government. They will be paid what the government is effectively laying down they will be paid.

In order to match up with the pipeline heading into Bendigo, approximately two-thirds of the trek from Colbinabbin to Lake Eppalock is going to be via an already existing easement for overhead powerlines and an underground fibre-optic cable. That particular part of the journey is going into an existing easement, and the government will simply take back control of it as a working easement and add an additional working easement while the project is being built. But the impact is really going to be felt when the construction gangs move away from that powerline easement and start making a beeline through land that is currently farmed in the very best way it can be.

Whenever the Premier, the Minister for Planning, the Minister for Water, Environment and Climate Change in the other place and the Treasurer get together and declare one of these projects, the Premier has the ability to amend it, to revoke it, to change the sizes of easements, to change the number of paddocks needed or discard a parcel of land that was previously thought to be needed. Provided that he puts his reasons for these changes, amendments and declarations before the Parliament within 14 sitting days of making those decisions, this legislation says that is okay.

This legislation will reward governments which are lazy and are caught asleep at the wheel and which all of

a sudden realise there is an extreme emergency. This is just what has happened at Wangaratta. There is no doubt that anybody who has had anything to do with the north-east will tell you that for years and years Ken Jasper, the member for Murray Valley in the other place, has been screaming for this government to build the Big Buffalo reservoir — that is, effectively turn Little Buffalo into Big Buffalo by increasing its capacity to provide some security for people in the north-east. That has just not happened. The project has run into nothing but trouble. People have blocked the possibility of an increase in the number of storages to provide that when flooding seasons occurred we could increase our storage capacity to some degree.

We are not going to get anywhere under the current government in relation to the Arundel dam project at the head of the Maribyrnong River, which would also have the advantage of providing flood mitigation. We are not going to get anywhere with that or with getting additional storages, because it is not palatable for anyone to talk about it at the moment. We are just not going to move down that track under the current government of increasing storages to provide increased capacity if we get exceptional rains in the future. That is what we must look at. We cannot just go around hanging our heads and saying, 'Isn't it dry? I wish it would rain'. As civic leaders we must look at the actions we are putting into place so that when it does rain we will be in a position to capture some of the available water. We have to do that instead of just throwing our hands in the air and saying it is just bad luck. It is bad luck, but we have been charged with responsibility for taking action

At the moment we are saying we have a finite amount of water and that it is just our bad luck, our bad lot in life. Who is actually going to do something more significant in relation to recycling projects? The government is only nipping at the heels of recycling projects. We need to take hold of the 300 000 megalitres a year which are being tipped into our oceans and bays. At the same time that is happening recreation ovals, sporting grounds, racetracks and golf courses around the state, around Melbourne and in the metropolitan regions are drying up. Stormwater projects do not exist. In new suburbs like Carrum, Pakenham, Werribee and Hoppers Crossing rainwater travels a relatively short distance and is deposited in the bays.

What are we doing in relation to capturing that stormwater to see if we can treat it and reuse it? We are doing absolutely nothing. This is where the government has been found out. What are we doing to fix up some of the leaks in the Bendigo system? Bendigo has the most inefficient system for delivering water of any

water authority in Australia, I am led to believe. Bendigo also has the lowest rainfall of any major regional city of over 100 000 people. It is quite ironic that one of the driest cities has one of the most inefficient water delivery systems. These are some of the issues the government has failed to address. Coliban Water has a 5-to-15-year plan to fix urban leaks, the erosion that has hurt channels and the evaporation from the unbelievably primitive channel systems which deliver water to lot of small hobby farmers and dams that, in effect, do not serve any particular purpose. They are some of the issues we have looked at around the Bendigo region, where the sort of infrastructure this bill refers to is situated.

Previous contributors to the debate have spoken about trying to fix some of the areas around Bendigo. Last week I visited Harcourt. People with an understanding of the area would know that Harcourt is a significant apple growing area — in fact it is the centre of the apple industry in Victoria. It has recently been given a dispensation from the water authorities because of its permanent plantations. Anybody who has permanent plantation on either the Coliban, Campaspe or Loddon system has been given the minimum amount of water they need to keep those trees alive. Whether they are vineyards, olive groves or apple or pear orchards, they are given the minimum amount. It is worked out on a minimum allocation of up to about 30 per cent of capacity.

It is interesting that when the Harcourt Valley apple growers were given this ability to keep their trees alive by getting these minimal amounts, Coliban Water and the Victorian government were able to run a series of pipes. It was 20 kilometres of 200-millimetre pipes, and it cost \$600 000. It is an amazing show of what can be done if there is a will to actually save water. What they did in that whole Harcourt system was to go to a reservoir that had some dead water in it, where the water would not drain out naturally, and put in an additional pump to suck the water out. It turned out to be enough to satisfy the water needs of the Harcourt Valley. It is amazing that now that this area has been piped about 500 to 700 megalitres, on a minimal water allocation, has been delivered to the growers in that area without any losses whatsoever. That gives us all a taste of what could, and in fact should, be happening right throughout that inefficient and terribly leaky Coliban system.

We need to look at all those projects and see that they can be done. In desperate times we are happy, if we need to, to have water pipes lying on top of the surface of the ground. If they are going to do the job in desperate times, then that is fine. We do not have to put

a ruler through these projects simply because it is going to be too dear to do the job properly and put all the pipes underground. If we have to run pipes on the surface to get water and to save leakages, then that is what we have to do.

Infrastructure savings are the key to this whole water debate at the moment. We will have the Bendigo pipeline, which will go from Coliban and connect the Goulburn system to the Campaspe system, and then there are further plans to link it to Ballarat. The government is doing what it has to do at the moment because it has not done enough previously. The government has got itself into a position where it actually has to build this pipeline now. I am fully supportive of the government building this pipeline because of the dire situation in which we find ourselves in Bendigo.

Building a pipeline is one thing; actually getting the water from somewhere is a totally different issue altogether. What this government has elected to do is simply go into the market, find the most desperate farmers it can and offer them the smallest amount of money it can. It is going to take the water that in effect creates industries, and it is the industries that create jobs. Taking water away from regional Victoria and sending it to Bendigo or Ballarat will impact on the amount of water Geelong has available to it. We know that Ballarat and Geelong share a water reservoir. There are plans afoot, as we have seen in the newspapers recently, to get water from the Goulburn Valley and bring it straight to Melbourne. In doing that we have to be aware of the big picture: do we want Melbourne to just keep growing bigger and bigger? Do we want to have more and more people living in Melbourne?

Every time we take another 500 or 1000 megalitres of water from the irrigation areas of regional Victoria and send it into Melbourne what we are doing is taking the industry that goes with that water and sending it to Melbourne. What we are going to do then is create the jobs that go with that industry.

We are going to continually take jobs away from regional Victoria and send them to the metropolitan parts of the state. We need to be very clear about what we want. Are we trying to build the type of state where we just keep making our capital city bigger and stronger while effectively taking jobs away from regional Victoria? We need to be very careful.

In his previous portfolio of agriculture, the Minister for Police and Emergency Services in the other place, who is the member for Bendigo West, continually said there were no infrastructure savings within the Goulburn

system that were not already allocated to other projects, whether that be the Living Murray project or the Snowy River project. When The Nationals kept saying that the government had a moral obligation to spend some money on the Goulburn system — it might have to spend \$80 million to try to generate 20 000 megalitres of water savings — there was stony silence from the government. It had no interest in spending money on the Goulburn to create water savings which could then be used in urban centres around Victoria. That simply did not happen. What has been forced on us is the situation where Coliban Water, via the government, has purchased about 10 000 megalitres of permanent water on the open market at a cost of about \$2000 per megalitre. It has spent about \$20 million in purchasing that water at current market rates.

There are projects available. Goulburn-Murray Water has identified up to 47 000 megalitres of water savings available through the Goulburn system at Tatura. Those savings can be achieved for less than \$4000 per megalitre. The government is still saying that water can be bought more cheaply than that, but it has a moral obligation to fix up the water system. It cannot continually take water away from regional areas and send it to the city. We need to look at how we can best keep this water for use in agriculture.

The government has yet to work out what is going to happen when the 10 000 megalitres of water it has purchased comes to the urban water authority. That water might only have a 25 per cent allocation in the next year. Does that mean, as the Minister for Water, Environment and Climate Change in the other place has already said, that he is not going to change that rural water into urban water, so effectively it would then get 25 per cent of the 10 000 megalitres? If that is the case, that will be enough to last Bendigo about six weeks.

The minister, with a stroke of his pen, might decide to turn that 10 000 megalitres into a 100 per cent urban allocation. It would then be taking more water out of the Goulburn system than it originally said it would. At the moment that decision has not been made. We are hoping we can get that cleared up because the minister's statements are unclear about what is intended once that water is acquired by an urban water authority. Is the water that is being purchased going to then be turned into 100 per cent of what they actually own, or will they be tagged back to the Goulburn system where they bought it and then receive whatever allocation is granted to the Goulburn system? That is something we are going to have to look at.

I spoke earlier about some of the other projects we might look at, and I mentioned stormwater. Those

people who have an understanding of the Bendigo region will know that an enormous amount of stormwater flows down the Bendigo Creek. Currently about 20 farmers use that water. They cannot use it efficiently because it tends to evaporate on the way to their properties, but when they get it they industriously use it on their properties. They have high production on their farms when they use that water. They have some sophisticated systems on the Bendigo Creek. That water is going to diminish because a recycling project is about to be undertaken in the city of Bendigo which will cause the Bendigo Creek to dry up to a large degree.

The stormwater project which has been initiated by the government is bewildering. The government has put out press releases about spending \$5 million at the Melbourne Zoo to save 9 megalitres of water. That equates to a stormwater project in which every megalitre of water is valued at about \$450 000. The government thinks it is okay to spend \$450 000 saving a megalitre of water in Melbourne, but it will not spend \$4000 to save a megalitre of water in regional Victoria. New water tanks are being connected to the new roof at the former Spencer Street station, now Southern Cross station, at a cost of \$1.2 million. The tanks might save 20 megalitres of water at a cost of about \$60 000 a megalitre. The government has one rule for what can be saved in metropolitan Melbourne and another for what is fair and reasonable for regional Victoria. We all need to understand that there are good plans and opportunities for saving serious and genuine amounts of water in regional Victoria, and we need a government that is prepared to go in and create those savings.

One of the big actions I have been pushing the government to take in my region is to try to access groundwater. It is a very contentious issue because not many people actually know what quantities of groundwater are available. At the moment there are various land-holders and the whole area is licensed, with the exception of the Loddon area. A management plan has been developed for the Campaspe deep lead bore, and there are only a couple of unregulated users on that lead.

Dr Phil McCumber, who is a well-respected hydrogeologist, has indicated to me that he believes there are substantial amounts of water in those deep leads. We need to get in and use that water to meet Bendigo's needs. I think the City of Greater Bendigo would support me in this. Coliban Water probably has it in its plans, but it has done nothing about it. Nothing has been done about putting down test bores to see how much water can be accessed without stressing those aquifers. We need to find out if using water in the

aquifer will diminish the amount of water that is available, so some genuine trials need to be conducted to measure exactly how much water is in there.

Reports differ, but Dr Phil McCumber, who is one of the most respected hydrogeologists in Victoria and Australia and who is renowned internationally, says that the amount of water under the Campaspe deep lead is equivalent to double the capacity of Lake Eildon — an enormous amount of water. If we are to do the right thing in desperate times, not on an ongoing basis, we need to access that water and possibly use it to augment Bendigo's supply so that water is not taken away from irrigators who are desperately trying to hang on to their water supply. It really is quite an amazing situation.

Before I finish I want to touch on those Campaspe farmers and irrigators who are on zero water allocations. They are geared up to use up to 200 per cent of their water right. Historically they have been able to get 200 per cent of their water allocation, so they have geared up their farms accordingly. Now they are getting no allocation, and after a couple of seasons of average allocations of between 31 and 39 per cent things are really tough for them. The Loddon irrigators are also on zero allocations and only the permanent plantations are getting anything. It is important that everyone in the chamber realises that farmers' livelihoods are being ripped away from them, which is having an horrendous impact on families and communities in central Victoria. We need to be mindful of the fact that those people have had to sell their livestock and have had vastly diminished returns on nearly all of their investment. We need to truly understand what this drought is doing to so many families in the north of the state.

There is another issue I want to touch on quickly before I finish — that is, the use of mine water. In effect the people of Bendigo have been asked if they could drink mine water. This was not considered until the last week or two. Coliban Water responded to a letter I sent to it, saying that the minister has given assurances, which makes us feel really good! Coliban Water believes it will get through until 1 September — that is when the super-pipe is due to come on stream, which is great — but it has now thrown in the possibility of people drinking mine water which is being sucked from Bendigo's old mine shafts as part of the construction of the new Bendigo mine project.

This project has always seen a surplus amount of water being sucked out of the ground, and there have always been very serious concerns about the quality of that water. Had Coliban Water been doing the right thing all the way through, then it would have involved the

community in such a big decision about whether to add that water into our drinking system. Maybe we should have all done a little more in the lead-up to the situation we currently find ourselves in so that such drastic action may not have had to happen. The Nationals will be opposing this legislation.

Sitting suspended 6.31 p.m. until 8.03 p.m.

Mr BARBER (Northern Metropolitan) — Climate change is the reason we are debating these measures. We are debating the costs of adapting to climate change, and in this case the government is saying the cost will be over \$200 million just to supply two regional towns with water. The next time we hear talk about reducing the costs of our emissions we should look at those costs as a down payment and ask what the total bill is going to be, because to those you can add the cost of lost agricultural production, the cost of more frequent and more intense wildfires and the cost of lost tourism income, which just this summer is looking pretty high — and I note that the state Treasury has downgraded our economic growth estimate as a result.

Parliament needs to start to address the future costs of climate change even while we nail down a solution. That is why the Greens have proposed a special committee to inquire into the government's response to climate change, both the measures needed to reduce emissions and the measures needed to adapt. We are talking about a relatively modest effort too, not some royal commission that runs forever — something not much different from the exercise Parliament goes through in its estimates of budget spending.

This bill gives the government exemption from the laws this Parliament has passed whenever the government says it wants it. The government simply has to write itself a note, and it can change the law. The Greens dislike that sort of approach intensely, in any field. And of course, as has been noted, these laws are not going to have their most important effect in relation to this water project; that effect will come with the next project down the line. We do not know what that is yet, although the government probably already has some intentions. It is possible that in any part of Victoria, even in a suburban area, people may get notices delivered to their houses which say, 'We are compulsorily acquiring your land', and at that stage they will not even have seen a planning permit application.

As was mentioned earlier, the government will be able to declare a state-significant project in order to take over the relevant planning scheme whenever it wants.

The bill will also exempt the government from some requirements under compulsory acquisition provisions.

The Liberals are allegedly much more concerned about private property rights than the Greens, but — —

Mr P. Davis — Absolutely.

Mr BARBER — It is not allegedly; it has just been confirmed. But this project is likely to be a partly federally funded project, and if the Liberals were that concerned about this issue they could ask their federal colleagues to apply some requirements to the grant funding — as they certainly have done with other grant funding in relation to things like industrial relations — and they could solve the problem for us. As anybody who has seen the movie *The Castle* knows, section 51(xxxi) of the Commonwealth of Australia Constitution Act requires the acquisition of property under just terms. That provision operates on section 96 of the federal constitution act, which has to do with grants to the states. So not only could the federal government apply such requirements, it would be perfectly within its rights to argue that with any project for which it provides a contribution, property must be acquired on just terms.

We were told in our briefing that in effect the step we are removing here will just make things a little bit more administratively convenient for the bureaucrats. But what it will do is reduce the transparency with which the responsible authority, in this case the minister, will act. The government will conduct all its planning considerations in-house and then announce the answer. Unlike the situation where a council is making a decision, there will not be a public planning file that I could go and have a look at to check out the other objectors and check out the various expert reports. In fact, if you wanted to see the reports and the advice the decision was based on, you would probably have to make a freedom of information application for the lot, after the fact.

In terms of the pipeline project this bill is associated with, why is the government running a pipeline hundreds of kilometres from Ballarat to the headwaters of the Goulburn River? The answer is, because there is a lot of water in the Goulburn. There is not a lot of water in the Goulburn River at the moment, but compared to any river further west there is a lot of water in the Goulburn. That is because it rises in mountain forests. The Goulburn River is the western-most river that rises in mountain forests.

It is sometimes said that kids from the city do not know where milk comes from. They think it comes out of

milk cartons. That does not apply to me because my grandfather was a dairy farmer. I have photographs of me as a two-year-old running around the dairy farm barefoot and having fun watching the cow pats squeeze up between my toes. It feels good, especially when it is a cold morning and they are still warm!

Do members in this place for a start, let alone the rest of the community, know where their water comes from? It comes from mountain forests. You might be surprised to know that of the water in the Murray basin, 90 per cent actually arises from 3 per cent of the land area. It sounds surprising.

I have produced a map for myself — and other members can inspect the map or get a copy — which shows the headwaters of the Goulburn system. You can see the black line that represents the watershed; everything south of the river flows into the Yarra River and the well-supplied catchments of Melbourne while everything north of the Yarra is country people's water. South of the Yarra River there are some big pink blobs. The Maroondah and O'Shaughnessy reservoirs are protected catchments reserved by the Hamer Liberal government. The Yarra River catchment was protected by the Cain Labor government. North of the watershed, where water is supplied to the Goulburn catchment, we see a huge amount of clear-fell logging occurring intensively across that area. That decision was taken by the former Kennett government and has been continued by the current Bracks government.

I will leave it up to other members to explain why it is that Melbourne's water comes from protected catchments and the water for country people comes from areas that are extensively logged. As we know, when you log a forest, in the first few years there is a lot of run-off. When the young trees get going they soak up large amounts of water; they drink that water and the water volume falls very fast. Around year 30 it is at a really low ebb, probably half as much as would be produced from an old-growth forest. It does not fully recover in 80 years, and the plan is to log these forests every 80 years.

I ask members to think about it. The government gets about \$11 a tonne at the stump for woodchips, while a hectare of old-growth forest provides for the water needs of 100 people. The price of woodchips is in decline and has been for the last 30 years, whereas water is becoming more scarce. You can see this in a chart published in the *Weekly Times* of Wednesday, 7 March. It shows that the monthly inflows to Lake Eildon that come from that area, the area around Lake Mountain, have absolutely plummeted.

I have looked at some of the literature for the super-pipe. An options paper was done for Ballarat's long-term water resources in February 2005. It specifically excluded transfers from other systems. In that study 1200 people were consulted. There was extensive consultation around the central region sustainable water strategy. In 2005 there was a draft strategy with no mention of this pipe, and there were 400 submissions to that inquiry. An independent panel report looked at the inquiry, and it made no mention of it either. But when the final strategy was released, it recommended a pipeline to the Goulburn.

What we had was either a very good set of planning exercises involving public consultation and a last-minute government decision or a poor set of planning exercises that went on for a very long time. Perhaps it was a case of the good old hurry up and wait! It does lead to a lack of public confidence in water planning decisions when people participate in consultations over a very long time and at the end of the process a completely different proposal which they have never been asked about is substituted. Public confidence in our water supply is fundamental. People have been told water is running out, and they are suffering the effects. They start to lose trust in those responsible for providing such a basic service because they are not being communicated with properly.

Details of this pipeline project have not been made public. We do not know the energy use associated with pumping across the Divide, and it is not an unreasonable question for the Parliament to ask how many tonnes of CO₂ would be generated for every gegalitre of water that passed along the pipeline. We do not know the financials, the rate of return and how it compares with other projects that could do the same job. We do not know the impact on the viability of the water authorities contributions, future revenues and price rises. We do know the alternatives. In the case of Bendigo it is about closing leaks in the upstream part of its water distribution system and also in the local water distribution system as water runs out to each house.

I would argue it is also possible to buy water from willing sellers. It was said earlier that there are no willing sellers. I am not so sure. I thought this debate about water trade was about creating efficiency of use and efficiency of allocation across the economy. Coliban Water says, 'We do not own the water. We are just the guys who store it and move it around on behalf of the farmers'. It is certainly true that within the Eppalock Dam there is the capacity for water trading to occur. Firstly, Eppalock is a very big dam — over 300 000 megalitres — but Coliban, which supplies Bendigo, only owns a proportion of that dam. If there

was an opportunity to trade I would have thought it could have at least been delivered within that one dam. We are not talking about trading across catchments with fancy new pipelines.

As recently as 2002 the storages up there were about half full. As recently as 2005 they were about one-third full. Right now, as we watch them day by day, Eppalock is going down to zero. Coliban Water did not act to secure water at that time. I start to wonder, and I still do not have the answer, why we are now proposing a pipeline to do the same thing. The government says dams do not create new water, and has said this often. Pipelines do not create new water either. The government is simply taking water from one person and giving it to another. It is not giving anything to the environment through this measure.

What is the alternative? Water conservation does create new water. The problem here is not so much the water we use, it is the water we waste. Water saved is water created. When you take the focus off how many megalitres you can grab from here or there and start talking about creating new megalitres — or negalitres if you like — of water through conservation, the large amount of inefficiency across the system in the way we use water is both the problem and the solution. Let me illustrate with some case studies from the Ballarat and Bendigo areas. These are on the websites of the various water authorities. CMI Operations, which is in the Central Highlands Water area, saved 57 000 litres per day and \$12 000 a year — which meant they paid back their investment pretty fast. Bulace Dyeing saved 45 000 litres a day. The Ballarat City Council, in its own operations, plans to reduce its water use by 40 per cent.

The government's press release of 5 December said that it will do 5000 home retrofits and save 18 000 litres a home per year at \$180 per home for 90 megalitres in total — 90 megalitres for \$900 000; why not do the other 50 000-odd households while it is at it? In the process it would assist low-income people to save money on their water bills.

The 2005 Central Highlands Water options paper looked at demand reduction. In a study done by the University of Ballarat, it said it could find savings of 6700 negalitres. The independent panel I referred to earlier noted that the projections in the draft strategy showed Ballarat's water efficiency in litres per capita per day will get worse over the next 50 years. A fairly simple and elegant set of calculations show that Melbourne is projected as getting 20 per cent better over that period, so if Ballarat achieved the same water efficiencies it would save — that is, create —

9000 negalitres, or new megalitres, for Ballarat, which is the exact amount we are talking about that could be delivered by this pipeline — or very close to. Clearly somebody sandbagged the conservation options in all those studies and produced this thing at the end of the day.

Central Highlands Water, like a lot of other water authorities, was too slow to introduce restrictions. There has been below average rainfall for about 10 years, and now the area is having up to one-third less than the average. Consumption has not fallen as fast — maybe 15 per cent below normal levels, if we can still talk about 'normal'. Last year consumption was about 98 per cent of the past four-year average in that authority's area, so reductions have stabilised despite record low storages.

On 1 February 2006 the authority first introduced permanent water saving rules. Basically the effect is the same as that of somebody who is living outside their means; it all depends on how big their bank balance is to start with. Clearly in each of those 10 years they kept hoping for an end to the drought. What does this proposal do? It gives them a second mortgage and allows them to keep living outside their means.

Now we have this panic response to the last bit of water draining out of the reservoir. The government thinks it can build a pipeline quickly and, bingo, the problem is solved. It does not have to go back to address any of those things I talked about. When you look at some of the language of the water authorities, you see they are still saying they have reduced water consumption by so much, but when it rains they can expect and predict and in reality plan for a return-to-normal level of consumption. Those days are over.

I have been a bit hard on the poor old water boards, but they do not have power over most of the drivers of demand. They are not catchment management authorities (CMAs); they are not the land-use planner or authority; and they are not even a council with by-law making abilities. They are stuck simply projecting someone else's idea of demand growth. As happens so often with nasty, monopolistic bureaucracies, the projection now becomes a target to be achieved, and not something we try to influence in any way. Maybe we need some regional land-use policies for Melbourne and for its satellite towns that resemble less the Oklahoma land race and are more about defining and implementing regional sustainability.

The Auditor-General, in a report of 15 August 2002 on water authorities called *Non-Metropolitan Urban Water*

Authorities — Enhancing Performance and Accountability, noted that water authorities do not have any incentive to reduce water use, because when they do so they reduce their revenue, and since their major cost is maintenance over the top of a bunch of very extensive assets, their financial ratios immediately worsen. There is no incentive there.

We need a new set of incentives and responsibilities and a new governance for water authorities, in my not-so-humble opinion. Many of them are run by boards made up of water users, like cooperatives in all but ownership. The question is, what are these boards responsible for? In traditional corporate governance arrangements, such as the board of BHP Billiton, the buck stops with the board. In this case the minister hides behind them while still ultimately retaining control and therefore responsibility. It is a very odd hybrid of the corporate governance model.

The people of Ballarat and Bendigo should be concerned about the business case for the pipeline because they will be paying for it through the capital contributions they are making. In the case of Central Highlands Water, that will mean a 50 per cent increase in the authority's debt, or possibly, by my estimate, another \$1.4 million in debt-servicing costs.

Some \$200 million, which is the price of this pipeline, could buy a lot water conservation in Ballarat. It could permanently reduce the water bills of businesses and homes and restore the health of local waterways. I bet there would be a fair bit of change left over for schools and hospitals.

Overall water use in Melbourne has not fallen. We can see what Melbourne's baseline water use is by looking at winter consumption. It is mostly indoor consumption at that time of year. Although the summer peaks move up and down, that baseline level is still there. In the meantime storage levels are getting lower and lower each year. They plummeted this year because the amount of water entering the dams plummeted. We rely on the winter rains to soak the catchments so that when the spring rains come along the water runs off and fills the dams. We will know by the end of this winter how much trouble we are in in Melbourne, and we know we have worked through basically what is in our bank account.

In light of all this, the government appears powerless to address the majority of water use, but it is not powerless. If the purported aim of this bill is to increase water security for Ballarat and Bendigo, and to reduce the risk of water now, or in another 10 years from now, becoming a rate-limiting factor in the livability of these

regions, then there could not be a less risky approach than the one the Greens are putting forward, which is based on conservation, using proven technology which is funded by the government and rolled out by the authority with the power and responsibility to do so. Those waters savings would be easy to estimate and measure. That is a low-risk approach that will improve security. For heaven's sake, let us stop logging those water catchments.

Ms BROAD (Northern Victoria) — I rise to speak in support of the Water Amendment (Critical Water Infrastructure Projects) Bill and to speak against the amendments the opposition has foreshadowed. In the debate so far there have been references to the record low rainfall and inflows to Victoria's reservoirs over the past 10 years and, as a consequence, the threat to the security of Victoria's water supply. Many country towns are already on severe water restrictions. Members will be aware that if we do not see substantial turnarounds in rainfall and inflows this autumn and winter, then we will see even more extreme conditions and challenges and the risk of storages running out of water. These conditions are not simply well below the average; they are without a doubt the most extreme on record in the history we have to draw on.

The Bracks government is strongly responding to these challenges to improve the security of Victoria's water supply. A number of substantial infrastructure projects are being constructed. There have been references to date to the goldfields super-pipe to connect Ballarat and Bendigo to the Goulburn system, but as well as that major projects are also being considered to augment Melbourne and Geelong in the medium to long term.

These projects, as you would expect, require substantial planning across many municipal areas. Those projects also require, depending on the project, approvals relating to environment protection, native flora and fauna protection and Aboriginal cultural heritage protections. The impacts on forests and national parks have also to be considered. Projects of this nature are necessarily complex and require many planning approval processes before they can be implemented. In cases particularly relating to this bill, some compulsory acquisition of land may be necessary.

While all of these approvals have the potential to delay projects, particularly where third parties are participating in the decision-making process, most approvals come down to departments, and to decisions of and actions by ministers as well as departments, and time limits are not necessarily prescribed in relation to how all these processes relate to each other and how

they should proceed, either at the same time or in parallel.

As a result of the changes that the whole state is facing and the need for a response to these challenges, on 20 November last year the government announced a pre-election commitment to legislate to facilitate the fast-tracking of vital water projects designed to meet the challenges. The goldfields super-pipe was named as one of the first projects that was likely to be considered for fast-tracking through these legislative proposals. The bill is designed to facilitate the fast-tracking of critical projects by making the Minister for Planning the responsible authority under the Planning and Environment Act for the critical project area. As well it is designed to ensure that water authorities facilitating critical projects have the necessary functions and powers to deliver those projects. Finally, where land is being acquired under the Land Acquisition and Compensation Act it provides an exemption from the requirement for the land to be reserved in a planning instrument for a public purpose.

Notwithstanding some of the comments made by the opposition, the bill is an important step in improving the security of Victoria's water supplies. The minister foreshadowed in the second-reading speech that a review of current planning and environmental approval processes is to be carried out and that that might lead in the future to further proposals being put forward by the government to ensure that we are tackling these challenges in the most efficient way possible. In light of comments made to date in the second-reading debate, it is important to underline that the bill does not exempt an infrastructure project from any planning or environmental approvals, nor does it affect the rights of any person to participate in approval processes. The bill focuses on a reduction in the number of decision-makers and processes and will not limit a person's right to compensation or exempt projects from planning and environmental approvals.

To further underline that point, it is worth members who might not have examined the comments of the Minister for Water, Environment and Climate Change going to his statements in the lower house, particularly in relation to these points. To paraphrase, the minister underlined very clearly that the bill does not remove people's rights under the Land Acquisition and Compensation Act, but it does enable notices to be served under that act without there being a planning scheme amendment over the land affected in the first instance. That planning scheme process can take some time, and the government has taken the view that there is no good reason for a land acquisition process to be delayed while that process is going on — that the

processes can go on in parallel. That means that people will still have the same rights to have their say through the planning process if there is a requirement for a change to the planning scheme as a result of a change in land use.

People will not lose any opportunity to have a say through those processes. They will still be able to mount the points that they wish to raise, particularly in relation to land acquisition, through the processes under the Land Acquisition and Compensation Act. They will still be able to argue and debate and have all the rights they currently have under that legislation during the process of acquisition, not after the event. That process will not change at all as a result of what is set out in this bill.

I would like to make some observations about how the land acquisition and compensation legislation works. I had quite a deal of experience in the first term of the government as energy minister in relation to energy pipelines and a number of vital projects. I can certainly say from my direct experience with the Land Acquisition and Compensation Act that it goes out of its way to ensure that landowners affected will be treated fairly and that there are processes to ensure that there is arbitration to ensure a fair and equitable result for landowners in situations where compulsory acquisition is necessary. That is legislation which has been in place for quite some time under governments of all persuasions, and it is not being changed by the bill.

In relation to the comments that have been made in the debate to date that in some way landowners' rights under that legislation are going to be affected by the bill, that is simply not the case. The minister has clearly placed that on the record in the lower house, and I wish to underline it again in this house tonight for the benefit of members.

As I indicated before, the government has foreshadowed a review of current planning environment approval processes. Further changes may be proposed if that review demonstrates that that is necessary to expedite critical infrastructure projects, again without any necessity or intention on the part of the government to in any way take away people's rights in relation to land acquisition and compensation.

I want to say to the house tonight that members should be under no misapprehension at all about the Bracks government's commitment to the biggest investment in infrastructure in this state's history. To date the government has invested about \$13 billion in infrastructure across Victoria. A further \$13 billion has been committed by this government over the next four

years. The government has made that investment, the biggest investment in infrastructure in Victoria's history, to respond to the needs of families across Victoria — the need for better services to continue to deliver opportunities and prosperity to families across Victoria — and to respond to the needs of Victoria's environment. The challenges we face, particularly climate change and the threat to Victoria's water security, mean this investment is absolutely vital.

It should be a cause of great concern to people in this house and Victorians generally that the opposition does not think that fast-tracking these investments is necessary. Given the dire situation we are facing, many families, many communities and, many local economies simply cannot wait for lengthy processes which could be fast-tracked without impinging on people's rights. These communities are going to run out of water if these vital infrastructure projects are not delivered on time and in time to assist them. It is important to underline that the comments that have been made by the opposition to date saying that this is not necessary and that it is all to do with politics are simply wrong.

Anyone who spends in time not just in Melbourne but in rural communities, country towns and regional cities will be very aware of how pressing these needs are and the importance of fast-tracking these projects as speedily as we possibly can. That is why the government has put this bill forward. It is why we argue that members should be supporting this bill tonight and that the opposition's foreshadowed amendments should not be supported.

Mr ATKINSON (Eastern Metropolitan) — This is an important debate. The contributions thus far have been very valuable; this is a good debate. I have noted the passion of a number of people who have spoken in the debate. That is not surprising given the circumstances in which Victoria and Australia find themselves and given the very great desperation of many people, particularly people on the land, in regard to water.

Clearly one does not blame this state government for the drought. This government has had little to do with the circumstances in which we find ourselves and this prolonged drought, which has had a massive impact on Victoria. However, it is interesting to me that for seven years the government has done very little about trying to address the infrastructure needs of this state and the impact of the drought or, more importantly, to prepare this state for the future in terms of its water supplies. On a great many occasions I have heard the Premier talk about Victoria needing another 1 million people.

Hon. J. M. Madden — I don't think he said that, Bruce. I think he said there would be, which is different.

Mr ATKINSON — Mr Madden should go and check the press releases before he interjects on something he knows very little about. The reality is that the Premier has gone far and wide across this state saying that Victoria ought to attract another 1 million people. That is what he said; it is on the record.

Hon. J. M. Madden interjected.

Mr ATKINSON — Sometimes you are worse than Karak. You are a chatterer who has very little knowledge to bring to this place or the debates. Fortunately some of your colleagues bring more to the debates.

The Premier has talked about having another 1 million people. He wants another 1 million people in Victoria. The reality is that Victoria does not have the infrastructure to support that sort of population increase — certainly in respect of water. While it might be possible for the government to argue that it could not possibly have anticipated the severity or the protracted nature of this drought, if the government had had any ambition for such a significant population increase, as it has, it ought to have been planning and been much further advanced in terms of water infrastructure. It also ought to have been looking at investing a lot more in projects that would have guaranteed the security of our water supplies by addressing the amount of water we lose because of evaporation from open irrigation channels, because of leakages in pipe systems and because dams are in a state of disrepair.

Last year I travelled to western Victoria, to the electorate of David Koch. We spoke with a number of people in western Victoria about the state of their water supplies. They made the very valid point that the water in many of their dams was very low and their effective water supply had been exhausted, yet there had been no attempts to invest in repairs to those dams or water storages so that when they refill in the future we will not have that leakage and loss of water and will be better prepared to meet drought conditions.

Rather than investing in projects like repairing leaking pipes, addressing evaporation from open irrigation channels or fixing dams and water storage facilities, rather than being imaginative and looking much earlier at recycling projects that would allow us to reuse water rather than simply wasting it and being profligate with it, and rather than looking at even more innovative proposals such as the desalination projects the

opposition flagged during the election campaign, this government was happy to take money from the water authorities by way of dividends and to not reinvest that money in water infrastructure and the security of water supplies for Victorians.

Between 1999–2000 and the most recent financial year this government drew down \$1.8 billion in dividends from water authorities. It invested \$1.2 billion back into water but directed \$600 million to general revenue. For most, if not all, of that seven-year period Victoria was in drought conditions — in some parts, very severe drought conditions. It is my view and that of many of my colleagues that the government could have moved much more quickly and decisively and taken much greater initiative to address some of the water security issues for Victoria if it were serious about these issues. The reality is that in presenting this legislation to us the government will doubtless hardly rely on it going forward once it is passed, if it is passed. This is a fairly small bill that really does not advance terribly far the cause of the government in addressing the water supply needs of Victorians. It is a fairly narrow bill that draws on powers that are already available to the government in other areas.

From the opposition's point of view, given the extent to which this bill purports to be unique and to introduce important new powers we have concerns about it. The area where it introduces unique powers is in giving somewhat unprecedented powers that might almost be compared with wartime powers to a kitchen cabinet or gang of four — the Premier, the Minister for Planning, the Minister for Water, Environment and Climate Change in another place and the Treasurer — to make significant decisions to accelerate or fast-track projects. It is a get-out-of-jail-free card for a government that has been less than competent and less than visionary in addressing the water needs of the state now and its water security needs going forward — that is, not simply to withstand drought conditions but in considering its ambition to increase the population of this state and the need for infrastructure to support such an ambition.

This legislation will not be relied on terribly much by the government, because any substantive projects that the government wants to undertake will either be facilitated by existing legislation elsewhere on the statute books or require new legislation to be brought to this Parliament for due consideration. This legislation will advance the government very little.

Indeed the opposition has a number of concerns about the legislation. We have concerns about the government's water handling generally, particularly

regarding the amount of money it has drawn down from water authorities. It is interesting to note that in the 2005–06 year 6 of the 10 Victorian catchment management authorities actually posted a loss. Water authorities are expected to pay a dividend to the government to prop up its general purposes budget while the water authorities themselves are posting losses and are compromised in their ability to invest in projects that will secure water for Victorians, for the people who are the constituents of those authorities. The authorities are compromised in their ability to invest in projects that will protect scarce water resources because the government insists on drawing down a dividend from them as part of a broader economic rationale.

Many would argue that in our environment the cost of water is way too low — that water is far too precious to be priced as it is. I have real sympathy with that view, but I am concerned about a government that in a time of severe drought such as this, when many people are desperate, many people's livelihoods are on the line and the security of some of Victoria's water resources is also on the line, would be racing to look at increased tax revenue opportunities as distinct from the need to address water infrastructure projects. The government should not be addressing just building a new dam or dams, which some people in the community would advocate, but should be addressing some of the areas where we are already wasting water and where we are inefficient in our management of water. It should be encouraging people to address their responsibilities in the use of water.

I note that even with the water restrictions there is a disparity in the impact upon domestic users of water as compared with the impact upon industrial users of water, because the government just does not seem to be able to come to grips with the overall picture of what water management is about. It is too piecemeal in its approach. I would be very concerned if the government were looking simply at tax opportunities as part of this water crisis.

Certainly I would be concerned if this government were looking to exploit this crisis by using what could be described by some people as draconian acquisition powers through the fast-tracking of planning powers. Ms Broad indicated that nobody's rights will be compromised by the legislation. She said that there will be an opportunity for people to have their day in court, as it were — that is not a quote from her speech but my own words — to present their issues on compensation and the rights they might have enjoyed before the government declared projects and proceeded with the planning for projects or acquisition procedures in the

interests of all Victorians because of the importance of a particular project. The reality is that we know that once such projects start and you fast-track the planning processes the rights of people are very quickly forgotten or are diminished significantly, because there is very little to argue about once your rights have been extinguished by the processes that were fast-tracked by a government hell-bent on trying to achieve in some cases political ends and in other cases, perhaps, a better outcome in the interests of all Victorians. This government's record does not give us a lot of confidence in that respect.

I am concerned about some aspects of the government's policy. Even the pipeline project to me smacks of almost a join-the-dots policy. The government is looking at running a pipeline up, over, around, down and up again and round about — it is almost snakes and ladders with water. I am not sure that this hastily cobbled-together policy of the government is necessarily the best water management outcome for Victorians. I am not sure that it necessarily addresses Victoria's needs in the longer term. I am not sure about this knee-jerk reaction, which was precipitated in part by an election, at the outset of which I believe the opposition in this state had the running on water issues, and in part by the national agenda on water.

It is interesting to me that in the legislation the government talks about usurping the rights of local government because there is a need for a more cohesive approach to and a broader view on water management. This is being heard from members of a state government who have walked away from negotiations with other states and the federal government on water management for the Murray–Darling Basin. There is an inconsistency between what is expressed in this legislation and the behaviour of the government in the broader national debate on water.

I am concerned that there is simply not enough overview or vision or even a genuine commitment in the government's thinking to ensure that we have water infrastructure that will support Victorians and provide security for our water resources going forward, rather than simply achieving some political solution in the short term, particularly in a year when it seems that there is much talk and much focus at a federal level on water policy.

Clearly there is a need for a longer term view of water policy. The points that were made by Mr Barber about logging in catchments are certainly worth thinking about very seriously, because there is no doubt that younger trees soak up a lot more water and reduce the amount of run-off that gets into our water supplies. We

need to be very thoughtful about the interrelated uses we make of land if we are going to ensure that we have safe and secure water supplies.

More importantly, we as Victorians have to be a lot less profligate with our water resources. This is not just for now and not just for a period of severe water restrictions. I am fortunate living in the eastern suburbs, and I am very mindful of the fact that people in many parts of the Macedon Ranges, the Bacchus Marsh area, Geelong and right throughout country Victoria have suffered much greater problems with water supply and have had to eke out scarce water supplies for a lot longer. We need to be addressing those issues in a much more thoughtful and comprehensive way than this legislation provides us with an opportunity to do in this house tonight.

This legislation does not go very far, as Ms Lovell has said. This legislation in many ways does not really advance the powers of the government beyond those that are already available in many other statutes. This legislation does not really introduce much in the way of new powers, apart from the opportunity for a gang of four to fast-track a project or projects that might rescue their political skins in view of the fact that for seven years the government has done very little to look at addressing the water needs of this state going forward, droughts notwithstanding. With the population increases that are part of the government's ambition, water needs are very much part of an agenda that ought to be considered in looking at the management and the capital works and infrastructure needed for all Victorians.

I urge members of this house to give due consideration to the amendments that have been put by the opposition. Obviously this is legislation that the opposition, as has been indicated, will not oppose, because it is a small step forward, but it is hardly revolutionary and is scarcely an evolutionary step forward in terms of water management in this state. There is a lot more work to be done, and there is a need for a much greater commitment to be expressed by this government. It might well start by investing a lot more money in water infrastructure and projects that secure our water supplies and stop taking dividends from the water authorities at a time when that money is desperately needed to reinvest in those water facilities.

Mr KAVANAGH (Western Victoria) — I will briefly explain why I intend to support the amendment of the bill. Last week I met with quite a lot of farmers in the Ballarat area through whose properties the super-pipe will pass. Those farmers are angry; they feel that the government is not listening to them. They are

worried about a lot of things associated with the super-pipe, including the possibility of weeds being spread while the super-pipe is being laid. They have been given conflicting information about the depth of the pipe, but they demand that the top of the pipe be at least 1 metre from ground level to allow for the use of large agricultural machinery in the future. They want to know what will happen to the soil that is displaced by the super-pipe. They claim that in the past when pipes have been laid quite often the topsoil has been put straight on top of the pipe and then buried under clay and rocks, ruining part of their land. They want assurances about the future — for example, they want a guarantee that, if the pipe breaks, it will be repaired without damage to their properties.

According to many experts there are superior alternatives to the super-pipe. Two former ministers — Glyndwr Jenkins, who was Minister of Water Supply under Lindsay Thompson, and Rod Mackenzie, who was Minister for Conservation, Forests and Lands under John Cain, Jr — have been promoting a Barwon Water recommendation of 2003 for a weir on the Gellibrand River capturing some of its water, together with a pipe to the West Barwon Dam. At present only 7 per cent of Gellibrand River water is used, while 93 per cent flows into the sea. This option, which would be of low environmental impact, would be economical and would take the pressure off the water supply that is presently shared between Ballarat and Geelong.

Last year this house debated a motion to condemn the government for its handling of water. I voted against that motion because I did not want the first Democratic Labor Party vote in this house in almost 50 years to be condemning anybody. I also do not know if the Kennett government had a much better record on water than the present government does. However, it seems to me that over a period of decades successive Victorian governments have shown a lack of leadership and have even shown neglect on the water issue. I urge the government to seriously address the concerns of landowners who will be affected by the super-pipe and to cast aside any ideological prejudices it may have against environmentally responsible dams in seeking long-term solutions to the water challenges facing Victoria.

Mr VINEY (Eastern Victoria) — I rise to speak in support of the bill before the house, the Water Amendment (Critical Water Infrastructure Projects) Bill. I was reflecting earlier on a short snippet I saw advertising one of the tabloid TV current affairs programs — I do not remember which one. In it a woman expressed anger at water restrictions because

she had to carry a bucket to water her garden. In expressing her anger she said that the government should do something and should have done something. This debate reminds me of that comment. We have heard from the opposition that it believes the government should have done something.

We have also heard Mr Barber express quite eloquently his views on the need for our community to address more generally the issue of climate change and water. I agree with him, and I have participated in a number of debates in this chamber to that effect. I have heard similar views — that the government should have done something — expressed by members of The Nationals. I say to the newer members of this chamber sitting on the crossbenches that the first time I remember the opposition moving any motion in general business to do with water — any issue at all — was in December last year, after the election.

Mr D. Davis — Nonsense.

Mr VINEY — I do not recall a general business motion on water, Mr Davis — not one. In the last sitting there were no discussions about water in this chamber. The opposition came to this debate incredibly late. It was the government that in its last term put the issue of water on the agenda as a critical issue facing this community. Mr Koch, who is not here, interjected during Candy Broad's contribution that the government should have done something and asked what infrastructure the government had completed. In response to that, the government has invested and is continuing to invest hundreds of millions of dollars in water infrastructure to deal with the fundamental problem we face in this community — that is, the lack of rain and the consequences for our water supply.

In respect of the Goulburn-Murray district in particular we have the Lake Mokoan water savings project worth \$60 million; the channel automation project, \$23 million; the strategic water savings investment project, \$10 million; the strategic measurement project, \$16 million; the reconfiguration project, \$50 million; and dam refurbishment, such as at Eildon, another \$50 million. In my own electorate of Eastern Victoria Region we have the Gippsland Water Factory, channel automation in the Macalister irrigation district and the proposed \$300 million eastern treatment plant upgrade, which will deal with some of the outfall issues at Gunnamatta. A feasibility study is also under way in relation to sending recycled water to the Latrobe Valley. There are dozens of these projects.

Statewide projects include the smarter urban water use project, with the Stormwater and Urban Water

Conservation Fund worth another \$10 million; country town water and sewerage initiatives, including innovation projects, another \$42 million; the Water Recycling and Recovery Fund, \$25 million; sustainable irrigation projects, \$23 million; and a commitment to restoring icon river systems with the Living Murray and Snowy River flows projects.

This government has been dealing with the water issues facing the community since it was elected in 1999. It is a bit hollow to hear, particularly from members of the Liberal Party and to an extent from members of The Nationals, that the government should have done something. The government has been doing things, it is continuing to do things and it is continuing to invest in water infrastructure. It is the Liberal Party that came to the debate very late. In the last election campaign it put forward two proposals. One was to build a new dam and the other was for a desalinisation project. Those projects were nothing more than political initiatives to appeal for votes in the election campaign, whereas this government has been getting on with investing in water and upgrading water infrastructure. We have great projects like the \$500 million Wimmera–Mallee pipeline project, but we had to drag the federal Howard government kicking and screaming to fund it.

The position the opposition has been taking in this debate is fairly hollow. It came to this debate on water very late. It has no commitment to dealing with fundamental issues like climate change. It was interesting to hear Mr Atkinson pick up on Mr Barber's point about logging in water catchment areas. That is not a position the Liberal Party has a proud record on.

Mr Barber interjected.

Mr VINEY — That is not true, Mr Barber. This government has been doing quite a lot in trying to protect our old growth forests, our parks and the water catchments.

That brings us to the issue of the proposed Liberal Party amendments. I was disappointed to hear that Mr Kavanagh had taken his position without hearing the full extent of the debate. Let me put it in these terms: there is no intention in this legislation to in any way diminish the rights of individuals through the fast-tracking of these projects. When a significant project goes across a number of municipal boundaries there is a need to ensure that the planning process itself does not hold up the requirement to get these projects under way and resolved. Individuals still have all of the rights associated with their entitlements under the acquisition of land processes.

In fact if the government wished to, it could remove the planning scheme amendment processes through the Governor in Council. This is really a more up-front and straightforward manner of doing things. The power is vested in the minister and processes are streamlined so that what are essentially vital projects to the whole community are not held up by an attempt to obstruct the normal planning processes. People's rights are still protected, and I found it really interesting to hear Mr Atkinson talk about his concerns in relation to protecting the rights of individuals, because that was not the view of the Kennett government.

Mr D. Davis — Absolutely it was.

Mr VINEY — It was not the view of the Kennett government when it came to WorkCover, Mr Davis, it was not the view of the Kennett government when it came to the reform of local government, and from memory it was not even the view of the Kennett government on the Australian Formula One Grand Prix. People's rights were removed by legislation in this Parliament when the Liberal government had control of both houses and was able to ram it straight through. It removed all of those people's rights, so I find it a bit of a hollow argument for the Liberal Party to now say that it is a little bit concerned about people's rights. The truth is that there is no diminution of people's rights through this process. People still have the same rights under this legislation in relation to the compulsory acquisition processes. What is being proposed is a streamlining for planning purposes, particularly when a proposal goes across a number of municipal districts, as many of these projects will do.

Mr Kavanagh raised some important issues in relation to the people he had clearly consulted with in his electorate — some local farmers. I am sure that following appropriate discussions with the government through the minister those concerns will be dealt with. I do not believe that the amendments proposed by the Liberal Party in any way protect or change any of those concerns. The concerns people have about damage to the property is not affected by the Liberal Party amendments. The concerns people might have about whether the topsoil is buried with the pipe or laid on the top of the ground are not in any way protected by the proposed Liberal Party amendments. Those things can be protected by good, sensible discussion and government management of the issues. The real issue here is not the 25, 30, 40, 50 or 100 people whose properties are directly affected but the thousands of people who are affected by the need for water infrastructure to be upgraded and improved.

In my view the amendments foreshadowed by the Liberal Party will not effectively deal with the concerns that Mr Kavanagh has quite correctly identified in discussions with his local constituents. What will deal with those issues is a good government, and I believe that this government is dealing properly and appropriately with people affected by the need for large-scale infrastructure projects. That happens day after day and week after week in the business of government. It happens in the construction of roads, in the construction of rail infrastructure and in the issues we have had in dealing with long-term containment facilities. It happens all the time in the proper processes of government, when the government deals with people's concerns about their properties being affected. This government has no intention of in any way dealing unfairly or improperly with people whose properties are affected. The proposed Liberal Party amendments do not provide any protection at all for people in relation to those matters. They are administrative matters that need to be managed and administered properly. That is about good and proper government.

The Liberal Party's amendments are about an obstructionist approach. It is about putting another hurdle in the way of the government when it needs to get on with dealing with the critical issue of water infrastructure. The Liberal Party keeps on saying that this government needs to do things, and I have already outlined the considerable amount of work this government has done and is going to do over the term of this Parliament.

Mr Atkinson made a suggestion in his contribution. I think it was his view that the government had taken \$1.8 billion out of the water authorities and invested only \$1.2 billion back, putting \$600 million back into general revenue. I am not sure whether the government took \$1.8 billion out of the water authorities, but I am happy to accept Mr Atkinson's word on that because he has perhaps done some research.

Unfortunately Mr Atkinson is incorrect in terms of the level of investment that has gone into water. Under this government \$2.7 billion has already been invested in water infrastructure. In 2005–06 the water authorities paid \$207 million in dividends. Under this government the payment of dividends by regional water authorities in particular has declined. For example, in 1999–2000 regional water authorities paid over \$11 million in dividends; in 2005–06 they paid \$2 million. Mr Atkinson's figures are not the whole truth of this. The processes — —

Mr D. Davis — They are the whole truth.

Mr VINEY — They are not the whole truth. Even if Mr Atkinson was correct in saying that \$1.8 billion has come out of the water authorities — I am not sure that that is right, but I will take his word — \$2.7 billion has been invested by this government in water infrastructure. The fact is that the dividends paid by water authorities to the government have been declining over the term of this government. Because Mr Atkinson spoke only 15 or so minutes before me I have not had time to check out the Kennett government's record on water infrastructure, but I would not mind betting that it did not come anywhere near the level of investment and vision that has been put into water infrastructure by this government — vision such as the Wimmera–Mallee pipeline and the pumping of water from the eastern treatment plant back to the Latrobe Valley to use in the power stations there rather than using good drinking water. What that will mean in my electorate is more drinking water for the people of Gippsland and more water in the Gippsland rivers for environmental flows.

These are good projects that are worthy of support. They are projects that need supportive legislation such as we are debating tonight which will allow the government to get on with the job — as it has been doing for seven years — of trying to secure Victoria's water supply in the face of a very severe drought. In addition it will allow the government to deal with matters like climate change, which the opposition continues to have its head in the sand about, as well as with the need for improved infrastructure to secure water supplies for our children and grandchildren into the future.

I think this bill needs to be commended, and I urge members on the crossbenches — the Greens and Mr Kavanagh — to rethink the Liberal Party's amendments. It would be nice for the Greens to once support the government on something. I urge them to consider that the Liberal Party's amendments are nothing more than an obstructionist attempt to cause more difficulty to the government in its attempt to fast-track these projects. It will do nothing to deal with the legitimate concerns Mr Kavanagh has identified with constituents in his electorate; it is not going to help resolve those issues. The only thing that will resolve those issues is good government doing good things. That is what this government is about, and it is in stark contrast to what the other lot did when they were in government from 1992 to 1999.

Mr HALL (Eastern Victoria) — I am pleased to have the opportunity to make a few brief comments tonight on the Water Amendment (Critical Water Infrastructure Projects) Bill. My comments will be brief because my colleague Mr Drum has eloquently and

passionately put the view of The Nationals on this legislation. I want to add just a couple of comments.

Although this is said to be all about fast-tracking critical water infrastructure projects in this state, I think what needs to be said is that this government has been extremely tardy in the provision of adequate water infrastructure. It is an absolutely disgraceful reflection on the performance of this government that so many people in Victoria are hurting now with the draconian water restrictions they are being made to endure simply because of the poor planning effort of this government, and I am going to talk about that in a minute.

I want to pick up on a comment made by Mr Viney when he suggested that the opposition parties have not been vocal in raising matters relating to water in this house in the past. I do not think that criticism could be applied to The Nationals, because throughout the whole of the time I have been in this chamber my colleagues and I have taken every opportunity to raise water issues. We have been consistent in our view that governments of all persuasions have needed to invest more heavily in water storages around the state, for example. We have also been consistent in our view about farm dams, and no government member could deny that we have been most vocal on that issue over a long period.

The Nationals have led debate on the issue of the Wimmera–Mallee pipeline and the need to improve the water infrastructure to supply that pipeline. We have been very vocal about the need to improve the infrastructure associated with other channel irrigation systems in northern Victoria and the Macalister irrigation district in Gippsland. Our advocacy on water projects goes all the way down to rainwater tanks and collection on private property. We have consistently raised these issues over many years, and it is unfair for the government to suggest that The Nationals, and indeed the opposition, have not been raising critical water-related issues in this Parliament because we have consistently raised them.

I want to go back to the bill. Fast-tracking indeed! I wish the government had fast-tracked some other water infrastructure projects a long time ago. This is just too little too late for the people of Victoria, who are now enduring the results of the government's lack of foresight concerning the planning needs for water infrastructure projects. The Nationals will oppose this legislation because we do not believe it is needed. I think I heard Ms Lovell say when she introduced an argument for the opposition that fast-tracking is not achieved by legislation, it is achieved by using the current processes more efficiently. We would claim very strongly that if the government efficiently used the

processes available to it now — government members are not even listening, which shows how little they care about these matters — this legislation would not be required. If the government were prepared to use the existing processes available to it more efficiently it could achieve what it seeks to achieve — that is, the completion of important and critical projects in a timely manner. So we say this legislation is not needed.

We also say that the form of fast-tracking proposed in this legislation is merely a transfer, taking away the power from local government and putting it in the hands of the government of the day — in particular the minister of the day — and that reduces the transparency of the whole process. I think Mr Barber eloquently made the point that transparency is completely lost when the process is put in the hands of the minister rather than remaining in the hands of local government under the normal planning procedures.

I want to make a couple of comments about some of the projects that have been cited to date in this debate. Largely they have made reference to the goldfields super-pipe, but this legislation can be applied to any water infrastructure project and could include environmental projects. I want to refer to page 2 of the second-reading speech, where it states:

The Premier will have broad discretion to determine which infrastructure projects are to be declared. This will give the Premier flexibility to declare infrastructure projects other than those that will simply improve the security of water supply.

It continues:

This could include environmental projects.

Let us not be kidded by this legislation. It is not simply confined to the proposed goldfields super-pipe; it could equally be applied to any other water infrastructure project — or indeed environmental project — right across Victoria. The power for any of these projects could be taken out of the hands of the people and given directly to the Premier and the minister of the day. I think it was Mr Kavanagh who expressed the concerns of farmers in the Western District and suggested some water infrastructure projects relating to the Gellibrand River that could well be taken out of the hands of local people and determined solely by the Premier and the minister. If I were Mr Kavanagh I would be aghast if that happened — if my local constituents did not have any say in the future of those projects.

Equally I would be aghast if suggested projects such as a pipeline to take fresh water from Blue Rock Reservoir, Tanjil River or Moondarra Reservoir to the Cardinia Reservoir in Melbourne were taken out of the hands of the people in my electorate, out of the hands of

my Gippsland constituency. We want to have a say in these projects; we do not want the minister and the Premier to completely take control of them and give us no opportunity to comment whatever.

Equally I have some concerns with the pipeline proposed to move treated wastewater from the eastern treatment plant in Carrum Downs to the Latrobe Valley. My constituents want to have a say in that project. We do not want it taken out of our hands — and the fast-tracking process defined in this legislation will allow that. That is not being transparent; it is not being democratic. This bill is not needed to facilitate such projects, and that is why we will oppose this piece of legislation.

One of the last points I want to make is this: it annoys me that there is so much more that could be done to reuse, harvest and conserve water in the areas in which we live. I will quickly mention a couple of examples. In regard to reusing water, we have a project going on in Gippsland at the moment called the Gippsland Water Factory. It is a \$160 million project to which the government has contributed \$50 million. Gippsland water users, including Mr O'Donohue, Mr Viney, Mr Scheffer and me, are all contributing to that project by the way — or most of us are: it depends where you live in Gippsland. Not every part of Gippsland is with Gippsland Water, but Gippsland Water customers all contribute to the \$110 million of user contributions to the project.

We do not mind being responsible for our own wastewater, but I wonder if people in other water authority areas are equally contributing to water reuse in their areas. I wonder whether, when the south-eastern treatment plant is built, all Melbourne Water customers will equally contribute to the cost of that plant or whether there will be more significant contributions from government towards that particular project. I believe we should all take some responsibility for reusing our own wastewater, but let us do it on a fair and equitable basis. If the customers of Gippsland Water have to pay for water reuse, so should the customers of other water authorities as well.

I have another concern with the Gippsland Water Factory project. It proposes to treat just 8 million litres per day of the 35 million litres of wastewater generated per day. About 22 per cent of the wastewater will be reused, and the rest will go to Dutson Downs and be disposed of through the existing ocean outfall at Delray Beach. I asked Gippsland Water representatives the simple question, 'Why can we not recycle the whole 35 million litres per day?'. The answer was that we could; it would just cost us more money. It may cost us

more money, but if water is so critical, I say we would be better off investing in local treatment facilities to achieve 100 per cent reuse rather than reusing water taken from one region and piped up into somebody else's backyard.

An honourable member — Do both.

Mr HALL — We could do both, but it would require a greater commitment from the government to assist in projects like that. The water factory already requires \$160 million, just for its first stage, of which the customer base is paying \$110 million.

On the issue of water harvesting, we could do more to harvest water. It does not necessarily have to be river water. My colleague Mr Drum has been very vocal about the need to harvest stormwater, and Melbourne has the best collection system for stormwater in the whole state. We say that more can be done to collect water run-off from roads, footpaths and the roofs of buildings, public buildings included, around Melbourne and in regional areas as well. After all, many people are doing it already. They are committed to collecting some of the water coming off their roofs in rainwater tanks and to the increased use of tanks.

Tanks are the final thing I want to comment on in terms of these illustrative examples of what more needs to be done. Like many other Victorians, I have ordered a new rainwater tank. I ordered a 3000-litre rainwater tank in mid-January; it is going to take 14 weeks for it to arrive. It is going to cost \$1200 or thereabouts. I do not mind paying that — I can afford to pay it — but there are many people out there who cannot afford to pay for a rainwater tank, and they are only getting \$150 back as a rebate. That is approximately the cost of plumbing a tank, by the way. I know people get more if they hook a tank up to their toilet system or some other system in their house.

However, given that the majority of people could well install a rainwater tank and use some of that water for purposes around their house, I say that if the government is really serious about tanks, then maybe it should supply a rainwater tank to every house in Victoria, particularly to those not on reticulated water systems. Those people do not even get access to a government rebate for water tanks. If we were serious about requiring people to collect more rainwater from their roofs, we would pay attention to the probability that it would be just as profitable in the long run to give everybody a rainwater tank and have those tanks installed and connected to their houses. In that way we would achieve some significant savings in the amount of water used.

I think there is a whole lot more this government should be doing in terms of making better use of reuse water and better use of harvested water in this state. In regard to this particular piece of legislation, we believe it is just a con trick. We do not believe it is needed. Fast-tracking, as I said before, is not necessarily achieved by legislation. You can have all the legislation in the world, but unless you have will, efficiency and commitment on the part of the various relevant authorities, you will not fast-track any project. This bill is not needed. The Liberal Party's amendments to it are supportable, because they at least make what we believe is a bad piece of legislation a little better. We will therefore support those amendments, but we will be opposing the legislation.

Ms DARVENIZA (Northern Victoria) — I am pleased to rise and make a contribution in support of the Water Amendment (Critical Water Infrastructure Projects) Bill. I understand there are amendments forthcoming and, like previous government speakers, I oppose the amendments.

The previous speaker said this legislation was not really necessary, that it was a farce and there was so much more to be done. Our government has done an enormous amount to address water shortages, not just in the measures that have been put in place in metropolitan Melbourne and urban environments, but in rural and regional areas as well. We have put in place a large range of measures to address the water shortage. We are faced with water shortages the extent of which we have not seen for many decades. The drought has gone on for more than 10 years and if we do not see rain in the autumn, many parts of rural and regional Victoria and metropolitan Melbourne will be in dire straits.

Some areas in rural Victoria are facing incredible water shortages. You only have to travel to the west of the state to see the effect on our agricultural industries. There are water shortages in the northern area of the state, which I have more to do with as it is covered by my electorate. Along the Murray and Goulburn rivers, and other waterways throughout the northern region, our irrigators are facing restrictions to their allocations — and there is plenty of water trading going on in those agricultural areas — but they are not suffering the same water shortages as we are seeing in the west. Metropolitan areas are on water restrictions and have been for some time, and in some cases those water restrictions are more restrictive and are at a higher level than some of the rural and regional areas, which are not quite as pressed for water.

This is important legislation and will mean that many projects that are already under way or on the drawing board could be declared critical infrastructure projects and therefore be fast-tracked. The government made a pre-election commitment to legislate to fast-track approvals for critical water infrastructure projects. The bill before the chamber tonight has honoured that commitment we made to the electorate. The bill will give the Premier powers to declare critical water infrastructure projects. The Premier will only be able to declare a project as being critical after the minister for water has made a recommendation, and the minister will make that recommendation after discussions with the Treasurer and the Minister for Planning.

The record low rainfalls and low inflows into our river systems and Victorian catchments over the past 10 years have had a significant impact across Victoria. If this pattern continues we will find ourselves under serious threat of severe water shortages across the state. This bill will allow the fast-tracking of those critical water projects which will secure this vital resource for all Victorians.

The bill will amend the planning legislation so that a planning scheme will not be required for a declared project, which will take months off the current process. The provisions will shorten and fast-track procedures for a critical water project. All processes in the bill can be achieved through current legislation, but they are time consuming.

The bill will facilitate the fast-tracking of water projects that the state considers to be of significance and importance. It will make the Minister for Planning the responsible authority under the Planning and Environment Act. It will ensure that water authorities have the necessary powers and necessary functions to build and deliver critical water infrastructure projects. This bill will also provide an exemption from the requirement for the land to first be reserved in the local planning amendments as set out in the Land Acquisition and Compensation Act.

Critical projects will be declared by the Premier, as I said, on the request of the water minister after consultation with the Minister for Planning and the Treasurer. Environmental and planning approvals still apply to critical water projects. It is not as if those planning matters do not apply. It is not as if a critical project would not go through a vigorous process, but this bill will allow them to be fast-tracked.

This is an important bill. It is not unnecessary, as opposition and Nationals members have said in their contributions. We want to see vital and critical projects

to secure our critical water resource, which is in short supply and which will be in even shorter supply if we do not get the important autumn rains. We want to ensure that we have legislative processes in place to secure those projects.

I am not sure if government members have talked about the projects that could be declared critical infrastructure projects, but there are a number of them. I refer to projects such as the eastern treatment plant recycling upgrade, the Murray–Goulburn interconnect, the Leongatha water recycling project, as well as the goldfields super-pipe. All these projects could be declared critical projects and therefore could be fast-tracked with the procedures necessary to put those projects in place to deliver water.

We have a range of other projects either on the drawing board or under way, such as major water recycling projects, interconnect projects, emergency water supplies for rural towns and major irrigation upgrades, which are critical for the northern region which I represent and which is one of the biggest irrigation areas in our state. Those farmers rely on irrigation to provide so much of the food that not only supplies Melbourne, but supplies Victoria and is also exported. Critical work needs to be done on dams and water saving projects. A range of projects have been commenced and could, through the bill, become critical projects and be fast-tracked, delivering and securing the vital resource of water.

This is a very good bill and it deserves the support of all members of the chamber. I commend the bill to the house.

Mr D. DAVIS (Southern Metropolitan) — I am pleased to make a contribution to the debate on the Water Amendment (Critical Water Infrastructure) Bill 2006, and indicate that the opposition will not oppose the bill but seeks to move a series of amendments. I compliment my colleague, Wendy Lovell, for the work she has done on this bill and the contribution she has made. She has laid out clearly the opposition's position and has pointed to a number of clear deficiencies in the bill.

Before I make my detailed contribution, it is important to pick up a number of points made by others in this chamber. I was disappointed with a number of comments made by Mr Viney.

Mr Thornley interjected.

Mr D. DAVIS — You are disappointed with the Murray–Darling scheme, are you, Mr Thornley?

The PRESIDENT — Order! Through the Chair, Mr Davis.

Mr D. DAVIS — I am surprised that Mr Thornley is disappointed with the Murray–Darling scheme. It is of concern to me that he has not been able to see the advantages in what the federal government has proposed for that scheme, a scheme that will assist many of those who use water through the Murray–Darling system. I am disappointed that the person responsible in the Bracks government for federal-state relations has not been more prepared to work with the federal government to achieve an outcome that will suit the community overall, including the irrigators and the communities along the Murray–Darling Basin not only in Victoria but also in New South Wales. That is a disappointing point.

I must pick up some points made by members on the other side before I begin my contribution, in particular the points made by Mr Viney that the opposition — I think he meant The Nationals as well — had not put water issues on the agenda. Many on our side have put water issues on the agenda going back to the period of the Kennett government, when the plan for town water and other water projects were put forward as key projects. However, in the period after the Bracks government came to power in 1999, as I pointed out to Mr Viney, a series of questions were asked in this chamber in the first few weeks of that government to then Minister Broad, who was responsible for the Snowy River and other related matters about water and the flows into the Murray–Darling Basin system. For Mr Viney to indicate that those matters had not been raised showed he was simply ill informed.

The points made by Wendy Lovell are correct, particularly the issue around the driving motivations for this bill. This bill is designed to spruik for the government and to cover its weaknesses and failings. This government has failed to make proper provision for water infrastructure. Over the last seven years the government has failed to take the right steps on or to make proper provision for water.

Mr Atkinson made an erudite contribution that pointed to the financial disbursements of \$1.8 billion that have been required by this government of the water authorities over recent years. That enormous amount of money should have been invested in infrastructure, but instead this government took it as a tax — as a removal of resources from those key water bodies — and the community is the poorer for it.

Wendy Lovell made the point that this bill will remove from local communities and local councils key planning powers that would enable them to ensure that

water infrastructure focused on their needs was put in place. Her point is correct. I believe strongly that councils and communities should have control over the water infrastructure in their areas, and for the government to seek to remove key planning controls in such a way is both antidemocratic in its essence and fundamentally self-defeating in the sense that the community could get better outcomes if there was proper consultation and there were proper processes within each local community. The compulsory acquisition of land by a water authority without amendment to the relevant planning scheme and the opportunity for affected landowners to comment, as Wendy Lovell said, especially in light of the government's poor performance over recent years, is not the right way to go. Better outcomes could have been achieved.

The government has not understood the need to work with communities and industry. I will have more to say in the near future about the need to have in place proper industry plans. An article in the business section of the *Age* of 15 March has a serious headline 'Victoria considers water-use incentives'. The article reports that Victoria would now consider water-use incentives. For the government to begin to discuss water-use incentives for industry after seven years in government and a number of years of drought is a disgrace and a disappointing response.

I compliment Ms Lovell on her contribution. I make the point that the key to this is that the government should have put a system in place over the past few years. It should not have taken resources out of the water authorities; it should have allowed water authorities to invest in the proper way. In the case of Melbourne, key infrastructure has not been put in place. An upgrade of the eastern treatment plant was policy in 2002 but was not implemented. The government also failed to put in place proper public processes. The feasibility study on the pipeline to the Latrobe Valley and the Ballarat and Bendigo water projects are far too little far too late. In the end the community will not respect the government for those steps. The opposition is concerned about the way the bill is being pushed through and believes the community could have got a far better outcome if the government had tackled water infrastructure earlier.

Ms PULFORD (Western Victoria) — It gives me great pleasure to speak on this bill, the first I have spoken on in this place. There was a lot of discussion earlier today on this and on the broader issue of water supply. There has been no greater symbol for me of the need to resolve water supply issues and no greater reminder of the severity of the drought in recent years than what happened in Ballarat yesterday when 5000

people went for a walk across a dry lake. The unusual thing about that walk was that it took place on the 1956 Olympic Games rowing course on Lake Wendouree. Members may have seen the pictures on the news last night.

Mr D. Davis interjected.

The PRESIDENT — Order! Mr Davis has made his contribution. Ms Pulford, to continue.

Ms PULFORD — This bill amends the Water Act to facilitate critical water infrastructure projects and to provide amendments to the Land Acquisition and Compensation Act. It deals with a circumstance in which critical water infrastructure projects can be declared by the Premier on the recommendation of the Minister for Water, Environment and Climate Change after consultation with the Treasurer and the Minister for Planning.

This government has a plan to secure water supplies in Victoria, and a great deal has been achieved already. On water conservation, Victoria has the most successful water conservation record in Australia: over 140 000 rebates have been claimed on water-saving products; since the start of this year there have been rebates of up to \$1000 available on water tanks; and since 1999–2000 industry has saved 24 per cent on a per capita basis. As to recycling, there has been a \$160 million upgrade of the western treatment plant, which is helping to lift recycling in Melbourne to 14 per cent and is putting it on track to having 20 per cent recycled by 2010. Some \$19 million has been invested in the Werribee recycling scheme. Third-pipe recycling systems operate in Cranbourne, and measures have been taken in terms of new supplies. The connection of the Tarago Reservoir to boost Melbourne's supplies will supply 20 billion litres of water by 2010. Melton, Wallan and other outer suburbs in areas of significant growth are now connected to Melbourne's supply. The Wimmera–Mallee pipeline will save 100 billion litres of water, and a significant drought-relief package — —

Mr D. Davis interjected.

The PRESIDENT — Order! Mr Davis is warned.

Ms PULFORD — Some \$146 million in drought relief has been provided to assist people suffering the worst effects of the drought, including relief for irrigators on their water bills. In addition the government has provided significant investment to assist environmental flows to the Murray, Snowy and Yarra rivers. Extra water flows for the Thomson River have been delivered.

The record of the Victorian government has been noted in a range of quarters. Professor Peter Cullen, a member of the National Water Commission, said of the central region sustainable water strategy:

The central region water strategy is Victoria's approach to these problems and is a model for the rest of Australia ...

Also on the central region sustainable water strategy, Environment Water said:

Leading environment groups have welcomed the Victorian government's new water conservation plan for Melbourne announced today which introduces first-ever water conservation targets for industry.

On 23 June 2004, when the opposition had not even realised that water was an issue, the editorial in the *Weekly Times* said:

Victoria has led the way in attempting to strike a balance between water users and the environment during one of the toughest decades in our drought-ridden history.

The government has a plan to secure water supplies in Victoria. In particular the plan for Bendigo and Ballarat is the goldfields super-pipe, which will connect Bendigo and Ballarat to the Goulburn system. The government has committed to a plan; however, the plan requires infrastructure for its implementation. The government committed during the election to fast-track the approval of critical water projects. This legislation will ensure that Victorians can be confident of their water supply.

The Premier will be able to declare a project a critical water infrastructure project. I would like to comment on the proposed amendments that are being supported by the opposition parties. They are proposing to amend the bill so that the planning schemes would each need to be dealt with separately in a circumstance where a critical water infrastructure project crossed planning scheme boundaries, obviously missing the point of critical water infrastructure entirely. The point of this legislation is to enable the government to deliver on these things and to do so quickly, because they are critical in nature.

This legislation will enable the Minister for Planning to become the authority for planning decisions and for one decision-making body to deal with matters where multiple planning authorities are involved. A water authority can commence the compulsory acquisition process without having to wait for the planning scheme to be amended, and water authorities will be empowered to deliver these critical water infrastructure projects. The bill is the result of an election commitment to secure water in Victoria.

Business interrupted pursuant to standing orders.

ADJOURNMENT

The PRESIDENT — Order! The question is:

That the house do now adjourn.

Aboriginals: stolen wages

Mrs COOTE (Southern Metropolitan) — I direct my adjournment issue to the Minister for Aboriginal Affairs. From the mid-1880s to the 1950s Victorian Aborigines were paid in food rations instead of cash or received low wages for the work they did. They were not paid the same rates of wages as and were given token sums in comparison with the other members of the workforce. The Tasmanian, New South Wales and Queensland governments have made some reparations for wages stolen from Aborigines. I refer to an article that appeared in the *Age* of 29 November 2006. It refers to the submission of the Victorian stolen wages working group to the Senate Committee on Legal and Constitutional References and says:

... but Victoria 'has made little or no commitment to quantify wages, savings and entitlements missing or misappropriated under official management and made no undertakings to repay or compensate any Aboriginal people who suffered physically or financially under 'protection' regimes' ...

The article says that some Victorian Aborigines were paid with food or rations instead of cash, that others received very low wages and that returned Aboriginal servicemen were not given the same entitlements as other former soldiers.

I know the minister is a compassionate man and will be very concerned about this. I can see he is nodding his head in agreement. As the minister is here I ask that he assess as a matter of urgency the government's liabilities to Aboriginal people and consider appropriate means to address them and repair some of the damage.

Gippsland Lakes: entrance

Mr HALL (Eastern Victoria) — Tonight I wish to raise a matter for the attention of the Minister for Water, Environment and Climate Change in the other place concerning the ocean entrance at Lakes Entrance. On 14 November 2005 the then Minister for State and Regional Development and the then Minister for the Environment in the other place issued a joint press release which said in part that:

... the port of Lakes Entrance would receive \$31.5 million to install a sand management system to keep it open.

Mr Thwaites is reported as saying:

Lakes Entrance fishing port is a vital economic asset for Victoria's south-west —

I think he meant south-east —

and home to Victoria's largest commercial fishing fleet

The government will fund the installation and operation of a comprehensive sand management system to address the current build-up of sand which threatens access to the port for fishing vessels.

If the entrance is not kept open and maintained, important fishing activities will be jeopardised.

Hear, hear! We welcome the government's announcement of \$31.5 million for this project, but the problem is that almost 18 months on from that date the entrance is close to closing over completely and the build-up of sand is such that the commercial fishing fleet is stranded, some inside and some outside the entrance, and consequently is using other coastal ports. According to some of the experienced fishermen there, the entrance is the worst they have seen it in 40 years, and even small recreational vessels are having great difficulty navigating through it. The local fishing cooperative has been almost idle with only a trickle of fish going through in the last two weeks.

The impacts locally are tremendous. With the fishing industry at a standstill and no processing taking place there are many people without jobs or income at this point in time. There is also an impact on the recreation and tourism industry because boats are unable to go through the entrance. There is also a statewide impact with the availability of fresh seafood product greatly reduced.

Part of that \$31.5 million was to trial a hopper dredge, but to date such a dredge has not been secured. When channel deepening of Port Phillip Bay was trialled the government secured a dredge from overseas. Maybe that sort of action is currently required. My call on the minister tonight is to make available the additional funding that is required to secure a dredger that will reopen the entrance to a safe navigable standard and put in place permanent measures to prevent such incidents occurring again.

Keilor Downs Secondary College: upgrade

Ms HARTLAND (Western Metropolitan) — My adjournment matter is for the attention of the Minister for Skills, Education Services and Employment in the other place and relates to Keilor Downs Secondary College. The college has a large student population — in excess of 1450 students. During the school holidays

an additional classroom was delivered to the school, presumably in recognition of the fact that an additional classroom was required. However, on 17 February an act of arson resulted in the total destruction of a pre-existing mod 5 building housing the year 12 study centre, the senior years sub-school office, interview spaces and offices containing rolls and student records.

The college has been informed by the Department of Education that the building destroyed in the fire is not to be replaced. The school has not been consulted in this decision. It was informed by fax that the college has excess teaching and staff space. I have visited the site, and if that is called excess space, I am really quite shocked. Twelve teachers are in a small workroom with their desks, all their equipment and resources, yet have been told they have excess space. If the building is not to be replaced, significant timetable changes will be required and classes will be held in rooms that are unsuitable for the purpose and may present a significant danger to students safety.

Considering that the Minister for Education talked this afternoon about the \$1.9 billion the government intends to spend on education, I would suggest some of it could be spent at Keilor. My request to the education minister is that he engage in a discussion with Keilor Downs college and allow it to put a case for replacement of the building based on educational, student and staff welfare and specific site factors.

Telstra Dome: pass outs

Mr PAKULA (Western Metropolitan) — My question is to the Minister for Sport, Recreation and Youth Affairs in the other place and concerns — —

Honourable members interjecting.

Mr PAKULA — If members of the opposition listened, they might actually agree with what I am going to say. It concerns the decision of Telstra Dome to refuse to issue pass outs to football fans at the football in 2007. The reason given by Telstra Dome is that for occupational health and safety reasons people cannot leave the stadium during a game. That has to be one of the lamest excuses I have heard. My thought when I heard it was, 'Is that the best you can come up with?'. The fact is that pass outs are not a problem at the MCG, which has double the capacity of Telstra Dome, they are not a problem at Skilled Stadium and have never been a problem at Telstra Dome in years gone by. One has to be — —

Mr D. Davis — Do you think they will be a problem at the rectangular stadium?

Mr PAKULA — That will be a decision for the rectangular stadium management, and one would hope it would not do it either. One could be forgiven for thinking that the decision not to issue pass outs is about corralling supporters inside the stadium for the benefit of the stadium's caterer. That is unfair to football fans on so many levels. The caterer is of course entitled to make a quid out of its catering contract at the football, but the product should be affordable and of reasonable quality. If you force the punters to stay inside, one of the last remaining restraints on the stadium caterer is removed.

Businesses have opened in the vicinity of Telstra Dome, and they are entitled to make a quid as well. They are entitled not to have the goalposts moved on them.

Little kids who go to the footy often need to be taken for a walk. Bigger kids like myself want to be able to leave the stadium at half-time and have a kick of the footy. Some fans might want to go out and have a smoke and not be put in a cage. Forcing fans to stay inside is unnecessary, unreasonable and unhealthy.

One of the beauties of our game is that it is for everyone. Unlike other codes, Australian Rules football crosses class divides, race divides and gender divides. This decision by Telstra Dome management fundamentally alters the sense of what going to the footy is like. I do not believe the government can force Telstra Dome to change its decision. Ultimately it is a private stadium and a private competition. However, I urge the Minister for Sport, Recreation and Youth Affairs to have discussions with the chief executive officer of Telstra Dome, Ian Collins, and to urge Telstra Dome to change its decision in regard to the issuing of pass outs.

Local government: boundary review

Mrs KRONBERG (Eastern Metropolitan) — My question in this adjournment debate is for the Minister for Local Government in another place. On 13 February this year the government announced a review of the internal boundaries of seven metropolitan councils. Four of these councils fall within the boundaries of Eastern Metropolitan Region. They are Whitehorse, Manningham, Banyule and Knox. The cost of these reviews is to be borne by the councils.

Banyule City Council faces a hefty bill of \$33 700, according to the *Diamond Valley Leader* of 21 February. Banyule City Council anticipates the outcome of such a review will be an increase in the number of councillors from the present seven to nine.

An increase in the number of councillors would place a further cost burden on the council, which would inevitably lead to an increased burden for the community in the form of higher rates. It is important to stress that the community has not asked for an increased number of councillors. Furthermore, there is no evidence to suggest that extra councillors are needed.

I would like to quote very briefly from the minutes of Banyule City Council's meeting of 5 March. It formed and carried a resolution stating:

1. That council resolve to make a submission to the electoral representation review based on the retention of the existing council structure of seven councillors in seven single-member wards;
2. a minor adjustment in the boundaries of Griffin ward and Olympia ward be made to ensure the voter numbers in both wards remain within the 10 per cent tolerance.

This exercise is not only another example of blatant cost shifting to councils by the Bracks government but also a thinly veiled political move by the ALP itself.

Rather than slavishly following the suggestions of the Victorian Electoral Commission in its boundary review of the Banyule council, will the minister act in support of the expressed views of the council and its community on this issue?

Water: bulk entitlements

Mr DRUM (Northern Victoria) — I have an adjournment matter for the attention of the Minister for Water, Environment and Climate Change in another place. I refer to a letter a constituent of mine wrote to the recently appointed Minister for Agriculture in another place regarding bulk water entitlements. He received a letter in reply from the executive director, water resource policy, Mr Campbell Fitzpatrick. I have a full copy of that letter, in which Mr Fitzpatrick wrote about the development of a 50-year strategy — they are putting together this 50-year strategy for the handling of water in the future. He said:

The strategies are the new planning framework for deciding on long-term, large-scale changes in water use. They aim to identify a range of water resource management issues and ensure secure water supplies for industry, cities and towns while safeguarding the future of the region's rivers and aquifers.

What is concerning about this is there is no mention at all of agriculture from the head of an organisation which is supposed to be looking after the needs of agricultural water users.

Only two possibilities can be deduced from this appalling omission: either agriculture does not figure in the future of water use, which is scary, or this is simply an omission on the part of the executive director, water resource policy. It has either slipped his mind or it simply does not figure. I call on the Minister for Water, Environment and Climate Change to quickly reconsider and if necessary redraft this 50-year strategy for the water-use program of this state to include water-use strategies involving agriculture for the next 50 years.

Port of Hastings: development

Mr O'DONOHUE (Eastern Victoria) — My matter is for the attention of the Minister for Roads and Ports in the other place. Members would be aware that the port of Hastings is already a significant commercial port that is used by Esso-BHP, BlueScope Steel and others. The port has many natural attributes, including deep water, large areas of adjoining vacant land and proximity to Melbourne, in particular Melbourne's growing south-eastern industrial corridor. For many years it has been identified as the most likely second commercial port for Melbourne.

The Port of Hastings Corporation has been doing some long-term planning for the port. In September last year it produced a consultation draft and subsequently sought feedback from the community and stakeholders. The opportunity to submit feedback expires tomorrow. The Liberal Party recognises the need for a second port for Melbourne and acknowledges the natural attributes of Hastings. However, we have several concerns with the draft proposal produced by the Port of Hastings Corporation. Given that the development of the port of Hastings is of Victorian and national importance, surely it should be the Department of Infrastructure which completes the master planning. The port of Hastings employs very few people directly, and one can only speculate that perhaps it is more politically expedient to have the chief executive officer of the port corporation take the political backlash rather than the minister.

We believe a complete social, economic and environmental impact study should be undertaken to determine whether the port development is appropriate. If such a study finds the port expansion to be appropriate, we believe the Western Port Highway corridor should provide the link for both road and rail to Melbourne, Gippsland and beyond. Using the Stony Creek and Frankston railway lines, as proposed, is inappropriate. The Frankston line already has capacity constraints, and large parts of the Stony Creek line abut existing residential development.

What is also of concern is the proposed new rail link from Hastings along the Baxter-Tooradin Road, up to the Clyde-Five Ways Road and through small farming communities to Pakenham. This proposal has come out of the blue for the people living along this corridor. Many of them choose to live there because of the rural character of the area. A railway line carrying trains and carriages potentially up to 1.6 kilometres long would have a severe impact on those communities.

I call on the Labor members of Parliament representing this area, particularly the member for Gembrook in the other place, Tammy Lobato, and members for Eastern Metropolitan Region Matt Viney and Johan Scheffer, to publicly state their opposition to the Gippsland rail link and join me in standing up for these rural communities. I ask the minister to rule out the Gippsland rail link — —

The PRESIDENT — Order! During the adjournment debate members get the opportunity to ask the minister on duty a question or seek action by another minister or a minister in another place. Members do not get to ask questions of other members. The member has addressed the matter to the appropriate minister. If he wants action from the minister, he should continue. However, he cannot ask another member for an action.

Mrs Coote — On a point of order, President, as you got to your feet Mr O'Donohue was about to ask that question of the minister.

The PRESIDENT — Order! He asked specific local members and named them. It is inappropriate; I have made my ruling. Mr O'Donohue, to continue.

Mr O'DONOHUE — I ask the minister to rule out the Gippsland rail link as proposed and to focus instead on the environment effects statement process and the development of the Western Port Highway infrastructure corridor, which is desperately needed regardless of whether the port goes ahead.

Police: Shepparton

Ms LOVELL (Northern Victoria) — I raise a matter for the Minister for Police and Emergency Services in the other place regarding the critical shortage of police numbers in the Shepparton district, where a recent spate of antisocial and violent behaviour has prompted the local newspaper to run a campaign to improve safety in the streets. This is the second year running that the *Shepparton News* has run this type of campaign as a response to community concerns about antisocial behaviour and a lack of police numbers in the Shepparton district. Shepparton is a large provincial

city, a melting pot for people of many different cultures and an area that has been hit hard by the drought over the past 10 years.

Unfortunately for those of us who live in and love the Shepparton region, our city has occasionally hit the headlines for all the wrong reasons. Last year a series of violent and antisocial behavioural problems prompted me to go out on patrol with the local police officers to observe Shepparton in the early hours of the morning. What I saw was a very different side of life in my home town. From about 1.00 a.m. the tension in the streets of Shepparton began to build and they were very different at 3.00 a.m. from what they are at 3.00 p.m. What was very evident was the difference a police presence could make. Even in problem areas, the moment a police officer or vehicle came into sight the tension would subside and behaviour would improve markedly.

Our local police are dedicated and hardworking professionals who do the very best they can with the limited resources available to them. The Police Association resource allocation modelling has indicated that between the local government areas of Greater Shepparton and Campaspe there is a shortage of 29 police officers. This not only makes it difficult to maintain a police presence on the streets but also has meant that stations in Tatura, Murchison and Mooroopna have often been closed. Today we have heard that the sexual offences and child abuse unit is to be cut back. My request is for the minister to immediately assign additional police officers to the Shepparton district to assist the local police and the Shepparton community to achieve their goal of a safer city.

Police: Lexton

Mr KOCH (Western Victoria) — My matter is for the Minister for Police and Emergency Services in another place and concerns the future of policing in the central Victorian community of Lexton. The Lexton community's expectations were realised when their new police station and residence were opened five years ago. The government's commitment of more than half a million dollars reassured the community that that one person, 8-hour police station would be ongoing in Lexton.

While building new police facilities reassures small rural communities such as Lexton that the future of policing in their community will continue, they also provide an incentive to attract and retain police officers. That is more so when facilities such as primary schools, banks and health-care facilities have been removed. As members know, local police officers play critical

leadership roles in a multitude of local organisations and activities within small communities. Imagine the angst of Lexton residents when a proposal was being considered to rationalise or even close their police station.

On calling a public meeting last Monday, Commander Paul Murnane of Victoria Police discussed his business plan for policing in the town. Although his consultation with the Lexton community is to be applauded, the proposed plan that was presented looked at relocating police resources to Beaufort and the Western Highway while suggesting a minimal presence be maintained in Lexton. Concern was expressed that the workload in Beaufort would not see the officer regularly servicing Lexton, which is an experience that has not been appreciated over recent months. This experience is not dissimilar to what was reflected in the Branhholme community when its permanent police officer was relocated to Heywood. With Langi Kal Kal prison in close proximity and the lack of police presence at night, there is nervousness in this community that this proposal will only grow.

Part-time policing in small communities such as Lexton is the thin edge of the wedge and threatens the survival of one-man police stations in regional Victoria, such as the stations at Landsborough and Elmhurst, as police command redirects ever-diminishing resources across the regions. What confronts Lexton is a contradiction of the Premier's boast of recruiting record numbers of police and not discriminating against the security and safety of small regional communities. Having major capital invested in one-man police districts has given assurance to small communities of the government's earlier commitment to guarantee security within those communities. This has been found to be blatantly deceptive. The action I seek from the minister is that he maintain the appointment of police at Lexton and make further resources available for police command's underresourced regions.

Gaming: Quizmania

Mr ATKINSON (Eastern Metropolitan) — The matter I raise is for the Minister for Gaming in another place. It seems to me that late-night television stalks its viewers. I become rather concerned when I see a lot of call-me-now type of advertising that is on for rather lonely and desperate people. I think that it is very sad and probably a misuse of television. What concerns me far more is a program called *Quizmania*. Three television stations were broadcasting a very similar format program over the Christmas holiday period. Fortunately now only one station, Channel 9, which broadcasts *Quizmania*, has such a program. In my view

this is a gambling game, and it is a very serious problem. The format of the program is designed to encourage people to phone in for what is a random game of chance. It preys upon lonely and desperate people. The other night when I was watching, having deliberately tuned in to the program, the presenter said, 'I'm not going to talk any more. I'm not going to talk until a phone call comes in'. She then did not talk for around 5 minutes, until people phoned in to try to participate in the game.

Mr Jennings interjected.

Mr ATKINSON — I think that is the problem: it is compelling. It is compelling to certain people who are in strife. Essentially the presenter of the program talks to people, saying they can call in, and tells them that they will be able to pay off all their debts, including all their credit card debts, and take a holiday. The program works on the basis that its revenues are generated by the telephone calls. I believe there is an opportunity to manipulate the outcome as to when calls are taken, and that is only after revenue to cover them has been raised. There are also issues about whether the program is supervised by the government, as most other gambling games of this nature are supervised. I ask the minister to examine the *Quizmania* program and to ban or at the very least regulate this type of television programming.

Responses

Mr JENNINGS (Minister for Community Services) — I thank members for their contributions during the adjournment debate. I will pass on to the relevant ministers the concerns raised, with the exception of the matter raised by Mrs Coote for my attention and consideration.

Mrs Coote's matter relates to the so-called stolen wages of Aboriginal people over the history of this nation since colonisation. Mrs Coote asked me to examine what circumstances may fall within the scope of that concern. I can tell Mrs Coote that very little documentary evidence has been drawn to my attention or to the attention of the Senate inquiry in relation to those experiences in this jurisdiction, whereas in a number of other jurisdictions across the nation there is extensive evidence that the protective measures of the state and the official regime that related to the payment of wages and the conditions in which Aboriginal people lived fell sorely short of providing for income security and justice to Aboriginal people. Those practices are not as evident within Victoria. That is not to deny for 1 second any levels of abuse that Aboriginal people may have experienced.

In response to the Senate inquiry, but more importantly in response to the Aboriginal communities in Victoria, the Victorian government has instigated a review of primary documentary evidence. Many of those documents are in the national archives, and I have written to the commonwealth government to gain access to those archives. We have, through the Public Record Office Victoria, dedicated staffing and support to examine that material to ascertain what the dimensions of this issue may be. I am very happy to share with the member and with the Victorian community what the outcome of that examination will be into the future. I thank the member for giving me the benefit of the doubt — that I am actually concerned about that matter.

Mr Hall raised a matter for the attention of the Minister for Water, Environment and Climate Change in the other place, being concerned about the closure of the entrance at Lakes Entrance and calling upon the minister to bring forward part of the \$31 million allocation that the government has committed to, to ensure that dredging occurs in that area to keep the channel open to enable fishing activity in particular to be maintained.

Colleen Hartland raised a matter for the attention of the Minister for Skills, Education Services and Employment in the other place and beyond wanting to have discussions about the matter of the destruction of temporary facilities that had been placed at Keilor Downs Secondary College. Ms Hartland is actually hoping for the minister's support for the replacement and in fact the appropriate delivery of accommodation to staff and students within Keilor Downs Secondary College.

Martin Pakula raised a matter for the attention of the Minister for Sport, Recreation and Youth Affairs in the other place. He hopes he has a dip at ensuring that the freedom of football fans is unencumbered at the Telstra Dome and people are free to leave the stadium and to ignore the football in pursuit of broader social objectives, whether that be eating, train watching or having a bit of a run around outside the oval and being totally unencumbered by the current restrictive practices operated by Telstra Dome in relation to restricting pass outs.

Jan Kronberg raised a matter for the attention of the Minister for Local Government in the other place and compels the minister to ignore the independent review that has been commissioned by the Victorian Electoral Commission, but rather take notice of the concerns expressed by Whitehorse, Manningham, Banyule and Knox councils about maintaining the existing electoral

regimes within a municipality. I will draw that to the minister's attention, and I have a fair idea about how he will respond.

Damian Drum raised a matter for the attention of the Minister for Water, Environment and Climate Change in the other place, asking the minister to review a piece of correspondence that has been written by Mr Campbell Fitzpatrick, executive director, water resource policy, on behalf of the department concerning bulk water entitlements and particularly the role which agricultural entitlements may play within the 50-year framework of water strategy into the future. What we are hoping is that the minister will intervene. I am pretty sure, one way or another, that agriculture will continue to play an important part of the water use within this state.

Mr O'Donohue raised a matter for the attention of the Minister for Roads and Ports in the other place, eventually, and with the extension of time called upon the minister to rule out certain options as they relate to the potential redevelopment of the port of Hastings.

Mr Finn — The minister cannot say that!

Mr JENNINGS — I think there is a good chance I can.

Ms Lovell raised a matter for the attention of the Minister for Police and Emergency Services in the other place, as indeed did Mr Koch. I draw the attention of both members to the separation of powers and responsibilities in relation to the police within the state of Victoria. I think both members will find that whilst the Minister for Police and Emergency Services might be particularly concerned about the provision of police resources at Shepparton and Lexton and may share the concerns of the members about ensuring that resources are allocated into those jurisdictions, he does not have the opportunity to impose upon operational decisions of the police force.

Mr Atkinson raised a matter, and it is a very sorry matter because obviously Mr Atkinson and I have similarly exciting night lives, because I too have seen *Quizmania* and I too lament the quality of television and the entertainment it provides, and the hypnotic nature of the presentation. Mr Atkinson draws the attention of the Minister for Gaming in the other place to the potential for the minister to exercise his mind about whether there should be any regulatory regime that applies to this programming within the scope of gaming as distinct from any broadcasting regulations that may apply in a different jurisdiction.

The PRESIDENT — Order! The house stands adjourned.

House adjourned 10.35 p.m.

