

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

Wednesday, 20 June 2007

(Extract from book 9)

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Wednesday, 20 June 2007

The PRESIDENT (Hon. R. F. Smith) took the chair at 9.33 a.m. and read the prayer.

PETITION

Following petition presented to house:

Moorabbin Children’s Traffic School: future

To the honourable the President and members of the Legislative Council assembled in Parliament:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council the Victorian government’s closure of the Moorabbin Children’s Traffic School, East Boundary Road, Bentleigh East.

We oppose the closure of the Moorabbin Children’s Traffic School and believe this facility has had a vital role in educating children in Melbourne’s south-east in road safety.

We therefore request that the traffic school be reopened at East Boundary Road, Bentleigh East and that the Victorian government restore funding for it to continue operation as it had up until the time of its closure.

And your petitioners, as in duty bound, will ever pray.

**By Mr D. DAVIS (Southern Metropolitan)
(34 signatures)**

Laid on table.

PAPERS

Laid on table by Clerk:

Auditor-General —

Administration of Non-judicial Functions of the Magistrates’ Court of Victoria, June 2007.

Promoting Better Health Through Healthy Eating and Physical Activity, June 2007.

Auditor-General’s Office — Annual Plan, 2007–08.

Statutory Rules under the following Acts of Parliament:

Chattel Securities Act 1987 — No. 51.

Fair Trading Act 1999 — No. 46.

Gene Technology Act 2001 — No. 50.

Subordinate Legislation Act 1994 — No. 47.

Trade Measurement Act 1995 — Trade Measurement (Administration) Act 1995 — No. 48.

Transport Accident Act 1986 — No. 49.

Victorian Civil and Administrative Tribunal Act 1998 — No. 52.

Subordinate Legislation Act 1994 —

Minister’s exemption certificate under section 9(6) in respect of Statutory Rule No. 46.

Minister’s infringements offence consultation certificate under section 6A(3) in respect of Statutory Rule No. 48.

MEMBERS STATEMENTS

Ringwood Eisteddfod

Mrs KRONBERG (Eastern Metropolitan) — On Friday, 8 June, I had the pleasure of formally opening the Ringwood Eisteddfod. The Ringwood Eisteddfod has been instrumental in recognising and promoting some of the state’s most talented and highest achieving musical performers for over 50 years.

The Eisteddfod was founded by Mrs E. M. Taylor back in 1954, and it continues under the stewardship of her daughter Ruth Hawkins. The Ringwood Eisteddfod is the largest and longest running cultural event in the region. It was recognised as the event of the year in 2005 at the Maroondah City Council Australia Day awards.

The Ringwood Eisteddfod’s reputation was further enhanced by the showcasing of local talent at the opening. Along with others attending this glittering night of young musicians, I was astounded by the brilliance of the young performers.

The Eisteddfod opened up with the under 14s pianoforte competition. We were treated to virtuoso performances by approximately 30 boys and girls who played Bartok, Bach, Chopin and Mozart with such feeling and maturity that you could close your eyes and think you were in Vienna. All concerned are to be congratulated for the high standard of performances, and it was an evening Ringwood can be justifiably proud of.

Litter: cigarette butts

Ms DARVENIZA (Northern Victoria) — I was delighted to launch the regional Sustainability Victoria Don’t Be a Tosser — Bin Your Butts campaign in Shepparton on Monday morning at the Australia Hotel. This program is designed for smokers who, come 1 July, will no longer be able to smoke in licensed pubs, clubs and venues, and will therefore have to smoke their cigarettes outside. It is a campaign to encourage them to dispose of their cigarette butts safely and in an effective manner.

Cigarette butts already account for some 56 per cent of Victoria's litter problems, so we do not want to increase that litter problem when smoking outdoors increases as a result of the legislation changes. In Shepparton, which is on the Goulburn and Broken rivers, we do not want to see cigarette butts, which are very light and easily blown around, finding their way into stormwater drains, and in turn into our river systems. We know that all Victorians, particularly those who live close to those rivers, appreciate their beauty. This is a great — —

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

Brendan Keilar

Ms HARTLAND (Western Metropolitan) — The Greens send condolences to the family of Brendan Keilar who was tragically killed on Monday. We did not know him, but from all accounts he was a man with a great heart. I know this statement will not ease the pain for his family because words never do. We also send our support to the two people who are in hospital and their families.

Women: violence

Ms HARTLAND — The shooting reminds us that some men believe they have a right to own and control women by using physical or emotional violence. The man who attacked these women was a violent offender even before he pulled out his gun. The men and women who went to the aid of the women in danger on Monday made a clear statement by their heroic actions that violence against women is never acceptable. As a society we should continue to support these people who acted on Monday and say that violence against women is not acceptable and we will never tolerate it.

Shannon's Way: government contracts

Mr GUY (Northern Metropolitan) — On Monday I picked up the *Australian* and found an article headed 'Shannon's Way doesn't stop him making waves'. It was a small piece on well-known Labor mate Bill Shannon. He is a rolled-gold Labor mate. In fact he has probably rolled the most gold of any of them by scoring the \$13 million state government water advertising contract and another large contract with WorkSafe, just to name two.

This man has a first-class seat in the Bracks government's taxpayer-funded gravy train. But it is not the fact that this mate of the Premier has sponged millions of dollars from the taxpayer that got on my goat; rather it was his statement that Shannon's Way

has to work twice as hard to win a contract because it is a Labor firm. Is he trying to fool us or himself? Despite trying to pass that nonsense off as fact, Mr Shannon's competitors are not fools. One of them said to the *Australian*, 'A water contract just happens to go to Bill — what a surprise!' and another said, 'He would be the biggest recipient of government campaigns'.

So much for a man whose pitch is twice as hard. It seems a tad unbelievable to all of us. The Labor Party and its fellow travellers have a long history of trying to rewrite the past, and Bill Shannon can try all he likes. But as a man who is a mate of Premier Steve Bracks and a man who runs Labor's campaign across the country, Bill Shannon will not spin away the fact that he gets work solely because he is a Labor mate first and a consultant second.

Golden Plains: recreation facilities

Ms TIERNEY (Western Victoria) — On Monday, 28 May 2007, I represented the Minister for Sport, Recreation and Youth Affairs in the other place and opened the Inverleigh second oval project and Rokewood Recreation Reserve redevelopment. It was a fantastic day for sport and local communities in the Golden Plains shire with the opening of these two great projects.

It is vital that communities have access to good facilities. Facilities like these do not just cater to a range of sporting groups and competitions; they also become important gathering spaces and places for the communities where good times are shared and friendships are forged.

Sport plays a vital role in regional Victoria in building community identity, solidarity and participation. I thank the local communities for their strong support. They have shown their support by contributing more than \$19 000 in cash and kind. Golden Plains Shire Council must be thanked for its contribution of nearly \$230 000 towards the two projects along with the state government's contribution of \$256 000. These facilities are a fantastic example of what we can achieve when state and local governments work together to deliver the best possible outcomes for our local communities.

I thank the communities of Inverleigh and Rokewood for their great attendance at both of these functions and giving me an opportunity to discuss a whole range of local issues.

Lake Charlegrark: committee of management

Mr KOCH (Western Victoria) — Last Sunday I joined the Friends of Lake Charlegrark, about

200 community members and the member for Lowan in the other place at a meeting, but unfortunately on that occasion no-one represented the government or government agencies in far western Victoria.

Lake Charlegrark lies between Edenhope and Kaniva near the South Australian border. The people of Lake Charlegrark met because of their concern about what had recently happened to one of their lead volunteers on the recreation reserve committee. He had been fined for his endeavours to remove the problem of fairy grass from the lake bed. Lake Charlegrark is one of the best managed lakes in Victoria. Like many lakes, there is no water in it at the moment. I can assure members that the fairy grass problem has been alleviated by the management at the lake. It is to the credit of the individual who was looking after this issue that there are no suckers, litter or anything else on that lake bed today. A petition of over 880 signatures was signed, but regrettably it is not in a form that we can present to the house today.

This is another example of a city-centric government trying to lead communities in regional Victoria and having no sympathy for what those communities are doing on their behalf.

Trams: service standards

Mr BARBER (Northern Metropolitan) — At 8.56 a.m. last Wednesday I was bypassed by my local tram, the no. 55 to West Coburg. I do not think it was anything personal, but it was full of people. It simply arrived, kept going without any sign of slowing down, and moved on.

Every day since then that tram, which I have managed to board, has been absolutely chock-a-block. By about 10 past 8 you will not get a seat, and Greens councillor Fraser Brindley, who lives further down the line from me, says he does not even bother trying to get on that tram — he just starts walking and gets on the train at Royal Park.

I would think that the government is in a good position to run this particular system effectively. It can certainly look at past growth in patronage, and it can project population growth in particular areas. There is even this thing called the tram plan, which was initiated by the government but never saw the light of day, a copy of which I happen to have.

Until such time as the government can run basic services like trams so that people like me and ordinary citizens can get to work, its members should not take any more overseas trips to promote the state or launch

any more synchrotrons, they should just keep providing the basics.

Rail: service standards

Mr D. DAVIS (Southern Metropolitan) — My matter today concerns the reliability of train services in the Southern Metropolitan Region. The May figures from Connex tell a very sorry story.

On the Alamein line 5.2 per cent of trains were late — that is about 1 in 20. On the Cranbourne line the figure was 18.2 per cent, which is somewhere between 1 in 5 and 1 in 6 trains. On the Frankston line 16.9 per cent of trains were late, which is about 1 in 6 late trains. On the Pakenham line 23.7 per cent, or close to 1 in 4 trains, were late. That is a disgrace. Nobody can justify that. On the Sandringham line 9.5 per cent or almost 1 in 10 trains, were late. The number of cancelled trains is also extraordinary: 31 on the Sandringham line; 38 on the Pakenham line; 46 on the Frankston line; 15 on the Cranbourne line; and 23 on the Alamein line.

All of this is unacceptable. Lazy, tired, indolent Labor members are unprepared to stand up to the Minister for Public Transport in the other place, who does not want to accept complaints and does not want to deal with things. Why won't Rob Hudson, the member for Bentleigh in the other place, stand up? Why won't Bob Stensholt, the member for Burwood in the other place, stand up? Why won't those Labor members go in and see the Premier and say this is unacceptable? Why won't they see the transport minister? Or is it that she won't see them? I do not know what is going on here, but I know that those Labor members who have been part of the government are part of the problem here. This is a public transport system that this government has to accept responsibility for. Rob Hudson and Bob Stensholt and those lazy Labor members who are unprepared — —

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

Brendan Keilar and Paul de Waard

Mr ATKINSON (Eastern Metropolitan) — I endorse the remarks of Ms Hartland, as no doubt do all members in this chamber, on the shooting tragedy in Melbourne earlier this week. When I was coming into work this morning I was listening to radio station 3AW. To tell you the truth, I had tears in my eyes when I listened to a young woman called Donna, who works in an office in the city, talk about how she had provided comfort and support and tried to keep conscious the young Dutch tourist, Mr Paul de Waard, who had

intervened in that violent incident in the city on Monday and had paid a very heavy price by being severely wounded. He is currently in a critical but stable condition in hospital. I also note the intervention of Mr Brendan Keilar in that incident.

We live in a society these days where we are all too frequently seeing people disinclined to become involved in supporting and rendering assistance to other people. I think that is an unfortunate trend. This young Dutchman and Mr Keilar are heroes because of their preparedness to get involved in defending somebody. I hope the Premier recognises that young Dutch tourist.

Thompson Road, Carrum Downs, and Thompsons Road, Cranbourne: duplication

Mr SOMYUREK (South Eastern Metropolitan) — I rise to congratulate the government for allocating \$53 million from the budget to the duplication of Thompson Road, Carrum Downs, between the Frankston Freeway and Dandenong-Frankston Road at a cost of \$31 million, and Thompsons Road, Cranbourne, between the South Gippsland Highway and Narre Warren-Cranbourne Road at a cost of \$22 million. Thompsons Road, which becomes Thompson Road at Carrum Downs, is a major east-west link road connecting the growth corridor with the bayside suburbs and the industrial estates of Dandenong South. However, Thompsons Road is too narrow for the traffic it currently carries, and this has led to considerable safety issues. The road is gravel edged and has potholes and uneven surfaces caused by large and heavy vehicles that also use this stretch of road. Unfortunately this has led to Thompsons Road being a major black spot, with major fatalities occurring on the road in recent years.

I and other local members, including a former member of this place, Mr Bowden, have consistently called for the duplication of this road. It gives me a great deal of pleasure to be standing here today and congratulating the government on this particular funding. The \$53 million allocated to this project is part of the government's \$103 million commitment to outer metropolitan roads in the 2007-08 state budget. In addition, the government has a \$1 billion plan for an upgrade to the Monash-CityLink-West Gate corridor.

World Refugee Day

Ms MIKAKOS (Northern Metropolitan) — Today, 20 June, is World Refugee Day. Today we remember the plight of the millions of people around the world who are refugees who have left their homes due to war and political strife. We also acknowledge the contribution refugees have made to this country. Two

of those countries that are experiencing the largest displacement of people at the moment are Iraq and Sudan. The United Nations High Commissioner for Refugees has stated that the situation in Iraq continues to worsen, with more than 2 million Iraqis being displaced inside Iraq and another 2.2 million sheltering in neighbouring states, mainly Syria and Jordan. The United Nations Assistance Mission for Iraq and the world food program have said that at least 47 per cent of those displaced have no access to official food distribution channels. As a result of the fighting in Sudan an estimated 1.6 million people are displaced in the three provinces of the Darfur region.

I call on the federal government to do more to support international humanitarian programs that support refugees and to accept more asylum seekers for humanitarian entry into Australia. In view of Australia's role in the war in Iraq, we have a special obligation to assist the Iraqi people in this regard. I also reject the Howard government's proposed refugee swap with the United States that was announced in April of this year. This is the latest example of the Howard government's blatant disregard of our international obligations to offer safe haven to people escaping persecution. Mandatory offshore processing of refugees is another example. Let us hope that with the coming federal election it does not degenerate into another Howard refugee scare campaign.

University of Ballarat: TAFE campus

Ms PULFORD (Western Victoria) — Last Wednesday I joined the Premier for the official opening of the University of Ballarat's building and construction centre, a new TAFE campus that will boost skills training not just in Ballarat but throughout western Victoria. Housing up to 500 students, the centre has already provided training in such areas as bricklaying, building and construction, carpentry and joinery, plumbing and electrical services, and it will continue to train young Victorians and boost the state's skill base in the ever-growing construction industry. The centre is a landmark in environmentally friendly design, with solar panels incorporated into the north facade, fully renewable timber cladding and first-class water efficiency.

The \$12.7 million centre on Grant Street will cater for students from all over western Victoria. As I have often said in this place, offering young people in regional and rural Victoria tertiary opportunities in their regions is vital to their communities of origin keeping them after they finish their post-secondary education, complete with their new skills. The people at the University of Ballarat understand this and are committed, as is the

Bracks Labor government, to doing everything they can to encourage young people to stay in regional Victoria and to take up opportunities that regional Victoria presents to them. Improvements in educational facilities such as the University of Ballarat's building and construction centre do just that.

Melton: family and community hub

Mr EIDEH (Western Metropolitan) — As a member for Western Metropolitan Region I welcome the fabulous news from the Minister for Children in the other place, Lisa Neville, regarding the funding for a family support centre in the shire of Melton. This area is growing considerably, and families in the community will benefit significantly from this great innovation, thanks to funding from the Growing Communities, Thriving Children initiative of the Bracks Labor government.

There is nothing more important in our lives than family, as this latest initiative of the Bracks government clearly recognises. When completed, the new centre, funded jointly by the Shire of Melton and the state government, will provide maternal and child health services, family support and counselling services, an extended kindergarten, playgroups and child care. I congratulate Minister Neville, the Victorian Labor government and the Shire of Melton.

PUBLIC INFRASTRUCTURE: INVESTMENT

Debate resumed from 6 June; motion of Mr RICH-PHILLIPS (South Eastern Metropolitan):

That this house notes the failure of the state government, over seven years, to facilitate the required investment in public infrastructure to ensure the security of supply and reliability of water, electricity, public transport and the road network.

Mr DRUM (Northern Victoria) — The Nationals are keen to support this motion. I would like to spend my short time putting on the table some of the failings of the Bracks government in relation to significant infrastructure investment.

We have spoken a lot about water in this chamber in the last 6 to 12 months. Whilst I will touch slightly on that, I would like also to look at some of the other areas where this government has failed to provide Victoria with sufficient infrastructure investment. There has been a lot of embarrassment for the government over the budget that was recently handed down. One headline in a daily newspaper on the following day

simply read 'Just add water'. That is a candid commentary on the fact that in the midst of the state's worst drought on record the Treasurer handed down a budget that is effectively devoid of any lateral thinking or significant plan to increase and improve Victoria's water supply.

In the short time since the tabling of the budget the government has taken hasty action to try to con the people in Victoria into thinking it has a plan — and that it is a plan that has merit. Those people who have a better understanding of the situation simply see it as a panicked move. The plans that were announced yesterday will certainly be to the detriment of regional Victoria. It has been mentioned that the Premier has a \$3 billion fund to do something, but we have not been able to find that fund. The Treasurer first put it out there and said a fund was available for a significant water project — but then it could no longer be backed up. The government has not been pushing down that track since the handing down of the budget.

In regional Victoria we only want the same opportunities to thrive and prosper as there are in Melbourne. One of the great differences between the regions and the cities is natural gas. This government committed to a \$70 million project over the previous four years to roll out natural gas throughout regional Victoria. In 2003, almost immediately after the 2002 election, the government came in and made a whole range of sweeping statements, listing a whole range of towns and communities throughout Victoria that were going to have natural gas rolled out to them.

In fact in the lead-up to the 2002 election in my region around central Victoria and in Bendigo the commentary was such that the Labor Party was promising it would bring natural gas to a whole range of communities around Bendigo. Many of the outlying communities around Bendigo simply do not have natural gas, and that impacts on the style of life and the financial viability of many families. The commentary that those communities were going to have natural gas rolled out to them in the next term of government was very warmly received around Bendigo.

The community at Maiden Gully was promised natural gas, but only part of the suburb was connected. The natural gas project was initially a policy of The Nationals. We were of the opinion that we needed to invest more like \$150 million, not \$70 million, but we were grateful for the fact that the government picked up on it and ran with it anyway.

What we have found is that wherever the pipeline project has gone through respective communities,

substantial pockets within those communities have been left out. If you travel into Gisborne, you will see that there is a main area of Gisborne that has been connected to natural gas, but all around its outskirts you will find what were small communities in small subdivisions but which are now becoming built up, with high populations, and those communities are finding themselves without natural gas. The cost of fixing up that connection is beyond the means of most of those families. Given the weather in places like Gisborne in regional Victoria, the nights and the mornings get very cold, and there are many families who would be significantly better off if they were able to have natural gas connected to their houses.

There is also an entire city that goes under the name of Swan Hill that is without natural gas, in effect. A substantial investment will be needed, and the population of 10 000 to 15 000 people in Swan Hill and even the population in the outlying areas who come under the control of the city are still considered insufficient in number to warrant the capital investment for the connection of natural gas to Swan Hill.

There will need to be a substantial investment by the government to subsidise the natural gas connection to Swan Hill, but that does not mean this government should not take the bit between its teeth and subsidise that project to bring further economic development and industry to a place as vibrant as Swan Hill. That community is being held back. The government needs to bite the bullet and outlay the necessary significant sum it will need to get natural gas into all those communities — not just Swan Hill but also a whole range of communities along the way. The sooner we can get the government to acknowledge that, the better off we are going to be.

This government is still hiding from the fact that it broke one of the greatest promises of all here in Melbourne in relation to the Scoresby freeway — which turned into the Scoresby tollway. It had to make that decision. The government went to the election with the promise that there would be a freeway and that it would not toll that Scoresby freeway, but within six weeks of the election it turned around and broke that promise. You had to be a fool to believe that that decision had not been made by the government prior to the election.

The government also made promises about water, and they were broken yesterday. It went to the last election saying it would pipe water across the Great Dividing Range. Now it has changed its tune, and it has only been a lack of investment in water infrastructure that has now left it in a situation where it sees the only

way being for it to take water off the irrigators. That is a very sad state of affairs for regional Victoria.

Another one of the great broken promises from this government in relation to infrastructure failings has been the lack of action to standardise our rail system. There has been \$20 million of federal government money sitting on the table to help with the project to standardise the Mildura line, and this government has been to three elections with its promise. In 1999 it made the promise; it was elected and did not do anything about it. In 2002 it reinforced the promise that it would standardise the rail line to Mildura; it then froze that promise. I do not know what it means when you freeze a promise; it is just the government being cute with words. It does not want to break the promise, it does not want to abandon the promise, but it does not want to uphold and carry the promise forward either.

Mr Viney interjected.

Mr DRUM — For Mr Viney's information, you freeze the promise so you can roll it out again some other time. The rail line is still not standardised and is still in broad gauge. We have a rail system in that region on which some of our freight trains travel at speeds of around 30 to 20 down to 15 kilometres per hour due to the unbelievably bad state of disrepair of that system. The government has now taken the \$20 million, which the federal government put on the table for standardisation, and will use that money to replace every third or fourth sleeper and make the system broad gauge.

It is hard to talk about rail without talking about the fast rail project. One of the great cons this government has perpetrated in regional Victoria in the last three or four years has been its trying to sell a standard maintenance program or rail upgrade as fast rail. Government members should hang their heads in shame. This is not fast rail at all; fast rail systems have been implemented across the world and they compete with air transport. This project has effectively left half of our train services slower.

Ms Pulford interjected.

Mr DRUM — I inform Ms Pulford that half of our train services are slower. Two weeks ago I caught the train. Surprisingly it turned up on time. That was a welcome surprise.

Throwing \$1 billion at regional rail and failing to address the infrastructure problems that exist in suburban areas has in effect been for nothing if time and speed of service is to be a no. 1 priority. As we know from those people involved, the surveys that led

to the fast rail project showed that only 7 per cent of Victorian regional rail travellers said that speed of service had anything to do with their catching public transport. They were more interested in punctuality with services turning up on time and with regular services so they knew they could catch the train they wanted to. Most of them wanted a system that would enable their services to leave at a specific time on or after the hour.

However, the government did not want to come up with a reliable and regular transport service. Instead, it tried to sell a con to Victorians that it wanted to have a fast rail service. It ripped up one of the lines north of Kyneton so that where we used to have duplicated rail systems we now have a single line, which causes further delays. By its failure to attack the sprawl that is generated by the metropolitan system, once regional services hit Water Gardens, Pakenham, Broadmeadows and Werribee and travel in from those stations on each of the respective regional lines, they are faced with a metropolitan system that forces them to slow down to walking pace and to run late.

There is a very clear message. Now the government has purchased back the rail system from Pacific National, the figures are very clear. The reporting data clearly shows where the delays are emanating from — and that is from inside the metropolitan area.

Recently we went to the Wangaratta region; as I said in this chamber during debate last night on water issues, Wangaratta very nearly ran out of water. A number of colleagues, including The Nationals spokesperson on water, the member for Swan Hill, Peter Walsh, and the members for Benalla and Murray Valley in the other place, Bill Sykes and Ken Jasper; a number of local water experts in that region; and I were concerned that previous governments had made provision to expand Lake Buffalo to 40 times its present capacity, yet Wangaratta found itself in a situation where the town very nearly ran out of water. Certainly in that part of the state we have issues about water shortages.

Lake William Hovel is a very small reservoir and has been filled from the little bit of rain we have had recently. It holds something like 14 000 megalitres. The opportunity exists in that part of Victoria for us to increase the size of our water storages and to increase the opportunities for irrigators to get water, to increase the opportunity for our towns and cities to prosper, but the government needs to have a look at the policies that drive it and which are holding it back from investing in infrastructure such as water and rail projects.

The rail line in the north-east of the state has been by far the worst line of all the rail systems throughout Victoria that carry passengers. About 82 per cent of its services arrive within the prescribed 6 minutes leeway. Services to the Wodonga region have a leeway of 11 minutes but still have a punctuality rate around the low 80 percentile mark. The rail punctuality rate in the north-east of Victoria is absolutely pathetic and travellers in that region can have no confidence in it.

Unlike all the other services throughout Victoria, the main problem with the north-east line that goes through Shepparton and the line that takes off from Seymour and goes to Wodonga is the state of the track. It has simply been left in a state of disrepair, because this government cannot make up its mind what it wants to do. It does not know whether it needs to standardise that line, whether it is going to build on the standard line that goes through the interstate lines or whether it wants to put in place a whole range of passing loops to enable further traffic to be taken off the broad gauge line and put onto the standard line, which is possibly going to be the solution in the near future. Obviously the government needs to make a major decision about what it is going to do with rail services in north-eastern Victoria.

Also areas of East Gippsland and West Gippsland have a lack of water storage facilities in relation to off-stream capacities with the Mitchell River. The opportunity is there to do something off stream on the Mitchell River, which would secure water supplies for the irrigators.

Nothing has been done by this government about regional airports. During the parliamentary Rural and Regional Committee public hearings held as part of the committee's tourism inquiry witnesses have said regional airports could give this state a huge boost if only some infrastructure spending was directed to them.

Also, rail trails around the state have been left in a state of disrepair. This government certainly does not understand how many tourist dollars could be invested in regional Victoria if some of its rail trails and walking tracks were brought back into a usable condition. To a lesser extent the bicycle paths that link some of the smaller communities have been left alone. The government needs to address a whole range of infrastructure issues, with water certainly being a major one.

I will leave some time for my Leader, Peter Hall, who has his own list of available options, to contribute to the debate. This issue can clearly be summed up by a question that I asked the Minister for Major Projects in this chamber about six weeks ago. I asked him if he

would let the chamber know of any major project being planned for regional Victoria. He stood up and stammered, flustered and flubbed, and mentioned something about some of the projects that are going on in Melbourne. In the end he sat down without being able to mention one major project for regional Victoria in his answer to a question without notice. It is an indictment of this government that its members are so city-centric that they do not care about regional Victoria. When it comes to major infrastructure investment, we have a government that cannot put in place one project that is actually going to help regional Victoria. The government gives us a toxic waste dump and Melbourne's recycled water, and then tells us that it governs for everybody. What a joke!

Mr PAKULA (Western Metropolitan) — I rise to oppose the motion, and I intend to speak principally on the part of the motion that goes to road infrastructure. In regard to road infrastructure, the opposition's motion simply does not stack up. Since coming to office in 1999 the Bracks government has committed funding of more than \$4 billion to Victorian roads, and \$2 billion of that has been spent on rural and regional roads. There has been funding of more than \$100 million for new and upgraded bridges across the state's arterial road network. Before the last election the state government released *Meeting Our Transport Challenges*, which documents how that investment will continue in an integrated fashion. There is funding of \$737 million to upgrade the Monash–West Gate corridor, \$1.3 billion for outer metropolitan arterial roads and nearly \$700 million for arterial roads in country Victoria.

In addition there is funding of \$1.7 billion for major road projects which are currently being delivered by the government, including the Calder Freeway upgrades between Kyneton and Faraday and between Faraday and Ravenswood; the Tullamarine Freeway–Calder Highway interchange project; the Pakenham bypass; the Deer Park bypass; the Geelong ring-road project and the duplication of the Goulburn Valley Highway. There have been some \$800 million-worth of completed road upgrade projects in outer metropolitan areas, including the Craigieburn bypass, the Hallam bypass, the Narre Warren–Cranbourne Road upgrade and the duplication of Pascoe Vale Road.

Then there are the costed commitments that are outlined in this year's budget alone. The \$250 million for roads includes \$91 million to upgrade regional roads and \$103 million to upgrade key routes in Melbourne's outer suburbs. That includes \$32 million to widen Ferntree Gully Road between Jells Road and Stud Road, which just goes to show that, unlike our

friends in Canberra, we do not use road funding to pork-barrel in marginal seats. Unless I am sorely mistaken, that particular road lies within the electorate of the shadow Treasurer. There is also funding of more than \$50 million to duplicate Thompsons Road from Carrum Downs through to Cranbourne.

The government has also invested in road safety. Of more than 1500 road safety projects, two-thirds are in country Victoria. Over the last four years Victoria has had its four lowest road tolls on record: an average of 6.6 fatalities per 100 000, compared to 8.3 per 100 000 for the rest of Australia.

The government's investment in roads is unparalleled. In a speech during the last sitting week Mr Rich-Phillips for a moment gave me pause for hope. He stood up and indicated that he was not simply going to catalogue failures and that he would instead provide us with some depth and analysis and talk about outcomes. I thought for a moment that we might hear a policy or a plan. I thought for a moment we might hear Mr Rich-Phillips outline an alternative. I thought for a moment we might hear a solution rather than just carping. Alas, Acting President, I should have known better. What Mr Rich-Phillips did is what the Liberal Party always does. He came in, catalogued what he saw as problems, proposed not a single solution to any of them and blamed everything that has happened on the government.

Let us start with Mr Rich-Phillips's treatise on energy. He talked about power outages that occurred earlier this year as a result of a confluence of catastrophic incidents. There was a massive heatwave, record power consumption and an enormous bushfire that knocked out the main interconnector between Victoria and New South Wales — and Mr Rich-Phillips said that was the government's fault. That might be a fair cop if the government had done nothing to increase base load power, but Mr Rich-Phillips himself acknowledged Basslink and the Laverton project. In his speech Mr Leane went through a range of other projects by which the government has increased base load power in this state.

I would like to know what Mr Rich-Phillips is suggesting. Is he proposing that we invest billions of dollars of taxpayers money to build power stations which would increase base load power to a level far in excess of the state's day-to-day requirements, which would sit idle most of the time and which would be needed only to provide spare supply in the case of catastrophic incidents? My invitation to him is that if that is what he means, he should say that, and we should have a debate about whether the state should in

effect be duplicating its base load energy needs to deal with catastrophic incidents that may occur from time to time.

Mr Rich-Phillips then tried to advance the proposition that the fact the city experienced congestion problems as a result of the Burnley Tunnel catastrophe was again somehow an example of government neglect. What a load of rubbish. If you picked any major city in the world and shut down the main feeder route into that city, you would see congestion. This is not something that is confined to Melbourne. If you shut down the M5 motorway or the Edgware Road in London, if there were a fire in New York's Holland Tunnel, or if the Eastern Distributor or the Cahill Expressway in Sydney were shut down for three days, there would be absolute pandemonium in each and every one of those cities. The fact is that what followed the Burnley Tunnel catastrophe was an example of Melbourne coping pretty well with adversity. It is absolutely cynical and opportunistic to come in here and suggest that a city the size of Melbourne would not be deeply impacted by a three-day shutdown of a road of critical importance to the city, no matter what other projects were in place.

I turn to the other factor which I think demolishes the Liberal Party's credibility on the issue of roads — that is, the way the Liberals' federal counterparts are ripping Victoria off when it comes to road funding. As has been outlined in this place before, Victoria provides 25 per cent of the nation's fuel excise, 25 per cent of the nation's gross domestic product and 25 per cent of the national transport task, yet in the last round of AusLink funding we got 16.5 per cent of federal money. We got \$2.48 billion when our fair share would have been \$3.75 billion. We were short-changed by the commonwealth to the tune of \$1.27 billion.

The federal government will not kick in \$62.5 million, which is its share of funding for stage 4 of the Geelong ring-road, because Stewart McArthur, the federal member for Corangamite, does not like the route that has been chosen, but it will kick in \$2.3 billion for the Goodna bypass in Queensland, which the Queensland Premier has said he does not want, which the Queensland Liberal Party leader has said he does not want and which the Liberal Lord Mayor of Brisbane, Campbell Newman, has said he does not want. Nobody wants this road. It is projected to carry the same amount of traffic as stage 4 of the Geelong bypass and it will cost 37 times more money than we are asking the federal government to kick in for Geelong, yet the federal government will put the \$2.3 billion into Goodna and will not put \$62.5 million into the Geelong ring-road, because the Goodna bypass runs through five marginal seats in Queensland.

Ms Pulford — How many?

Mr PAKULA — Five. It is an absolute disgrace. If the same thing happens this time with AusLink 2, we will not miss out on funding of \$1.2 billion, we will miss out on funding of \$1.6 billion — and on initial indications it looks like we might do even worse than that. If this state got its just deserts in AusLink funding, stage 4 of the Geelong ring-road could be finished, the Calder interchange at Taylors Lakes could be finished, we could duplicate the Princes Highway between Traralgon and Sale, and the Goulburn Valley Highway bypass at Nagambie and Shepparton could be built. But what have we heard from the Liberal Party? What have we heard from the opposition leader about the way that the opposition's federal counterparts are ripping Victoria off? Not a word. What Nationals MP has raised their voice against Canberra in support of this state rather than their party? There has not been one. What we have seen instead is blind loyalty to their federal colleagues rather than loyalty to their state.

How sad that change is, because to give credit where credit is due, when Geoff Craigie was the Liberal Party roads minister in this place and Victoria was getting duded by the Howard government over roads, he did not hesitate to hammer Canberra. He put Victoria first regardless of the party tensions it created. When Bill Baxter was roads minister he was moved to congratulate the Labor opposition because it supported the state government in its campaign to get a better road funding deal from the Keating government. I turn to *Hansard* of 12 May 1993, which records the Honourable W. R. Baxter, the then Minister for Roads and Ports, as saying, 'I also applaud the support the opposition has given to the government in respect of federal funding'. Members should bear in mind that at the time Australia had a Labor government.

Mr Hall — A very good minister, that man.

Mr PAKULA — I would not disagree with you, Mr Hall. A Victorian Labor opposition was supporting a Victorian Liberal government in going after the federal Labor government for better funds for this state.

That was our form and that was the form of previous governments — that is, putting the state first and going after the money for the building of better roads for Victoria but that is not the form anymore. A pattern is emerging, because the same thing has happened with the Prime Minister's water plan. I will give The Nationals credit because they held out for a little while. But they caved in eventually, and that is what makes Mr Drum's horror-story performance last night even more amusing. The Liberal Party from day one said, 'Just sign it'.

Regardless of the views of the Victorian Farmers Federation or irrigators and regardless of the need for long-term water security in the Murray–Darling Basin, the Liberal Party said, ‘Just sign it’.

When the Premier came out of his meeting with the Prime Minister two weeks ago, with every indication that an agreement was imminent and with every indication that those concerns would finally be addressed, what did the Leader of the Opposition in the other house say? He said, ‘Just get on and sign it’. That moves me to read a letter from Mr Ron O’Toole of Mount Eliza which was published in the *Herald Sun*. It says:

Listening to the Victorian Liberal and National parties on the federal government’s \$10 billion Murray–Darling plan, I’m left with the impression they would have rolled over immediately for their federal leaders rather than stand up for their Victorian constituency.

Hope I am wrong.

Sorry, Mr O’Toole, you are dead right! Once again, this is an example of the Liberal Party allowing its corporate party political interests to take precedence over the state’s interests. Liberal Party members come in here and try to lecture us about infrastructure. That party was the great infrastructure vandal of our time. The response of its members to infrastructure was like Pavlov’s dog — every time they saw infrastructure, they started salivating. They could not decide whether to shut it down or flog it off. They washed their hands of the public transport system and they flogged off the State Electricity Commission of Victoria. We have got their federal mates who fixed us up with a broadband network that they are laughing at in Mongolia. They signed a contract for CityLink that exposes the state to financial penalties if we dare upgrade alternative transport routes. They opposed key elements of the Dynon port rail project, then they pretended they supported rail freight. They sold off the country rail network without any maintenance obligations on the lessee.

I shall read one more letter, this time from the *Bendigo Advertiser*, under the heading ‘Opposition parties crying wolf over rail’. It says:

Just how much history of our Victorian rail system can be misrepresented by the opposition in Victoria?

I refer to the report in the *Advertiser* on May 30, ‘Audit slams Victoria’s rail’.

The report on regional rail infrastructure has been criticised by the Auditor-General, and immediately jumped on by our Liberal and National parties.

The opposition forgets it was their governments that destroyed the country freight lines and work opportunities in regional Victoria.

...

Terry Mulder and Damian Drum should remember who fought for the retention of and improved the Maryborough–Ararat–Portland–Geelong lines for grain and superphosphate traffic, and who under successive Liberal governments destroyed those freight lines and thousands of job opportunities in these bush communities.

I remember those men and women who worked hard to get the Ararat–Maryborough line reopened — and they were not politicians.

The opposition parties enforced the use of road transport to the detriment of their government rail network and now cry wolf.

That letter was written by Bill Collier of Golden Square. How right he is! The Liberal Party has been the great infrastructure vandal of our time. Its members need not come in here and lecture the government about infrastructure spending. They have no credibility on this issue. Their arguments, particularly on roads, do not stack up, and the opposition motion should be rejected.

Ms HARTLAND (Western Metropolitan) — I have decided that today I would like to spend my time in this debate by reciting a history lesson about public transport. So far as I can see, neither the Labor Party nor the Liberals in government have given it any priority. I will be looking at four governments — those of Cain and Kirner, Kennett and Bracks.

During the Cain and Kirner governments we had the disasters with the scratch tickets, the beginning of corporatisation of public transport in the form of Hillside and Bayside Trains, and the removal of conductors from trams and buses.

Under the Kennett government it was the selling off of the freight network, the privatised ownership of the tracks and the forming of VicTrack. Those who were in local government then know what a difficult organisation VicTrack is to deal with, sometimes being described as ‘a mediaeval walled city’.

There was the franchising of passenger transport to companies such as National Express, which then walked away and handed back the keys at Christmas time several years ago, leaving the system in complete chaos. They sold off the transport workshops at Newport, Ballarat and Bendigo. The consequences for local communities was severe, and a problem then was about where young people could go to get

apprenticeships. Infrastructure and maintenance was privatised, and it has not been successful.

One of my favourites of the Kennett era involved the ticket machines that were so poorly designed because the government took the cheap tender, and then had to employ security guards to protect the machines. You could go to a railway station where there were no staff but a security guard would be protecting the ticket machine. This happened at a huge cost. Railway stations were destaffed, making them unsafe. The CityLink contracts prevented competition for public transport.

Because of that list of the terrible things that happening during the Kennett era — the fact that schools were sold off, country railway stations were closed down, hospitals were run down and public transport was put in chaos — it has to be acknowledged that the Bracks government has had to spend an enormous amount of money to bring back government services and to mop up the disasters of privatisation.

However, the Bracks government is now in its third term. In this year's budget it acknowledged that there is a major problem with public transport, but even with that acknowledgement it has to be said that this government has failed on a number of fronts. The South Morang train station has been promised during the last two elections, but no funding has been set aside. Coolaroo will get a new station, but not until 2010. There is no plan to build a station at Patullos Lane or Somerton, but the land has been set aside. The government has spent a fortune on the electrification of the Craigieburn line, but the trains run past vast new suburbs without stopping.

The \$58 million allocated for the Footscray railway station and the transit city plan is just fantastic. Considering it is the station I use the most, I am pleased that this has happened, but it took almost six years of campaigning by local residents and the council before the government started to do something about upgrading that station which is in such a terrible state of disrepair that it has become unsafe.

There are new estates springing up all over the western area, such as at Caroline Springs, Wyndham Vale, Keilor and Hillside. The problems for those estates is that not only is there often no commuter transport into the city but also there is no cross-suburb transport. The government needs to look at the tram routes that go to Keilor and the re-routing of the Footscray–Moonee Ponds tram service. What is happening about unsafe railway crossings? We know how many lives were lost at the terrible rail accident at Kerang, and there has

been a series of terrible accidents at the Furlong Road crossing in Sunshine, but that is not included in any plans to rectify the situation.

Yarraville station is an accident waiting to happen. Because there is no pedestrian underpass at the station, people regularly cross the railway track when the boom gates are down. While I was on the local council the government refused to do anything about it, so we decided to conduct a community survey in 2005. We found that during peak times in any one day up to 126 people illegally crossed the train line. The boom gates closed up to 15 times per hour, often for more than 3 minutes. The longest wait was 17 minutes. During that period 74 pedestrians and 3 cyclists crossed illegally and 43 people remained stranded for 17 minutes. It also must be remembered that at Yarraville station there is a 20-minute service during peak hours and there is no loop train. This makes people desperate to get on their trains.

The government ran an advertising campaign to alert people that crossing train lines while the boom gates are down is an illegal activity. Reopening the underpass at Yarraville station would be much better than just blaming people who are desperate to get on their trains. Members need to look at the runaway train incident which happened at Broadmeadows five years ago. During the inquiry into that incident Connex said it needed to upgrade the Metrol signalling system in the control room. But this work has not been planned nor started and five years have passed. The government seems to be incredibly surprised that there has been a 20 per cent increase in train patronage. Passengers are not surprised; they understand why they are catching trains. It is because of high petrol prices and because many of them have a commitment to do something about climate change. Most MPs should catch a train three or four times a week to see what it is actually like.

Where is the big picture planning for infrastructure? Ten trains in 2010 will be literally eaten alive — they will not touch the sides of the problem. Those trains are not here this year because the government did not plan and did not order them five years ago. The government is too timid when it comes to spending money on public transport, and that is why we are in a crisis. The lessons that need to be learnt from the lack of infrastructure are obvious to me: corporatisation has failed, there is no forward planning and it is too late to rectify a problem when there is a crisis. The Greens will not be supporting the motion of the Liberals. It is fine to condemn the government, but if you offer no way out of the problem, then these kinds of motions are worthless.

Mr O'DONOHUE (Eastern Victoria) — I am pleased to rise to make a contribution on this motion. I congratulate Mr Rich-Phillips for putting forward this motion in the chamber. The delivery of infrastructure is a core component of the role of state governments. Over the years, particularly over the last 10 to 15 years, some of the functions of state governments have been referred to the commonwealth government to obtain the benefit of a unitary system. A classic example was the industrial relations system. The Labor federal opposition now supports a unitary industrial relations system. Other aspects of regulation and state government responsibility have been referred to the commonwealth for the betterment of efficiency and delivering services in a national framework.

Infrastructure is still the responsibility of the states. Again I congratulate Mr Rich-Phillips for his motion. I also congratulate the members on this side of the house on their contributions.

This government's history of infrastructure failings is long and extensive. Before I begin my substantive speech, I would like to make some comments about the previous speakers' contributions. I agree with Ms Hartland that the scratch tickets introduced by the Cain and Kirner governments for use on the public transport system were a joke. She then made some comments about the Kennett government, but members should not forget the state that the Cain and Kirner governments left Victoria in. Victoria was left in a state of absolute bankruptcy, despair and depression. Tens of thousands of people moved north. We were nicknamed Mexicans — an indictment of the mismanagement of Victoria by the Cain and Kirner governments and its fiscal irresponsibility.

I inform Ms Hartland that I would be pleased to catch a train two or three times a week if there were trains where I lived and if public transport were available to take me where I need to travel. Unfortunately I have no choice. Members opposite may recall this government's many promises regarding public transport for the Eastern Victorian Region, but very few promises have been delivered.

Mr Pakula spoke at length about what the commonwealth government has failed to do and the money that it has spent. But what Mr Pakula did not say is instructive. He did not talk about shorter travel times, he did not talk about more services and he did not talk about extending services and honouring commitments which have been made by this government. He spoke as government members often speak; he talked about dollars spent. But dollars spent does not equal outcomes. You can spend all the money you like, but if

you do not spend it in an efficient and effective fashion, money spent does not necessarily lead to improved services. These are the things that can be understood from Mr Pakula's contribution.

Mr Pakula criticised Mr Rich-Phillips's contribution about a lack of energy security. I say to Mr Pakula that whilst we do not want to double Victoria's energy capacity, it is not unreasonable for Victorians to expect that when they flick a switch, the light will turn on. Energy consumption is increasing, particularly at peak times during summer. In a country as prosperous as Australia and in a state that is as prosperous as Victoria, which has the natural resources of coal, wind, power and solar power, it is not unreasonable to expect that when you open your fridge door on every day of every year you can see it is being powered. It is also not unreasonable to expect that if you flick a light on in your bedroom, then the light will turn on. Mr Pakula really meant by his contribution that we should get used to brownouts and blackouts, because we want to run our energy system at maximum capacity and that that is a good utilisation of it. I say to Mr Pakula and the other members opposite that that is plainly not good enough.

In an affluent society such as Australia we should be able to deliver the most basic services at all times. The government has not done that. Again, what Mr Pakula did not say is as instructive as what he did say. I note that he did not make mention of the water infrastructure crisis. He did not talk about the water announcement yesterday, because after eight years of being part of a government with record revenues he has nothing to say. The government has nothing to say on water. Even what was promised in the government's announcement yesterday is on the never-never. It is talking about bringing a pipeline from a catchment that has no water now. It is no doubt hoping there will be enough rain to fill up Lake Eildon and the other catchments to the north. It is talking about putting a desalination plant down in Wonthaggi, which is a surprise to the people of Wonthaggi. I am sure they are looking forward to hearing from the government about what is proposed for this project.

Mr Drum touched on the issue of natural gas. The people of Warburton in the Upper Yarra are absolutely furious that other communities in the Upper Yarra have had natural gas delivered to them but that the government found it too hard to deliver the gas line an extra 3 or 4 kilometres to the township of Warburton. If the government were actually serious about the environment and about delivering energy in a cost-effective and environmentally sensitive way, it would deliver the natural gas to the communities Mr Drum mentioned. It would deliver natural gas to

towns such as Warburton, because that is an energy-efficient and cost-effective way of delivering energy.

Moving to some of the issues in Eastern Victoria Region, the electorate I represent, I see public land management and the way the government takes care of public land as an issue related to infrastructure management. Public land is one of the great assets for all Victorians. The government has badly mismanaged public land, particularly public land in eastern Victoria. The bushfires over the recent summer demonstrated the government's inability to manage fuel reduction, its inability to adequately resource our emergency services and its inability to understand the way public land operates. The explosion of noxious weeds and feral animals on our public land is also an indictment of the government. Again, the government talks about money being spent in this area but does not talk about the amount of land that has been rehabilitated for natural species. It does not talk about the eradication of feral animals, because it has not done that. The government has mismanaged our public land.

Mr Pakula made the centrepiece of his contribution the road network, and I would like to say something about it too. The point here is not the dollars spent, it is outcomes. We should be outcome focused and outcome driven — and roads are at a crisis point in the interface parts of Eastern Victoria Region. Roads such as Clyde Road between the Monash Freeway and High Street, Berwick, are choked up literally 6 to 8 hours per day. Despite what Mr Pakula said, it has been left to the federal government to fix many of the problems.

The construction of traffic lights at the intersection of Tivendale Road and the Princes Freeway has been provided through the federal government's Roads to Recovery funding, and the new Bryn Mawr Bridge in Berwick will alleviate some of the traffic congestion there thanks to a \$10 million grant from the federal government. Bungower Road on the Mornington Peninsula would be upgraded with Roads to Recovery funding but for the incredibly complex planning system that the state government has introduced. Not only is the government not investing money where it should be investing it but its planning system and the controls it places on road development are inhibiting the development of that infrastructure. The government is not just not spending the money, it is inhibiting that development. That is a disgrace.

The public transport system in eastern Victoria is at crisis point. I have been overwhelmed with the contact I have had from constituents conveying a range of criticisms of the public transport system. Principally

these seem to relate to train station car parks, which cannot cope with the volume of commuters because they have not been expanded or upgraded, by and large, by this government. Public transport patronage is rising but the number of car parks remains the same. If people do not get to park at a train station by 7.00 a.m. or 7.30 a.m., they miss out. The government should look at introducing 4-hour or 2-hour parking restrictions in parts of station car parks for people who do not necessarily commute to the city for work but commute from Pakenham to Dandenong for a medical appointment or from Drouin to Pakenham to go shopping or for some other non-work-related reason.

Of course the lines and the services themselves are at breaking point because of the lack of investment in new rolling stock and the tracks themselves — and there is no quick fix to this. I refer to a statement by Mr Alex Makin, a spokesman for the Public Transport Users Association, who was quoted in the *Herald Sun* on 18 June as saying that new trains would be welcomed but would not meet demand. The article states:

There has been very little proper planning. The government has simply been reacting when there is a crisis ... There is a strong demand for public transport, particularly in light of rising petrol prices.

The article continues:

Bracks government spokesman Cameron Scott said it did not believe passenger levels over the next three years would continue at the current 'abnormal levels'.

I would like to ask Mr Scott how that sits with the government's proposed 20/2020 proposal — that is, 20 per cent of all trips by 2020 being on public transport — because at the moment the Bracks government has not achieved even half that level and the system is at breaking point. The government must either abandon its policy objective of 20 per cent of trips by 2020 or it needs to make an enormous investment in public transport.

Looking specifically at the Gippsland line, which is an example of the effects of the government's inability to deliver services properly, in May of this year 20.3 per cent of the Warragul and Latrobe Valley trains ran at least 6 minutes late — the highest percentage of late trains on any Victorian rail line. On the Sale and Bairnsdale long distance lines, 15.8 per cent of trains were at least 11 minutes late. The connecting coach passenger services to Heyfield, Maffra and other country towns were affected by these late trains. The heart of this problem is the Bracks government's failure to improve the key section of track between Pakenham and Dandenong passing through Berwick, which then causes delays on the Gippsland line. That of course

says nothing about the fact that the government still has not come clean about its intentions with the South Gippsland line, which was promised by the government in 1999 to be one of the lines to be brought into service.

We still do not know where we stand with this issue. The uncertainty means that that community cannot plan for its future because the railway land affects the future planning for the local council and the planning for future bus services if the train line is not brought back. I again call on the government to come clean on its intentions on the South Gippsland train line, which was promised in 1999 and on which the government has gone completely silent. It is time the government came clean with the people of southern Gippsland.

I again congratulate Mr Rich-Phillips for bringing this motion to the house's attention. I also congratulate members on this side who have so far contributed to the debate. The delivery of good infrastructure, whether it be public transport, water, electricity or a good road network, is one of the key responsibilities of any state government. This government, no matter how much it tries to blame the federal government, has failed to deliver on those services.

Mr HALL (Eastern Victoria) — I am pleased to have the opportunity to make some comments this morning on this important motion. Infrastructure is an important subject, and I am pleased that we have extended the debate on this particular motion over two sitting weeks to enable more members to have the opportunity to participate. That is a healthy sign.

First of all, the motion notes the failure of the state government over seven years to facilitate the required investment in a range of infrastructure areas. It is true that this state government should have done more in terms of its investment in infrastructure. I know that government speakers have already commented on the previous government also failing to invest appropriately in infrastructure. That may be the case — I am not denying that. I think there has been an issue with investment in infrastructure in this state, particularly in country Victoria, for a long period. My interests and those of the party I represent have been as long-term advocates for better infrastructure for the areas we represent.

This particular motion talks about infrastructure in the areas of water, electricity, public transport and the road network. I am going to make a brief comment on each of those areas, but I will concentrate on just two of them. The definition of infrastructure could be extended, and I note that some speakers have extended

it beyond those four areas, but I will try to limit myself to concentrating on just those two areas.

First of all, I want to make some remarks on Acting President Leane's contribution to this debate last week. It was a spirited contribution, although not always logical. I must say also that I enjoy his contributions because he does not waste words in coming to the point he wants to make. That is a pretty healthy sign — at least we know where he stands on some of those issues.

The previous Kennett government was castigated for its privatisation of the State Electricity Commission. I just want to correct the record with respect to that. As a member located in the Latrobe Valley in the heart of the former SEC country — it is still the power generation centre of Victoria — I note that it was actually the previous Kirner government that started the whole privatisation process. The transport sector of the State Electricity Commission was privatised by a Labor government under the premiership of Joan Kirner, as was Loy Yang B power station.

Mr Pakula — It seems last century!

Mr HALL — It seems last century? Some of the comments that people make about the Kennett government are also going right back to 1992, and it seems a long time ago. Loy Yang B was the last baseload generator built in Victoria and was commissioned under private ownership by the Kirner government. The whole process of privatisation of the State Electricity Commission was in fact started by a Labor government.

In his contribution Mr Leane made some points about Basslink. I note that Mr Pakula also made some comments about Basslink, saying it is one of the initiatives by the current government to improve the electricity supply in Victoria. Basslink has turned out to be largely an exporter rather than an importer of electricity. The argument put forward by Mr Leane and Mr Pakula was that Basslink was to be used as an addition or supplement to ensure Victoria had adequate power supplies, but because of the drought and the lack of hydro-electric power in Tasmania, we have been exporting more electricity than we have been importing using Basslink. It does not seem to serve the purpose that has been claimed for it.

There has also been some comment about wind farms in Victoria. Wind farms have been a big disappointment in Victoria. On days when the temperature gets over 35 degrees Celsius the turbines are being turned off because of problems associated with them overheating. Those are the days on which

Victoria has the most demand for power. I do not think they have proved to be the boon that some people suggested they would be.

Mr Leane also made some comments about Valley Power, the gas-fired power station sitting alongside Loy Yang B power station in the Latrobe Valley. Valley Power uses second-hand materials imported from New Zealand. Because of its inefficiency, the EPA (Environment Protection Authority) has actually put limits on its operation. That is of concern to Snowy Hydro, which owns Valley Power. It has not provided the supplement that we expected from it because of the restrictions placed on its use by the Environment Protection Authority.

The last comment that I refer to made by Mr Leane was about the loss of skills with the privatisation of the former State Electricity Commission of Victoria (SEC). Organisations have stepped into that breach. I commend organisations like Gippsland Group Training, which has taken over the role of training a lot of young trainees and apprentices in the Latrobe Valley. I also commend GippsTAFE both in its operations in the Latrobe Valley and its linesman training school operation in Chadstone here in Melbourne. Those organisations have taken over the role, formerly done in-house by the SEC, of training and maintaining skill levels for our workforce in the electricity industry. I make those comments in response to some of those that Mr Leane made last week from his seat in this chamber.

I want to go on and make some quick comments about water. This has been the subject of much debate because of the drought conditions suffered by Victoria for quite a number of years. The first point I want to make is that most Victorians are still on stage 4 water restrictions. Despite being well into winter, Melbourne, as we all know, is on stage 3a. What gets up the noses of people in the country are comments like those in the press release from the government yesterday that there was going to be a redirection of water to Melbourne 'where it is most needed' — to use the exact words used in the press release. I claim that the needs of many country communities are far greater than those of Melbourne. After all, we have the severest water restrictions.

As I understand it, at the moment the storage levels of Melbourne are at something in the order of 28 or 29 per cent. I visited South Gippsland Water on Tuesday of last week. I sat down with people and went through what its water supply needs are and what its situation is. I can report to the house that of the nine storage areas for its service area, the Lance Creek storage, which services Wonthaggi, Inverloch, and Cape Paterson, is at

9.8 per cent and the people served by it are on level 4 restrictions. Ruby Creek, which services Leongatha, Coonawarra and Leongatha South, is at 11.7 per cent capacity — level 4 restrictions. The Korumburra supplies are at 23.1 per cent. The Deep Creek supply, which services Foster, is the only one with any substantial amount of water in it. It is at 67 per cent capacity, and there are no restrictions in Foster. Storages serving towns like Poowong, Loch, Nyora, Fish Creek are at between 15.6 and 19 per cent of capacity. Communities that take water from the Tarwin, Agnes and Tarra rivers are on level 4 restrictions because of the low flows in those rivers — and that is just for South Gippsland. I heard my colleague Mr Drum say yesterday that Bendigo's supply was below 1 per cent.

To suggest that Melbourne is most in need of additional water supply is quite erroneous. Many country communities are in far more dire straits. We should look at ways to address water supply needs right across Victoria, not just Melbourne's needs. That was the biggest disappointment about the announcement yesterday, that it seemed to concentrate purely on Melbourne and not look further to country Victoria.

On Monday I will be conducting a similar exercise with East Gippsland Water. I will be meeting and talking with the people there. Its supply has thankfully been boosted in the last couple of days by substantial rains in parts of East Gippsland. I note, for example, that since Monday Bairnsdale has received 150 millimetres of rain. That is great for the area, because it has also been on stage 4 water restrictions. I hope that rating changes. It also has had problems with water quality, because the fires in the East Gippsland area have polluted streams and catchments, and it has had difficulty treating water to bring it to drinking standard. There is a need for treatment infrastructure.

It is at times like these, when East Gippsland gets a bucket of rain and other communities get a downpour, that storages can be replenished. It is a perfect opportunity to build additional off-stream storages in Victoria so that they can be replenished at times of heavy downpours like those East Gippsland has experienced in the last two days. East Gippsland Water has only recently completed an off-stream storage at Woodglen. I hope the recent rains have been able to fill that storage. I will find out when I visit on Monday.

My final comment on the water situation is about yesterday's announcement. As I said, it was a lost opportunity. I agree with the comments made in the editorial in today's *Age*, which members may have

read. It says the package's 'lack of large-scale urban recycling is a glaring oversight'. It goes on to say:

Recycling water, at a point close to the city or town that produces and re-uses it, is cheaper and more energy efficient, and has proven its worth overseas. Recycling uses less than half the energy of desalination. Because it does not require an ocean outlet to discharge brine wastes, the plant can be much closer to the city it supplies. Recycling would end the pollution from ocean outfalls discharging partially treated sewage from Melbourne's eastern and western treatment plants — the amount of water flowing from the Gunnamatta outfall is roughly the same as the desalination plant will produce.

We in The Nationals have been strong advocates for greater use of recycled water and collection of stormwater. We are, appropriately, doing it in Gippsland, where the \$160 million Gippsland Water factory is being built. The government has contributed \$50 million, but the users are contributing \$110 million. We will recycle and reuse about a quarter of the wastewater that is generated in the central Gippsland area, and I think that is admirable, but three-quarters of that waste will still be treated at Dutson Downs and put out to sea.

Even in Gippsland there is greater opportunity to recycle and make use of wastewater, and that should occur in Melbourne as well. The government has missed an opportunity to make a greater effort to treat water properly, eliminate some of the ocean outfalls around Port Phillip and Western Port bays, make greater use of recycled water and collect stormwater as well. That is a missed opportunity on the water issue.

I move on to quickly discuss public transport issues. What has been delivered by the fast train to service regional Victoria is not what was promised. On the Latrobe Valley rail line to Traralgon there is only one train service a day that is faster than previous services were — and that is 9 minutes faster only because it is an express service.

My colleague Mr O'Donohue commented on promises made about the South Gippsland line. In 1999 the government promised to reopen that line, but nothing has materialised. We are waiting very patiently for the scoping study that the government has undertaken. I have called on the government in this chamber to release the scoping study so that we at least know what options are available for the return of rail services to Leongatha. The government has sat on the study and refused to release it, and I think that is a very poor outcome.

I will make some comments about the road network. So far in this debate members have discussed the major

highways and byways of the state and have apportioned some blame to the commonwealth government, but I will concentrate my remarks not only on highways but also and in particular on unsealed roads, because many of those arteries of rural Victoria seem to continually be neglected.

I am talking about roads like the Omeo Highway, for example, which has a 29-kilometre unsealed section. The Omeo Highway was Victoria's first-ever declared highway, so it is of historic note. It goes north of Omeo through Anglers Rest to Tallangatta and then to Wodonga in the north. It is a beautiful drive, but in many cases people driving hire cars are not allowed to travel on that road as it is unsealed, so there are a lot of lost tourism opportunities. It is also a major route between Gippsland and the north-east of the state.

Roads like the Omeo Highway, the Benambra-Corryong Road, the Licola-Jamieson Road, the Dargo High Plains Road and the Gelantipy Road that connects to the Snowy River Road and goes on to New South Wales and the Gelantipy Road that connects to McKillops Road and then goes on to Tubbit are all important examples of road infrastructure linking areas of Gippsland with the north of the state and New South Wales. They are the main arterial routes for people who live in that part of the world, and yet they remain unsealed.

There needs to be cooperation between the states and the federal government to work on a program to get those roads sealed. I am happy to work cooperatively at both levels to bring about that outcome. In many cases the cost of sealing these roads is not exorbitant when compared to the money put into major highways and bypasses on highways around Victoria.

These are just roads in my electorate. I am sure every other country member has a similar concern with unsealed dirt roads in their electorate, which are still major arterial routes for the people who live there and which need sealing. In terms of the infrastructure and the road network, one of my priorities will be to see whether we can get more effort from both state and federal governments directed towards sealing some of those dirt roads.

There is a need for highway improvements. I have recently raised some issues with VicRoads about the Highland Highway, which connects Traralgon with Yarram. There is still an urgent need to improve safety by providing passing lane opportunities on that road. We have quite a deal of timber traffic on that road already, and if the Barry Beach development takes off — which is happening — I am sure there will be a

lot of traffic on that road and safety improvements will be needed.

There are some significant issues regarding the South Gippsland Highway around Yarram, which I have recently raised with VicRoads but which have not been addressed. There are also issues with the Princes Highway East and the Princes Highway West. In the eastern part of my electorate the duplication between Traralgon and Sale and beyond and safety improvements in the far east are all important issues that need to be addressed. I reckon the Pakenham bypass is about five years too late, but it will be a significant improvement when it opens. It is due to open at the end of this year, and it will be of advantage to the people commuting in and out of Gippsland.

The last issue I want to comment on is bridges. Another issue of major concern for those of us who represent rural electorates is the number of bridges in many of our municipalities. An example is the East Gippsland municipality, which I will visit on Monday next week when I am down that way spending some time with council representatives. One of the agenda items it has already listed is the state of its bridges. It has about 150 timber bridges which were largely built in the 1930s, 1940s and 1950s and which are well past their replacement dates. The importance of timber bridges was demonstrated during the bushfires when they provided access for the heavy vehicles to combat those bushfires. They are extremely important for the communities they serve, and there needs to be a program in place to replace them. Local government by itself cannot fully fund the replacement of those timber bridges, so there needs to be some support from both the commonwealth government, perhaps through its Roads to Recovery program, and from the state government in providing emergency services access across those timber bridges and contributing to community infrastructure as well. Unsealed roads and timber bridges are two issues the importance of which has been underrated by successive governments, and we need to do something about them.

I have given just a snapshot of some of the issues in my electorate. Probably every one of us could talk for an hour on these issues, but we are limiting ourselves so we can all make a contribution. Certainly this government and future governments need to make much heavier investments in infrastructure in this state, as it is well and truly needed.

Mr THORNLEY (Southern Metropolitan) — I oppose the motion. When it comes to infrastructure we are the builders and those opposite are the wreckers — and that has been the case for quite some time. We are

interested in doing the work; they are interested in doing nothing and then criticising with some ready-fire-aim solutions at the last minute.

Let us look at the facts. For starters I thought I had better check how much the government is spending and how much investment had been made by our government versus the record of the previous government. It is not difficult to see. In the six years to 1999 the average spending by the Kennett government was \$1 billion. In the six years to 2006 the average investment by the Bracks government was \$2.1 billion and in the six years to 2011 the projected average investment is \$3.3 billion — more than tripling the previous government's investment levels. 'But wait', you say, 'maybe it is that the Tories are just better at getting the private sector involved', so I thought I should go to the source.

I went to the source of Tory propaganda on this particular matter. It is a site found at www.statewatch.com.au, which forms part of the federal government narrative that everything is to be blamed on the states. It says:

Between 1999–2000 and 2005–06 total infrastructure outlays ... increased in real terms in all jurisdictions ...

That would be all states, including the great state of Victoria. It further states:

The extent of growth ranged from ... 24 per cent in South Australia to a nearly sixfold increase in Northern Territory.

That does not tell us, based on the federal government's calculations, what the Victorian number was between the 24 per cent real increase and the 600 per cent real increase, but whichever way you want to look at it, it would be an improvement. What we have seen over this period is an increase in public sector investment in infrastructure and an increase in private sector investment in infrastructure. I would have thought that is exactly the sort of outcome that you would hope to see — the utilisation of all available funding mechanisms to ensure that we maximise the level of investment prudently without overstretching our capacity. That indeed is what we have done, yet those opposite have the gall to say that we should do more. We would always love to do more, but whenever you ask them how they intend to pay for that, they rule a line through every particular mechanism you could use to actually do it. I will come back to that in a moment.

I want to deal briefly with some of the issues that have been raised around public transport and again contrast the record of this government with that of the previous government. The previous government was in a rush to

privatise things and sold the country rail network. I do not believe in having in-principle debates about public versus private — that is not the issue. The issue is whether you do things competently or incompetently. In this case it was a poorly done privatisation. It was sold to a buyer who was not able to effectively maintain the line, and that forced the state to buy the thing back. The previous government shut down the lines to Ararat and Bairnsdale. It did virtually nothing to improve public transport in this state, yet it has the gall to come in here and complain about what we have done.

Let us talk about what we have done in this area. We have started the long process of rebuilding. We are doing the work. There is more work yet to be done. We will continue to do the work and to fund that work through an appropriate mix of mechanisms to the maximum capacity that is prudent. We have reopened the lines to Ararat and Bairnsdale, we have reinvested in the lines to Warrnambool and Echuca and we have increased services massively. We have also done the hard work of rebuilding the run-down balance sheet in relation to the lines to Ballarat, Bendigo, Geelong and Traralgon. Before you can do the sexy new projects you have to fix up the existing infrastructure that has been run down by the previous government. Some of that is not as sexy as putting up Jeff's new shed or something like that, but it is necessary work that needs to be done. That is how you avoid derailments, that is how you avoid safety problems — that is how you avoid the things that happen if you do not do the work. By doing the work you at least avoid the problems as much as you can.

Let us take for example the Ballarat line. We have upgraded 100 kilometres of tracks and signals between Sunshine and Ballarat. We have done major upgrades to 50 level crossings — to every public road level crossing on the line. We have added 107 000 concrete sleepers to ensure that we have long-term sustainability in the underlying network base. We have cleaned and renewed 363 000 tonnes of ballast. This is not sexy stuff, but it is necessary work. We have added an 8-kilometre new section of track between Millbrook and Dunnstown, and we have — Mr Hall will appreciate this given his recent comments — added two of Australia's biggest rail bridges, which were built as part of that project: the bridge over the Moorabool River is 240 metres long and the one over the Lal Lal Creek is 355 metres long. Overall we have added seven new bridges along the Ballarat line. I could go into a similar level of detail in relation to the Bendigo, Geelong, Gippsland and other lines, but the point is that we have done the underlying work.

Mr Koch interjected.

Mr THORNLEY — Because we have agreed to restrict our time, Mr Koch. I have a few other things I want to contribute as well, in answer to your question. I would be more than happy to do so on another occasion; I will send them to you.

Once you have fixed the underlying network infrastructure and you are confident that things can proceed, you can then increase the number of services, and that is what we have done in spades. This is part of what is generating the sorts of outcomes that you would hope to see.

On the Ballarat line the number of services per week has increased from 126 to 217; on the Bendigo line the increase is from 135 to 233; on the Geelong line, it is from 312 to 350; and on the Gippsland line, it is from 139 to 217. You cannot take away the simple fact that we have done the work. We have fixed the track and the network, and we will continue to do so — there is always more that needs to be done — and we have added services.

What has been the result of this effort? The result, unsurprisingly, has been an increase in patronage because we are providing better services. In the numbers from the recent quarter we have seen an 11 per cent increase in patronage on the Geelong line, a 5 per cent increase in patronage on the Ballarat line, a 15 per cent increase in patronage on the Bendigo line and an 18 per cent increase in patronage on the Traralgon line. Those are the sorts of results that you get when you do the work. There is more work to be done, and we will continue to do it; and we will continue to fund it with a sensible and prudent mix of a range of available funding options. That is the issue I wanted to get to next.

We would all love more infrastructure. Despite the fact that under this government both public and private investment has increased significantly, those opposite are now coming out with a shopping list of all the other things we should have done. Certainly I would have loved us to have done some of those things too, but in order to do those things you have to come up with a method for paying for them, and that is where the argument falls down somewhat on the other side. You can debt finance it, you can increase taxes, you can increase user-pays charges or you can cut services elsewhere and use the money from there. Let us check which option those opposite would propose to fund their shopping list of potentially worthwhile infrastructure projects.

Let us start with debt; this is the one that I find most amusing. Those opposite are screaming blue murder

because we are slightly increasing the debt level of this state in order to triple the amount of public investment in infrastructure. They seem to have a poor understanding of history. Whilst our debt levels as a proportion of the state economy — the share of debt in the pie — is minute, in single-figure numbers and less than that which we inherited from the Kennett government, what did those opposite do under Bolte's Bolsheviks? Bolte's Bolsheviks had debt levels up at 40, 50 and 60 per cent of state GSP (gross state product). Why did they do that? Because they wanted to make significant investments in infrastructure.

We now have a wider range of financial opportunities that we can use to do this, utilising the private sector and utilising other forms of efficiency dividends. But those opposite will tell you that even the minor increase in debt that we have provided is all wrong, while at the same time claiming credit for the Thomson Dam or the State Electricity Commission assets or the other things that were built by Bolte's Bolsheviks using — you guessed it! — debt at levels of 40, 50 and 60 per cent of GSP! They cannot have it both ways.

If those opposite want to have the increased investment, then they should talk about how they are going to pay for it. Since they are not going to pay for it with debt, then maybe they would pay for it with increased taxes, but yet again they are complaining about our level of taxes. The curious thing about that is what you see when you actually look at the level of taxes and the revenues of the state.

I direct the attention of members to page 31 of budget paper 2, where they will see fairly clearly that again the government's revenue as a share of the pie and as a share of the state's economy has in fact — you guessed it! — declined. It is about \$1 in \$7. It has been about the same the whole time, but it has actually declined somewhat from about 14 per cent when we took over, and it is projected to be just under 13 per cent in the life of the current budget.

I am not proposing that we should be dramatically reducing that revenue further, but again we have been able to fund increases in investment whilst seeing the government's share of the pie — the share of taxes to GSP — actually reduce. Yet again those opposite with the shopping list of things that they would have, could have or should have done but did not and that we apparently should have done too, do not want to fund it through taxes and do not want to fund it through debt.

A third option, I suppose, is to fund it by increased user charges. On occasions that is a necessary and sensible way of doing things, and when it has been we have

agreed with that. But whenever we do that, those opposite say that that is also no good. They say, 'You cannot have tolls on tollways. You cannot have users paying for new water infrastructure', so we will have to rule that one out as well.

A fourth option, I suppose, is to get new private investment. Again we support an appropriate mix of public and private investment, but what matters with private investment is not the tired old debate about public versus private; what matters is the competence with which you do it. What matters is the design of the agreement. If you can get private providers to construct things at a lower cost and with a lower amount of capital involved, then you may be able to come out with a lower net cost to cover the fact that the cost of their getting that capital will be higher compared to the cost of public capital.

If that is what you can do, and you can design a system to do that well, that is terrific. But what do these people do when they actually do PPPs (public-private partnerships)? What they do is have massive rent-seeking handovers to their mates for poorly designed private projects that create billions and billions of dollars of value in the hands of private shareholders at the expense of the taxpayer. Transurban springs to mind.

I have no problem with an appropriate mix of user pays and private capital providing the road system. What I have a problem with is when you structure a deal that creates \$10 billion worth of value in the hands of your mates, when the vast majority of that value has been extracted from the taxpayers and consumers of the state of Victoria. If you thought that was not bad enough, look at what those opposite are proposing to do in nuclear power.

Let us start with the question of who is going to insure the nuclear power plants. They are uninsurable in the private market, and the reason they are uninsurable is that the risk is too high and the damage they can do is too great. Given that the private market is unwilling to insure them, what is going to happen? The commonwealth government is going to insure them. How much is it going to insure them for? For nothing! Again it is creating billions and billions of dollars in value transferred from the taxpayer to its mates in the private sector who will build the plants.

The issue is not about public versus private; it is whether you can structure a sensible and rational deal that will get the best deal for the taxpayer and for the consumer, or whether you are busy handing out jobs to your mates and handing out billions and billions of

dollars. Those opposite have the gall to stand up here and complain about somebody doing something for two bob and about someone who knew somebody who was once a member of the Labor Party, while they go out with a big lie and create tens of billions of dollars worth of value for their mates out of poorly structured public-private partnerships — and they have the gall to complain about Labor governments!

The fourth alternative of course is what we usually get to, because those opposite rule out using taxes — and we have been prudent in lowering the tax take as a proportion of the economy — and they rule out debt. We have been prudent at keeping debt at low levels which are at an order of magnitude lower than under Bolte's Bolsheviks and lower indeed than under the Kennett government, but they rule out us increasing debt.

What those opposite always say is, 'You cut waste. You cut services'. We know what happened last time. We know how they actually did pay for these things when they took it out of the recurrent budget. They took out the teachers, the nurses and the coppers and they shot them, and they said, 'Sorry. We have to do this to pay for all the things that we need to do'. Now they tell you they will not do that either, that they did not really mean it last time and that they were only pretending, because what they are going to do is not take out the front-line people who can be seen, they are going to take out the back-office people — the anonymous bureaucrats at the back.

Those opposite then say, 'That is where the problems really are. That is where the great opportunity is. Because we do not really know what these people do, we will not miss them if we get rid of them, and that is how we are going to pay for it'. That is what they said in the last election. It reminded me a bit of Chainsaw Al Dunlap, another corporate crook with whom these people would be familiar.

Mr Hall — This reminds me of the fairytales I read my kids!

Mr THORNLEY — You should read to them about Chainsaw Al Dunlap. Chainsaw Al used to come into a company, fire a million people, suddenly improve the bottom line, let the stock price go up, cash in his stock options and move on. Of course four or five months later the bills were not being paid, the orders were not being delivered and the thing was falling apart, and that is when they had to come in and fix up what was done.

By cutting the back office you effectively cut the ability of the organisation to operate at all. In fact what you see is that in most of the well-run organisations, by having support staff who do the back-office work you free up, for example, the doctors and nurses to be treating patients rather than keeping the accounts. By putting software in to fix problems, you free up the service staff so they can actually do the job. If you look at the top law firms and accounting firms you will see they have a higher number of support staff to professionals to make sure that the professionals can do their job. If you look at the best universities, they have a higher number of support staff than academics to make sure they can do their job.

What the people opposite say is, 'You cannot use debt, you cannot use taxes, you cannot increase user pays and you cannot sack front-line staff, but we are going to sack the back-office staff like Chainsaw Al Dunlap, and six months later things are going to fall apart'. That of course is again exactly what they did the last time they were in government. The people passed a verdict on that and said, 'Actually, no, we still want things to work'.

With all of those options discounted, we heard the final option this morning from the Leader of the Opposition in the other place when he was talking on Jon Faine's radio show about how he thought we should have paid for it because we were not going to do all of that. He said, and I quote:

... the alternative is they could have used some surplus to pay for the desal plant.

There you go! Those opposite say, 'We are not going to use debt like Bolte's Bolsheviks. We are not going to increase taxes, even though Labor has reduced them. We are not going to use user-pays charges. We are not even going to hand out some gift public-private partnership badly structured to create billions of dollars for our mates, we are going to raid the budget surplus'. That is why they were thrown out last time, and that is why we will continue to take a prudent approach to financing as much infrastructure investment as we can and encouraging sensible, well-structured deals for the private sector to do likewise.

Mr ATKINSON (Eastern Metropolitan) — This has been an interesting debate. I was particularly interested in the contribution of Mr Thornley; it was a speech that would have gone down very well at any of the Labor Party branches, and particularly well at Trades Hall Council. It showed the incredible disconnect this government has managed to strike between previous circumstances and current

circumstances in Victoria and, more importantly, what we should be looking at as we look forward.

I am not interested in playing blame games in politics. I am not interested in who did what in the past. I am more interested in the fact that we ought to strike some sort of vision for the future and have blueprints that take us forward, rather than continually looking back.

This Labor government has been particularly clever in its rewriting of history and in trying to suggest that the Kennett government was responsible for all the evils of the world. For Mr Thornley to take up the issues of debt levels and financial performance and draw a comparison between this government and the Kennett government is a bit disingenuous. Mr Thornley might well reflect, as indeed might his colleagues, on the circumstances in which the Kennett government took office in 1992. The deficits and run down of assets that the Kennett government faced were very different compared with the circumstances in which this government took office and the surpluses that were available to it.

There is little doubt that the Kennett government made some significant changes in Victoria and made some cuts in some areas. It became involved in the sale of some private assets, not always from the point of view of reducing state debt but in an effort to try to improve services and to look at opportunities whereby further innovation and expertise might be brought to some of those services. The reality is that I am sure Jeff Kennett himself, as a former Premier, would be happy to acknowledge there are areas where, if he had his time over again, he might well not have made some of the decisions he made. There are other areas where he would perhaps say he might well have gone further and done more in the interests of Victoria.

The legacy of the Kennett years has been enjoyed by the current government and has been belittled by it, but that legacy has been absolutely central to every decision made by the Bracks government in terms of extending services and opportunities for Victorians. The Kennett government's ability to right and re-right the ship after the disastrous Cain and Kirner years was crucial to this state's ability to pay its bills and develop and continue to provide services to all Victorians.

There are many things done by past governments that we can look at. We can say, 'They should have done this', or, 'They did not do that'. However, governments are about setting priorities in a particular period of time. The real issue with this government is that it ought not be looking in the rear-vision mirror; it ought to be looking to the future. It ought to consider that some of

the issues dealt with in this infrastructure motion are central to public thinking and to some of the rhetoric which the government spouts but fails to connect when it comes to the delivery of policy initiatives.

I talk particularly about the greenhouse effect and the climate challenge that faces us. Public transport services, in particular, are a crucial element of how we respond to the climate change issue here in Victoria. So, too, is the efficiency or productivity of our road network, and trying to reduce congestion is also central to that. Given the ageing population and the increasing need of many people to look at public transport options for the future, the government ought to be focused on that as well.

It is not a matter of rear-vision mirror stuff. It is a matter of where we go in the future. I have to say that the transport statement released by the government in the last Parliament was a particularly underwhelming document. The document was quite threadbare in terms of new initiatives that might take this state, and its capital city, Melbourne, forward.

It occurs to me, and I think to many of my colleagues, that it is often easier and quicker to get to any other capital city in Australia by driving to the airport and catching a plane than it is to get across Melbourne using public transport services. There is a lack of connectivity and many of the services do not go where people actually want to go. We are still stuck with a system — particularly a fixed rail system — which was developed by and large in the early part of the 20th century and which anticipated that everybody who was at work would want to travel from suburban areas into the city in the morning and back out to their homes in the afternoon.

The reality is that our workforce has changed, our social structures have changed, and our communities have changed. People's destination nodes are many and varied and are quite different to what we have had in the past, in terms of the spatial grid and infrastructure service they require. We have to start thinking differently. The unfortunate thing about this government is that it seems to see the opportunities as simply being to tack something else onto the end of what we already have, rather than sitting down, rethinking and saying, 'If we are to develop a service that is going to meet the needs of Victorians today and, more importantly, in the future, a service that is going to address issues such as the needs of an ageing population and the need to reduce our carbon emission levels and so forth, then we should develop an entirely different system'.

It occurs to me that one of the major problems with our public transport system, particularly in the eastern suburbs, is an entire absence of any interest in developing a north–south public transport system. In other words, if I live in Blackburn, Ringwood, Croydon or Belgrave, and need to get by fixed rail public transport to an area like Dandenong, which is a major employment node, essentially I have to travel all the way in to Richmond to pick up another train to go all the way back out to Dandenong, which is an outrageous proposition. The bus services are not great either in providing some sort of infill on north–south routes.

I have long been an advocate — in fact, I have a motion about this issue on the table in this house; perhaps in the context of this debate it is not necessary for me to continue with it — that the government ought to, as one of its initiatives in looking to the future, investigate the prospect of adding an O-Bahn to the EastLink project so that there is an express and dedicated bus service that uses the EastLink corridor for public transport purposes. That is a solution.

Alternatively, I would prefer a heavy, fixed-link rail solution for that EastLink corridor. From my perspective if we put a railway line between Ringwood and Dandenong — and possibly Frankston, but certainly Ringwood and Dandenong — we would start to develop a rail system which is more contemporary for the needs of Victorians and which addresses the north–south travel needs of so many people in the eastern suburbs. It would actually link major growth areas and the transit cities of Ringwood and Dandenong and indeed the significant development in and around the Knox area, including the technology precinct at Scoresby. There are public hospitals, there are schools, there are major educational institutions, and more importantly there are very significant employment nodes at each of those centres.

The reality is if we had a proper north–south connection, then you would see a significant increase in the productivity of our public transport system in the eastern suburbs and reduced vehicle reliance and congestion. Importantly I think if you were able to connect at least two of those railway lines — the combined Lilydale-Belgrave line and the Dandenong line — then you would start to get a train system that worked from a metropolitan perspective, because you could run trains around the loop rather than have to run them out to an end node and then bring them back in again — sometimes half full and often at times that are not convenient to consumers — simply to try and make it work.

I had a train set as a kid, and I have to tell the house that I would have gone nuts if I had been shunting the engine up and down a single track. I would have got pretty bored rather quickly, and it would not have been a very effective use of that train set. But if you are actually able to put it around, if you are actually able to create loops, then you get a train set that works. That is what the transport minister has got — a great big train set — and he ought to be looking at ways to maximise the efficiency of it.

When we look at the growth in the south-eastern corridor suburbs we see that so many of the young people who are setting up homes in those south-eastern suburbs are the children of people who live in the eastern suburbs. If you lived in a place like Blackburn or Ringwood and one of your children went to live out at Narre Warren, if you wanted to get there by fixed rail public transport, you would have to go all the way into Richmond and come all the way out again.

Mr Viney interjected.

Mr ATKINSON — This is outrageous. The reality is that we ought to be starting to look at how we get a sensible public transport system, not simply tack on bits at the end and extend it a bit further for the sake of a press release or a photo of the minister, but rather look at what people's needs are. I was talking to a couple of members of this chamber just before this debate started about the ridiculous position in that Monash University is sitting out there, built originally without public transport, and still today without effective fixed rail public transport. It is ludicrous.

Mr Viney interjected.

Mr ATKINSON — Mr Viney, I have already said in the course of this debate I am not interested in rear-vision mirrors; I am interested in what we are going to do today. Many governments have come and gone since the Bolte era, and the reality is that not one has addressed it; it should be addressed. It would be my proposition that we ought to be looking at perhaps a tram line from Blackburn to Syndal to Clayton, past Monash University. A north–south fixed rail line would actually link three railway lines and get greater efficiency out of our heavy fixed rail system; it would also pass through some important employment nodes and other public infrastructure and, most crucially, get to Monash University, thereby making some sense of the location of that facility.

They are the sorts of things we ought to be thinking about. Certainly I believe, given my electorate perspective, that there ought to be better public

transport options for the people of Doncaster and the north-eastern area of my electorate. The people of Eltham might well be served by a much improved train service because at the moment people on the Eltham line have to cope with a single line over large sections of that service, which places enormous impediments in the way of the rostering of train services and the efficiency of that line.

In terms of further extensions to the north, the Greenvale area and other areas in the northern suburbs are still without effective public transport. I note that the Eddington inquiry is looking at, and I believe we also should be looking at, public transport connections between the eastern and western suburbs so that passengers do not have to rely on going through the city to get from one place to another. Rather, they should be able to skirt the north-eastern area, where there is a complete gap in public transport connections. I certainly support closing that gap.

As a matter of infrastructure I also strongly support the construction of a new road that would link the Eastern Freeway with the Western Ring Road. The Western Ring Road has been underdesigned and underbuilt. Given that it is a linkage between all of the major northern and western freeways and highways, it should have been a wider road that was able to cope with the level of traffic that is already using it, to some peril in terms of safety considerations at times.

That road ought to be linked with the Eastern Freeway, because that would start to take some pressure off the inner suburbs of Melbourne. It would take traffic away from inner Melbourne that never wants to go anywhere near the central business district or the inner suburbs. Some traffic actually wants to go north or west, but at this point in time it has to travel through the city to then go in those directions. We could provide a much better network for that sort of traffic if we were to connect those two freeways.

But should it just be a roadway? Of course not! It ought to be an integrated transport corridor with a high-level and viable public transport option that encourages people to use that route as well. In that sense it is also possible that we could be looking at servicing the airport, for instance, with a public transport facility that skirts the north-eastern suburbs. We need to be looking at those sorts of options. As I said, when we look at the EastLink project, we should also look at adding a public transport option to it.

We should also be looking at things like railway crossings right across Melbourne, because at the moment there are two significant constraints on

improving public transport services in real terms. Firstly, there is the signalling system that controls the trains, particularly once they get into the city loop process and are managed through inner-suburban areas, where obviously trains come together and there is a lot more difficulty in terms of coordination of the services. Investment needs to be made in that area, and I am alarmed that the government has not already moved to upgrade the signalling system, because it certainly is impacting upon railway services at this time. That is one of the imperatives.

The second constraint relates to railway crossings right across Melbourne. It is interesting to note that many years ago Sydney began to eliminate them. For all the concerns about Sydney's public transport system, at least it has tackled one of the fundamental problems in running an urban public transport system.

As to my electorate, members of this house will have heard me and my colleagues speak on many occasions about the need to eliminate the Springvale Road railway crossing — indeed, it has been a policy of my party at successive elections, and I note it was also a policy of the Greens party at the last election — because there was a recognition that this was not just a road project. It is not just about fixing congestion; it is very much about trying to improve the patronage of public transport. I was saying to some colleagues in this house a little while ago that a few weeks ago I had to wait at the Mitcham boom gates while four trains went through the crossing. Obviously it is physically impossible to have those boom gates down for a much longer period without causing absolute traffic gridlock on the rest of the eastern suburbs, which already occurs at a number of intersections, particularly at Springvale Road.

We should be lowering the railway crossings right along there — from Laburnum to Heatherdale, or even into Ringwood. We should probably do it to Heatherdale at this stage because of the EastLink project; that is probably a more feasible project at this time. If we were to do that, all of a sudden more trains could be put on that service, because they would no longer be affected by boom gate times. A third rail could be run, which would allow express trains to overtake trains that are stopping at all stations as part of the full service.

We could have more trains, and in some cases perhaps longer trains, on those railway lines. We certainly would achieve a more efficient and safer system. By eliminating railway crossings we would alleviate a lot of the concerns about accidents at railway crossings. It is true that there have been many fatalities over a

number of years at the Springvale Road railway crossing and at the nearby Rooks Road railway.

It is interesting that the government completed the undergrounding of the railway at Laburnum — the Middleborough Road crossing — in January this year. I congratulate the government on the way in which that project was handled. Railway services that enabled that crossing to be lowered had to be suspended for only about six weeks. It was done over the Christmas–January period, so for six weeks people were shuttled in buses to get around Laburnum station and the works at Middleborough Road. The project worked and the work was done; I think the government was able to complete that project efficiently and effectively. What the government should be doing about that project is not saying, ‘The job is done’ but rather saying, ‘That has proved we can do it’, and then go the rest of the way along that railway line. We ought to be tackling other railway lines with grade separations.

I also want to place on record congratulations to the City of Whitehorse for undertaking a full study of grade separation on the Lilydale and Belgrave railway lines. I note that the federal government — courtesy of some fairly active work by the federal local member Phil Barresi — has also put money into that study and is keen to see some achievement of an improved public transport option in that area by eliminating the grade crossings.

As I have said, public transport in the north-eastern part of my electorate is also sadly lacking, and I particularly refer to Doncaster. My party was keen to see a tramline extension into Doncaster at the very least. I note that whilst the government has shown some tepid enthusiasm for reports and feasibility studies on what might be achieved, it has done very little in considering the public transport needs of the people of Doncaster. Yet again, there are opportunities to look at an integrated transport solution that combines public transport options with freeway options, particularly working with the Eastern Freeway.

I note that the Eddington inquiry has recently received some submissions that have discussed the impacts of the new EastLink project, the extension of the Eastern Freeway, on inner-city traffic congestion. One submission was made by the people who are behind the EastLink project, but anybody who has had a fairly cursory look at this project would understand that there is now a desperate need to connect the Eastern Freeway with CityLink so as to improve the inner-city area connections. Otherwise some of those inner city suburbs are going to be absolutely inundated with traffic, the congestion levels are going to be intolerable

and we will create problems with vehicles being at a standstill with all the implications of that for carbon emissions and so forth.

We need to make that connection, and yet I note that the government is vacillating over this. A number of people have made proposals about it over time, and my party has been supportive of a rigorous assessment of the opportunities that might be afforded by the linking of the Eastern Freeway and the CityLink project — by a toll road no doubt. Yet we now see that federal Labor Party members have been telling the government it should abandon any sort of link proposal, that it should move right away from that and that it is not on. I think that that is very short sighted, and we ought to be looking at the long-term benefits that would be associated with that.

Yes, public transport ought to be part of the thinking. We do not want a purely roads-based solution, but we need to start looking at that linkage — and fairly quickly. Come this time next year — or a little after this time next year — when EastLink opens, people will be horrified at the level of congestion on the Eastern Freeway, because this government has done no forward thinking on that particular project. I also note that right across Victoria, rural roads, bridges and even public transport services, notwithstanding what has been put by some of the members in this debate, still suffer from an underinvestment by the government. This is a government that has a much greater wherewithal to invest in public infrastructure than any government we have had before, courtesy of the GST. The amount of money coming into the coffers of this government provides an opportunity for it to look forward and be a lot more visionary in the context of developing its infrastructure programs.

In terms of train services, by the way, it amuses me that the Victorian government says, ‘We have been caught out; we are amazed at the increase in patronage’. I find that extraordinary, because the government had its own strategy, saying that it wanted to increase the number of patrons using public transport. If you have a strategy to do that why would you not be putting resources into place to make sure that you could cope with the results of the strategy? Even now the suggestion is that we need to order another 10 trains — 10! New South Wales and Queensland are already ordering more than that, and yet we are saying that 10 trains will be enough. Those trains still will not address the strategy that the government has put in place.

It is also interesting to note that whilst the government claims credit for the upsurge in patronage, a lot of that upsurge has to do with higher prevailing fuel prices and

people saying, 'We cannot afford to keep driving our cars to work and finding ourselves at a standstill at intersections, so we will use public transport. We do not want to pay congestion taxes on parking in the city areas; we will use public transport'. That is not a bad thing; it is actually a very good thing. But despite its strategy and rhetoric, the government has not put in place the infrastructure to meet the needs of the strategy it has itself laid out.

In his contribution Mr Thornley mentioned a number of things in regard to funding options for new projects. The issue here is not just spending for spending's sake. The issue here is to have a blueprint, a program that makes sense, that works, that people understand and that is actually going to create benefits for the community and is going to meet the needs of Victorians. Once you have established that, you can cost it and find ways of doing it. My party is not opposed to debt in a real sense — that is, to find infrastructure that is going to have a community benefit and a return to the community. What we are concerned about is that this government in the past has shown a tendency to put things on Bankcard — the sadly departed Bankcard — rather than to invest in infrastructure that has a value and adds to community value overall through creating economic activity and enabling a long-term benefit to the community in both economic and social terms.

This government too often spends money on short-term projects rather than the things that really matter — rather than the things that will make a difference. Mr Thornley talked about the importance of investing in projects that perhaps were not particularly sexy, projects that were not necessarily going to gain the great headlines, he said, of a Jeff's Shed or suchlike. I accept that and I agree with that; there are a lot of projects that have to be done and maintenance is never a sexy thing. If you do not maintain your infrastructure, then you end up with significant problems.

One of the interesting things that I have heard much talked about in debate in this chamber over the last few weeks is schools and the condition of schools. Again there has been an attempt to rewrite history, with members saying that the Kennett government ran down school assets in this state. Yes, the Kennett government saw a lot of schools closed. Schools were finding it difficult, because of the number of schools and declining school populations, to provide the level of school facilities, services, range of subjects and so forth that would meet the needs of students, and also to manage their asset base. But when the Kennett government came to power there was a maintenance backlog which, from memory, was more than

\$600 million and which was reduced to around \$70 million by the Kennett government. It has ballooned out again under this government and it will be tackled under the commitment that the government has given for its upgrade program, which is welcomed and supported by the opposition.

That program is an appropriate investment in schools, which are another aspect of our state infrastructure that needs to be looked after properly. It is interesting to see how government speakers sometimes try to rewrite history as to what may or may not have been another government's commitment to particular projects. As I said, the reality is that the asset of our state education facilities was improved significantly under the Kennett government, notwithstanding claims that have been made in other debates.

Going forward we are happy to see debt funding used provided projects will have long-term benefit and that the interest rates are appropriate. When the Kennett government came to power prevailing interest rates were north of 15 per cent, which is very different from borrowing at 5 to 6 per cent. It is also different from borrowing for things that are short-term facilities as against infrastructure projects that will have an extended life and a community benefit.

With regard to user charges, the Liberal Party has never opposed tolls. The argument that perhaps some newer government members have confused matters regarding the Scoresby freeway, now dubbed EastLink, is that the government went to the people and explicitly said there would be no tolls and then went back on that promise, that explicit commitment, and straight after the election said, 'No, there will be tolls after all'. It was the deceit of the government that was the concern rather than the issue of tolls. If we had fought the election on the basis that this road improvement could have been funded by tolls, then that would have been fine — it would not have been deceitful and people would have had an opportunity to vote accordingly.

Tolls per se are not the issue. The user-pays principle or the participation of private investment is not an issue for us provided the public is informed, that the arrangements are transparent and that in certain instances people get the opportunity to have a say on some of those projects and options by way of a full and proper public debate of those policies. Certainly it is important that we do not get deceitful propositions put before the public ahead of elections only to see that those are overturned and a different course of action pursued once the election is concluded.

Turning to private investment, there has been a lot made of the fact that in the opinion of this government some of the Kennett government's privatisations have not worked. One of the sad things for us on this side of the house is that we did not get the chance to manage those privatisations through to a more natural conclusion. The previous government did deals on asset sales that had great promise for Victorians, with the introduction of new expertise, innovation, upgrades and improvements. Certainly in the initial period when the Kennett government was involved in the changeover of the train service there was a marked improvement in the frequency, cleanliness and reliability of trains, as well as in a whole range of areas that you would measure the performance of the operators against. Unfortunately after this government took office the management of those contracts — the relationship between government and those contractors — changed.

This government says, 'Well, that was due to poor contracts initially'. We would argue that you also need to look at how they were managed by the ministers involved and how those ministers related to the companies that had been taking over those services as private operators. You need to look at whether the government was tough when it ought to have been tough and whether the government ought to have been living up to other commitments it had to make under those agreements to ensure that the level of services would continue to improve and to show the benefits that were expected originally from the privatisations.

While Mr Thornley obliquely referred to the CityLink project and the tolls associated with that project and suggested that that was a bad deal, I note that this government has happily gone back to the same operator and done another deal with it — I think it is a far less satisfactory deal for Victorians — to achieve an upgrade of the Calder interchange on the Tullamarine Freeway. Yes, that was a bottleneck, and yes, it needed to be improved, but the concession made to the operator so that the government could simply get that project fixed without having to address it from its own funding resources has not necessarily given a significant long-term benefit to Victorians. That was an inferior deal. My colleague Mr Finn would suggest that the problem is far from resolved by the solution that has been presented.

I do not want to continue to speak on other areas, because no doubt other members have particular projects and other aspects of infrastructure they would wish to bring to mind. I have tended to concentrate on roads and public transport, but I note that the desalination project that was announced by the government yesterday from my point of view is again a

matter of deceit. In an effort to try to explain that this is not some knee-jerk reaction, the government has been suggesting that it has been working on this since 2003 when in fact it has been working on it for four years. That is not the proposition that was put to the electorate just a few months ago.

The proposition was that there was no prospect of desalination — that the Liberal Party's policy on desalination was not achievable, that it was a foolish notion and that it had no place in addressing the water needs of Victoria. That is what the government told the electorate, yet we are now told, 'Well, we have been working on this since 2003'. Again, another deceitful proposition that has been put to the people of Victoria. The government's investment in water infrastructure has been inadequate. It is no good blaming other governments, again with that rear vision mirror, that convenient 20/20 vision.

It is a matter of saying, 'Okay, challenges are coming along for governments all the time and the issue is how you respond to those challenges today'. The reality is that while we cannot blame the Bracks government for the drought, when you look at the government's strategy of adding another million people to the population of Victoria you have to ask, 'If that is your objective, then where is your infrastructure to support that growth in the population? Where is it in the infrastructure plan?'.

It is all very well to have a transport statement, it is all very well to be talking about another million people for Victoria and it is all very well to say that patronage will be increased on public transport, but you do not do it by putting out a glossy public relations brochure. You need to think it through, think about the implications of the strategies or objectives and start planning for them to happen. You do not wait for them to fall over and then say, 'Gee, we were caught by surprise. We did not anticipate this would be an outcome'.

If we wanted another million people in Victoria, if that was the aim, then we should have been thinking about water infrastructure a long time ago, drought or no drought. We should be thinking about public transport in relation to population growth as well, because that will put further strains on the system. It will also put further strain on the road network, the sewerage systems, energy capacity, our hospitals and our other community services such as schools, kindergartens and so forth. They are all part of that infrastructure provision. If we are thinking at all about adding another 1 million people to the state as a relatively short-term objective, then we ought to be thinking about the implications of that and doing some proper planning.

This government leaves far too much to chance; it does not plan anywhere near enough. The government does not have infrastructure priorities, like it ought to, when managing the state and developing future opportunities. The government needs to start taking a longer term approach to the projects it undertakes, and it should adopt a more visionary approach to infrastructure. It should look at such things as connecting existing services and the provision of services from the north to the south, not just looking at projects which would tack onto existing networks — this is particularly the case for public transport — in the hope of gaining extra publicity and kudos. It does not address Victoria's contemporary needs in terms of state infrastructure.

Ms PULFORD (Western Victoria) — Firstly, I am amazed that the opposition has the gall to attack the Bracks Labor government on infrastructure. When in government the Liberals failed in this area and systematically dismantled much of the state's infrastructure under the Kennett regime — —

Mr Guy — Which rock did you crawl out from?

Ms PULFORD — This was particularly the case in regional and rural Victoria. I am pleased the opposition has chosen to discuss this issue over two weeks rather than one — —

The PRESIDENT — Order! I ask Mr Guy to withdraw his comment of 'Which rock did you crawl out from?'. It was totally inappropriate.

Mr Guy — I withdraw.

Ms PULFORD — For Liberal Party members to come into this chamber and talk about infrastructure is a little like a turkey advocating for an early Christmas. I wonder about their strategy discussions which have led them to talk about infrastructure in this place again. I thought it was the job of the Leader of the Opposition, Philip Davis, but this is so silly I think it may have come from David Davis.

At the commencement of this debate Mr Rich-Phillips asked why we were having this debate. It is a valid question. The Bracks Labor government, from the moment it stepped into office in late 1999, has delivered unparalleled funding and infrastructure, not only by Victorian standards but also by national standards.

In his opening contribution Mr Rich-Phillips also mentioned public transport, particularly the train network, in his electorate of South Eastern Metropolitan. No doubt he is aware that the Bracks government is committed to adding a third train line

from Caulfield to Springvale, and then later to Dandenong. That project will start next year.

In a regional Victorian context, six regional train lines were closed and 26 regional train stations were shut — and this is the Kennett government's legacy regarding public transport in regional Victoria. It is a disgrace that deservedly helped in the demise of the Kennett government in 1999. It is a disgrace that still lingers in the minds of people in affected communities to this day. Those people have not forgotten or forgiven. They remember the remarks from the then Premier about regional Victoria being the toenails of the state, and the response to infrastructure was entirely consistent with those remarks.

Earlier Mr Atkinson said the Kennett government's decisions regarding infrastructure have impacted on the Bracks Labor government's decisions. This is true. If the stations and train lines had not been closed down, we would not have had to reopen them. Mr Atkinson was spot on in that respect. This is our eighth year of undoing the destruction of regional public transport.

Earlier this year I was honoured to reopen the Nhill train station. That station was closed and left to rot under the Kennett government. The people I spoke to — and there were so many local people to greet — expressed their joy in again having passenger trains service Nhill, which became possible because the Bracks Labor government knows how important infrastructure is to people in regional Victoria. The government funded the restoration of the station to the tune of almost \$250 000. The government also helped to arrange for the Melbourne–Adelaide train to stop in Nhill.

The Bracks Labor government also kept its election promise to buy back the lease of Victoria's regional rail network for \$133 million. The government has committed \$25 million to the improvement of the rail freight network. This is a win for the state's farmers and grain industry and sets the tone for the upgrade of the Mildura train line.

Since 1999 this government has spent \$4 billion on roads; half of that has been spent in regional and rural Victoria. In the budget there was \$91 million of funding to upgrade roads in regional Victoria. More can be done but only if the federal government cooperates. Why is Victoria being short-changed on federal roads funding compared to New South Wales and Queensland? Has it anything to do with the pendulum? Victoria pays 25 per cent of the nation's fuel excise and 25 per cent of the national transport task but receives only 16.5 per cent of the federal road funding allocations.

The Goodna bypass, which was referred to by Mr Pakula, is worthy of another mention. The people of Geelong and south-west Victoria are interested in seeing the federal government contribute to the Geelong ring-road. Since last year we have been asking the Prime Minister for \$62.5 million. The Goodna bypass is 35 times that cost, and it runs through five marginal seats in Queensland. Whilst the Queensland Premier sees no need for that road, the Queensland Leader of the Opposition sees no need for it and the Lord Mayor of Brisbane sees no need for it, the federal government determines its infrastructure spending on the basis of five marginal seats.

Projects like the upgrade of the Princes Highway in Victoria's west get held up because of the federal coalition's pork barrelling in marginal seats in other states. I think the Prime Minister would have gone to Colac and announced the remaining funding of this project had the federal seat of Corangamite been held by 1 per cent rather than by 5.5 per cent. I think it is a disgraceful way to manage infrastructure investment.

The timing of this debate could not be more embarrassing for the opposition, with the announcement just yesterday of — wait for it! — \$4.9 billion in water infrastructure to help secure water supplies for Melbourne and Victoria. This is a great plan for Hamilton, a great plan for Geelong and a great plan for Victoria. A desalination plant in Wonthaggi is realistically costed at \$3.1 billion, unlike the rushed, half-baked Liberal Party proposal that was put up at the last election which was costed at \$400 million. The government's plan has carbon offsets to cover the energy the plant will expend. The plant will be built by 2011 and will deliver a third of Melbourne's yearly water needs. The opposition's proposal was ridiculous. It would not have worked. It was policy on the run, which is typical of the Liberal Party in Victoria. It was ill-conceived, underfunded and underprepared. By contrast, we are planning for Victoria's future and for water security in this state.

There is to be a \$1 billion upgrade to make irrigation more efficient in the food bowl region of the state. That will eventually capture up to 450 billion litres of water that is currently lost. A 50-kilometre pipeline to link Geelong's and Melbourne's water supplies will help secure the water supplies of Geelong, the Bellarine Peninsula and the Surf Coast region, all of which are in my electorate of Western Victoria Region. With the population growth that is occurring in Geelong and Surf Coast areas it is important that they have a secure water supply, and the plan to have water from the desalination plant and an upgraded irrigation system flowing through an \$80 million Geelong–Melbourne pipeline is

further proof that the Bracks government is getting on with the job of governing for all Victorians and investing in critical infrastructure projects.

Again, it would be remiss of me not to mention the utter contempt that Prime Minister John Howard and the federal Liberal government have for the population of Ballarat, with no federal funding forthcoming for the Ballarat extension of the goldfields super-pipe. I look forward to a Rudd Labor government coming to power and with it the \$115 million pledged by the federal opposition leader to complement the \$71 million already committed by our government. If our colleagues on the other side of the chamber are so serious about infrastructure to help ease the water burden on Victorians, why are they not joining me in lobbying the slack Howard government on this matter?

On energy supply and energy infrastructure, the Bracks Labor government has shown its commitment to renewable energy with eight wind power stations being opened during our first two terms of office. Then there is another 1141.5 megawatts to come from approved wind stations that have not yet been built — a massive increase on existing wind power capability. While the Kennett government did not build a single power station in its seven years in office, we have done the hard yards by not only building energy infrastructure to meet the state's needs but by doing so in an environmentally sustainable and responsible manner.

In conclusion, since 2000 the Bracks Labor government has spent an average of \$2.3 billion on infrastructure per year. With a commitment to spend \$13.3 billion on general infrastructure in the next four years, that average will lift to \$3.3 billion a year — and that is in comparison to Jeff Kennett's lousy \$1 billion per year spent in this area. This motion is a farce. While we are getting on with the job of governing for all Victorians, those opposite continue to jump at shadows. We will happily debate infrastructure with them in this place on any day they like.

Mr GUY (Northern Metropolitan) — I would like to begin by giving my full support to this motion moved by Gordon Rich-Phillips. I begin by reminding members opposite that they have been in government for more than eight years. Mr Atkinson mentioned a number of times it is no use looking into a rear vision mirror to 10, 12 or 20 years ago, or, as Mr Thornley did, looking back to the Bolte era. This government should reflect on its eight years — on the record amounts of recurrent revenue that have flowed to it and on its achievements over that period.

As Mr Rich-Phillips's motion ably points out, there has been a clear lack of investment in Victorian infrastructure for that eight years. In this state we have a power crisis, a water crisis and a transport crisis. What we see from this government is a whole lot of strategies, a whole lot of documents, a whole lot of waste and a whole lot of rhetoric, which government members spout to all of us. The government will no doubt give contracts to its mates to run advertisements on TV, but the reality is that when it comes to performance, to outcomes and to historical comparisons with other governments, this government is lacking terribly.

As Mr Finn said, it is a total, total failure. We all know that infrastructure is so important for Victoria, particularly now that we are facing economic challenges from rising states such as Western Australia and Queensland, and south-east Queensland in particular. Victoria has to maintain a competitive advantage through its transport sector, which has traditionally been very strong. Victoria and Melbourne have to have a good transport network, with good roads linking the city and the ports. We are now facing major competition from the trade coast, which is a port situated right next to the Brisbane Airport. There is a whole set of infrastructure there which the Queensland government has for many years — before the current Queensland government came to power — supported through investment. We are not talking about investing in the future, we are talking about investment from the 1970s onwards, which has been done in Queensland.

Obviously the issue of this week is water. I will remind the chamber of a couple of comments. The first one is from the Premier, talking about the Liberal's proposal for a desalination plant. Ministers such as the Minister for Planning, the Honourable Justin Madden and others come in here and say, 'Where is your policy?'. Well here it is, so let us talk about our policy on a desalination plant for this state. We discussed how vitally important it was, and we took our policy to the last election and outlined how important we believed this issue was for Victoria. This was the Premier's response:

The energy generation —

of a desalination plant —

is enormous, the intrusion on the community is enormous and, of course, it is extraordinarily expensive.

... what a hoax it is.

This was from the Premier, who would now have us believe that he was in fact considering a desalination plant at the very time he made those comments. The

only hoax is actually the hoax committed by the Premier of Victoria upon the people of Victoria in rubbishing a desalination plant when, if we believe the word of the Premier today, he was considering one all along.

Another hoax is the now missing-in-action water minister. This was not a comment he made from Falls Creek, this was a comment he made in Melbourne. The Minister for Water, Environment and Climate Change, John Thwaites, said about the Liberal's proposal for a desalination plant that it was ill thought out and would have major environmental consequences.

Mr Pakula interjected.

Mr GUY — Again, and I will not do this very often, I take up Mr Pakula's interjection and say it is utterly incorrect to say the Liberal Party had a policy to have the desalination plant feeding out into the bay. That is wrong. It is incorrect rhetoric, and I will not use any more unparliamentary language except to say that it is incorrect and utterly wrong for any member of the Labor Party to say otherwise. It is more Labor Party spin.

Those comments were made by the Premier and the minister for water. I will just go back to the Premier's comment, when he said, 'What a hoax it is'. That is what he said about desalination and the Liberal's plans — and this is a man who would now have us believe that he has been considering this policy for three or four years. That is the hoax!

Our water storages in Melbourne are at 28.4 per cent — 30 per cent less than at this time two years ago. We are currently on stage 3a water restrictions, not stage 4 restrictions. It is another stunt. The trigger for stage 4 restrictions is actually 29.3 per cent. I repeat that we are at 28.4 per cent. The government is saying, 'We will look at it. We will hope it rains, we will pray it rains, we will get some long-term forecasts and hope it all comes in, and we might go to stage 4 in August'. The reality is that until yesterday the government had no policies on water management in this state — N-O-N-E, none! Now it has come out with a desalination plant because it has panicked.

The government has copied Liberal Party policy, just like it did with regard to transport, which I will talk about later, and the scrapping of zone 3. The reality is that the government until yesterday had a policy to pray for rain and to hope that long-term weather forecasters were right. That was the extent of the Labor Party water policy in this state.

As this motion says, it is about the last seven years. What has this government done for seven years? We have had some terrific ads on TV produced by another Labor mate, Bill Shannon, who got a great contract. The new desalination plant is going to be worth probably another \$1 million to Bill Shannon to advertise the Premier again. In fact I picked up the *Herald Sun* today and what was in it? It was a picture of the Premier advertising what the government is supposedly going to do on water.

Mr Finn — Was he in a helicopter?

Mr GUY — He was not in a helicopter, but the reality is that a number of years ago the government paid \$13 million for an advertising contract to one of its mates to advertise a supposedly major policy direction that the government was taking on water, and yet nothing was built. When the government was re-elected in 2002, John Thwaites, the Deputy Premier, became the water minister and said that water was the most pressing issue for Victoria's future. What piece of infrastructure was built in that time? There was nothing — that is the government's commitment on water. Mr Rich-Phillips's motion is utterly correct when it takes note of this government for its failings to build any infrastructure and water resources over the last seven to eight years that it has been in power.

The government also wants to put an extra million people in the city of Melbourne by the year 2030. Where now you see four people on the street, by 2030 you will see five people on the street. The government also wants to make the city vastly more compact. This is what its plan is: to make a compact metropolitan area, to encourage people into public transport and to build the population by a million people. That sounds fine, but let us have a look at what the government has done to move those people around this city, which will have a million more people by 2030. It will be a city with a metropolitan population that will be bigger than the combined populations of Brisbane and Perth.

I refer to the suburban network. I have talked many times in this chamber about the extension to South Morang. It is an area where an extra 40 000 people will be living by the year 2030, but the government steadfastly refuses to fund the extension of the Epping to South Morang railway line. Indeed, when I came into this chamber Mr Theophanous appeared not to know about the issue, and he is one of the members for the Northern Metropolitan Region. Similarly, the Cranbourne to Cranbourne East extension was promised by this government and not delivered. The Craigieburn extension, promised by this government, was delivered late, over budget and on the cheap. The

government promised flyer trains. Where are the flyer trains that were promised by the government? What about the third tracks that were supposed to be delivered within a term of office?

Hon. T. C. Theophanous — We have news for you: trains don't fly. That is for aeroplanes.

Mr GUY — If Mr Theophanous thinks trains do not fly, then he should read his government's policy from 1999, particularly the subsection entitled 'Flyer trains'. If he intends to walk into this chamber and have a go at other people, then I suggest he read his own policy. Should we be surprised that a Labor Party minister does not know his government's transport policy from 1999? No, we should not, mainly because the government had no intention of fulfilling the policies and the commitments contained therein — for example, the Epping to South Morang line and the Cranbourne to Cranbourne East line, just to name a few. Flyer trains, for Mr Theophanous's benefit, are express trains running through a number of stations on their way to major CAD (central activities district) areas.

As has been pointed out, the government's response to the extra patronage of public transport, which it was very happy to promise, was to be totally freaked out at the numbers of people suddenly getting on the trains. Its response was to bring in 10 more trains. On a network with more than 20 destinations, the government is going to bring in 10 trains! I simply say that if the best the government can do is offer the people of Melbourne 10 extra trains for the near future, that is woeful. One million people on 10 trains is absolutely woeful. Compared to the number of trains being introduced in the greater Sydney area and the inter urban networks, or on the South East Queensland networks up to Nambour, the Gold Coast and out to Ipswich and beyond, I think the commitment from the Victorian government is disgraceful and woeful.

Let us look at the rural networks. This is very interesting. Mr Theophanous would certainly remember that the Labor Party promised to standardise the entire Victorian country regional rail network for \$96 million. Apart from the absurdity of this promise, let us look at the facts. What has been standardised in this time for \$96 million? Nothing. What about the fast rail project at \$80 million? I do want to talk in-depth about fast rail. Fast rail is indicative of this government's commitment to do what it thinks to try to solve the problem. The government introduced new trains and an upgraded track. It upgraded the maximum permissible speed for rail passenger travel and put out umpteen press releases and media stunts and said, 'Look at this, we have fixed the problem'.

However, what is the actual situation? The reality is that you try to get people on to commuter trains in regional areas. Commuter trains are not like the once-a-day service from Traralgon to Melbourne, a trip that takes 82 minutes, with the government saying it has fulfilled its election promise. The Latrobe Valley has three major centres: Moe, Morwell and Traralgon. The one service that the government points to and claims, 'Look what we have done. We have achieved our fast rail pledge,' does not even stop at Moe and Morwell. You get on at Traralgon, it flies into the city, and that is it. The reality comes in the quality of a commuter service.

If you go back to the timetables from 1989 or from 1980, which I have here, you see that even the fast rail services today have minimal impact on the average speed and the time taken of those services which go from point A to point B picking up people. Mr Viney is not in the chamber, but I know he has picked up that train; he catches it from Drouin. He would be one of the people who would certainly know whether or not the fast rail has made any difference.

With regard to the Latrobe Valley rail line, the reality is that the Kennett government was the first government to increase the maximum permissible rail passenger speeds in Victoria from what was 115 kilometres an hour to 130 kilometres an hour. In the 1930s Harold Clapp ran the Victorian railways, introduced the Spirit of Progress and upped the maximum permissible speeds on some of the lines to 70 miles an hour, and rail speeds did not change in Victoria until the Kennett government came in.

The Kennett government introduced light-weight diesel units, rail cars called 'sprinters'. Sprinters, as their name suggests, build up to their maximum speed quickly, and they go from point to point as a commuter service. It is a fast commuter service, with a maximum speed of 130 kilometres an hour. The advantage of a sprinter is that it is light, it can be run at 130 kilometres an hour on the existing 115-kilometre-an-hour track, and it requires less of a rail upgrade than the government claimed was required for the introduction of V/Locity cars. The V/Locity cars, which are the new fast rail services, run at 160 kilometres an hour, but the reality is that the big saving in point-to-point times occurred with the introduction of sprinters. The V/Locity trains have not had much impact on the commuter services that were introduced by the Kennett government with sprinter trains in the mid-1990s, and that is a fact.

An honourable member — Alan Brown did that.

Mr GUY — Alan Brown did bring those trains in. It is worth noting that the other fallacy about fast rail — and Mr Thornley referred to this a number of times — is in relation to the number of concrete sleepers. He said it was important to bring in concrete sleepers. Anyone with any knowledge of rail travel will know that concrete sleepers look good and reduce maintenance, but they are not necessary to run trains at high speeds. In fact Australian high-speed records were set in the early 1980s when the New South Wales railways introduced XPTs and trains were running at over 180 kilometres an hour on wooden sleepers all the way down to Albury. Rail speed records have been set just recently in Queensland by the new electric trains running up to Cairns on wooden sleepers. The belief that we have to spend hundreds upon hundreds of millions of dollars to introduce concrete sleepers is an utter fallacy, and, I might add, they are not standard gauge compatible — if the government ever gets around to fulfilling its 1999 election pledge to standardise the entire rural and regional rail network.

I will comment further on the Gippsland line. Let us have a look at what the government actually did. The track from Melbourne to Traralgon is 160 kilometres long. The government said it was going to introduce these great trains which could travel at 100 miles an hour and that they were going to reduce the travel time to 80 minutes. The reality is that 55 to 60 kilometres of that track to Pakenham is suburban. The regional fast rail kicks in at Pakenham, some 60 kilometres on, leaving about 100 kilometres of regional fast rail track.

There has been no upgrade of the track through Haunted Hills. It is duplicated all the way to Moe. The line has two tracks, but the government has upgraded only one of them. So in effect, only half the track to Moe has been upgraded to fast rail, and only part of the track from Moe to Traralgon is for the fast rail system for trains running at 100 miles an hour, because most of the track through Haunted Hills is not upgraded for 100-miles-an-hour running.

When trains run on a double-track line, as used to be the case from Moe to Melbourne, they keep to the left, just like you do when are driving on a road: the ones going into the city run on the left, and the ones going out of the city run on the left. The government introduced what is called single-track running to maximise the use of the fast rail, so if you are coming into town, you are obviously going on the fast line; and if you are coming out of town, you are using the fast line that runs on the other side.

The reality is that the vast majority of services on the line to Traralgon are less than 10 minutes faster over a

100-mile journey because the trains are not travelling at a maximum permissible speed that is any greater than they were before the government spent over \$1 billion to upgrade the track in Victoria. That is the fallacy of fast rail.

Geelong, which is 75 kilometres from Melbourne, is another example. Five kilometres north of Geelong is where the regional fast rail begins. You see the signs when you travel on the train, which I have done plenty of times. A sign 5 kilometres out reads 'Start RFR', so that leaves 70 kilometres to Melbourne. There is 35 kilometres of suburban track, so we have got just over 30 kilometres of upgraded track on the Geelong line.

The reality is that the vast majority of that track does not allow for speeds higher than 130 kilometres an hour, which is no different to what was the case when the sprinters were introduced under the Kennett government. Therefore are we surprised that one of the fastest trains to get from Melbourne to Geelong today is the one going to Warrnambool? The fastest service is not the commuter service on the supposedly fast-rail train — which is a fallacy, a joke, a scam — it is the V/Line train which sits on 70 miles an hour, because it does not stop at any stations and runs straight to Geelong.

Members opposite come into this chamber and talk about fast rail and large amounts of money being invested in rural and regional rail networks, but they should look at the facts before they pick up their talking points and begin to explain away on what they think is a terrific service — the service is fine, but it is utterly incompatible with what was promised in Labor's election documentation.

I will briefly turn to the airport rail link. I remember at one stage David Davis, who may have then been the scrutiny of government shadow minister, put out a release which said that one of the highest-paid Victorian public servants was a gentleman who was overseeing the construction of the airport rail link. Eight years on and the new Southern Cross station has been built; but if members look closely, they will find that no platforms or lines have been built there to house the airport rail link; the government's promise fell down within a number of months of its coming to office. That demonstrates the Labor Party's commitment to the airport rail link.

I turn to the issue of level crossings. As Mr Atkinson very importantly pointed out during his contribution to the debate, Melbourne is the only major city in the world that is riddled with level crossings. When I take

the train home to Preston from Parliament station I go through more level crossings than exist along the entirety of the Sydney metropolitan rail network.

I am sure members opposite will accept we are not saying that the Bracks government had a responsibility to eliminate every level crossing in eight years. No, it did not, but a commitment to removing some of the level crossings in Melbourne is absolutely necessary. Bell Street goes over two metropolitan railway lines as does Springvale Road.

Mr Finn interjected.

Mr GUY — As Mr Finn pointed out, St Albans is an absolute black spot. Warrigal Road goes over two level crossings. There are problem level crossings in Mordialloc, Kooyong, Blackburn, Mitcham and Rosanna. Level crossings hurt productivity; they hurt the competitive advantage of a city being able to move goods around logistically, and of course level crossings restrict train movements throughout the metropolitan rail network, because you cannot put more services on when to do so would mean that the level crossings on roads like Bell Street — where the gates are almost permanently down in peak hour — would bring Melbourne to a standstill.

Since it came to office eight years ago the government has eliminated two level crossings. It is granted that eliminating the one on Middleborough Road was much overdue and certainly worthwhile. It also removed the one in Narre Warren, but it has absolutely refused to even look at removing the level crossings on Springvale Road, particularly the one in Nunawading. I think every member of this house would agree that having a level crossing over Springvale Road in Nunawading is ludicrous.

In conclusion, the government's answer to improving Melbourne's metropolitan rail network is not just about putting out a transport and livability statement, which is going to implement everything in about 2055; it is actually about slowing the system down. It is a mechanism that was perfected by the failed and discredited Iemma and Carr governments. It adds 2 or 3 minutes onto timetables and slows the system down. From memory, work on 8 of the 14 destinations in the Melbourne metropolitan network — Sandringham, Cranbourne, Frankston, Pakenham, Werribee, Upfield, Sydenham and Broadmeadows — have all been slowed down by this government.

The government could then run out and say, 'Train services are now running 95 per cent on time as opposed to 75 per cent two years ago'. We all know

that when the government comes out with that spin, the reality will be that those trains are running slower than they were in the 1950s. Those trains will have a slower timetable than the timetable under the government in the 1950s. The Bolte government, which was maligned by Mr Thornley, introduced the Harris trains — the blue trains — in the 1950s. That is how the Bracks government has improved rail transport in Victoria.

I note there is not much time left for this debate, so I will briefly put a few things on the record about roads. Let us talk about outcomes — big outcomes — for roads and transport projects in and around Melbourne. Let us look at the Pakenham bypass, the Deer Park bypass and the Craigieburn bypass.

Mr O'Donohue — The commonwealth government's!

Mr GUY — Mr O'Donohue is referring to the stunt of Minister Thwaites heading up to the Craigieburn bypass, launching big earthmoving equipment to dig the ground up and saying, 'Here I am! I am launching planning approval for the Craigieburn bypass', but the postscript is that that bypass is being entirely financed by the federal government — every cent of it. In fact the member for Yan Yean in the other place put out a flyer showing the Craigieburn bypass as an achievement of the Bracks government. That was astounding!

Whose money came first for the Deer Park bypass? It was the federal government's money. In 2001 the federal government was talking about the Pakenham bypass. The recent converts in the state government came up and said, 'My goodness, we had better get on board with the Pakenham bypass', and of course they came to the conclusion that they should support it many years after the state Liberal Party had a policy, which policy it still retains, of building that piece of infrastructure and many years after the federal government's money was kicked in to get that project off the ground. That project was started by funding from the federal Liberal government.

I simply ask members: where is the Dingley bypass that was promised by this Labor Party in 1999?

Mr Finn — Where is the Yuroke overpass?

Mr GUY — Where is the Yuroke overpass? Where is the full extension of Plenty Road? At the end of the day the Labor Party has made these promises and commitments. We are not standing here with a blank list, saying, 'We should build this, and we should build this, this and that'. The promises we are mentioning are

promises made by the Australian Labor Party in the middle of election campaigns. Where are the results?

The Labor Party will say or do anything to get elected, including promising to have no tolls on the Scoresby freeway. It was an absolutely rolled-gold promise made via direct mail to everyone in the eastern suburbs and signed by the Premier, stating, 'You will get this — with no tolls'. That was the word of the Premier, just like the Premier turned around a number of months ago and called desalination a hoax. The only thing that is a hoax is the word of the Premier. The Premier's word obviously means nothing, because, at the end of the day, the Premier promised the Scoresby freeway with no tolls and said desalination was a hoax.

I conclude by saying that the motion of Mr Rich-Phillips should be supported wholeheartedly. It points out that over eight years of record revenues, the only hoax being played out upon the people of Victoria is that by the Premier and the Australian Labor Party.

Debate adjourned on motion of Mr TEE (Eastern Metropolitan).

Debate adjourned until next day.

Sitting suspended 12:52 p.m. until 2.02 p.m.

QUESTIONS WITHOUT NOTICE

Water: desalination plant

Mr GUY (Northern Metropolitan) — My question is to the Minister for Planning. Will the minister advise the house whether there will be a full environment effects statement for the planned water desalination plant at Wonthaggi-Kilcunda, and if so, when it will commence?

Hon. J. M. MADDEN (Minister for Planning) — I welcome the member's question in relation to planning matters. I appreciate, too, that Philip Davis has given Mr Guy the opportunity to ask this question today. As members of this chamber would no doubt appreciate, in large projects where environmental issues are significant of course it may be necessary to conduct an environment effects statement. That is often decided when the project has been designed and when it has been developed in some detail. That strategic design, or the finalised design — whatever it might be — needs to be the proposition that is put as a case.

At this point in time I will make it very clear to the member opposite that I am not ruling in or ruling out an

environment effects statement, and I am not because it is not until the project reaches my desk, it is not until I receive advice in relation to this project, that I will make that decision. Until that time anything is hypothetical or speculative, and I do not deal in those. As planning minister it is not my role to do that. My role as planning minister is to be the authority on these projects. I will wait for the project to come to my desk, and I will wait for the advice that goes with that project to come to my desk, before I make that decision.

Supplementary question

Mr GUY (Northern Metropolitan) — By way of a supplementary question, what confidence can Victorians have in the integrity in the planning process when the government presents projects as a fait accompli without completing due planning and environment assessment processes?

Hon. J. M. MADDEN (Minister for Planning) — I do not think Mr Guy quite understands the role of the planning minister. I will tell the house why he does not understand the role of the planning minister. It is because what he is seeking me to do is deal in propositions and hypotheticals; he wants me to make a decision before the detailed design has come to my desk. We know that that is the way former minister Robert Maclellan dealt with planning matters when the Liberal Party was in government, and this party wants us returned to the Maclellanesque method of old. I will wait for this project to come to me, as I have with the channel deepening project. I will make a decision or a determination on the extent of the process once that project comes to my desk through the department.

Williamstown shipyard: defence contract

Mr EIDEH (Western Metropolitan) — My question is to the Minister for Industry and State Development. Can the minister inform the house what impact the building of two new amphibious ships for the Royal Australian Navy will have on the Victorian economy?

Hon. T. C. THEOPHANOUS (Minister for Industry and State Development) — I thank the member for his question. This is another good news story for Victoria and is another example of why the Victorian economy is buzzing along. This morning it was announced that the Royal Australian Navy's newest ships will be built right here in Victoria. I know the President is very interested in the answer to this question. The Bracks government, in partnership with Tenix Defence, has worked to make this a great win for Victoria. The amphibious landing helicopter dock ship, which looks like a small aircraft carrier — and the

President would understand what I am talking about — is the biggest navy ship — —

Mr Atkinson interjected.

Hon. T. C. THEOPHANOUS — Mr Atkinson should listen; he will learn something. I know the shadow minister does not have an interest, but I know Mr Atkinson does have an interest in this. At 27 831 tonnes full load displacement it will be the biggest navy ship ever built in Australia. At 230 metres in length and with nearly 5000 square metres of flight deck it will be the biggest ship ever built in Australia. The superstructure fit-out and all the high-end systems work will be completed right here in Melbourne at Tenix's Williamstown shipyard.

I am happy to say that the Bracks government has delivered again. Winning this important project for Victoria was one of the key priorities outlined in the government's defence roadmap strategy released late last year and was one of the key priority tasks given to me by the Premier when he commissioned me in this task. I am very pleased to not only be able to say that we have delivered this but to indicate to the house what it means for Victoria. It means over \$500 million of high-end manufacturing, design, consolidation and systems integration work. It means 600 additional jobs at the Williamstown shipyard — and these are highly skilled jobs — and many more jobs as well. It means that as a result over 500 businesses — small and medium-sized enterprises — which undertake work in support of our shipbuilding industries will also see a future.

Everyone is cheering on this decision, except the opposition spokesperson, who I have not heard say a single thing. I spoke to the federal Minister for Industry, Tourism and Resources, Ian Macfarlane, and the Treasurer spoke to his federal counterpart, Peter Costello. This has been an effort with which the Premier has tried to assist. We have worked with Tenix very closely to get this outcome. It is the right decision by the federal government, but let me tell you it has been done — —

Honourable members interjecting.

Hon. T. C. THEOPHANOUS — It is a decision of the federal government. The federal government could have decided to send it to Queensland, and it did not. The reason it did not decide that is that this is the best place and we had the best proposition on offer.

The AWD (air warfare destroyer) ships are from the same Spanish shipyard — that is, Navantia. The air warfare destroyers will also be built using the Navantia

ship design. When you put together the work that will result from the air warfare destroyers with the work that is coming in for this, we are talking about over \$1 billion of work down at the shipyards at Williamstown over the next five years.

This is a fantastic outcome. It has come about because of a lot of effort from a lot of people. I want to thank my department in particular for the work it has done consistently over the last six months, and all the people who have been engaged in doing this at Tenix and in other parts of the industry that have assisted in getting this wonderful outcome for Victoria.

Port Phillip Bay: channel deepening

Ms PENNICUIK (Southern Metropolitan) — My question is for the Minister for Planning. The public inquiry hearings into channel deepening have commenced. I have raised concerns in this chamber about the assessment process, as did Mr Guy, yesterday, regarding the lack of transcripts. One has to wonder whether the inquiry has been properly resourced. We are hearing stories about things being rushed through, people not knowing who has asked what questions, who is going to answer what questions, and so on. It has come to my attention that the Blue Wedges coalition requested to meet with the minister but that the minister said to the coalition that he was not able to meet with it under the Environment Effects Act 1978. Could the minister explain why he is not able to meet with it?

Hon. J. M. MADDEN (Minister for Planning) — I welcome Ms Pennicuik's question in relation to the inquiry panel into the channel deepening project. First of all I want to clarify the first matter that the member mentioned — that is, transcripts. It is my understanding that in project panel hearings of this nature transcripts are not normally supplied. My understanding is that transcripts are supplied only if one of the parties seeks to afford that, or fund it, or seeks to have that as part of the panel process. That is the advice I have.

I have also been advised that there is nothing to stop any of those people who would like the information in relation to that panel hearing from accessing a CD of the recording of it, because it has been recorded, I understand. So if people want to access that, they can request it, and I understand that will be provided. That is not determined by me, that is determined by the panel itself. I am clarifying for the member that there is no gag in relation to this, there is no conspiracy theory. I know members on the other side of the chamber would like to propose that there is a conspiracy, but there is

not. I hope that clarifies the first matter — the access of information in relation to the proceedings.

The other item that I wish to clarify in relation to the hearings is: if people are particularly interested, then I would expect that they would be in attendance. If they feel compelled to sit there for a short period of time or a long period of time or on specific matters, I am sure they can approach the panel in some way to have that clarified. I know there is a schedule that has been prepared for when parties will be heard or can make their verbal submissions over and above any written submission, and I would expect that the panel, which will determine these things, would make that known to other parties. If parties want to be there sitting at the panel listening to other parties make their submission, I am sure the panel has the ability to ensure that that happens.

I also want to make it clear, President, that once I appointed the panel and set the terms and conditions, if I were to interfere or intervene in any of the proceedings in any way, I am sure that the first people to criticise me would be the people on the other side of the house. Once I set this train in motion, it will run. It will run its full course, and then I will no doubt receive the report from the panel in relation to the supplementary environment effects statement and the propositions that have been put to that panel by various people who are presenting to the panel. I will receive that report, I will consider it and I will make my determination accordingly. But, as I have said, it is up to the panel to determine the proceedings once the panel has been set in motion.

Supplementary question

Ms PENNICUIK (Southern Metropolitan) — Given that the minister has refused to meet with the Blue Wedges, does that mean he will not be meeting with any other person regarding this project, including the proponent?

Hon. J. M. MADDEN (Minister for Planning) — I failed to answer that last part of the question the last time the member asked it. It is not appropriate for me to meet with any of those parties who might make submissions to the panel during the panel hearing. I have said I have an open door in relation to meeting with people, but there are times when it is not appropriate to meet with specific people during the course of a hearing. The hearing is their opportunity to use that forum to voice their support or lack thereof for the project. It is not my place to meet with any of those submitters to that panel at this point in time. As I have said, I expect that the panel will provide me with a

report that will be considered by the department and me, and I will make determinations based on the report of that panel.

Business: Thailand trade mission

Mr SOMYUREK (South Eastern Metropolitan) — My question is to the Minister for Industry and State Development. Can the minister inform the house how the Bracks government is assisting and facilitating local business to participate in industry trade missions.

Hon. T. C. THEOPHANOUS (Minister for Industry and State Development) — I thank the member for his question. Last night I had the pleasure of attending an inbound trade mission from Thailand, which has been supported by my department. It was a very interesting evening. The trade mission is building on two-way trade between Thailand and Australia. It is part of a program that we have in place to promote these kinds of activities. It is specifically focused on automotive electronics, telematics, solar technology, smartcard and powerline communications sectors of the economy. It was an opportunity for 43 members of the delegation to meet with our local businesses to increase trade between Victoria and Thailand.

I must say that in giving the speech and thanking the people who were there — as I said, 43 Thai government and business people attended the function — I of course acknowledged our visitors and our guests. I looked down the list of people who were present and who I had to acknowledge. I acknowledged His Excellency Mr Bandhit Sotipalalit and his wife, Mrs Sotipalalit. I also acknowledged the secretary-general of Thailand's Board of Investment, Mr Satit Chanjavanakul, whose wife thankfully was not there! I then looked down my list of dignitaries, and I was happy to see that the opposition was represented on this very important occasion. After all, it is very good to see the opposition represented — I have made a point of that. I almost went to the point of recognising David Davis as the spokesperson, but was it David Davis who turned up? No! David Davis did not turn up for this particular event — —

An honourable member — He was at home fixing the website.

Hon. T. C. THEOPHANOUS — No, but I was very happy to recognise Gordon Rich-Phillips, who was representing the opposition at this particular important event. It seems that the situation has got so bad that Philip Davis has to send other shadow ministers to do David Davis's job, because this is the fourth event — —

The PRESIDENT — Order! The minister will come back to the answer!

Hon. T. C. THEOPHANOUS — I have to say that I was looking forward to being able to introduce the delegation, because bipartisanship is important in dealing with delegations. I can report that Gordon Rich-Phillips did an excellent job while he was there. I might say that he also got a small gift, as I did, from the Thai authorities.

The PRESIDENT — That is enough from the minister.

Hon. T. C. THEOPHANOUS — Seriously, we should have bipartisanship. I look forward to working with the opposition on these important delegations, and I hope that in the future the opposition is able to send somebody to make sure there is bipartisanship, even if it is not David Davis.

Water: desalination plant

Mr GUY (Northern Metropolitan) — My question is to the Minister for Planning. Noting that the Premier has made an announcement that the government is to build a desalination facility and that that will be accompanied by \$1 million in government advertising, a plant the minister believes is a hypothetical, I ask: can the minister advise the house what preliminary planning work has been completed for the government to establish that Wonthaggi-Kilcunda is an appropriate and environmentally suitable location for a water desalination facility?

Hon. J. M. MADDEN (Minister for Planning) — I just want to correct Mr Guy. I did not say that the project was a hypothetical; there is no doubt that the project is going ahead. I correct him to say that the proposition of how it will look or how it will be presented in this case has to come before me, so it would be inappropriate for me to comment in relation to a project that I have yet to see the format of. What I can say, though, is that if Mr Guy had been at the briefing yesterday, he would have been made well aware of why the location was determined as it has been. I even note that this morning Mr Baillieu was on the radio talking to Jon Faine. I think his comment was that former Premier Rupert Hamer had identified this site as a desalination plant location when he was in government. He had nominated that site then.

What it does say is that the process that has been undertaken to this point as to where the most likely locations could have been and the final determination of that relates to a number of matters. It relates to the

way in which the current piping system works, to the need for an ocean outlet for the brine, to the existing water facility and probably as well to the area of greatest local need in relation to some of these matters given those circumstances. I know that a number of criteria were considered and that a number of locations were thrown around as considerations, but this is the most suitable — as opposed to what the opposition proposed, which was to locate it somewhere around a bay — particularly because the plant needs to be located at an ocean outlet so that the brine can be pumped out to the ocean some distance away. A number of matters have been considered in relation to the most appropriate location for this project.

I understand that the vast majority of that work in relation to this matter has been done by the Minister for Water, Environment and Climate Change. I have been party to his briefing in relation to this matter, but most of the work on the siting has been done on the pragmatic grounds of what the most appropriate location is for the operation of the facility.

As I have mentioned, I look forward to the final design coming to me for consideration and to ensuring that a thorough environmental investigation takes place. I look forward to taking advice on and making a determination on the form of that. Regardless of what the opposition says about this project and no matter what it wants to throw around about it, this is a solution to the ongoing water needs of the state. No matter what opposition members say now or what they have said before, we would expect the opposition to support this wholeheartedly.

Supplementary question

Mr GUY (Northern Metropolitan) — Noting that the government has adopted the same panicked reaction to water as it did to toxic dumps and channel deepening by announcing the sites first and speaking to communities second, I ask: is this not yet another case of the government putting the media spin first and the proper planning processes second?

Hon. J. M. MADDEN (Minister for Planning) — What Mr Guy is really saying is that he does not agree with proper process. For each of these projects what he is saying is that he does not believe in proper process.

Mr Lenders interjected.

Hon. J. M. MADDEN — He is a disciple of Maclellan! If this man — the alternative planning minister — were to become the planning minister, it would be very different. Can I just make it very clear that for each of the projects nominated by him, Mr Guy

has failed to acknowledge proper process. One of the things that is critical when it comes to planning is due process, proper process. Can I just remind opposition members that if they have a policy, if they have a plan and they follow due process — —

The PRESIDENT — Order! The minister knows full well he is not able to debate the issue. He is clearly debating it, in my view, and I would ask him to come back to the specific supplementary question asked without referring to his opinion of the opposition.

Hon. J. M. MADDEN — Thank you very much, President. There is obviously no need for me to elaborate on that anyway. In any planning project there is a requirement for due process, and we know that in the phrasing of Mr Guy's question the implication is, 'Don't undertake due and proper process; make a decision and make it happen now'. What we do is implement proper process, and the planning minister, as the due authority, considers those projects in a full and proper planning process. We are proud of that record, we are proud of that reputation, and it stands in stark contrast to the opposition historically and today. It would return to the Maclellanesque days of old.

Public land: facility maintenance

Mr SCHEFFER (Eastern Victoria) — My question is to the Minister for Planning. Can the minister outline to the house how the Bracks government is assisting volunteer local committees of management to protect, upgrade and maintain public assets for their communities through the government's Moving Forward initiative?

Hon. J. M. MADDEN (Minister for Planning) — I welcome Mr Scheffer's question, and I welcome the fact that he did not read it too fast, because I know that some members in the chamber have a bit of difficulty with a series of complex words.

We appreciate the role of Crown land, the facilities that are on Crown land and those who at a community level take the responsibility for managing many of those community facilities on Crown land, particularly in small towns in provincial Victoria, where the Crown land is often the heart and soul of community activity. These are often places where communities come together to participate in a whole range of activities — it might be sport, it might be picnics, it might be families coming together across the weekend.

Because of that, I am delighted to announce that community committees of Crown land reserves throughout provincial Victoria will share in almost

\$500 000 in funding for 61 projects to upgrade much-loved local public facilities through the Stewardship in Action grants. These grants range, I understand, from \$429 to \$30 000 and will help improve the likes of sports facilities, community halls, picnic tables, disabled access, water supplies, toilets and fences. They might be small amounts in some instances — they might be small projects — but they mean a lot to some of those small communities, because often these reserves are the hub of community activity.

As well as that, these funds complement the work of those committees of management and of those volunteers in many of those reserves who have committed themselves through their relationship with the community groups that use this Crown land. They have committed themselves on behalf of the community to being involved, and this funding complements what they do. This four-year program began with \$250 000 in annual funding, which has grown to about \$500 000, to assist volunteer communities to improve assets, infrastructure and public facilities on Crown land reserves throughout provincial Victoria.

Honourable members interjecting.

Hon. J. M. MADDEN — I advise Mr Davis that applications are assessed on the following criteria. Projects should prevent physical deterioration of the reserve, they should improve accessibility, they should protect natural values, they should increase community usage of the reserve, and they should contribute to the general condition of the reserve.

I refer to some examples of the outcomes of these grants. They range from the replacement of oak floorboards damaged by white ants and the replacement of steps at the Poolajelo soldiers memorial hall in West Wimmera to \$30 000 towards replacing the Freeburgh hall in the high country and include \$10 000 to connect the Johnsonville public hall in East Gippsland to the sewerage system and \$6830 to revamp kitchen facilities at a Horsham recreation reserve.

This is another way we are making Victoria a great place to live, work and raise a family, which stands in stark contrast to the opposition. We have always been committed to provincial Victoria, in stark contrast to opposition members, who could not give a damn about what takes place in regional Victoria.

Questions interrupted.

SUSPENSION OF MEMBER

The PRESIDENT — Order! I am now becoming seriously concerned about Minister Madden's deliberate flouting of my rulings with regard to abuse of members of the opposition, particularly at question time. I have to take a view that it is deliberate, therefore I am going to use standing order 13.02. I rule that the minister has been disruptive to the house, and I remove him for 30 minutes.

Hon. J. M. Madden withdrew from chamber.

Questions resumed.

Water: Victorian plan

Mr D. DAVIS (Southern Metropolitan) — My question is to the Minister for Industry and State Development. I refer to the announcement that average water bills are expected to double over the next five years to fund the proposed water projects. Will the minister provide the house with an assurance that small business and Victoria's industries will not face increased water charges that exceed those faced by domestic consumers?

Hon. T. C. THEOPHANOUS (Minister for Industry and State Development) — I thank the member for his question. In response to the member, what has been announced is a project that will secure Victoria's water supplies against climate change risk going forward for a substantial period of time. What we are talking about is a 50 per cent increase in the water available to this state, particularly to Melbourne.

If you think about what that means for businesses — I know this because I go around and talk to businesses — the single thing that businesses, especially those businesses that are high users of water, tell me is that their biggest issue is the risk going forward of not having access to water supplies. Business therefore welcomes the new infrastructure, because it knows that it can go into Asia, it can go into Europe and it can go into the rest of the world and say, 'We can produce products in Melbourne and we have a secure supply of both energy and, in this instance, water'.

The ability to do that is paramount if we are going to have successful industries going forward. I am sure that, all jokes aside, David Davis agrees with me in relation to that. We have to secure a water supply for our industries. That is part of what this series of major projects being undertaken by the government is all about. It is also important, however, that industry engage in conservation. It should preserve water, and the more we can assist it to preserve water the better off

we will be, because every litre it preserves is a litre of water that we do not have to find somewhere else.

It is important that we have both sides of that strategy in place. But of course if we are going to go into a series of projects which will enhance our water supply by 50 per cent, it is going to cost money — it is not going to be done for free. The government has been absolutely up front in saying that this will result in additional costs for water. That cost will be shared by both domestic consumers and industry.

At this stage all that I can say to the member is that we are looking to the share of that being equally spread between industrial and domestic consumers. We expect that in both sectors there would be an approximate doubling of the cost of water. That is a significant impost, but it is an impost which we do not apologise for, because it is designed ultimately to put us into a competitive situation.

I conclude by saying that one should also look at the fact that the cost of water in Melbourne, and in Victoria, is one of the lowest around the whole of the country. Certainly in relation to domestic consumers of water, we have the lowest costs of any other state. The increase, while being one which will impact on domestic consumers and on industry, is one we believe will place Victoria in the best possible business position in terms of the risk of supply

Supplementary question

Mr D. DAVIS (Southern Metropolitan) — I agree with the minister that an equitable sharing of increased costs is the right way to go. In that context I ask: will the minister meet with water authorities and water boards to put the case that small business contributions to Victoria's belated water infrastructure activity should be capped at the level of the domestic increase?

Hon. T. C. THEOPHANOUS (Minister for Industry and State Development) — In answer to the member's question, let me indicate that ministers, including me, will meet with all parts of industry and will discuss issues surrounding its cost inputs, including the cost of water, going forward for those industries. It is part of what we do in an attempt to try to reduce those costs as much as possible.

What I can say to the member is that at least the peak industry representatives have told us they understand the need to do this. In fact Neil Coulson from the Victorian Employers Chamber of Commerce and Industry has said that industry is the first to understand that when commodities are scarce, prices increase. Neil Coulson understands it, and I believe Tim Piper also

understands that this is something which is necessary. Industry has an understanding that it wants to be in a position to ensure that we do not have a scarce supply of water in the future because having a secure supply is a competitive advantage.

We will be talking to all of the industry sectors in relation to this. I certainly will be speaking to the people who come under my area of responsibility, to assure them that the government will do whatever is possible in order to maintain the competitiveness of all of our industries.

Aged care: Eastern Victoria Region

Mr VINEY (Eastern Victoria) — My question is to the minister for aged care. Could the minister please inform the house how the Bracks government is continuing to invest in care for older Victorians, particularly in my electorate of Eastern Victoria Region?

Mrs Coote — On a point of order, President, I do not believe we have a minister for aged care in this chamber.

The PRESIDENT — Order! There is no point of order.

Mr VINEY — I stand corrected. I was living in a former Parliament for a moment. My question is to the Minister for Community Services.

Mr JENNINGS (Minister for Community Services) — I thank the opposition spokesperson, and I thank Mr Viney for that very elaborate introduction to this question and my opportunity to respond about the wellbeing of senior Victorians who, hopefully, live happily live in the eastern region of Victoria and indeed the electorate that Mr Viney has the great privilege of representing, along with a number of other members.

I had the good fortune to be in the company of those senior citizens last week and the great services that are provided throughout — —

Mrs Peulich — You felt at home.

Mr JENNINGS — I did feel at home. I felt pretty comfortable in the good company of senior Victorians. Even if they are living in residential aged care, they can be full of life and full of enthusiasm — and as it turned out they were full of cheek at the event I will refer to in a minute. I enjoyed the opportunity to be in the company of people who are enthusiastic about life. They want to ensure that they have a good quality of life regardless of their frailty, disabilities and individual

circumstances whereby they may be less independent than they once were.

As I travelled through Gippsland last week I stopped off at Wonthaggi and joined — —

Mr D. Davis — You were looking for a site for a desalination plant, were you?

Mr JENNINGS — As it turned out, I was in Wonthaggi at one stage. I visited the Bass Coast Regional Health service, and I talk with great enthusiasm about the great job it has been doing for a variety of reasons. That includes the rolling out and being a provider of the aids and equipment program. I allocated \$502 000 to the Gippsland program, which is run through the Bass Coast service, the Bairnsdale Regional Health Service and Latrobe Community Health. That \$502 000 will eliminate the waiting list for people who are currently on those programs throughout Gippsland. This was a very important announcement in its own right. I am pleased that it will support independent living for many seniors and people with disabilities who live right throughout Gippsland.

I left Wonthaggi and travelled to Leongatha to participate in a couple of events. One was to join the residents of Koorooman House, which is part of the Leongatha hospital precinct. That precinct is going to have a major redevelopment, a redevelopment that the Bracks government is committed to providing. I was happy to share with the residents and the staff of that great service the news that \$10 million has been allocated in this budget for works to commence in the near future which will see a redevelopment of the residential aged-care facility, a 36-bed new facility delivered on that site, a new pathology service introduced as a part of the \$10 million redevelopment and significant landscaping in the car park area which is established at the front of the facility. That is the first stage of a major redevelopment that the service is seeking to secure with the support of our government in the years to come.

Our track record of supporting communities, regardless of where that may be throughout Victoria, continues unabated. The \$10 million redevelopment of the aged-care facility at Leongatha, which I have referred to, is part of the \$62 million we allocated in the budget for aged-care redevelopments throughout the state of Victoria. That cumulatively builds to the \$424 million which we have allocated during the life of the Bracks government to redevelop residential aged care right throughout Victoria. We have undertaken 45 major redevelopments and 42 of them are in rural and regional Victoria.

An honourable member interjected.

Mr JENNINGS — There are 42 of them. That is a measure of our commitment to communities right throughout Victoria. I am pleased to say that these good citizens of Gippsland are an essential part of the Victorian fabric and of our community, and they deserve the best quality care now and into the future. That is what our government is determined to provide.

Small business: Melbourne retail strategy

Mr ATKINSON (Eastern Metropolitan) — I direct my question to the Honourable Theo Theophanous, who is the Minister for Industry and State Development and also the Minister for Small Business. The minister recently launched the year one report card for the Melbourne retail strategy for 2006–07. I had the opportunity to be at the launch and to listen to the minister. The minister has subsequently reported to the house the importance of major events in attracting international visitors and investors to Victoria. I therefore ask: has the government reviewed its major events strategy in respect of the international and interstate visitor number trends outlined in the report that the minister released for the city of Melbourne?

Hon. T. C. THEOPHANOUS (Minister for Small Business) — I thank the member for his question and I congratulate him on his continued interest in the area of small business in this state as evidenced by his attendance on behalf of the opposition at the function he referred to. I reported on that to the house earlier.

The year one report card was an important event. It described how well retail had been developed in the city of Melbourne. Those who were present were impressed by what had taken place over the course of that one year and the reporting back functions which were associated with the year one report card.

I do not want to go into the detail of that report again, because I answered a previous question in relation to that matter at the time. The member specifically asked me about major events and asked for some information and detail about this particular — as I understand the question — retail strategy.

Mr Atkinson interjected.

Hon. T. C. THEOPHANOUS — Yes, the trends. In relation to major events I should point out to the honourable member that I am actually not the minister responsible for major events. There is another minister who has that responsibility. Although the major events section is in the Department of Innovation, Industry and Regional Development and I am the lead minister

within that department, I do not have direct responsibility for major events.

This particular issue, the retail strategy, is something that I am involved in. It is a shared responsibility in many instances. In relation to major events there is some crossover between me and the Minister for Tourism in the other place. In this particular instance, I was happy to give the year one report card at that event in relation to the retail sector. I am not able to tell the honourable member off the top of my head what the trends are at the moment. I am happy to report to the member in detail what the trends are.

Mr D. Davis — You launched it!

Hon. T. C. THEOPHANOUS — Yes, I launched it, but unfortunately Mr Davis was not at that particular event — he did not turn up for it. I do not think that comment is appropriate. If I were him, I would just shut up and let me answer the question asked by Mr Atkinson. Mr Davis was not present at the event, so he is not in a position to say anything about this matter. In relation to the question from Bruce Atkinson, I will get back to him with the detail he requests.

Supplementary question

Mr ATKINSON (Eastern Metropolitan) — I, of course, understand that the minister is not responsible for major events, but I note that in the house he has recently referred to the international airshow and several other events and has been keen to take some credit for them.

The Melbourne retail strategy report card does show, as the minister would be aware, that the number of international visitors to Melbourne in 2006, which was the year of the Commonwealth Games, was exactly the same as in 2004. Indeed the number of interstate visitors was only very marginally higher in 2006 than in 2004, according to the Melbourne City Council report. Given the failure of the Commonwealth Games to generate any significant increase in international or interstate visitors to Victoria in 2006, I ask if the minister can identify any overseas investment that has been secured for the state from the government's Commonwealth Games business program.

Hon. T. C. THEOPHANOUS (Minister for Small Business) — In response to the member I would just say that the overall responsibility for major events in terms of tourism aspects rests with the Minister for Tourism. However, I have responsibility in relation to specific industry sectors. The retail industry is one of the industries I have responsibility for, as is the aviation industry, which is why I have such an important part to

play in relation to the airshow, because the airshow obviously is related to investment in that industry. That is the reason I have involvement in those facilities, and I think the member understands that.

In relation to the further question the member has asked me, which is different from the original question and is about the Commonwealth Games and the business activity arising out of it, I will provide a response to him in due course.

Teachers: professional development

Mr HALL (Eastern Victoria) — In case the Minister for Education was feeling neglected I am going to direct the last question of this question time to him. I refer the minister to the decision by the Victorian Institute of Teaching that will require teachers to undertake 100 hours of professional development every five years to maintain their registration, and I ask: will this requirement be pro rata for part-time teachers and casual relief teachers?

Mr LENDERS (Minister for Education) — I am delighted that Mr Hall has asked a question on education. He is a former maths teacher, and he has an interest in it. It is his no. 1 priority, and I lament the fact that only 1 of the 10 questions asked today was about education.

Mr Hall's question regarding the Victorian Institute of Teaching is a very good one, because, as the house knows, part of the purpose of setting up the institute of teaching five years ago was to get a better professional culture among teachers and to have a regulatory body to deal with a number of issues. The institute is proposing to go through a process on the extra hours of professional development that each teacher should have so that we will have the best teaching workforce possible and so that we give teachers the necessary skills and assist them in doing so — and that will be part of their registration. I am a teacher, but unless I do 120 hours of professional development over a period of time — if I do not have the best professional development available to me — I do not think any school in the state would necessarily want me to be teaching its students.

Mr Hall's point was: will the requirement be pro rata for part-time and casual teachers? It is an issue that the institute itself is addressing. This period of hours required for professional development will be phased in, because we know that in the longer term, whether it be Mr Elasmar, Mr Kavanagh, Mr Hall, Mrs Peulich, me or any of the other ex-teachers in this place — yes, Ms Pennicuik was also a teacher; we are tripartisan plus

two in having ex-teachers in our ranks here — we will be seeking to have the best training possible.

How the phase-in will be completed is an unresolved issue, but we need to get the balance right between ensuring that even casual teachers going out to schools are the best-equipped professionals to teach our students. It is the next generation versus those who are teaching full time, for whom it is obviously far easier to get those hours of professional development in place.

I will undertake to keep Mr Hall informed as these issues are resolved. Certainly the starting point is that we want trained teachers in schools. We want teachers to have the best and most up-to-date teaching methodologies in place. The challenge for us is how we match that with the casual workforce, because some people wish to come back into the system for short periods of time. It is a much greater burden if they are there for just a short period of time, particularly when we have skills shortages and want teachers to come in quickly. This is all about making Victoria an even better place to live, learn, work and raise a family.

Supplementary question

Mr HALL (Eastern Victoria) — I thank the minister for his response to that question, but my particular concern, which is shared by my colleagues in The Nationals, is with respect to casual relief teachers because of their scarce availability, particularly in country Victoria. It is important that any registration requirements do not prove to be a disincentive for people to undertake casual relief teaching. By way of a supplementary question I particularly ask the minister whether he will raise with the Victorian Institute of Teaching that concern and ensure that measures are put in place that do not discourage people from embarking on casual relief teaching.

Mr LENDERS (Minister for Education) — I will certainly raise that issue and related issues with the institute of teaching. I also invite Mr Hall — because this is the fifth year of the institute of teaching being in place and there will be a review of it, as the former minister committed to in the second-reading speech — to make a submission directly to the institute.

QUESTIONS ON NOTICE

Answers

Mr LENDERS (Minister for Education) — I have answers to the following questions on notice: 232–47, 272–83.

ACCIDENT TOWING SERVICES BILL

Statement of compatibility

For Hon. T. C. THEOPHANOUS (Minister for Industry and State Development), Mr Lenders tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities, I make this statement of compatibility with respect to the Accident Towing Services Bill 2007.

In my opinion the Accident Towing Services Bill 2007, as introduced to the Legislative Council, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of the bill

The bill is an integral step in the government’s continuing reform of land transport policy and legislation and the Transport Act 1983 in particular. It introduces a new stand-alone Accident Towing Services Act which contains a contemporary policy and legislative framework for the regulation of accident towing services.

The purpose of the bill is to provide for safe, efficient and timely accident towing in Victoria. The objective of the bill is to:

- (a) promote the safe, efficient and timely provision of accident towing services and other related services;
- (b) to ensure that persons who are providing accident towing services—
 - (i) are of appropriate character; and
 - (ii) are technically competent to provide the services; and
 - (iii) act with integrity and in a manner that is safe, timely, efficient and law abiding, and in particular, that they have regard for vulnerable people.

The main features of the bill are that it:

generally replicates the existing regulatory framework in division 8 of part VI of the Transport Act 1983 (licensing restrictions, the Accident Towing Allocation Scheme, strict probity checks and obligations at accident scenes) but with policy and drafting improvements. These provisions remain necessary to manage the unique features of the accident towing industry;

deregulates the trade towing sector;

introduces an accreditation scheme for towing operators, managers and drivers to help ensure that these persons are of appropriate character and act with integrity and in a manner that is safe, timely and law abiding;

vests necessary administrative powers and functions in VicRoads;

provides for improved and proportionate enforcement powers and sanctions; and

reflects changes agreed with industry after consultation held during 2005 and 2006.

The new accreditation scheme is designed to improve service levels to accident victims by requiring that operators maintain a formal complaints handling system. This will address the concern that currently there are inadequate commercial incentives for accident towing operators to improve service quality. It will also help provide relevant information to VicRoads to assist them to monitor industry service quality levels.

The existing 'fit and proper' probity checks in the Transport Act 1983 have been reviewed and have been adopted in the accreditation schemes for towing operators, depot managers and tow-truck drivers to ensure that high level character standards apply to these industry roles.

Human rights issues

1. *Human rights protected by the charter that are relevant to the bill*

The human rights that the bill will have an impact upon or engage are as follows.

Section 12 — freedom of movement

Division 9 of part 2 of the bill contains provisions relating to the operation of tow trucks in controlled areas and engages the right to freedom of movement provided for in section 12 of the charter. Specifically:

clause 41 provides that a police officer or authorised officer may direct a person to leave a restricted road accident area (within 500 metres of an accident-damaged vehicle at an accident scene) if he or she believes on reasonable grounds that the person's presence is hindering traffic, hindering attending to injured persons or damaged property or obstructing the towing of motor vehicles;

clause 42 makes it an offence for regular tow-truck licence-holders to attend a 'road accident scene' (defined in clause 4 of the bill) in the tow truck in a 'controlled area' (defined in clause 4) unless the licensee has been authorised to do so;

clause 44 prohibits regular tow-truck licence-holders from towing accident-damaged vehicles on designated roads unless the licensee has been authorised to do so; and

clause 51 prohibits a regular tow-truck licence-holder from attending a road accident scene in a tow truck in a 'self-management area' (defined in clause 4) unless the licensee has been authorised to do so.

These provisions engage a person's right to move freely within Victoria as they restrict persons attending within close proximity of a road accident scene and restrict regular tow-truck licence-holders from travelling through certain areas without prior authorisation.

Section 13(a) — privacy

The following provisions of the bill engage the right to privacy provided for in section 13(a) of the charter:

The power to collect personal information:

clause 18 requires applicants for a tow-truck licence to provide information reasonably required by VicRoads in order to assess an application for a licence;

clause 30(2)(b) requires holders of a tow-truck licence to provide prescribed or other information reasonably required by VicRoads to assess an application for transfer of the licence;

clause 31(1)(b)(ii) provides that VicRoads must record an approved transfer of a tow-truck licence containing information reasonably required by VicRoads in the register kept under the act;

clause 31(3) allows VicRoads to record the name and address of the new holder of a tow-truck licence following a transfer;

clause 60 requires applicants for industry operator or depot manager accreditation to provide information reasonably required to assess the suitability of an applicant in the manner and form determined by VicRoads;

clause 61 requires applicants for industry operator or depot manager accreditation to provide further information as requested by VicRoads which is reasonably required to assess the suitability of the applicant;

clause 77 requires the accredited person to notify a change in address to VicRoads within seven days;

clause 102 requires applicants for tow-truck driver accreditation to provide information reasonably required to assess the suitability of an applicant in the manner and form determined by VicRoads;

clause 103 requires applicants for tow-truck driver accreditation to provide further information as requested by VicRoads which is reasonably required to assess the suitability of the applicant; and

clause 118 requires accredited tow-truck drivers to notify a change in address to VicRoads within seven days of changing address.

VicRoads may obtain information regarding criminal convictions of applicants for accreditation:

clause 62 allows the Chief Commissioner of Police to notify VicRoads of any relevant findings of guilt of an applicant for industry operator or depot manager accreditation;

clause 92 requires an accredited operator or depot manager to notify VicRoads if found guilty or charged with an offence listed in clause 1 or 2 of schedule 2 within seven days. The Chief Commissioner of Police may also notify VicRoads of relevant findings of guilt in relation to an accredited person;

clause 104 allows the Chief Commissioner of Police to notify VicRoads of any relevant findings of guilt of an applicant for tow-truck driver operator accreditation; and

clause 136 requires an accredited tow-truck driver to notify VicRoads if found guilty or charged with an offence listed in clause 1 or 2 of schedule 2 within seven days. The Chief Commissioner of Police may also notify VicRoads of relevant findings of guilt in relation to an accredited person.

An accredited person must notify of suspension or cancellation of accreditation:

clause 93 requires an accredited operator to notify any persons employed to drive a licensed tow truck of any suspension or cancellation of operator accreditation within seven days; and

clause 137 requires an accredited tow-truck driver to notify the tow-truck licence-holder who employs him or her of any suspension or cancellation of driver accreditation within 28 days.

The powers to disclose or publish personal information:

clauses 96 and 140 provide that VicRoads may, if it considers it necessary for the provision of safe towing services, disclose to any person, or publish, information obtained or collected for industry accreditation or driver accreditation purposes respectively (but it cannot identify any person in the case of publication); and

clause 235 amends section 92(3) of the Road Safety Act 1986 to allow VicRoads to disclose information in accordance with regulations for the purposes of the Accident Towing Services Act 2007.

The power to inspect, enter and search tow trucks and seize materials:

clause 181 provides that an inspector (a police officer or authorised person) may inspect and enter a tow truck to determine whether the act, regulations or service standards are being complied with;

clause 182 provides that an inspector may enter and search a tow truck that he or she believes on reasonable grounds may provide evidence of a contravention of the act, regulations or service standards. (It does not authorise an inspector to search persons.); and

clause 185 provides the above powers may be exercised without the consent of the driver or other person in charge of the tow truck.

The power to inspect, enter and search premises and seize materials:

clause 186 provides that an inspector may, with the consent of the owner or occupier, inspect and search premises used to conduct an accident towing service or motor vehicle repair business if an inspector believes on reasonable grounds that a person has contravened the act, regulations or service standards;

clause 187 provides that an inspector may enter and inspect premises which are open to the public at that time;

clause 188 provides that an inspector may enter and search premises without consent between 9.00 a.m. and 5.00 p.m. or when open for business for the purpose of monitoring compliance with the act, regulations or service standards. An inspector cannot enter any residential premises;

clause 192 authorises an inspector executing a warrant to seize any thing not described in the warrant which the inspector reasonably believes could have been included in the warrant or is evidence of a contravention of the act, regulations or service standards and is necessary to seize to prevent its concealment, loss or destruction;

clause 194 authorises an inspector who enters and searches premises under clause 188 and who reasonably believes that information on electronic equipment may be relevant to determine whether the act, regulations or service standards have been complied with to operate the equipment, copy information or seize the equipment; and

clause 199 provides that an inspector who exercises a power of entry into premises may require the occupier to give information, produce documents or give reasonable assistance to the extent reasonably necessary for compliance purposes.

The above provisions raise, but do not limit, a person's right to privacy under section 13(a).

The right to privacy encompasses the idea that individuals should have an area of autonomous development, interaction and liberty — a 'private sphere' free from government intervention and from excessive unsolicited intervention by other individuals.

A law will contravene this provision if it interferes with a person's privacy 'unlawfully or arbitrarily'. An interference with privacy will not be 'unlawful' where the interference is permitted by law and where the provisions are precise and circumscribed so that there are not broad discretions in authorising an interference with privacy. An interference with privacy will not be arbitrary where it is in accordance with the provisions, aims and objectives of the charter and is reasonable in the circumstances.

The interferences with privacy outlined above are not unlawful. The interferences will be provided for by law in this act. In addition, the provisions are detailed, only allowing for interferences with privacy for limited and legitimate purposes under the act. For example, the prescribed information which must be provided by applicants for three types of accreditation (industry operator, depot manager and tow-truck driver) is limited to that information which is reasonably required to assess the suitability of the applicant. Information such as whether an applicant for industry operator is solvent and can provide the complaints handling and reporting systems required under accreditation standards would fall within this category. Similarly, the act only authorises the disclosure of convictions which are relevant to the application.

The powers of VicRoads to disclose or publish personal information are sufficiently detailed and circumscribed so as to be a lawful interference with privacy. Information may only be disclosed under the act if this is necessary for the purposes of providing safe accident towing services and

individuals cannot be personally identified in a publication. Information may only be disclosed in accordance with regulations made for the purposes of the Accident Towing Services Act 2007.

Similarly, the entry, search and seizure powers are limited by the requirement that it be for compliance purposes or that the inspector has reasonable grounds for suspecting that there has been a contravention of the act, regulations or service standards made under the act. The relevant provisions do not confer a broad discretion to enter property for any reason. These powers only impact on section 13(a) of the charter in relation to searching personal information. Given that the provisions are concerned with infringements relating to the person's business activities, the situations where these provisions raise the right to privacy will be very limited.

The above provisions do not confer broad discretions to interfere with privacy and contain precise scope limitations. They are therefore considered lawful.

The interferences with privacy are likewise not arbitrary. For example, accreditation of individuals is essential to the achievement of the objectives of the act, which include ensuring safe, efficient and timely clearance of accident scenes and protecting vulnerable persons from undesirable and illegal behaviour. It is essential that accredited persons are of appropriate character as they will be dealing with persons who may be traumatised, distressed or injured at road accident scenes. The collection of information (including information concerning prior criminal convictions) for the accreditation process is necessary to ensure that applicants are suitable and competent to carry out their functions as industry operators, depot managers or tow-truck drivers. The same reasoning applies in obtaining relevant information for applicants for a tow-truck licence.

The power of VicRoads to disclose or publish personal information is also not arbitrary. It is necessary to enable VicRoads to publish relevant industry statistics or reports on issues relating to providing safe towing services as this provides greater transparency and information for the industry and the general public.

The powers of inspectors to enter, search and seize materials from a tow truck or premises are necessary to enable effective monitoring, compliance and enforcement of the act, regulations and service standards. Without these powers, there is a risk that evidence may be destroyed or towing operations continued in breach of the act, which may increase risks to the safety of individuals (including vulnerable accident victims) and road safety generally. Effective law enforcement is essential to achieving the objectives of the act and the provisions establish a reasonable and proportionate means to facilitate the achievement of these objectives. They may only be exercised by inspectors carrying out their law enforcement functions under the act and regulations. Importantly, these powers are also consistent with the existing powers of police officers and authorised officers under the Road Safety Act 1986.

Therefore, it is considered that the above provisions do not limit the right to privacy as provided for in section 13 of the charter as they do not interfere with privacy either unlawfully or arbitrarily.

Section 15(2) and (3) — freedom of expression

Clauses 147, 148 and 149 engage the right to freedom of expression. The right to freedom of expression protects the exchange of information and ideas in any medium, including orally, in writing, in print or by way of art.

Clause 147 prohibits persons from touting and soliciting accident victims for repair services for accident-damaged motor vehicles at road accident scenes. The combined effect of clauses 148 and 149 is to prohibit persons (such as tow-truck drivers) from touting and soliciting accident victims for towing services at road accident scenes in a controlled area where the persons do not have authorisation from the allocation body to attend the scene.

If touting or soliciting can be regarded as a form of expression protected by the charter, these clauses engage section 15 (2) and (3).

Clause 199 also engages the right to freedom of expression by compelling a person to express information. It provides that in certain circumstances an inspector searching premises may require the occupier of the premises to give information to the inspector, orally or in writing, to produce documents and to give reasonable assistance to the inspector.

Section 20 — property rights

Divisions 5 and 6 of part 6 of the act engage a person's right not to be deprived of his or her property other than in accordance with the law as provided for in section 20 of the charter. Clause 182 provides that an inspector may search any tow truck and seize and remove any documents, devices or things, if the inspector reasonably believes that they may provide evidence of a contravention of the act, regulations or service standards. Clause 186 provides that an inspector may seize anything in searching premises with consent of the owner or occupier if the inspector reasonably believes that a person has contravened the act, regulations or service standards. Any seizure from premises must be accompanied by a signed acknowledgement and consent from the occupier.

Clause 192 authorises an inspector executing a warrant to seize anything not described in the warrant where the inspector believes on reasonable grounds that the thing is of a kind that could have been included in the warrant or will provide evidence of a contravention of the act, regulations or service standards and its seizure is necessary to prevent its concealment, loss or destruction, or use in contravening the act, regulations or service standards.

Clause 193 authorises an inspector executing a search warrant to seize or embargo any thing authorised by that warrant.

Clause 194 authorises an inspector who enters and searches premises under clause 188 and who reasonably believes that information on electronic equipment may be relevant to determine whether the act, regulations or service standards have been complied with to operate the equipment, copy information or seize the equipment. Equipment cannot be operated or seized unless the inspector reasonably believes the operation can be carried out without damage to the equipment.

While the above clauses may initially raise the right not to be deprived of property, they do not limit that right as the deprivation is occurring in accordance with law. This requires not only that the deprivation is authorised by law but also that

the particular provisions are not arbitrary. The above provisions are not arbitrary as they set out the criteria which the inspector must consider to decide if property may be seized. Seizure may only occur for compliance purposes or an inspector must believe on reasonable grounds that the property may provide evidence of a contravention of the act, regulations or service standards. In addition, the power of inspectors to seize property at premises is limited to circumstances where the owner or occupier consents to the inspector entering the premises.

The provisions are essential for the investigation and collection of relevant evidence for effective monitoring and compliance with the act, regulations or service standards.

A number of other provisions in the act engage a person's right not to be deprived of his or her property other than in accordance with the law:

clause 25 enables VicRoads to impose, vary or revoke conditions on tow-truck licences;

clause 29 concerns restrictions on the transfer of tow-truck licences unless certain conditions are met;

clause 32 enables VicRoads to cancel or suspend licences; and

clause 50(2) extinguishes any entitlements (such as allocation roster entitlements) that apply to a tow-truck licence where that licence has been cancelled.

While tow-truck licences come within the term 'property' in section 20 of the charter, the imposition of licence conditions and restrictions on transfer are not considered to amount to 'deprivations' of property. A deprivation must have a substantial effect on the owners' use and enjoyment of the property. Licence conditions tend to regulate the use of licences, for example, by stipulating that the licence is to be used in a certain area, but do not deprive the licence-holder of the ability to utilise the licence. Even if, in certain cases, a licence condition or restriction on transfer was to amount to a deprivation of property, the deprivation is lawful under the charter as it is authorised by law and is not arbitrary. The discretion to impose licence conditions is structured by the requirement that the licence-holder be informed in advance and have an opportunity to make written submissions before the condition takes effect. The restrictions on transfers of licences set out criteria which must be satisfied to ensure the suitability of the transferee.

Likewise, the provisions concerning the cancellation of licences and associated entitlements, while a deprivation of property, are lawful under the charter. The discretion to cancel licences is not unfettered but may be exercised if a licence condition has not been complied with or if the licence-holder has not complied with road safety laws. The provisions also give the licence-holder the ability to make written representations about the proposed cancellation of the licence before it takes effect, and may subsequently seek review of the decision. The provisions are therefore not arbitrary and are authorised by law.

Section 25(2)(k) — freedom from self-incrimination

Clauses 199 and 200 engage the right to be free from self-incrimination provided for in section 25(2)(k) of the charter.

This right means that a person charged with a criminal offence must not be compelled to testify against himself or herself. It restricts the use of evidence in criminal proceedings that was obtained from the accused by compulsion.

Clauses 199 and 200 provide that in certain circumstances an inspector searching premises may require the occupier of the premises to give information to the inspector, orally or in writing, to produce documents and to give reasonable assistance to the inspector. A person is not entitled to refuse to comply with this direction even if it may result in information being provided that might incriminate the person. However, the clause goes on to say that any information obtained is not admissible in evidence against the person in criminal proceedings other than in certain limited circumstances. These are:

proceedings in respect of the provision of false information;

where the information relates to the provision of the person's name and address; and

where the information is contained in a document or item that the person is required to keep by law or that was obtained without the direct assistance of the person.

2. Consideration of reasonable limitations — section 7(2)

Section 12 — freedom of movement

(a) the nature of the right being limited

The right to move freely in Victoria is an aspect of the right to freedom of movement provided in section 12 of the charter. This right is not dependent on any particular purpose or reason for a person wanting to move or to stay in a particular place. This right is not an absolute right in international human rights law. Under the charter, it may be subject to reasonable limitations that are demonstrably justified.

In this section the analysis and conclusions apply equally to the consideration of restrictions of movement in 'controlled areas' and in 'self-management areas'.

(b) the importance of the purpose of the limitation

Clause 41 is necessary for police officers and authorised officers to clear road accident scenes safely and efficiently by directing persons who are hindering traffic and efforts to attend injured persons or damaged property, and obstructing towing of motor vehicles. This power is restricted to a 500 metre radius of where an accident-damaged motor vehicle has come to rest after the road accident.

Clauses 42, 44 and 51 are required to prevent criminal and antisocial behaviour at accident scenes, and to protect accident victims (including what may generally be described as the 'consumer rights' of accident victims). The provisions are essential to ensure that accident scenes are cleared in an orderly and efficient manner, thus reducing road congestion and road safety problems after road accidents.

These limitations are necessary because previously unregulated conduct at accident scenes in Victoria resulted in an excessive number of tow trucks attending at road accident scenes and competing for accident-damaged vehicles. An excessive number of tow trucks at accident scenes has led to violence and assaults among tow-truck drivers competing for

a limited number of towing jobs. A lack of regulation in the past also resulted in harassment of accident victims and hindered police officers and authorised road officers from efficiently clearing accident scenes therefore increasing road congestion and road safety risks.

(c) the nature and extent of the limitation

Directing a person to leave a restricted road accident area is limited to where the police officer or authorised officer reasonably believes that person is causing an unwarranted obstruction to traffic, hindering efforts to attend to injured persons or damaged property or otherwise hindering or obstructing towing of motor vehicles. It is limited to a 500 metre radius of the accident-damaged vehicle at a road accident.

The provisions restrict the movement of regular tow-truck licence-holders in limited circumstances. The restrictions are narrow in scope as they only apply to tow trucks at accident scenes in controlled areas. Controlled areas may be determined by VicRoads by publication in the *Government Gazette*. Under current legislation the controlled area is the greater Melbourne metropolitan area.

Furthermore, the restrictions only apply where a person is driving a tow truck for private purposes. In the vast majority of situations a tow truck will be used for business activity. The tow truck must generally remain at the relevant depot because of the requirement in the bill and regulations for licence-holders to attend accident scenes in the controlled area within 30 minutes of receiving a job allocation. Licence-holders and employees are generally unlikely to travel in a tow truck for private purposes due to the availability of private motor vehicles and public transport for private travel.

(d) the relationship between the limitation and its purpose

The limitations are rationally connected to the purpose they seek to achieve since they establish a proven and effective means by which:

persons obstructing the safe and efficient clearance of road accident scenes are directed to leave; and

criminal and antisocial behaviour by tow-truck drivers at accident scenes can be limited.

Importantly, the limitations do not restrict the right to freedom of movement any more than is necessary to achieve this purpose. The restrictions are only applicable:

during the clearance of road accident scenes and within a 500-metre radius of the damaged motor vehicle; and

where tow trucks are being driven through accident scenes in controlled areas in a private capacity and are therefore not involved in the towing of accident-damaged vehicles for hire or reward.

Accordingly, the restrictions are narrow and focused on the purpose and objectives of the bill and are therefore proportionate.

(e) any less restrictive means reasonably available to achieve its purpose

No other means are considered reasonably available to achieve the purpose of the restrictions imposed. It is not possible to exempt tow trucks driving through accident scenes in controlled areas for private purposes. It would be impracticable for police officers and authorised officers to easily identify or ascertain whether tow trucks are being driven for a private purpose or not.

Section 15(2) and (3) — freedom of expression

(a) the nature of the right being limited

Section 15 of the charter is not an absolute right and so is capable of being limited in certain circumstances.

(b) the importance of the purpose of the limitation

The purpose of the limitation in clauses 147–149 is to protect road accident victims who are likely to be in a vulnerable state after a road accident (distressed, traumatised and sometimes injured), from harassment and inconvenience from tow-truck drivers competing for potentially lucrative towing and repair work.

This purpose is important because vulnerable accident victims:

should not be subject to touting or soliciting from tow-truck drivers who are not authorised to attend the accident scene (that is, tow-truck drivers who do not have a relevant job allocation to attend that scene); and

should be able to make an informed choice about vehicle repair after they have left the road accident scene. The accident victim frequently needs to make inquiries and to contact their insurer before engaging a vehicle repairer.

The purpose of the limitation in clause 199 is to determine compliance with the act, regulations or service standards. As part of an investigation an inspector needs to be able to ascertain the identity of an occupier and to obtain relevant information during entry into the premises.

(c) the nature and extent of the limitation

The prohibition in clauses 147–149:

only applies to persons who do not have a relevant job allocation and hence are not authorised under the bill to attend that accident scene;

against touting and soliciting for towing services only applies in a controlled area; and

against touting and soliciting for repair work to the accident-damaged vehicle applies within and outside controlled areas.

A ‘controlled area’ may be determined by VicRoads by notice published in the *Government Gazette*. Under current legislation the controlled area is the Greater Melbourne Metropolitan area.

The requirement to provide information in clause 199 is limited to the extent that the information is reasonably

necessary to determine compliance with the act, any regulation made under the act or a service standard. It is also limited to where an inspector exercises a power of entry under the division 6 of the act.

(d) the relationship between the limitation and its purpose

In relation to clauses 147-149, there is a direct connection between these limitations on the right to freedom of expression and the purpose that the limitations seek to achieve, namely the protection of vulnerable road accident victims. The provisions protect road accident victims from harassment by preventing unnecessary and excessive numbers of people (tow-truck drivers and vehicle repairers or their representatives) from attending accident scenes in a controlled area. The provisions also ensure that road accident victims can make an informed decision about the choice of vehicle repairer at a later time.

The provisions are not blanket prohibitions against touting and soliciting and apply only to persons who are not authorised under the act to attend the accident scene in a controlled area. It is considered that the bill provides a proportionate limitation or restriction on the right in order to achieve its purpose.

In relation to clause 199 the limitation is proportionate to achieve effective compliance as an occupier is only required to assist an inspector during entry to the extent reasonably necessary to determine compliance with the act, regulations or service standards.

(e) any less restrictive means reasonably available to achieve its purpose

No other means are considered reasonably available to achieve the purpose of the limitations or restrictions imposed.

Section 25(2)(k) — freedom from self-incrimination

(a) the nature of the right being limited

Section 25(2)(k) protects the right to be free from compulsory self-incrimination. It is not an absolute right and may be subject to reasonable limitations that are demonstrably justified.

(b) the importance of the purpose of the limitation

Clauses 199 and 200 limit the freedom from self-incrimination to enable effective investigation and law enforcement. It is important to ensure that inspectors are able to obtain documents required to be kept under the act such as authorities to tow, and to enable inspectors to ascertain who was driving a tow truck on a particular occasion.

(c) the nature and extent of the limitation

The provisions which limit freedom from self-incrimination do not permit the evidence to be used generally in criminal trials. It may only be used in very limited cases to show that false information was provided or to prove name and address information. Where the information was required to be kept under the act it is information which would otherwise be obtainable by inspectors and in any event, it is likely that obtaining documentary evidence does not offend this right.

The provision is also consistent with the recommendation in the Parliamentary Law Reform Committee's *Report into the*

Powers of Entry, Search, Seizure and Questioning of Authorised Officers that people should not be able to rely on a privilege to refuse to produce documents that they are required to keep under legislation.

(d) the relationship between the limitation and its purpose

The limitation is proportionate to achieve effective law enforcement and compliance with the bill because of the risks of non-compliance, given the alleged non-compliance and history of problems associated with towing industry. The provision is based on a similar provision in the Road Safety Act 1986 regarding the power to investigate heavy vehicle related offences.

(e) any less restrictive means reasonably available to achieve its purpose

No other means are considered reasonably available to achieve the purpose of the limitations or restrictions imposed.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because while it does restrict human rights, the restrictions are reasonable and demonstrably justified in accordance with the criteria set out in section 7(2) of the charter.

Theo Theophanous, MP
Minister for Industry and State Development

Second reading

Mr LENDERS (Minister for Education) — I move:

That the second-reading speech be incorporated into *Hansard*.

In so doing I advise the house that there were minor technical amendments to this bill in the Legislative Assembly. The main amendment was that the period of time for applications for accreditation was varied from 90 days to 30 days.

Motion agreed to.

Mr LENDERS (Minister for Education) — I move:

That the bill be now read a second time.

Incorporated speech as follows:

This bill is a major initiative which gives effect to the government's continuing commitment to improve Victoria's towing industry and road safety in general. In addition, the bill is a further integral step in the government's continuing reform of land transport policy and legislation guided by best practice regulatory principles and analysis.

The prime focus of the bill is the improvement of regulation of the area of greatest need in the towing industry — accident towing services — while also removing unnecessary regulation in the trade towing sector.

Victoria's road safety performance over the past two years is better than that of all other Australian states. The Bracks

government is committed to continuing road safety initiatives to reduce the incidence and severity of road accidents and to help ensure that our roads remain amongst the safest in the world. To this end, the Arrive Alive strategy contains a number of measures which aim to encourage safe behaviour by road users as well as improving the safety of roads themselves and the vehicles used on them. In addition, the government has sponsored a range of public education campaigns to further encourage the safe use of Victoria's road network.

A road accident is generally a very traumatic experience for those involved. Road crashes still occur too frequently, and there are currently about 72 000 accident tows per year from accident scenes undertaken by around 764 accident tow trucks operating in Victoria. Participants in the accident towing industry improve our road safety and management by assisting accident victims and taking care of what is often the victim's second most valuable possession, their motor vehicle, and by efficiently clearing accident scenes to restore road safety and reduce traffic congestion. While Victoria is renowned nationally for its clean towing industry, we must all remain watchful so that our accident towing industry continues to provide the best possible service in these difficult circumstances.

The bill preserves the effective and successful regulatory framework that has benefited Victorians for over 20 years and continues the state's leadership in this area. The bill will replace the existing towing services provisions in the Transport Act 1983 and introduce the state's first stand-alone Accident Towing Services Act as part of the government's ongoing reform of transport policy and legislation. The bill also introduces a modern and focused accreditation scheme to require accident towing businesses to concentrate on improving service to customers through complaints handling systems and monitoring.

VicRoads will be responsible for administering the legislation. This will complement its central role in road safety and traffic management while at the same time allowing the current responsible agency, the Victorian Taxi Directorate, to better focus its effort on regulation of the taxi industry in particular.

Continuing our effective towing services regulatory framework

The current regulatory framework for the towing industry in the Transport Act has remained fundamentally unchanged for over 20 years, the exception being a brief period of deregulation of tow-truck driver certification from 1993 to 1995. The key elements of this framework are:

- a quota on licences for accident towing and heavy accident towing operators and 'as of right' licences for trade towing;

- centralised allocation of accident towing jobs in the Melbourne controlled area (through the Accident Towing Allocation Centre managed under contract by the RACV);

- price regulation of accident towing and storage charges within the controlled area; and

- service quality regulation including:

- probity checks for licence-holders and tow-truck driver authorities;

- depot services requirements, record keeping, vehicle specifications and maintenance requirements; and

- regulated procedures at crash scenes.

Before the introduction of this regulatory framework in 1983, the accident towing industry in particular had a well-known history of violent and criminal behaviour perpetrated by some tow-truck drivers. This behaviour included:

- significant numbers of tow trucks (sometimes more than 10) frequently converging on accident scenes, often at high speed, with rival trucks being forced off the road;

- standover tactics and conflicts between competing tow-truck drivers at accident scenes with incidents of physical violence and use of weapons;

- intimidation and harassment of distressed accident victims to sign towing authorities;

- damaged vehicles being hawked around smash repairers for the highest commission; and

- police officers and authorised officers being obstructed or delayed in their critical duties of allowing the injured to be treated as quickly as possible and clearing accident scenes.

During the brief period of deregulation of tow-truck driver standards in the 1990s, the accident towing sector quickly deteriorated back to the bad old days before regulation.

This brief period of deregulation demonstrated that this industry can attract criminal activity and antisocial behaviour. As a result, tow-truck driver requirements were re-regulated by legislation in 1995 to protect crash victims and the public.

The government has reviewed the existing towing services framework a number of times in recent years and has concluded that retaining the existing regulatory framework is essential to address the unique problems in the industry and to protect accident victims and benefit road users. The reviews involved extensive consultation with stakeholders. Also, over the last two years there has been ongoing consultation with industry stakeholders on a proposal for an improved regulatory framework for the industry and a new stand-alone accident towing services statute.

Accordingly, the government is committed to retaining the existing regulatory framework, which has been effective for over 20 years. Therefore, the substantive provisions of the division 8 of part VI of the Transport Act 1983 relating to accident towing are largely retained by the bill, but in an improved and modernised form.

Accreditation — probity checks

The bill introduces one important addition to the existing regulatory framework for accident towing — industry accreditation. This initiative is aimed at improving existing industry performance. A person who wants to undertake a role within the industry either as an accident towing operator, depot manager or tow-truck driver will be required to obtain accreditation from VicRoads to perform the activities

associated with that role. The purpose of the accreditation scheme is to provide assurance about a person's ability and credentials to perform that role. It will be an offence to undertake the activities without the appropriate accreditation. An operator will continue to be required to hold a licence for each tow truck being used to operate an accident towing business.

The existing probity requirements in the Transport Act for accident towing licences and tow-truck driver authorities have been transferred to the new accreditation schemes thus ensuring that there is no reduction of these standards in the industry.

Accreditation will help provide assurance that:

accident towing operators and depot managers are of suitable character and can meet service standards for complaints handling; and

tow-truck drivers are of suitable character and are competent to tow damaged motor vehicles away from crash scenes.

The roles performed in the accident towing industry are positions of considerable responsibility and the safety, trust and convenience of those involved in road accidents are imperative. The probity check will, for example, help to protect crash victims who are in a vulnerable state and who may get a lift home in a tow truck from the unacceptable risk of falling prey to a driver who has previously committed a serious criminal offence. It will also help protect accident victims from having their motor vehicle or possessions being mistreated at the depot by operators or depot managers.

Accreditation — service standards

Victorians are entitled to have confidence that the accident towing industry will provide a high level of service to accident victims during their time of distress and inconvenience. The government recognises this and is determined that industry service levels are maintained and improved. This was recognised in 2001 when the government announced that accreditation service standards would be introduced as part of the reform program for the accident towing industry.

The accreditation scheme has been developed with substantial stakeholder consultation through the tow-truck reform implementation working group, capably chaired by my colleague the honourable member for Brunswick, Carlo Carli, MP, and other consultation processes conducted by the Department of Infrastructure over the last two years.

The unique characteristics of accident towing increase the risk that towing operators will provide poor service as, in economic terms, operators actually have incentives to lower service quality in order to increase profits or reduce costs. These characteristics are:

the trauma of a motor vehicle crash, which makes it hard for consumers to be either discerning about or focused on the quality of towing services;

the very small chance of repeat business to an operator from an accident victim;

the monopoly right of towing operators to perform an accident tow job (through the accident towing allocation system); and

fixed prices for accident tow-truck services.

The government is addressing the potential for lower than desirable levels of service quality, though it will not regulate more than is necessary to address this concern. It has therefore structured the new accreditation requirements in a way that will provide cogent evidence about service issues which can then be assessed and used to identify areas where service quality may need improvement.

There is currently no formal requirement for accident towing operators to have a complaints handling system. It is important that consumers have an avenue to raise and have considered their concerns about the quality of accident towing services. A complaints handling system is the crucial link that seeks to make operators accountable to their customers and increases the focus on responding to customer needs. This link would otherwise be provided in a competitive market but does not exist currently because of the unique characteristics of accident towing.

Hence, accreditation is limited in scope and focuses on the area of greatest concern — complaints handling. Accordingly, the bill provides that the minister can make accreditation service standards relating to complaints handling which operators and depot managers must meet. This measure addresses a gap in the current regulatory oversight of accident towing services and will provide much-needed information on the service levels and customer satisfaction in the industry. Requiring operators to provide a complaints system and to report information to VicRoads assists operators to be more responsive to customer needs. It also allows VicRoads to focus resources on the areas of greatest need, to assess service levels and to take appropriate action. While the potential benefits of improved service quality are significant, the costs of introducing and maintaining accreditation are modest, particularly in regard to industry compliance costs.

The bill provides for accreditation service standards to be made by the Minister for Roads and Ports by gazette notice. This will enable the minister to respond with appropriate speed to industry issues as they arise. At the same time, it is recognised that there must be provision for adequate consultation on proposed standards. Hence, the bill requires the minister to consult with the Minister for Consumer Affairs, to make proposed standards available for public comment for a period of at least 28 days and to consider comments provided in that time before making a final determination.

Disciplinary action

An appropriate range of disciplinary actions must be available to VicRoads if there is to be an effective and proportionate response to problems which arise with particular industry participants. Under current legislation, non-criminal sanctions are constrained to suspension or revocation of an accident towing licence or driver authority. This provides limited flexibility to the regulator when it determines its compliance response. Consequently, in line with other best practice industry regulation, the bill contains a graduated hierarchy of disciplinary measures ranging from reprimands, improvement

notices, imposition of conditions on accreditation through to suspension and cancellation of accreditation.

Deregulation of trade towing

Finally, the bill removes the regulation of trade towing, which encompasses breakdown, clear away zones and non-accident tows. This is consistent with the position in other major states. The government has found that there is no case for regulation of this sector as the trade towing market is already highly competitive and consumers are able to make an informed choice of trade towing services. This can be clearly contrasted with the accident towing services market. Further, licensing of trade towing is currently 'as of right', attracting nominal fees, thus ensuring that there is no capacity for the licensing authority to refuse a licence.

Deregulation will remove unnecessary costs to trade towing businesses and the initiative demonstrates again that the government is fully committed to removing excessive red tape and unnecessary regulation on business.

Conclusion

This bill establishes Victoria's first stand-alone Accident Towing Services Act and provides a modern and secure platform for better performance in the towing industry. It continues and improves on a proven regulatory framework which has brought criminal and undesirable practices in the industry under control, and which has also protected crash victims and helped enable road accident scenes to be cleared safely and efficiently in the interests of road safety and congestion management.

The bill also seeks to improve the performance of the industry by introducing a targeted accreditation scheme to ensure that complaints systems are introduced, thereby encouraging accident towing participants to become more focused on providing better customer service. The bill also enables VicRoads to determine whether service quality is an issue that should be addressed, and to enforce the regulatory framework more effectively. Accreditation is introduced with minimal compliance costs to the industry and modest increased monitoring costs for government.

Victoria is the national leader in best practice regulation. Examples include our Third Wave of National Reform proposal at the Council of Australian Governments and our ongoing commitment to reducing the regulatory burden on business. The bill provides further evidence of this, by regulating only to the extent necessary to address market failures in accident towing and to provide wider public benefits such as protecting accident victims and improving road safety and traffic management. It also removes the regulation of trade towing, which is no longer necessary in a competitive market, thus reducing existing industry compliance costs in that sector.

The bill is the most significant initiative in accident towing control since the industry was first regulated. It is also a further essential step in the broader reform and modernisation of transport legislation in Victoria and, in particular, the restructuring and improvement of the Transport Act, using the best contemporary process and performance-based regulation and compliance techniques. It again demonstrates the government's continuing determination to protect vulnerable accident victims and improve road safety and traffic

management for all road users by pursuing best-quality reform to correct market failures.

I commend the bill to the house.

Debate adjourned on motion of Mr KOCH (Western Victoria).

Debate adjourned until next day.

WATER ACTS AMENDMENT (ENFORCEMENT AND OTHER MATTERS) BILL

Second reading

**Debate resumed from 19 June; motion of
Hon. J. M. MADDEN (Minister for Planning).**

Mr DRUM (Northern Victoria) — I had nearly wound up my contribution on this bill and would have concluded had it not been for the ranting of Mr Pakula on the other side of the house. He was trying to bring the Deputy Prime Minister, Mark Vaile, into the debate, and I could not quite work out where the connection was between water issues in this state and the federal Leader of The Nationals. It dawned on me after I sat down that he was talking about the \$10 billion national water initiative that has been proposed by the Prime Minister and driven by the federal Minister for the Environment and Water Resources, Mr Turnbull.

Obviously Mr Pakula was trying to say that in their support of this plan The Nationals had somehow or other done the wrong thing by Victorians. The reason The Nationals have supported this plan in principle is because in principle it is a good idea. Eventually someone in Australia has got to be able to work out a system where we can get over state parochialism so that the best thing for the Murray–Darling Basin itself is put at the top of the priority list.

Currently Queensland is doing its own thing and whatever it thinks is best for Queensland, taking whatever water it wants at the top of the Darling River. New South Wales is doing whatever it thinks is right for New South Wales. Victoria is looking after its own interests, and South Australia is also looking after what best befits its interests. It is only with one overarching plan that puts all the states at a secondary level and which has as its no. 1 priority the health of the Murray–Darling Basin that we can move forward with water resources.

As Mr Pakula would now be aware, the Bracks government had its plans blown sky high yesterday, because we realise now why it has been loath to sign up

to the national water initiative. It has been saying time and again that it is putting the irrigators' interests first, but the Bracks Labor government knows that there has been an unconditional guarantee by Minister Turnbull to The Nationals that not 1 cent of this \$10 billion will be spent on projects that are going to see water leave the basin.

In effect, the Labor government in Melbourne has had this plan all along — it wanted to have the north–south pipeline and to take the irrigators' water out of the Goulburn Valley and into Melbourne. It knew that there was no way it could ever sign up to a plan that was going to forbid federal investment in such a plan. All along, whilst the Labor government has been saying it is trying to do the right thing by the irrigators, all it has been doing is trying to delay the signing of the national water initiative until it got to a situation where it had its north–south pipeline in place.

The Victorian government would then stand back and try to put pressure on the federal government to fund it in an election year, hoping that it could embarrass the federal government by the number of people in Melbourne who will see this project as a lifeline — but only because it has a government that has not done anything to secure Victoria's water situation into the future.

We are faced with a situation where the Bracks Labor government, under the leadership of Treasurer Brumby, does not want to pay for the north–south pipeline by itself. It wants, somehow or other, Goulburn–Murray Water to come up with \$100 million, as if that is not going to increase the price of water to the irrigators. And it wants the federal government to pay as well — to fork out money on its behalf for this ambitious plan to create cheap and easy water for Melbourne without having to do the hard yards.

The government's cover has been blown, and we now know why the Bracks Labor government has been dragging its heels in signing up to the national water initiative. It has all been about trying to get the north–south pipeline across the line first, getting that project on the table and hopefully getting it signed off before the government signs up to the national water initiative. We now know it has nothing to do with protecting the irrigators' rights; it has nothing to do with trying to ensure that Victoria's water management processes are kept in place. It all has to do with making sure that Melbourne gets cheap water out of the Goulburn Valley.

Only when that has been put on the table and agreed to will the state government agree to sign up to the national water initiative. If that is what Mr Pakula was

worried about yesterday, then yes, The Nationals support an in-principle agreement to have a national water plan that takes care of the state's parochialism and does what is best for the Murray–Darling Basin in a holistic manner.

Mr BARBER (Northern Metropolitan) — This bill aims to tighten up and improve the government's ability to enforce its water restrictions. That is quite a good and timely thing, because at the rate we are going, we will be on water restrictions for quite some time. The government's solution to water restrictions is what it is now calling a water grid — but we already have a water grid here in Victoria; we call this technology 'rivers'.

Let me explain how they work. Water evaporates off the ocean. It goes up to the mountains. The mountains catch it, and the forests on those mountains act like a giant sponge. The water comes down the rivers and back out to the ocean again. If the government had paid a bit more attention to the maintenance of that particular water system, we would not be where we are now.

The Premier's water grid has a different purpose. The problem with these rivers is that they go the wrong way. The purpose of the Premier's water grid is to take water from areas of low political significance and send it to areas of high political significance — for example, take it from the not-very-marginal federal seat of Indi and send it over to the highly-marginal federal seat of Bendigo; likewise, from Wonthaggi to Geelong.

It is all necessary because of the government's plan to have an additional million people in this state. It is its growth fetish. The government believes all growth is good, and it does not even attempt to examine the sustainability of the natural resources on which this growth has to rely. For example, we continue to log water catchments. One hectare of old-growth forest provides enough water for a hundred households. When we log forests, the young trees soak up a lot of water. As they grow, there is less water available. That is one part of this important water system.

There has also been little effective action, apart from the introduction of increasingly harsh water restrictions, to reduce levels of consumption in households and businesses. It is quite obvious if you observe trends in water use over the last four or five years that it is only when water restrictions kick in that there is a big reduction in water use. Water restrictions that are based on outdoor water use are fairly ineffective in the winter period because not many people are watering their gardens in winter anyway. We are going to spend this

winter wondering exactly what our storages will be like by the end of winter.

If we have not had significant rainfall, those catchments will not have been wet, the spring rainfall will not run off, and we will be in diabolical trouble. The action that the government has taken regarding water conservation has been the media-friendly and popular voluntary programs and small rebates for shower heads and so forth. The thing about a small rebate on a water-saving device is that rich people take it. Rich people who can afford to have those works done in their homes take the rebate and stick it in their pockets.

A Greens approach would have been different. We would have conducted an extensive water conservation program, starting with the homes of poor people — low-quality rental accommodation and public housing — and we would have fully funded it so that those people could assist the conservation effort and also save money on their water bills. For low-income people and people on pensions, water, electricity and other utility bills are a significant portion of their weekly budget.

Some data from a report commissioned by the government itself — the George Wilkenfeld report on water-saving options — makes it quite clear that some 50 000 megalitres of water could be saved simply by introducing water-efficient shower heads and a few other devices into the 1 million Melbourne homes that do not have them. The desalination plant the government announced yesterday is meant to deliver 150 000 megalitres of water; this idea could have delivered one-third of that without doubling people's water bills — in fact, it would have reduced water bills.

The other problem is that there is nothing left over to restore environmental flows to rivers. The Plenty River is an important river in the northern part of my electorate. Now it stops flowing in summer; it always used to flow in summer, but now the removal of water for Melbourne causes the flows to stop. Until relatively recently the only summer flow it had was from the sewage farm. If you think about it, the river stopping flowing and the sewage farm continuing to flow into it means that 100 per cent of the flow in summer is treated sewage. As a scientist who examined that river observed, that makes large amounts of the river unavailable to fish, meaning the fish die. In fact the water quality get so bad that eels jump out and start moving — that is how you know you have problems!

The situation with the Goulburn River is similar. More than a decade ago scientists calculated the bare minimum environmental flow requirements.

Unfortunately that advice was not implemented, more water was allocated from the river and since that time — the mid-1990s — it has been next to impossible to get water back into the Goulburn River, which is a heritage river for a large part of its length. Nothing in the announcement yesterday guarantees that the Goulburn will become a healthy river.

What we have now is a proposal for a desalination plant. The government initially pooh-pooed the idea of a desalination plant when the opposition proposed it, but yesterday the Labor Party followed up with one that would be three times as big and four times as expensive. The Greens do not support that proposal, because we will end up paying for it when a conservation option would have led to savings on our water bills. The same government that said it will never sell the water authorities has now made it clear that it will sell all the infrastructure — the plant will be a public-private partnership (PPP). The government made a big song and dance about entrenching into the constitution the fact that water authorities shall never be sold, but it is quite happy to sell all the bits that make up the water delivery system.

If the desalination plant that will provide one-third of Melbourne's water is to be privately owned, it is quite possible that it will be run by the same French parent company that currently runs our trains; so I expect that when I turn on the water, I could very well have a 20-minute wait before any water arrives. There are great risks in going down the PPP path when it comes to something as critical as water. As we have found in a number of previous cases, when the thing being privatised out is absolutely critical and the private organisation takes a significant premium supposedly in return for taking on the risk, it is a false economy, because the government cannot afford to transfer the risk of such a crucial piece of infrastructure to the private sector. Inevitably if the private sector decides to avoid that risk, the government will step in and take it back. That is of deep concern. I do not believe the proposals that have been made will necessarily secure our water. Those are my comments on the bill.

Mr ELASMAR (Northern Metropolitan) — I rise to speak in support of the Water Acts Amendment (Enforcement and Other Matters) Bill. We are all aware of the critical importance of water, particularly drinking water, in our state. Just to be able to shower whenever we want to or use drinking water for household purposes is a luxury that we in Australia can no longer take for granted. The bill before the house puts in place protective measures and punitive actions to allow for the conservation of our shrinking water supplies.

Many of us are proud of our gardens and cars. While the water restrictions have been in place I believe the majority of the community has been water wise; but unfortunately some people are thoughtless and selfish, so the government has had to come up with a system of infringement notices for people who ignore the permanent water-saving plan and the much-advertised water restrictions. We would like to think that everyone understands how precious our water supplies are and complies with the tough measures already introduced in Victoria. Authorised water officers will be empowered to serve infringement notices on persons who have contravened section 170F of the Water Act 1989.

The permanent water-saving plan does not include grey water — that is, water that is not to be drunk or water that has already been used, such as washing machine water or shower water. I have installed a system whereby my household's grey water is fully utilised in my garden. This is not an expensive exercise, and I recommend that those families who have not done so, do it now.

Mr O'Donohue — Not everyone can afford it.

Mr ELASMAR — It is very cheap, Mr O'Donohue. The bill does not prohibit the use of water from alternative sources, such as groundwater or water from a rain tank. In the meantime, while we all pray for rain and for that rain to fall into the catchment reservoirs, we, as a responsible government, have to legislate to ensure that our drinking water is conserved for the people of Victoria for many generations to come. What is contained in this bill is essentially a process whereby appointed water officers are given the task and responsibility of taking punitive action against members of the public who are flouting the law and disregarding the current water restrictions. There will be no excuse or defence for needlessly squandering our precious drinking water. We need to enshrine a proper process that is designed to not just punish the guilty but also educate our people so they can respect and understand why we have had to institute a regime of enforcement that involves punishment by fines.

Last year we all read or heard about the football club in country Victoria accused of stealing water from the town's drinking water supply to water the football oval. It was absolutely scandalous! This bill will ensure that there will not be a repetition of that in the future.

Mr Hall interjected.

Mr ELASMAR — You know about the story, then! I do not envy the water officers in their task of monitoring and enforcing these regulations. I know

there are some elderly residents in my region who have sought exceptions from the current water restrictions, particularly in regard to the designated times for watering, but we all have to stand together and be firm in our belief that what the government is trying to achieve is in the best interests of all Victorians. Accordingly I commend the bill to the house.

Mrs PEULICH (South Eastern Metropolitan) — I would like to briefly join the debate on this very important issue which, for a whole range of reasons, has preoccupied the lives of Victorians, not only the domestic users, who consume only approximately 8 per cent of our water supply but also of course the business and agricultural communities and the community at large.

The role of any government is a complex one, and it does involve planning. I am glad the Minister for Planning is here, because it is not just about responding, it is about planning for the future. His government introduced the 2030 plan for metropolitan Melbourne, and presumably in the planning for an increase in Victoria's population by 1 million people and in setting down a blueprint for the development of our suburbs well into the future some thought would have been given to how we are going to secure basic and essential services, such as water and electricity.

In addition to that, the other key pillars of government performance include building and maintaining economic and community assets, commonly referred to as physical capital, delivering on services and supporting community development, commonly referred to as the building and enhancing of social capital. All of this is to be done at an acceptable, non-punitive level of taxation and cost to consumers and taxpayers and without unnecessary waste.

Nothing gets Victorians, or any taxpayers in a democratic society where they have the freedom to express their displeasure, more angry than a waste of opportunity and a waste of their taxes, especially when key services and the things they value are not being provided adequately. Also it is intended that all of the above should be delivered in an open, transparent and honest democratic system. From my observation at close range of how this government has operated in this chamber since being returned to government, I would say it has failed on most of those fronts, perhaps with the exception to some measure — and it is a patchy record — in the area of social capital. We have covered that on previous occasions, and I am sure there will be lots of opportunities to debate that in the future.

The previous member spoke about Victorians being water wise. This bill is really about heralding their achievements. They have been very water wise, despite the fact that the government, as a sort of amorphous body, has not, particularly the Minister for Planning in the execution of his duties to plan for the development of our city and our state, as was mentioned earlier — and the Minister for Water, Environment and Climate Change in the other place has clearly been distracted by the pursuits of greater pleasures.

Mr O'Donohue — Is that Mr Brumby?

Mrs PEULICH — The Minister for Water, Environment and Climate Change has obviously been as weak as water in the handling of this very important issue.

Mrs Coote interjected.

Mrs PEULICH — I do not believe the Treasurer has brought the Minister for Water, Environment and Climate Change a lot of pleasure. It is probably the contrary. We know the appalling job that the Minister for Water, Environment and Climate Change has done. His performance has been as weak as water, as has the performance of the entire government. I suspect there is a great story to be told about the government's bungling of this important issue.

The story may be told in addition to learning how the Minister for Water, Environment and Climate Change has been distracted by other pleasures like developing his skills in downhill skiing at Falls Creek and Mount Hotham. Clearly he has been distracted. Perhaps it may have been a good idea had he invited a few of his cabinet colleagues to those skiing trips. Perhaps they could have had a bit of a chin wag about our water supply, down at the bottom of the ski run. Perhaps they could have helped the Minister for Planning know the answers to some of the questions asked today.

I believe the government was totally on the back foot. The community, the media, the opposition, the Greens, The Nationals and the business community — all the key stakeholders — have been twisting the arms of the government and subjecting it to daily punishment for what is clearly and evidently incompetence. The level of incompetence over the handling of water has become a crisis. The government knew, or it should have known, that this state has been experiencing drought conditions for the past seven years, but for its eight years in office it has done nothing. It has done not one iota to secure our water supply for the future.

Everyone would know that an effective water strategy should be multi-pronged. It has to be about better

managing our resources. That picks up on some of the issues and themes that Mr Barber referred to in relation to encouraging recycling and perhaps the harvesting of stormwater. I do not believe the government has done very much whatsoever in that area. We need to minimise the evaporation of water from our open irrigation channels, which clearly consumes a fair portion of our total water supply, and we need more water-efficient homes, including showerheads. In addition to that, we need to reduce water use. The government has predominantly relied on reducing the water use of domestic users, who use about 8 per cent of the total water supply.

I will come to what they have done or have not done in each of those areas. They have failed to secure additional water supplies; they have rejected that. We saw a motion defeated here recently. All government members voted down a motion that was moved by the Leader of the Opposition in this chamber, which was supported by The Nationals and the Democratic Labour Party, to look at the option of the desalination plant. That was voted down comprehensively — pooh-pooed! During the election campaign the Premier, of course, called it a cruel hoax on Victoria. I think the hoax has been exposed.

We have a planning minister who does not plan and a water minister who prefers to ski — that is, snow ski rather than waterski. I must say that as a Victorian I would have certainly been much more supportive of him waterskiing if he could — that is, if there had been enough water in the Lake Eildon and if he had made sure his job was done.

The Treasurer, of course, who made no provisions for any major infrastructure in the last budget, has obviously been left wanting. In fact in my last contribution to debate on the issue of water I expressed the concern that Victoria and Melbourne would be having a water crisis when Dubai was not experiencing a water crisis. What did we get next? Two or three weeks later, off went Mr Brumby to Dubai. I suggest that perhaps that trip was about five to seven years too late.

Coming back to the story that needs to be told, we need to discover, as members who have been elected to represent Victorians who have been very dramatically affected by this government's bungling and mismanagement of water, when Mr Thwaites found out that there was in fact going to be a water crisis. I would expect that each of those water authorities, whose directors the government has appointed and whose dividends it has been ripping off now over the last seven or eight years — \$1.8 billion has been ripped out

of the water authorities, and I think the government has returned something to the tune of \$300 000 or \$400 000 million in expenditure, but the rest of it has been siphoned off into consolidated revenue — would have advised the minister that there was going to be a water crisis. If they did not advise him, they clearly were not doing their job. If they did not, we need to find out why these government-appointed boards did not advise the minister. We need to therefore scrutinise any board that failed to provide that advice, because as a result of either the minister's not acting on advice or the minister's not receiving advice, Victorians are paying a very heavy penalty.

The enforcement of this bill will allow domestic users in Victoria to be fined for any breach of water restrictions — that is, persons will be authorised to enter private property and to issue fines. I have grave concerns about that, and I certainly hope they do not go out there pounding the pavements in pursuit of vigorous or zealous targets that are being set by the government to generate even more revenue for a government that is absolutely hungry for taxpayers money. I hope they do not have targets; if they do, let me say that Victorians are going to be even angrier, because this mismanagement is costing them dearly.

Of course if any of those water authorities did not provide the advice, they should be scrutinised very closely and dealt with. I would like to see members of Parliament scrutinise in greater detail how this water crisis has been so poorly managed by this government so we can clearly understand what happened and where it all went wrong.

It is interesting that the National Electricity Market Management Company, which was commissioned by the Ministerial Council on Energy to provide a report looking at electricity supply, recently released a report entitled *Potential Drought Impact on Electricity Supplies in the NEM — Final Report* and dated 30 April 2007. Its forecast was made irrespective of any measures that may or may not be taken, because this desalination plant will certainly not be online until 2011 and we know this government's appalling record in terms of delivering major projects on time and on budget. We certainly hope we will be in this chamber to see that plant online, but I somehow suspect that 2011 will pass with no additional water coming out of the taps.

Page 21 of this report contains table 10 which is entitled 'Low rainfall scenario forecast unserved energy (MWh) — April 2008 to March 2009'. The table looks at two scenarios — the average and likely scenario as well as the low rainfall scenario. I know that members

opposite have been busy praying for rain. Apart from imposing water restrictions on domestic consumers, they have all been down in their rooms on their knees praying, because of course it is all in the laps of the gods. This table contains some very serious concerns for all Victorians, as we are still left in the lurch. I quote from page 21 of the report:

The above table shows that in 2008–09 under the low rainfall scenario, the overall amount of unserved energy across the NEM increases to even higher levels than the 2007–08 year. This is due to the generation capacity reductions becoming worse in the second half of 2008, especially in New South Wales ...

It goes on, however, to say:

Although the capacity reductions in Queensland are expected to be largely resolved by July 2008 due to the recycled water pipeline completion, under the pain-sharing principles of the NEM —

that is, the spread of deficits across the states —

the simulation predicts unserved energy in Queensland during summer 2008–09. South Australia and Victoria also contribute substantially to the unserved energy in this period. The modelling suggests that Tasmania might avoid any unserved energy. This would require more detailed examination of the results to confirm, but suggests that at the times of energy shortfall, there was not additional capability on the interconnectors from Tasmania to the affected region.

Victoria is not out of the woods, and should we have a low rainfall scenario I predict that the measures the government has failed to take will certainly wreak even greater havoc on our community.

Just to backtrack a little bit, theologians would teach — I remember from my Bible study classes — that God created the earth in six days and on the seventh day God rested. With regard to the major water infrastructure project, could I say that the Bracks government has rested for eight years and that only a few days ago it had an awakening.

Mrs Coote — Hallelujah!

Mrs PEULICH — Hallelujah, because of course we know that up until a few days ago there was no major commitment to any water infrastructure in the budget. The government ridiculed the desalination initiative during the state election, it refused to consider building new dams, and it stalled — and is still stalling — the federal government's \$10.5 billion plan for the Murray–Darling river system. Yes, climate change probably is a strong contributing factor — the fact that we have had low rainfall — but it is not the reason for failing to secure our water supply.

Let me say that Victorians, and certainly Victorians in the South Eastern Metropolitan Region, are very angry, and they will be even angrier when these enforcement officers come snooping around their yards with a view to fining them for any perceived breaches of water restrictions. They will need to do two things: they will need to, firstly, make sure that the person they are fining gives the correct name and address; and secondly, they are going to have to establish whether in actual fact a breach was committed. Unless the enforcement officers actually catch people in the act, the discretionary powers which have always existed — there was always a provision for fining people for breaching water restrictions, and it would be interesting to find out how many were actually fined — had better be very carefully used, because of course we do not want Victorians, in particular the elderly who are using buckets to conserve water from their showers and their washing machines to place on their gardens, to be punished any further for this government's incompetence.

This bill should really be seen as an apology to all the businesses that are hurting and the householders who are being belted with residential restrictions. It is an apology for the loss of community assets such as our gardens and our sporting fields at a time when the government is saying a lot about wanting Victorians to be even fitter. The reality is that most of the sporting competitions have had to be rescheduled because grounds cannot be used. The effect on business has been phenomenal. We know from listening to some of the other very good contributions — and I certainly hope government members and ministers have been listening carefully — that the effects on business are fairly substantial.

I will quickly refer to those who have contacted me about the effects on them. I have listened to Mr Drum, and obviously country people feel they have been discriminated against over the water issue. I will not go into that because I am not a rural member of Parliament and that is not my particular area of expertise. Suffice it to say, however, I think we all sympathise with them.

I understand that irrigators, especially around the Wimmera area, have had little or no water for the past eight years, and they are still continuing to pay for the water they do not get. I also sympathise with the fact that their debt would be increasing and that many of their farms would have become unsustainable. Many of us have been contacted by car wash businesses, which employ more than 16 000 people across Victoria. Many of them in the country have had to cart water fairly long distances from bores and other sources to make sure their businesses keep going. That is one of the reasons

why the government will not move from level 3 restrictions — and we are now on level 3a — to 4, although we have bypassed the trigger or are just about there: it would have very dramatic effects on some of these industries.

There has been an impact on the two power generators, Loy Yang Power and TRUenergy, who have had to go to the water market to purchase their supplies. In addition to that there is the impact on our wineries — and that may be of great concern to quite a few of the café latte and wine drinkers in central Melbourne. Our nursery industries are in the process of progressively shutting down or reducing their operations. I also understand the citrus packing industry is affected, as I understand are turf producers and swimming pool manufacturers — many, many livelihoods have been threatened and have been negatively impacted on.

I say to colleagues: this bill is a tribute to the people in the suburbs of Melbourne and to rural and regional Victorians who, with their buckets in their showers and using grey water on their gardens, have done their bit when the government has failed to do its bit. This is a tribute to the people of rural and regional Victoria who have been on stage 4 restrictions for a long time and who have not only lost their private gardens but have seen the deterioration of community assets. Many of them would remember Victoria as a garden state — I must say that that is not a bad vision for us to aim for yet again — but they may have to change the government in order to achieve it.

The people on the land, many of whom have found their livelihoods destroyed, are the real heroes of the drought. We know that the gentry of the Labor Party are not affected — nothing can spoil their party, be it at Falls Creek or perhaps on the slopes of Mount Hotham.

Mrs Coote — Don't forget Wilsons Prom.

Mrs PEULICH — And Wilsons Prom, absolutely. We all know how much the Deputy Premier enjoys those pursuits, when the hardships faced by Victorians have been so unnecessarily burdened upon them.

The contrast is that this government has had rivers of gold flow into its coffers. If it had the excuse of a lack of revenue to invest in infrastructure, Victorians may have been a bit more sympathetic, but when we remember that revenue will have increased from \$18.9 billion, which was the size of the Victorian budget in 1999–2000, to \$34 billion in 2007–08 — an increase of 81 per cent — there is no sympathy. They have had lots of money.

As the Leader of the Opposition in the other house, Ted Baillieu, has said, they have had the money, they have had the mates, they have had the power — but they have not had the competence or the commitment. The GST payment is up from \$5.5 billion in 2000–01 to a forecast \$9.1 billion in this budget. There are also the annual indexation of taxes and charges, the additional levies, and soon the increased water prices, which will affect every single Victorian.

In closing, I say to government members, who have obviously been happy to enjoy the spoils of office and have failed to place their cabinet ministers under pressure to do the right thing — that is, to plan forward — from the South Eastern Metropolitan Region and all the affected Victorians: shame, shame, shame!

Mr TEE (Eastern Metropolitan) — Can I say from the Eastern Metropolitan Region: congratulations, congratulations, congratulations! This legislation is another timely response to the water shortages. As we saw yesterday, the Victorian government continues to lead the way with its water policy.

What is remarkable about the government's response is that the government continues to work hand in glove with the community to turn around water consumption. The government has supported, encouraged and educated the community about the need to change water usage. It has worked with the community and supported them as they have modified their behaviour and saved water. The support the government has provided has, as we all know, included free water-saving showerheads, rebates for rainwater tanks and rebates for the purchase of mulch and systems to reuse water.

Just one example of the success has been the government's Water Smart Gardens and Homes Rebate Scheme, which includes the \$1000 rebate for the purchase of water tanks. This plan alone has provided over 150 000 rebates for Victorian families. This one initiative is saving over 1 billion litres of drinking water per year. The response to the Victorian government's water-saving initiatives has been, on any measure, overwhelming. In Melbourne alone there has been an average per capita reduction in the usage of drinking water of over 22 per cent. This is a remarkable turnaround. Melbourne is now the lowest per capita water user of any capital city in Australia.

I am pleased to note, Deputy President, that the eastern suburbs are leading the rest of Melbourne in delivering water savings. The eastern suburbs in my electorate make up 5 of the top 10 water savers in Melbourne.

Households in the eastern suburbs have embraced — as I am sure you would be aware, Deputy President — the initiatives and have saved the equivalent of 62 Olympic-sized swimming pools of water each year since 2003. This is a truly commendable effort and something the communities in these areas should be very proud of. It is a concrete example of what can happen when the government and the community work together. As I said, the outcome has been achieved through education and information, and we have brought the community with us in delivering water savings.

This bill is timely. It moves to the next logical stage in the government's drive to improve water savings. It deals with those few who continue to flout the important water-saving initiatives. Notwithstanding overwhelming community support and enthusiasm for saving water, there is still a small number of recalcitrants — the Water Wallies, the bad apples — who simply refuse to meet the needs and expectations of the community. Under the existing process, where water users breach the water-saving limits, they receive information letters or first warnings which explain the need to save water and provide information on the nature of the water restrictions. As I said, despite first and indeed second warnings and the education and encouragement of government, friends and neighbours, some in the community simply disregard the very sensible restrictions that are currently in place.

In my view it is timely for the government to make sure that those who are not doing the right thing are prosecuted, when that is appropriate. Indeed the community expects that to happen. In that sense this is a timely bill. It reflects the position reached by the government and by the community. People in my electorate have told me that they are sick and tired of doing the right thing while some continually and deliberately flout the law. This bill sharpens the legislative response. It allows for the issuing of on-the-spot fines without the need for a warning notice to be issued. It is in my view appropriate that an authorised officer should have the discretion to take enforcement action where it is clear that, for example, a person knew that what he or she was doing was wrong.

As I said, the emphasis will continue to be on education; that will be the primary tool. The legislation requires that a person who is suspected of contravening water restrictions state his or her name. Again, that is another sensible measure to make compliance easier to enforce.

I believe the bill continues to get the balance right. While stepping up the power of water officers it also

steps up the safeguards for the community. For example, under the legislation water officers will be required to produce identity cards, and it will be an offence to impersonate an authorised water officer. In addition, anyone who is issued with an infringement notice will have all the rights and protections provided under the Infringements Act 2006. This means that they will receive sufficient information to enable them to understand the nature of and the reasons for the notice they have received, that they will be informed of their right to have the matter determined in the Magistrates Court, that they will have a right to an internal review and that they will have the right to apply for a payment plan.

Acting President, water conservation is absolutely critical and will become even more so because climate change means that we will have higher temperatures, more evaporation and more need for water. This bill is an important step on the road to water conservation. It is a necessary step that is supported by the community. I commend the bill to the house.

The DEPUTY PRESIDENT — Order! I point out to Mr Tee that I am the Deputy President, not an acting president.

Mr TEE — I am sorry, Deputy President.

Mr O'DONOHUE (Eastern Victoria) — I am also pleased to make a contribution on the Water Acts Amendment (Enforcement and Other Matters) Bill of 2007 and confirm what Ms Lovell and others have already said — that we will not be opposing this bill.

The bill amends the Water Industry Act 1994, the Water Act 1989 and the Infringements Act 2006. The purpose of the bill is to put all fines for breaking water restrictions under the jurisdiction, or ambit, of the Infringements Act 2006. That is a sensible consolidation, as current breaches of water restrictions are enforced in different ways and pursuant to different legislation and regulations. The bill will also establish authorised water officers who will have the capacity to issue on-the-spot fines. It will also remove the need for a warning to be issued in the first instance. On balance that is also probably a worthy change, as people will not be concerned about being fined if they know they have to receive a warning first.

It is worth making the point that the Water (Governance) Act was passed only a few months ago, in October 2006. It reflects poorly on the government and the way it manages its program and drafts its legislation that this legislation needs to be amended after such a short time. There is a concern that these

amendments will introduce a quasi-water police who will be out and about looking for people who breach water restrictions. I encourage the government to make sure that these authorised water officers are well trained and act appropriately.

As they say, timing is everything, and how appropriate it is, after the announcements that were made yesterday, that this debate has taken place today and yesterday. We are in a time of water crisis, and this legislation exists because of that crisis. The need for introducing harsher water restrictions, which the government has been loath to implement for political purposes, is getting stronger and stronger. Melbourne should be on stage 4 restrictions, because the trigger for that to happen was passed some time ago. It is worth noting that unfortunately, despite the recent good rains, the levels of our dams do not seem to be rising, and that is cause for concern. These restrictions exist because of the government's failure to augment our water supplies and its failure to initiate recycling measures or implement new projects that attack the water crisis in a serious way.

I want to pick up on a comment made by Mr Elasmar during his contribution. I echo his comment that taking a shower is a luxury we can no longer afford to take for granted. I agree, and that is sad. As I said earlier today, we can no longer take for granted that when we turn on a light switch the lights will work. When we turn on the shower we can no longer take for granted that there will be any water for that shower. The most basic services of a society — the most basic things that people in Victoria have taken for granted for decades and for generations — can no longer be taken for granted.

Let us make no mistake about this: the government cannot make it rain, but it can address the water crisis. The government has been well aware of the water crisis for some time. In its policy document that was issued before the last election *Securing Our Water Together*, Mr Bracks says:

In this, our 10th year of low rainfall, with a growing population, climate change and degrading river systems, the state is implementing new and better ways to secure water for the future.

What an indictment of the government. The government has known about the drought since before it was elected, and it knew there were water supply issues, and yet only yesterday did it announce anything to address those issues meaningfully.

The document goes on to quote *Our Water Our Future* from 2004, saying:

If Melbourne grows at this rate and does nothing more to conserve water, there will not be enough water to meet its needs by 2020.

What a change from what the government was saying just before the election — and in just a matter of months. The government has realised — all of a sudden and at the last minute — that we do not have a secure water supply that will last until 2020. In fact we do not have a secure water supply to last for the next year or so, depending on the rain, and the government has made this announcement in the last 24 hours.

Mr Tee said that the government continues to work hand in glove with the community and continues to consult with the community. As a member for Eastern Victoria Region I have had conversations with several people already — since the announcement yesterday — who live in Bass Coast and in Wonthaggi. They all tell me that they have been taken by absolute surprise; they had no idea whatsoever that the government was about to make the announcement it made.

If you go to the *Hansard* from the last two weeks and look at the contributions made by government members to the debate about the budget, you will see that they have gone to great lengths to say what a great job the budget does for Victoria's water future. They have quoted piecemeal small projects which recycle a small amount of water here and a small amount of water there or which generate additional capacity on a very small scale. They have guaranteed the chamber, the Parliament and the people of Victoria that there is no water crisis and that the government is investing for the future. Then in the next sitting week we heard from the government that suddenly it supports desalination and is going to increase Melbourne's water supply and capacity by 50 per cent.

Two weeks ago we heard that was not necessary and that the key to securing Melbourne's water future was demand management and managing our supplies more productively. Now, two weeks later, we have to increase the supply by 50 per cent. To me, that demonstrates a government that is making policy on the run, that is scared by the response it had from its own budget — the criticism from the public about its lack of planning — and has decided that it has to do something. Everything that has been announced in the last 24 hours flies in the face of what is on the public record.

Mr Davis quoted the Premier earlier today, and I will do the same. On 13 November in the *Herald Sun* the

Premier is reported as having said in relation to desalination:

The energy generation is enormous, the intrusion on the community is enormous and, of course, it's extraordinarily expensive.

He also said that:

... it's based on something similar in Western Australia. Well, hello, we're a bit bigger than WA, just a tad bigger than Perth and really, what a hoax it is.

He was referring to the Leader of the Opposition's policy and support for desalination. I congratulate the Leader of the Opposition on the policy he and the party I am lucky to represent took to the election last year, because here again we have the government following the lead of the opposition with its policy in now adopting desalination. It is a policy the government criticised before the last election, and yet it has now done a 180-degree turn — a backflip — and has embraced the policy of the opposition.

I will step back for a second and talk about the water crisis in the Wonthaggi area and the Bass Coast. It is important to talk about that particular area, given that with no consultation that area looks like it will have a desalination plant. I have spoken in the chamber before about the supply constraints faced by Westernport Water, which is a relatively small water authority. That authority faced two options: to expand its main Candowie Reservoir, or to be linked up to the Melbourne supply system as per the central region water strategy. To date the government has done neither of those things. For environmental reasons it has ruled out expanding Candowie Reservoir and, to be frank, I think those reasons are dubious and, until yesterday, the government has refused to commit to linking Westernport Water to Melbourne's water supply.

I noted in the *Herald Sun* of Tuesday, 19 June, there was a letter to the editor from a Mr John Taylor of Corinella. It reads as follows:

How will we feel when there is no water coming from taps when we turn them on?

Impossible, you say?

Not so. Last week we were told by our water authority that there was only 6 per cent left in our reservoir.

Of that, 5 per cent was unusable because mud cannot be pumped.

Supply has been and is augmented from groundwater sources, but those are insufficient to keep up with consumer needs.

We are served by Westernport Water, which supplies towns along Western Port Bay's southern shores, as well as Phillip Island, from the Candowie Reservoir.

The supply will fail soon unless Westernport Water has some aces up its sleeve.

It is too late for rain to rescue the situation.

Water Minister Thwaites, can we panic now?

Sadly the desalination plant that is being proposed for Wonthaggi will not save the Candowie Reservoir and will not supply water for Mr Taylor and the other good people of the Bass Coast, the Bass Valley and the Wonthaggi area, because it is not anticipated that this desalination plant — if it goes ahead — will be finished until 2011.

That takes me to the comments made today by the Minister for Industry and State Development, and the Minister for Planning. Earlier today Mr Thornley gave us a lecture on basic economics — talking about expenditure, debt, borrowing to fund public infrastructure and using recurrent expenditure, and so on. What Minister Theophanous in effect said today was that business and private domestic users would have to fund the construction of the desalination plant, because the government was running such a fine line with its budget that it did not have the resources to fund it itself.

I accept the comments Mr Thornley made about living within the budget's capacity and the like, but it makes an interesting contrast to look at the role and the work of the federal government — and its ability to fund infrastructure and put billions of dollars away from recurrent expenditure for the future. It demonstrates the difference between good fiscal management and irresponsible fiscal management.

I would say that because of the federal government's strong financial management, it has delivered the surpluses that can generate funds for critical infrastructure projects. Unfortunately, as Minister Theophanous said — or perhaps said through what he did not say in his answer — because the government does not have the surplus available, the business community, small business and domestic consumers will have to fund the construction of the desalination plant through higher water charges.

What Minister Madden said today was also instructive. As the planning minister he said he was not sure whether there would be an environment effects statement. He did not know anything about the design, the size, the location or the construction of the desalination plant, which — —

Mr Barber — It did not go to cabinet.

Mr O'DONOHUE — Which leads me to conclude, Mr Barber, that this plan has not been to cabinet. The Bracks government has been very keen to jump on the commonwealth for supposedly not consulting enough on the \$10 billion water plan. The only comment I would make about that is that the commonwealth is fixing up the mess created by the states, which the states are unable to solve themselves. As I said, this demonstrates that this project, which is supposed to be the answer to Victoria's water crisis, has not been to the Victorian cabinet. So we have a situation where the local residents have not been consulted, the Bracks cabinet has not been consulted and the minister does not know if, when or how an environment effects statement will be completed.

How can the Victorian public, and in particular the community of Western Port and the residents of the Bass Coast, the Bass Valley and Wonthaggi, have any confidence in the size and scope of this project, the effects it may or may not have, or its ability to deliver water security for Victorians or for the people of the Bass Valley, who, as I said before, are literally running out of water? They cannot have that confidence, because the process has not even begun. An announcement has been made, the process has not begun and the government is about to spend \$1 million on an advertising campaign for a project the minister does not even know about.

In summary, the opposition does not oppose this legislation, but it is another symptom and symbol of this government's inability to plan and solve Victoria's water crisis. The announcement yesterday just confirms that the government is in a panic; it does not know what to do to solve the water crisis, and it has decided to adopt the Liberal Party's policy on desalination.

Mr SCHEFFER (Eastern Victoria) — This bill strengthens the government's capacity to make sure that all members of the community comply with laws that require Victorians to use water responsibly by abiding by water restrictions. I think most Victorians understand the need for everyone to behave responsibly with their water use, and just about everyone knows that in the real world penalties need to be imposed when breaches occur.

The bill has two purposes. The first is to allow authorised water officers to issue immediate fines to people who intentionally breach water restrictions, and the second is to make sure that when water rights are unbundled in July those water licences that require water to be returned to waterways are not unbundled.

At the moment authorised water officers face considerable difficulties in dealing with individuals who breach water restrictions. They have to catch someone infringing a particular restriction and issue them with a warning, and they cannot issue a fine unless they catch the same individual performing the same infringement again. If the individual is breaching another type of restriction, the authorised water officer can only issue a warning for that particular restriction. The provisions contained in these amendments will enable an authorised water officer to issue an on-the-spot fine, which makes the process more efficient and more immediate.

Today is a very good day to be talking about water — it is the day after the announcement of the next stage of the government's water plan. The announcements are very good news — contrary to what we have been hearing in the house thus far from members opposite — for people living in Wonthaggi, South Gippsland, Western Port and along the Bass Coast, because the \$3 billion desalination plant that will be built at Wonthaggi will dramatically boost water where supplies are precarious.

This will be the largest desalination plant in the country and will be operating by 2011. The plant will provide 150 billion litres of water per year, and the project will include the construction of smaller pipelines to connect towns in South Gippsland and Western Port to the main pipeline — and that is critical. The detailed work will be undertaken by Melbourne Water and local authorities so that the best routes can be assessed.

Centres such as Phillip Island and Wonthaggi have been on stage 4 restrictions for some time, and desalination will provide those communities with a guaranteed water supply, independent of rainfall or climate change in the local area. The central aim of this \$4.9 billion commitment is to help move back to unrestricted water supplies in these towns.

The Wonthaggi area was selected after an extensive feasibility study showed that it had the lowest environmental risk and the highest seawater quality. The best thing about this initiative is that it will be carbon neutral, with sufficient renewable energy purchased to offset the anticipated 90 megawatts of electricity the plant will use. The government has announced the release of the desalination plant feasibility study with further environmental monitoring happening in the coming months.

The project has been widely welcomed across the Bass Coast area, Wonthaggi and Phillip Island. It is interesting to report to the house that in this morning's

Age, Environment Victoria's executive director, Kelly O'Shannassy, is reported as saying:

There are potential benefits from desalination. It can take pressure off our stressed rivers during drought.

The newspaper describes Environment Victoria's responses as being upbeat, and well they should be. In a project of this dimension it is critical that the government and government agencies work with local government and local communities to ensure that proper planning from this point forward is undertaken and that there are good communication systems in place. It is important that the government keep talking to the Bass Coast Shire Council, Cardinia Shire Council and the other shires along the eastern Victorian coastline to overcome the many issues that will doubtless emerge as such a complex project proceeds.

I commend the government for making sure that landowners are being contacted at the moment.

Mr Vogels — After the event.

Mr SCHEFFER — No, after the announcement, Mr Vogels — that does not mean 'after the event'. We have a long way to go for its construction. Those discussions are taking place as we sit here. It is also good that the government is conducting extensive consultations with local communities and water authorities, with councils and stakeholders all the way through the planning, design and construction of the plant, and that community information seminars will also be held in the Wonthaggi region in the near future. I look forward to participating in those.

Wonthaggi residents tell me that they are very supportive of the government's proposal but they are rightly insisting on a close and constructive working relationship with the government to make sure that all local communities are involved in shaping its future. I have every confidence that that will occur. The amendments contained in the bill make a small or narrow but important contribution to the government's water strategy. I commend it to the house.

Mr VOGELS (Western Victoria) — I wish to make some comments on the Water Acts Amendment (Enforcement and Other Matters) Bill 2007. This bill is a typical Labor government response. As we have seen many times before, it is about control, regulation, fines and charges. Following eight years of inaction — I repeat, eight years of inaction — every commentator acknowledges that we in Victoria are depleting our water supplies due to the lack of rain. Labor's answer in this bill is for more fines. Authorised water officers will be empowered to snoop around and look into people's

backyards to try to entrap consumers if they believe they are breaking water restrictions.

I am probably getting a bit old, but I remember when Victoria was known as the garden state, when we took pride in our suburban gardens and Melbourne was the garden capital of Australia. Our regional centres had beautiful gardens. Victorians were able to take pride in their backyards. I remember my mum and dad always had a vegie patch down the back where we grew our own vegies. We had enough water to do that.

In 1967, which I remember, we had probably the worst drought on record — at least equal to the last 12 months. What did the Liberal government of the day do? It realised that Melbourne was in dire straits so it decided go ahead and construct the Thomson Dam. That did not happen overnight; it probably took 10 years. I think it was in the Hamer era that it was completed, but we realised that Melbourne did not have enough water supplies if it were to face more dry years, so the Thomson Dam was built, with much opposition from environmentalists in those days.

Since the Thomson Dam was built, Melbourne's population has doubled. We are expecting it to increase by another million people by 2020, yet for close on 35 to 40 years the capacity to store water has not been increased.

I was watching the television news last week about what was happening around Sydney, where everything was flooded, and in Bairnsdale which has had 5 or 6 inches of rain in the last day or two — and people kept saying that dams do not make it rain. Of course, they do not make it rain. Banks do not automatically get money, but you put money in them in times of plenty so when there are times of hardship you can draw down on those funds. That is what dams are for.

The government says that no new dams will be built in Victoria for at least the next 50 years, so pipelines are being constructed from one empty dam to another empty dam, and somehow or other that is supposed to supply more water. It is a case of stealing the last drops or dregs from another part of Victoria.

Following eight years of hard Labor, with no vision and no plans, the responsible minister has been demoted and the Premier and the Treasurer have finally ridden into town and taken over. These two are no strangers to backflips and untruths when it comes to protecting their backsides, if it suits the politics of the day, and in making promises with no intention of following through.

We all remember the Scoresby freeway, which turned into the Eastern tollway, just before the 2002 election. We all remember in western Victoria the standardisation of Victoria's rail network in 2001, and \$96 million was provided in the budget. Not one sleeper has been laid or one spike driven. Remember the fast rail shenanigans about that project which was to cost \$80 million? It is now up to \$800 million. Do the trains travel any faster? Of course not.

Returning to water, before the November 2006 election the Labor Party condemned the Liberal proposal to build a desalination plant to help augment Melbourne's water supplies. The Premier said in the *Herald Sun* of 13 November 2006 about the Liberal proposal for desalination plant that the energy consumption is enormous. The intrusion on the community is enormous and of course it is extraordinarily expensive. What a hoax that was!

The Minister for Water, Environment and Climate Change in the other place said on ABC radio on 14 November 2006 that it was ill thought out and would have environmental consequences. Then we heard yesterday that a desalination plant will be built, and we also hear from the other side that, 'You only had a little one, ours is bigger than yours'. What childish stuff!

If the small plant that the Liberal Party proposed to build were to cause enormous damage to the environment, be enormously expensive and be regarded as a hoax, then one that is three times as big would do more damage and be more extraordinarily stupid to build. Had the Liberal Party's plant been said a few months ago to be a stupid concept, which I do not believe it was, then how all of a sudden can the government sit there with a straight face and say, 'Ours is better than yours'? It sounds like a couple of kids playing in the backyard.

While on the issue of desalination, if it is so expensive and will send as much carbon into the atmosphere as we have been told, then every time the minister announces a plan that is environmentally friendly by saying it will take cars off the road, how many cars would be left on the road if this plant were up and running, if that is what the government is comparing it to?

What I have mentioned in this place many times, and which still makes me gobsmacked — and I still cannot understand why it is not happening — is that we have many millions of litres of beautiful water running into Bass Strait through springs that feed up into the bottom of the Southern Ocean or Bass Strait. That water is not salty; it is perfectly pure, fresh water. The Newlingrook

aquifer, which is near the Otways where I live, is a line of springs 3 miles out to sea. If you dip a glass over the side of your boat, you can drink fresh water. This water is running into the ocean and is wasted. It baffles me why you would you not tap the water just before it gets to the ocean.

I have figures regarding groundwater resources. It is on page 238 of the *State Water Report* for 2004–05. I have just mentioned the Newlingbrook aquifer. The report says that you can take 75 000 megalitres per annum out of that aquifer without impacting on anything, because that water is pouring into the bottom of the ocean. I can imagine this to be an enclosed aquifer full of water. If you start drilling into it, over the next century or whenever you will run out of water. If it is full of water — —

Hon. J. M. Madden — You will have to describe it for the purposes of *Hansard*.

Mr VOGELS — No, I will describe this for you, because you might learn something. If the glass I am holding is full of water but has a hole in the bottom of it and water is pouring out, I say you can save some water from that aquifer without depleting it.

Hon. J. M. Madden — People will not be sure what you are talking about when they are reading *Hansard*. I understand you, but anybody reading *Hansard* may not.

Mr VOGELS — I understand it, and I am sure that people in my community understand it. Basically 75 000 megalitres could be taken out of that aquifer — that is the permissible annual volume — without actually depleting the water in the aquifer. But we are going to let that water run into the ocean so that it will become salt water, then we are going to desalinate that water. That is so smart! We know that there are many aquifers. They tell me that the bores that oil rigs have drilled have been left open in Gippsland and fresh water is running into Bass Strait. Surely that is the water we should be using before we start to talking about desalination.

What has this government done about recycling water? Absolutely nothing. Once again there is a government report about this. The *State Water Report* for 2003–04 reads:

Effluent from sewerage treatment plants can be treated to a standard that enables it to be reused beneficially. This is known as recycled water.

On average of about 360 000 megalitres of water per annum is discharged by sewage treatment plants in the central region. About 45 000 megalitres or 12.5 per cent of this water is currently treated and recycled.

That figure is an indictment. That 12.5 per cent of 360 000 megalitres — it is probably 450 000 megalitres now, because this figure is four years old — could have been treated and recycled, but we run it off into the ocean.

The two main sources of recycled water in the region are from Melbourne's western treatment plant at Werribee and the eastern treatment plant at Carrum, which is in the south-east of Melbourne. The government report also reads:

The government has committed to a range of cost-effective water recycling projects across the central region that will be implemented in the coming years, and increase the total amount of effluent recycled.

This report was published four years ago. We know that the government has done absolutely nothing. An amount of water equivalent to the amount Melbourne needs annually is run into the ocean. We should be recycling that effluent.

Before the last election we once again had a lie from the Labor Party. It promised it would never take water from the north of the divide and bring it over to the south of the divide. That was a promise that has been made by the Labor Party since I have been a member of Parliament. We now hear spin. I heard the Premier say that the government will only pipe new water, not old water, from the Goulburn Valley to Melbourne. What a load of — I cannot say a particular word here — garbage! The government said that this water was new and had never existed before, but of course it existed before. Water has always been there, and the government has taken it.

I met with the Goulburn Valley food bowl association, and no doubt government ministers did as well. That association put a proposal to the government: if the government spent \$2.2 billion fixing up the irrigation and water infrastructure in the Goulburn Valley, the association would be prepared to share water savings of 450 gigalitres — one third would be shared with Melbourne, one third would be shared with the environment and one third would be shared with the locals. That would be a \$2.2 billion project.

The Goulburn Murray irrigation district is known as Australia's largest food bowl. It has an area of 68 000 square kilometres. It produces 25 per cent of Australia's dairy products, 87 per cent of Australia's pear production, 64 per cent of Australia's stone fruit and 90 per cent of Australia's processed tomatoes. Food processors include Kraft, Heinz, Fonterra, Murray Goulburn, SPC, Unilever and Campbell's. This area is an important part of the whole economy of Victoria.

Labor ministers like John Brumby, the Treasurer; Steve Bracks, the Premier; and John Thwaites, the Minister for Water, Environment and Climate Change in the other place, met with the Victorian Farmers Federation less than 24 hours before announcements were made yesterday. The VFF, which represents farmers and irrigators in the Goulburn Valley, was assured there would be no north–south pipeline unless it was agreed to by the local community of the Goulburn Valley. This happened 24 hours before the government announced it was going to pipe water from the north to the south. What the government told the VFF was a straight out lie.

Yesterday the government made its announcement and last night there were government advertisements on television — I saw them — promoting this new water dream. How could the government say to the VFF that it would not pump water from the north to the south of the divide unless there were local support? Less than 24 hours later the three wise men announced that that was exactly what they were doing. How can anyone trust this government? It says one thing and does another. The VFF had met the government in good faith and the government said it wanted to work with the VFF.

I commend the Goulburn Food Bowl Alliance for coming up with a plan. It knows the infrastructure in the Goulburn Valley is 100 years old, and it needs tens of millions of dollars — as I said, \$2.2 billion — to upgrade it. The local community would never be able to afford that. Members of that community saw that as an opportunity to do a deal, work with the government of the day and fix up the infrastructure, and they were prepared to share the profits.

But the first thing they want to do is get the infrastructure fixed; then, when the savings are on board and you have water for the environment and for the locals, you build a pipeline to Melbourne. You do not do that first; you build it last. Obviously if the first thing you are going to build is the north–south pipeline, that is where the water will go first, before the locals or the environment get any of it. You cannot tell me that if Melbourne gardens were dying or Melburnians were thirsty the government would not take the water off the people in country Victoria, because the votes are here, they are not over there.

I must say I am very disappointed in the way the Bracks government has handled this water issue. I understand we should have been working on our water infrastructure and future water supplies years ago. When I talk to the VFF, members of the communities, local councils and government, they tell me they trust

this government to live up to its promises — and it reneges.

In conclusion, Victoria as a whole is in dire straits as far as water storages are concerned. This inept Labor government has been around for eight years and has been waiting and praying in the last 12 months or so for above-average rainfall to fill our dams. I am quietly confident that we will have good winter rainfall. Being a farmer I understand the seasons very well, and I think the climate is going back to some sort of normal winter.

I was in the Wimmera the other day. Most of the farmers, as in my own area, are feeling positive because the rains have come. They are a bit late but they are here. At least when the weather forecasters are forecasting rain, it is happening. The Labor government will probably get off the hook on this occasion because there will be some good run-off into our catchments, which we all hope and pray does happen.

This bill is a typical Labor bill. The government has left things too late; it has stuffed up so it sends in the police, the bailiffs and the controllers to ensure that people do not break the law by using too much water. We are told to shower with a friend, put a bucket under the shower rose, take it out and then water our vegetable garden — and sorry if you do your back on the way out because it is a heavy bucket! If you get caught doing the wrong thing, then you are a criminal. Meanwhile a thousand million-odd litres a day flow into the ocean from our wastewater outfalls.

This is exactly the sort of bill I would expect from the Labor Party; it is full of control and regulation. If anybody tells me that by 2011 there will be a desalination plant in Wonthaggi sending water to Melbourne, it will be the first time in history that Labor will have delivered anything on time and on budget. It has not done that in the past. This will be a big plant. If you want to build new storages or pipelines, they do not happen overnight. The Liberal Party supports the bill, but it is much too little, too late.

Ms DARVENIZA (Northern Victoria) — I am pleased to make a contribution to the Water Acts Amendment (Enforcement and Other Matters) Bill. First of all, I hope Mr Vogels is right. I hope what his water is telling him about what sort of rains we will have this winter is correct, because we all know that it has been very tough, particularly out there in rural and regional Victoria, for our farming communities and for our rural and regional cities and towns.

The water shortage has also impacted greatly on residents in the city. We have seen evidence of just how

well Melburnians have performed by saving water. We know that they are now using 100 billion litres less water per year than they were in 1990. I know that the water efficiencies our government has put in place have been embraced by communities not only in the cities but also in our regional towns.

Most people are very supportive of water saving. They understand the necessity for it. If there has ever been a time when we have really appreciated just how precious a resource our water is, now is that time, given the lack of rain and the depletion of our water storages. However, we know there are people who flout and abuse the arrangements that are put in place and the water-saving efforts that so many of us take time to observe in our everyday lives. This bill will improve the effectiveness of the enforcement regimes that are made available in relation to drought response plans, emergency management plans, water-saving plans and water restriction by-laws.

In putting this bill forward we recognise and appreciate the efforts people are making in saving water, but we also need to ensure that those who flout the regulations are dealt with effectively and that we have appropriate enforcement regimes. There are a number of ways in which this bill will make those improvements. It will provide the appointed authorities and water officers with the ability to require people they believe are committing an offence to state their name and address. It will also provide those water officers with the authority to give a person who is contravening a drought response plan, an emergency management plan or a permanent water-saving plan, a warning notice or to take enforcement action against them. This is reasonable, and it is why we have this bill before us today. It will ensure there are proper provisions for effective enforcement.

This bill will also deal with the unbundling of certain licences to take and use water. We know that as of 1 July this year water rights are separated from land title, and this will facilitate a much more effective water market and allow water to be traded at its highest value. Some of the current water licences have preconditions which require the licence-holder to return the water they have taken to the waterway. We see that typically in operations such as fish farms or in hydro-electric power generation. The amendments before us relating to unbundling will ensure that these licences are not unbundled and will allow the water that continues to be used to be returned to the waterways. They will prevent licence-holders from on-selling that water after its use. They are all really important and sound provisions.

It is a terrific day, as was mentioned previously by a Labor colleague of mine, to actually be talking about water, given the announcements that were made by the Premier and ministers Thwaites and Brumby yesterday. It is about our water, our future and building on that and looking to the next stage.

All members would have seen that it will be an enormous \$4.9 billion statewide investment. We will have one of world's biggest desalination plants, which will be built by 2011, and Australia's biggest ever irrigation upgrade for a food bowl. I am pleased that Mr Vogels mentioned that it was in fact the irrigators from around Goulburn Valley and that northern food bowl area of Victoria who actually came up with a plan for improving the irrigation system. They are very excited about seeing such a large amount of money being spent on upgrading and improving infrastructure that will save a considerable amount of water.

It will go back into the irrigation system, back to those irrigators, back to those food producers, and it will go into environmental water flows and through pipelines to Melbourne. We are going to see 375 billion litres of new water, a 50 per cent boost to Melbourne's supply, a 50 per cent boost to Geelong's supply, 250 kilometres of new pipe and water for regions such as Hamilton, Western Port and South Gippsland. I would have thought that, given where Mr Vogels lives and farms, the people he represents would be delighted with the announcements that have been made.

I want to speak very briefly about the Goulburn Murray region. It is a region that I grew up in and live in, and it is one that I am pleased and privileged to now represent, along with my parliamentary colleague on the government side Candy Broad. The Goulburn Murray region is Australia's most important irrigation area, with the Goulburn Valley accounting for well over a quarter of Victoria's output. It produces an enormous amount of food for the Victorian, Australian and overseas market.

With the government's announcement yesterday, the food bowl modernisation project is going to provide a once-off, historic opportunity to ensure the future prosperity of the region through a very significant investment in modernising what can only be called an ageing and, in some circumstances, quite antiquated infrastructure and to create a genuinely world-class irrigation system. It is really a 1-in-100 year reform; it is not the sort of thing you see every day. I am really pleased to be part of this announcement and part of a government that is spending money for this important use.

In relation to the modernisation of the food bowl, this process is going to take up to eight years to complete. It will involve an investment of up to \$2 billion. It is an enormous investment by this government in our irrigation systems and in making sure they are modernised and meet our future needs, particularly in relation to globalised warming and reduced rainfall.

We are now in the process of commencing the first stage of that modernisation through a \$1 billion project that is going to save some 225 billion litres of water a year — an enormous amount of water. It is estimated that up to 900 billion litres of water in the Goulburn and Murray irrigation system is currently lost through leakage, evaporation and other inefficiencies. There are enormous gains to be made through this terrific injection of funds.

I know that the announcement yesterday covered a whole range of areas which I rattled off very quickly, but I want to say a few words about Melbourne's desalination plant. It will be the single largest boost to Melbourne's water supply since the Thomson Dam was built some 25 years ago. It is a very big commitment to Melbourne and Victoria's water supply. The plant will be the largest in Australia. Even though Mr Vogels does not like us to talk about the size of our desalination plant, it will be the largest in Australia, and it will provide one-third of Melbourne's yearly water needs without relying on rainfall into our catchments. Greenhouse emissions from the plant will be offset by the purchase of renewable energy, making the plant carbon neutral.

This contrasts with some of the things that Mr Vogels was saying the Liberal Party and opposition parties were proposing prior to the last election. One of their key promises was that they were going to dig another great big hole and build another dam when there is not enough waterfall to fill even the catchments we have now. It was a very bad idea. Mr Vogels talked about building a desalination plant, but the opposition was going to allocate \$10 million to the project — a very small amount of money.

It must have been a very small desalination plant — not that I want to go on about our desalination plant being bigger than the one they planned, but that is the case. The opposition wanted to build one with a \$10 million commitment. Opposition members cannot decide from day to day whether Melbourne should be moving to stage 4 water restrictions. It depends on which day of the week it is, and it depends which one of the opposition members you happen to be talking to at any given time.

The opposition has been using quite a bit of scaremongering as we go through this terrible drought that is having such devastating effects right across the state, when we know now that it has been proved wrong in its prediction that the Thomson Dam was going to be empty by 19 May.

This bill is a good bill. The announcements that the government made yesterday through the Premier, the Treasurer and the Minister for Water, Environment and Climate Change in the other place, Mr Thwaites, are fantastic. They build on the measures we have already put in place to save our precious resource — the things we did in the past and the things the community is working so hard to do now. I know the bill will be welcomed by many in the community, including many in northern Victoria who are involved in irrigation. I commend the bill to the house.

Mrs PETROVICH (Northern Victoria) — I rise to speak briefly in the debate on the Water Acts Amendment (Enforcement and Other Matters) Bill. The bill deals primarily with the issue of authorised officers policing the unauthorised use of water. Because of unimproved infrastructure and the lack of action to address the issue of long-term drought, this is the solution that Victorian communities are faced with. We are confronted today with the zealous policing of Victorians, many of whom have been dealing with stage 4 water restrictions for long periods of time. They face the possibility of unauthorised officers turning up at their front doors looking for water cheats without any warning. I think this is a great imposition on those communities that have had to struggle. In many cases they have not been able to water their gardens. They have undertaken many water-saving measures and have become very clever in dealing with this drought. This measure is very strict and will again penalise the community because of the inactivity of the government.

This government has turned the appointment of authorised officers into a fine art. Over the last seven years it has introduced authorised officers under approximately 62 pieces of legislation. This is a philosophical problem with this nanny state government. It is about red tape and overgovernance. I would have thought the role of government was to provide well thought out solutions to community issues and to provide infrastructure requirements. We are all patting ourselves on the back and saying, 'Hail fellow, well done' for any sort of work done to assist communities, but we have to acknowledge that the role of government is really to provide the community and society with such basic requirements as water.

What we have here today is not a solution but more a Big Brother approach that will further penalise the communities that this government is supposed to serve. The issue of improved water infrastructure is not a new topic in this chamber, and I have spoken about it many times. The Liberal Party has continually campaigned for improved water infrastructure. The Erskine pipeline was to be filled from water savings made through improved infrastructure to assist the community of Bendigo. I was present on the day the Leader of the Opposition in the other place, Ted Baillieu, announced that proposal on the banks of the dry spillway of Lake Eppalock. After considerable consultation with the community leaders of Bendigo it was devised that a pipeline to service the community of Bendigo could be filled with water provided through savings made available through improved infrastructure in the irrigation area of the north-east.

Bendigo has been on stage 4 water restrictions for a very long time. You only have to go to that community to see how dry things are — the gardens there are in a grave state. There are people who have had to let their gardens go despite putting in the hard yards to try to accommodate them during this very dry time. They have used grey water to try to keep their gardens going. There has been a trial involving the bucketing of water, which has imposed a great cost impost on the many communities which have had to pay for it personally.

The problem is that this government thought it was going to rain and that it would not have to do a thing. We are not blaming anybody for the fact that we have had 10 very long, dry years, but there has to be an awareness of what is going on around you in the community. There seems to have been a great denial of this longstanding problem. How unprepared for this big dry had this disconnected government become? The Bracks Labor government has been in denial about the worsening water crisis. We know its members are past masters at reshuffling the deck chairs. The irrigation districts of northern Victoria have been robbed of water to service the now desperate communities of Bendigo and Ballarat. Prior to that we saw Sunbury and Gisborne being hooked up to Melbourne Water, because there was plenty of water in the Thomson Dam. With today's announcement the irony is that water will be piped out of the Eildon Dam — probably from where it is now most needed — and taken through those towns which have been trucking in water for a long time. That water will then be taken out of the area and sent down the pipe to service the community of metropolitan Melbourne.

The common aspect in all these solutions is that there is just not one original thought about a long-term water

solution for the state of Victoria. There has been no long-term statewide strategy, and there has been no planning. Yesterday's stunt announcement about the north-south pipeline was not a cleverly constructed long-term solution but an on-the-run announcement. The only planning that has gone into this project is the spin contrived within the Labor's media department. While the Eildon Dam is currently at 8 per cent of capacity, this government will be taking water out of that system and to Melbourne to advance savings, but there are no savings. Eildon is dry. You can walk down into it and over the top of houseboats that are sitting on dry ground. It just does not make any sense.

I have spoken previously about the day the Bracks government twigged that there was a drought. I was at the Warracknabeal Show last October during the election campaign. The Premier noticed that the crops were withered on the ground and that there was no water flowing down the channels. He said, 'By Crikey, I know why you have got a drought, you have got no water here'. That was the great talk around the Warracknabeal Show on the day. We see now that under a proposal that is contrary to the food bowl plan that was proposed just last week there are no savings for these farmers. The savings needed for these farmers will not be delivered for eight years. The net result is that the farmers of northern Victoria will suffer lost production. The drought-ravaged towns and communities are already facing the loss of their economies, and rural and regional communities will be literally left high and dry.

When will this government stop treating rural communities as a resource that can be used by the city? There seems to be no acknowledgement of the contribution made by rural and regional Victoria to our lifestyle and to the quality of the consumables that we have all grown accustomed to. When will the penny drop that country Victoria produces clean, green, high-quality food, fruit and vegetables, wine, milk, beef and lamb? Ask any other industry how it is possible to continue to produce without the vital ingredients and components of your production. In this case water is the valuable component. Other industries would grind to a halt, and so will our agricultural sector. How will Melburnians feel when they are paying double for water and goodness knows what for fresh fruit, vegetables and milk? This is going to be the reality as a result of this piecemeal solution.

Whilst we do not oppose this bill there is much work to be done. Planning and a strategic approach, such as that proposed by the federal government with the national water plan, is what is required here. This ad hoc approach does not assist in addressing global warming,

it does not solve Victoria's water crisis, and quite frankly, the water police are just another commitment to the nanny state.

Ms BROAD (Northern Victoria) — I wish to speak in support of the Water Acts Amendment (Enforcement and Other Matters) Bill 2007. The main purpose of this bill is to ensure compliance with the drought response plans, water restriction by-laws, permanent water-saving plans and emergency management plans prepared and issued under the Water Industry Act in the metropolitan area, and the Water Act in regional cities and towns.

Overwhelmingly Victorians do the right thing and comply with these plans and by-laws. However, in some cases enforcement action is required to ensure compliance, and this bill will ensure that enforcement can be implemented efficiently and effectively. In addition, this bill provides for the actions that all Victorians support and expect in relation to failure to comply with water-saving measures. I welcome the fact that the opposition and The Nationals are at least not opposing this bill.

Water-saving measures by Victorians are making very important contributions to securing Victoria's water supplies for future generations. They have already helped the Bracks government exceed its savings target of 15 per cent by 2010, with Victorians in Melbourne saving an additional 22 per cent compared to usage in the 1990s, and country and regional Victorians are saving similar amounts. As well as that, recycling of water in Melbourne has been boosted to around 14 per cent.

Water conservation and recycling will continue to be very important contributors to securing Victoria's water supplies into the future, and the achievements to date are very encouraging. These achievements in Melbourne are particularly important to country and regional Victorians as a demonstration that people in Melbourne are meeting their responsibilities. They are also important as a vehicle for education and for personal action.

As someone who was brought up in one of the driest parts of the continent, in the north-west of Western Australia, it is very interesting to see the very great benefits that can come through education and through providing people with very practical advice about the personal action they can take and the difference that can make in terms of a contribution to ensuring Victoria's water supplies into the future. It is terrific to see all Victorians rising to that challenge and to see the enthusiasm of people in the metropolitan area as well as

people who live in country and regional Victoria, who, perhaps through sheer necessity, tend to understand these things a bit earlier than people in metropolitan areas do.

Since 1999–2000 the Bracks government has committed total funding of \$1.7 billion to water projects, with water authorities contributing an additional \$3 billion over the same period. That is a very significant investment which has been made by all Victorians over that period.

Developing alternative water supplies such as recycled water and stormwater, and helping households, industry as well as farms use water more efficiently, are major priorities in Victoria's water management plans. That is why in the recent Victorian budget an additional \$136 million was allocated for vital water projects generating water savings which are the equivalent of a major new reservoir as an important contributor to the Bracks government's plans to secure Victoria's water supplies into the future.

I am pleased to say that included in those budget allocations was an amount of \$38 million for modernising the Shepparton irrigation area in my electorate. That project alone will save up to 50 billion litres of water. As well as that, the budget also outlined some \$10.5 million for projects that are already under way, including the Barmah Choke interconnect feasibility study, the northern irrigation revitalisation design works and the Campaspe pipeline to Waranga channel project. Those very important projects are already under way.

In fact, since the 2004 Our Water Our Future plan was put in place, some 100 billion litres of water have been saved every year across Melbourne alone. That plan has also helped to commence planning for further stages of important major water projects. But the government realises that more needs to be done to build on those very significant achievements to date so as to secure Victoria's water supplies into the future. That is why the announcements made yesterday by the Premier, the Treasurer and the Minister for Water, Environment and Climate Change in the other place were very important announcements in outlining the necessary investments and commitments to secure Victoria's water supplies for the next 20 years.

In making those investments — some \$4.9 billion in total to secure Victoria's water supplies for the next 20 years — there are no easy solutions and no easy answers. We have heard, as the government expected we would, from the Liberal opposition and from The Nationals about some of the issues which arise in

making those decisions on the best available advice, science and evidence that is available to the government. A great deal of time and effort has been put into making sure that the announcements and commitments that the government made yesterday are going to produce that security for the next 20 years. They are as big as any investments that have been made in the past, and they are going to produce very important improvements in our water security.

In terms of my electorate, I believe that the announcements which have been made in response to proposals that have been put forward by communities and irrigators in the north of Victoria to invest in water savings which will produce benefits for growth, which will produce employment as well as population growth and which will provide improvements that will also contribute to our environment and our stressed rivers in particular, as well as helping to secure Melbourne's water supplies, are very important investments indeed.

Mrs Peulich — Acting President, I believe that all members of this house are making a very important contribution; however, there is no quorum in the chamber, and I draw that to your attention.

Quorum formed.

Ms BROAD — I was in the process of winding up my contribution on this bill; I will now proceed to do so. I indicate to the house that with the very important investments it announced yesterday, the Bracks government will certainly do everything possible in the best interests of all Victorians in country and regional Victoria, as well as in Melbourne, to secure our water supplies for the next 20 years and for future generations.

Mr FINN (Western Metropolitan) — In rising to speak on the Water Acts Amendment (Enforcement and Other Matters) Bill 2007 it is important that we reflect on why this legislation is necessary. It is necessary because Victoria is facing a water crisis. In fact Victoria is facing the greatest water crisis in its history, because clearly we have had an extended drought and also because this government has seen this coming for years but has sat on its hands. It has done nothing. It has known where we have been heading, it has known that this crisis has been imminent and it has sat on its hands. It had done nothing until yesterday.

Ms Broad interjected.

Mr FINN — I will get to that in a moment, Ms Broad. On second thoughts, that judgement may be a little bit harsh, because they have been telling us for quite some time that we need to save water.

Everywhere we have looked, there has been the Premier or the Deputy Premier, the Minister for Water, Environment and Climate Change in the other house, telling us that we need to save water. I know that has had some effect — —

Mr Vogels interjected.

Mr FINN — We are going to get to the snow in a minute, Mr Vogels; you can put your house on that! The government has been very good at telling us that we need to save water, and that that has had an impact on me.

Mrs Peulich — How? Tell us.

Mr FINN — For example, I say to Mrs Peulich, it has been some months since I have watered my garden, and when I brush my teeth I turn off the tap. I never used to do that. Even when I flush the toilet I cannot help but think wistfully of the minister for water, John Thwaites. It has worked with me, and I know there is a growing number of people in the community who feel exactly the same way.

In related recent debates in this house I have asked about where the minister for water is, because, as I have mentioned, this crisis has been imminent for quite some time. We have all seen it coming — even he must have seen it coming. I have merely asked the question, 'Where is the minister responsible for ensuring that Victorians have water?'

It was suggested in this house — I think by Mrs Peulich, in fact — that the minister may have been surfing or may have been water skiing. But that is ridiculous, because we do not have enough water in this state for him to either water ski or go surfing. However, disclosures of recent times have told us exactly where he has been — he has had his snout in the trough! It has been one of the better efforts of many years standing. When talking about snouts in the trough I think it will be very hard to surpass what will become known throughout this country as 'doing a Thwaites'! I am quietly confident that that is the standard that people will be judged by in years to come because our Deputy Premier, the water minister — the man responsible for our water supplies, the man charged with the responsibility for ensuring that every Victorian, whether they be in Melbourne, in regional centres, or in the country, has water — has been skiing.

I am sure he must have enjoyed it. I wish him well, because as we know it was at public expense. The taxpayer was footing the bill — whilst we should have been having some action. I am sure the taxpayer would not have minded footing the bill had he been taking

some action to provide water supplies for the state; instead the taxpayer has been footing the bill for the water minister to go skiing and enjoy himself.

I have to say, from the minister's point of view, who really need care about the water when you can have a good shiraz? Is that not the bottom line?

The ACTING PRESIDENT (Mr Elasmarr) — Order! Mr Finn should concentrate on the debate.

Mr FINN — Indeed, Acting President, I certainly shall.

Mrs Peulich interjected.

Mr FINN — As Mrs Peulich says, perhaps we could talk about turning water into wine. The minister has got tickets on himself, but I do not think he is quite that good!

It is fair to say that as a result of this water crisis Victorians are disgusted with their government. Over recent years they have seen a government that has been lazy, uncaring and negligent — and as a result, we are now facing a crisis which necessitates our debating this bill.

I have to say that this government has more front than Myer, it has more gall than all of France, and it is absolutely extraordinary in its barefaced brazenness. Every member of this house and indeed every Victorian will remember that when, before the last election, the Liberal opposition put forward a proposal for a desalination plant in Victoria, the Labor Party laughed at us, the Premier laughed at us, and the minister for water laughed at us. They put it down.

They said, 'Victoria does not need a desalination plant' and, 'It would never work'. They said it would never work, yet now they try to tell us that even as they were saying that, they actively had under consideration their own plan for a desalination plant. How can they be expected to be taken seriously by anybody?

Mrs Peulich — Who would believe them?

Mr FINN — Who would believe them, Mrs Peulich? That is a key question in itself. Honestly, that on this crucial issue of water the government has said one thing, done the other and spread untruths throughout the length and breadth of the land in the way it has leaves a very sour taste in the mouths of Victorians — and sadly, there is no water to wash it out with. That is something this government must bear full responsibility for.

Before the last election the Liberal Party showed vision. It stood up and said, 'We have a vision for Victoria, to provide water for every Victorian'. The government members pooh-poohed it. The government knocked it on the head and said it would never work. Yesterday the Premier, the Deputy Premier and the real Premier, Mr Brumby — —

Mr Vogels interjected.

Mr FINN — The Three Musketeers, Mr Vogels says. Maybe it is the Three Stooges, can take your pick. Either way they gathered yesterday and made the big announcement that a desalination plant — the same idea that they had put down with such force and such vigour just six or seven months ago — is something they have now embraced wholeheartedly. I understand that today they have all galloped down to Wonthaggi and are now consulting, which is going to be fascinating because we all remember the record this government has on major projects. To say that it is 'not flash' would be something of an understatement.

We saw what happened with the F-A-R-C-E train over a long period. It started off at \$80 million, blew out to over \$1 billion or somewhere around that figure, and took a lot of road and other projects with it as well. Everyone saw what the government's record was on that project.

Mr Vogels interjected.

Mr FINN — And, as Mr Vogels quite correctly points out, in most instances it will cut maybe a minute from the journey — all for \$1 billion! Is that value for money? It spends \$1 billion so people can get to their destination maybe a minute earlier. I know that in certain instances the fast train is actually slower than the old one. I do not know how members of the government can show their faces in public.

Now the government tells Victorians it is going to build a desalination plant that will provide water for Victorians. As I asked earlier, where was the minister? I will now add to my list of questions: when is this desalination plant going to happen? Will it be five years? Will it be 10 years? Will we all have died of thirst by then? That is a crucial question.

It is not good enough for the Premier, the Deputy Premier and the real Premier to come out, to stand up in front of Victoria and say, 'We have got this great idea — which we pinched from the Liberals, by the way'. It is not good enough for them to do that without explaining what they are going to do about building the plant and how they will do it. During question time today the house heard the Minister for Planning, but he

did not have a clue. He had absolutely no idea where to go from here.

Mr Vogels — Even the President threw him out.

Mr FINN — Indeed, he did.

When a project of this size and importance is put on the table, yet those who are proposing it do not have a clue what to do and have no idea what is coming next, then we have got problems. Nowingi, here we come! It will be a case of Nowingi being revisited.

On this occasion you would have to say that our water supply is more important than toxic waste. It is crucial to every Victorian. As Melburnians' gardens die and as their houses crack — I have seen some houses in the western suburbs with huge cracks where the land has dried out as a result of the drought, but the residents have been unable to water around the house to try to prevent those cracks — and as regional centres literally run out of water, the government pulls a project out of its hat, whacks it on the table and says, 'Isn't this marvellous? Can someone tell us what we do now?'

I again ask the question: when will this project come online? When will we be able to enjoy the benefits of this desalination plant? With the record of this government on so many major projects, you would have to say it will be a long time off, and that must send shivers down the spine of every Victorian. Victorians have every right to be very concerned or worried about the future of water supplies in this state, because they know that the Bracks Labor government has let them down and failed Victorians and Victoria on this most crucial issue. Based on the record of other major projects, as I have mentioned, they have every reason to believe that failure will continue. When the planning minister, the Premier and the water minister do not have a clue, we have real problems. That is something that will impact on every Victorian — man, woman and child.

Mrs Peulich — And business.

Mr FINN — And business indeed. Every Victorian will suffer as a result of this government going off half-cocked without the appropriate plans, and putting a plan on the table that quite frankly may or may not work. Based on the past history of this government, you would have to say that it is a long, long way away, if indeed it will happen at all.

This bill is necessary, and it is very sad that it is. If the government had done its job — which it has not — this bill would not be necessary and we would not be debating it today.

Mr EIDEH (Western Metropolitan) — It gives me great pleasure to speak on the Water Acts Amendment (Enforcement and Other Matters) Bill. Our water is our future. The water crisis is one of the most serious events to befall the entire community since the Second World War. It has had devastating effects on people in their homes and on their businesses, and on their access to parks and sports ovals — in so many ways. Victoria experienced the worst year of drought in our state's history, and that is why this bill is yet another response from this government on behalf of the people of Victoria.

As the minister stated, the main purpose of this bill is to improve compliance with drought response plans, emergency management plans, permanent water-saving plans and water restriction by-laws, which Victorians have supported with great integrity. The Bracks Labor government has introduced a number of measures that target how we can better save that precious resource, our water supply. Water security is the key to the strength of the Victorian economy. As a direct result of those measures we are now using far less water than we were one year ago. But is it enough? Certainly not, but it is far more than has been done by the Howard government.

This bill seeks to achieve even more. There will be more to come as this government consults experts, studies the economy and considers every viable option in a most professional manner. The Bracks Labor government will do all that is possible, especially given the late and limited support coming from Canberra. At the same time, the Premier and the minister responsible are both continuing to consult with their federal counterparts.

Of course within our state there are those who are not doing the right thing, and I believe we would all agree that that is unacceptable. No-one should ignore the drought management plans or water-saving restrictions. While I hate to say this, if that means that people must be reported when someone breaks the rules, then so be it. However, I would hope that a polite word from a neighbour would be enough to put them back on the right track.

Where this is not enough, I hope the provisions of this bill will succeed. Water companies have already been granted a number of powers to act against those who think more about themselves than about their neighbours, and I mean 'neighbour' in terms of the good neighbour principle. In this case, when we discuss how to best save our precious water resources, everyone is a neighbour.

This bill provides that a person who breaks a restriction can be issued with an on-the-spot fine without having received a warning notice. The choice will be that of the water supplier. Given how the suppliers have acted to date, I am certain that they will continue to act in a responsible and professional manner when exercising such a power. Under this bill, representatives of water suppliers will be required and authorised to offer identity cards to the public while also imposing penalties on those who impersonate such officers.

Also, under this bill these officers will be authorised to demand a person's identity to ensure that any on-the-spot fine is correctly issued. We would not want an innocent person to be fined because someone gave a false name instead of their own. There is more, but suffice it to say that this bill responsibly seeks to ensure greater compliance with the water-saving plans of this government.

If people ignore the rules that apply to each and every one of us, then they should be penalised. But even then, any penalty will be issued within the strict standards we are imposing through this bill, which I strongly support.

Mr KOCH (Western Victoria) — It is important we all have the opportunity to speak to the Water Acts Amendment (Enforcement and Other Matters) Bill 2007. In saying that, I think it is quite obvious that water is one of the most precious and critical commodities we have the fortune of using in our communities, whether they be in rural and regional or metropolitan Victoria.

The amendment bill before us has three main purposes. Firstly, the bill will improve compliance with drought response plans, water restriction by-laws, permanent water savings and emergency management plans. Over the past decade the continuing low rainfall has meant that there has not been enough inflow to all of Victoria's water storages and reservoirs. Water-restriction regimes have caused much concern about the security of water supplies across our state.

The bill enables persons to be issued with on-the-spot fines. This will be able to take place without prior warnings being given by water authority officers.

The second purpose of the bill is to provide for the appointment of authorised water officers. Obviously they will be appointed by the business or authority that they represent statewide. These people will carry identity cards on their person for identification purposes.

Thirdly, water businesses in Melbourne will have the power to require persons suspected of contravening

water restrictions to state their name and address. This is a first for the metropolitan area, but something that has been in operation in regional towns for quite some time. It is important that water officers have these powers. As other speakers on this side of the house have said, we are not opposing the bill, but we do have some concerns about how it has been put together.

I do not know, and no-one can tell me, how many people have been looked at in relation to the fraudulent use of water beyond stipulated levels in their own communities. I must say that there is much confusion across all of Victoria. We find that some communities are still on stage 1 and 2 restrictions, while others are on stage 4 and have been for months. In the metropolitan area the trigger point for the imposition of stage 4 restrictions is well past, but the government has seen fit to institute stage 3a restrictions. Even after yesterday's announcement, there were discussions on the radio at 4.00 p.m. that further consideration may be given to lowering the existing 3a levels in the metropolitan area. That should cause all of us concern. I know it causes concern in regional Victoria, and I think that many people in metropolitan Melbourne are also concerned that the use of one of our most valuable commodities is being taken so lightly. The government is very wary of the politics and from that point of view is guarded in the way it handles the matter.

The bill contains 26 clauses. Clause 5 indicates that under new section 78F(3), proposed to be inserted into the Water Industry Act 1994, there is a requirement for a licensee to make available a copy of their drought response plan and emergency management plan on their website. This is something that has not been asked before; previously such plans were required only to be made available at the licensee's office for inspection during business hours. It is a further cost and impost on these licensees to have to make this information available; it is another indication of where, in my opinion, the government has become very lazy. Again the cost must be carried by the licensees.

Clause 6 will amend section 78H of the Water Industry Act. At present there is a requirement that a person be issued with a warning notice before being liable for committing an offence in contravention of a drought response plan or an emergency management plan. After this legislation is passed, quite obviously — and this is covered in clause 9 — warnings will be forgone, and the authorised officers will be able to go straight to the person at their discretion and serve them with an on-the-spot fine.

That causes us major concern, because we know there will be pressure on these authorised officers from their

various licensing bodies. Where people are contravening any policy position, that discretion will be thrown out the window and on-the-spot infringement notices involving fines will be served. That is of great concern to many, especially the aged in our community who have worked so hard to abide by these water restrictions imposed on them. Even minor slip-ups may well lead to these infringement notices being served.

The discretion in clause 10, which will introduce new section 78OA into the Water Industry Act and override the provision in section 60A, may cause trouble. The discretionary power of an authorised officer will be on the basis of what he or she 'reasonably believes' — and there is no clarification of where that will end up. If one of these officers reasonably believes one thing or the other, we could find infringement notices being handed out.

Much play has been made of all sorts of infringement notices over recent years. They are good money earners for authorities, whether they be local government authorities with their parking police, rail and bus operators with their security people on trains and trams, who now have enforcement powers that they can use to issue on-the-spot fines, or workplace police, who can enter workplaces without notice.

In many cases we could become over-regulated in relation to policing and the handing out of infringement notices willy-nilly. That causes us much concern. At the same time we are very conscious of the problem involving the overuse of scarce resources. I am sure we all strongly believe everyone should abide to the letter of the law with any restrictions in place on the use of water.

Prior to finishing my contribution I would like to bring to the attention of the house some issues that have not been mentioned in the debate so far. One is in relation to the Wimmera–Mallee pipeline. This is probably one of the biggest infrastructure projects to have ever taken place in regional Victoria — or in Victoria, for that matter — to date. It involves a total piping of the system. The last stages will come, as we are probably all aware, at a cost of \$507 million. That cost is being equally divided between the federal government, the state government and the local licensees, who principally are the farmers.

This project was 10 years in the planning. The pipelines do not just get up and fall into the ground overnight. The venture is well under way; the operators are able to lay between 6 and 7 kilometres of pipe a day, and over 2000 kilometres of the total of 6000 have been put in the ground already. They have had a great run.

Everyone in regional Victoria has suffered badly from the drought, but the laying of the pipes for the Wimmera–Mallee pipeline system has been very successful due to a lack of moisture hindering the work. I can assure the house that as at today, not a motor is running; the recent rainfall has made the work very awkward.

The second thing we should be looking at is what is taking place with the pipeline between Bendigo and Ballarat. This is another of those knee jerks that the government has seen fit to jump up with and put in front of the communities down there in the pure belief that it will be able to raise enough water north of the Great Divide to take down to Bendigo and further on to Ballarat.

Principally this pipeline will travel within a power easement for about 60 to 65 per cent of the journey; the other nearly 40 per cent will be on private property. In March this year, after the announcement in October 2006 of this project, Ms Pulford; Mr Kavanagh; Mr Howard, the member for Ballarat East in the other place; and others from government agencies, including the chief executive officer of Central Highlands Water, Neil Brennan, and I were at the first public meeting in that community.

The members of that farming community had no idea where that line was going; where it was going to impinge on their private property; who was going to enter their properties; what arrangements had been made to lease or purchase ground easements; what was to be done in relation to weed contamination; what was being done in relation to certification — a lot of that country is some of the best country in regional Victoria and certified for the growing of potato seed; at what depths the pipes would be laid across their properties; or anything else for that matter.

To this day they are not satisfied with the answers to any inquiries they have made. Members of the community who have been made a reference group of Central Highlands Water are somewhat overwhelmed with the responsibility of putting this pipeline in. It is not a core activity of their authority. These farmers and the farming community remain concerned about what is taking place. They know that planning has not been completed. The pipe has now gone from 600 millimetres underground, to 1 metre underground and I believe it is now 1150 millimetres underground. The farmers would like to see it as an absolute minimum of 1.25 meters, and at this stage it is possible that will occur.

This is another example of what we saw with the fast rail, when we had railway sleepers and lines on the ground for 12 to 18 months before the first sod was turned. In the case of this pipeline between Ballarat and Bendigo — I must admit the farming community applaud the getting of water to Ballarat, where there is a desperate need — it was suggested that pipes would be on the ground in April and laid in May. I can assure members that some have arrived and are sitting on top of the ground, but again not a sod has been turned. It is no different from the announcement yesterday of a new pipeline and a desalination plant. There has been no planning to date, which was evidenced today in what the Minister for Planning said in relation to the lack of planning that has taken place. I must admit that something may have been coming from the minister, but unfortunately the President saw fit to remove him from the house for 30 minutes and we did not hear the last of what he had to say.

This all goes to show what the expectations of this government are in turning water from the north back into the metropolitan area and in getting desalination operating at Wonthaggi at a cost of \$2 billion so that water can be piped back into the metropolitan supply with no planning. We are hearing now that not only will there be a doubling of fees in five years but that this will be into Melbourne within a five-year period. This is again a shadow of what could have been taking place but has not. I believe the government knows it has Buckley's hope of getting that water into Melbourne in five years time. Once more the water minister seems to have been left out of the equation until yesterday. The primary announcement was made by the Premier and the Treasurer in the absence of the man who is in charge of water, Minister Thwaites. We should all have our own thoughts about where this one is going.

This morning I spoke briefly of Lake Charlegrark in the west Wimmera and of the way the community there has been treated in relation to what Roy Pretlove, his wife and other members of the recreation reserve committee have done to get fairy grass out of their lake, which has been dry for two years now. These people have done a marvellous job in looking after that Crown reserve, which is probably one of the best maintained reserves in all of regional Victoria. Roy Pretlove appeared in court nearly a month ago regarding disturbing the bed of the lake in an endeavour to rid it of the fairy grass contamination. He put a barley crop in and was successful in getting rid of the contamination; it is one of the few lakes in the west Wimmera without fairy grass today. The crop raised some funds for the recreation committee, which has spent over \$100 000 in maintaining and improving that recreation reserve over the last 12 months.

Roy Pretlove appeared in court, was found guilty without conviction and fined \$150, which went to a local Landcare group. As a result of that, the recreation reserve committee retired en masse, which should concern us all. It certainly concerns the community, and the other day we enjoyed a barbecue with some 200 people who were members of Friends of the Lake Charlegrark recreation reserve committee.

I think there are a lot of concerns in relation to our water industry. We are certainly not there yet; there is still too much ghosting going on, there is too much spin in the newspapers and the government is running scared on water. I certainly hope we get downpour after downpour throughout the winter of 2007, because if we leave this responsibility up to the Bracks government, I can assure the regional, rural and metropolitan communities of Victoria that we will be in a very severe state later this year with restrictions that this state will have never experienced before.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

BUILDING AMENDMENT (PLUMBING) BILL

Introduction and first reading

Received from Assembly.

Read first time for Hon. J. M. MADDEN (Minister for Planning) on motion of Mr Jennings.

APPROPRIATION (2007/2008) BILL and BUDGET PAPERS 2007–08

Second Reading

Debate resumed from 7 June; motion of Mr LENDERS (Minister for Education) and Mr LENDERS's motion:

That the Council take note of the budget papers 2007–08.

Ms PULFORD (Western Victoria) — Let me start by noting for the record my astonishment that Mrs Petrovich during debate last week said that this government believes Victoria finishes at Sunbury. That is a truly remarkable statement from somebody who serves in this Parliament as a member of the party who

brought us a toenails Premier and his government's slash-and-burn approach to regional development. It was a truly remarkable comment.

There are many things we can say about this budget, but I will limit my comments to a few areas. I shall first note a few of the main aspects of the budget. The budget will deliver an operating surplus of \$324 million in 2007-08 and surpluses averaging \$424 million over the following three years. Earlier I popped into the office of the Leader of the Government and borrowed his pledge card from the 1999 state election because I thought it would be handy to remind members that in 1999 — —

Mr Guy — Read all of it, not part of it — all of it.

Ms PULFORD — I am happy to read all of it. Do you want to talk about restoring common-law rights to injured workers? We can talk about that, but I think I should confine my remarks to the budget and the pledge to provide a budget surplus every year.

Mr Guy — Keep going.

Ms PULFORD — In the words of many of my colleagues who have served in this place before me, AAA is here to stay.

Mr Guy interjected.

The ACTING PRESIDENT (Mr Elasmr) — Order! Mr Guy is not to debate across the chamber.

Ms PULFORD — This budget delivers — —

An honourable member interjected.

Ms PULFORD — When the member is ready! This budget delivers \$1.5 billion in savings to families and businesses through cuts to land tax, stamp duty on land transfers and motor vehicles, and WorkCover premiums.

Honourable members interjecting.

The ACTING PRESIDENT (Mr Elasmr) — Order! We have reached a stage where I cannot hear the member speaking. I again ask members to respect the rules of the President.

Ms PULFORD — I was speaking of reductions in WorkCover premiums. There is a further 10 per cent cut in WorkCover premiums. Earlier Mr Guy was interested in discussing WorkCover. I am happy to do that at any point. It is now a matter of public record that the Bracks Labor government has been able to manage WorkCover in a manner that has enabled premiums to

be reduced over four successive years. This has saved employers \$668 million without doing horrendous things to the entitlements of injured workers, which was the opposition's approach to managing the scheme when it was in government.

The budget delivers \$134 million for the buyback of the regional rail network lease. This is a spectacular example of this government's work to mend some of the mistakes of our predecessors. There will be a \$1.3 billion massive boost to projects and services across provincial Victoria, and \$904 million to fund the rebuilding of our schools, to support teachers and continue to improve standards. That includes a \$550 million investment to upgrade 131 schools in the first stage of our 10-year commitment. For Philip Davis's benefit — because sometimes these things seem to be unclear to him — I will say again that this is a 10-year program and plan to modernise or rebuild every government school. There has been a substantial investment in that program in this budget. Notably this did not rate a mention in the earlier contributions to this debate of the doom-and-gloomers opposite.

The budget provides \$1.9 billion for health modernisation, which includes \$692 million for hospital services to provide an extra 72 000 outpatient appointments, to treat an additional 234 000 emergency presentations and to continue the elective surgery blitz. I think we all know the reasons emergency presentations are so high and the of that relationship to the work of the federal government regarding bulk-billing.

In the budget there is \$171 million over four years for children's services, including new children's centres and making kindergarten in effect free for 17 000 low-income families. We are all now well aware of the impact of early intervention and early childhood development on creating the best opportunities for children throughout society. This is an investment in children at their most critical stage of development.

The budget provides \$94 million to reduce V/Line fares by 20 per cent. In addition to the investment in infrastructure — if members opposite care to continue to discuss that matter — and the improvements to the V/Line service, fares are also being reduced.

By providing people in rural areas with access to new services and improving existing ones, the Victorian government is helping communities outside metropolitan Melbourne to grow and flourish. This is a thread that runs throughout the 2007-08 budget. A sense of safety is critical to a community's wellbeing

and prosperity. In addition to more police officers and better crime-fighting equipment, this government is committed to building new police stations throughout the state, including Ararat. We recognise that in remote rural areas in small town police stations the local police officer is much more than a law enforcer. They often play a crucial role —

Ms Petrovich interjected.

The ACTING PRESIDENT (Mr Elasmarr) — Order! Ms Petrovich should be in her seat.

Ms PULFORD — They are a role model for young people and a reassuring presence for the elderly and vulnerable. Knowing that help is on hand if it is needed can make all the difference.

The amount of \$80 million is being invested in Victoria's emergency services including the SES (State Emergency Services) and CFA (Country Fire Authority), both of which rely extensively on volunteers as well as paid professionals. New CFA stations for Geelong, Geelong West and Halls Gap will be funded. There will also be new SES facilities in Daylesford and Fiskville, and upgrades to ambulance stations in Daylesford and Stawell.

Only a couple of weeks ago I joined Mr Koch, and Mr Helper, the Minister for Agriculture in the other place, at the opening of the new Skipton CFA and Rural Ambulance Victoria station. We were able to see first-hand the community impact of these types of investments. The implications of this investment are far reaching. Volunteers often form the core fabric of rural communities. By funding new and improved infrastructure for volunteers, we are investing in the resilience and cohesiveness of our communities. Volunteering provides social cohesion, mutual support and an opportunity to gain new skills. This is true capacity building for our state.

At Skipton many volunteers were presented with medals of long service, including one remarkable achievement that stood out among many remarkable achievements. That was recognition paid to Mr Bill Corbett for 60 years service as a volunteer firefighter. It was an absolutely remarkable achievement by any measure, and I am sure that all members on both sides of the chamber would like to congratulate him. These investments also affect the prosperity of rural areas — for example, the way that a community responds to and recovers from a disaster will impact upon tourism. The Grampians is a prime example of this. After the bushfires this region worked hard in partnership with the state government to re-establish itself and its

tourism industry, as well as provide relief to landowners affected by the fires.

Disasters really can make or break communities; helping them handle those disasters can often find them emerging stronger than ever. The level of emergency service in rural areas can affect people's choice to relocate to these areas; in our quest to have a strong, growing, vibrant, regional and rural Victoria, this is critically important. It is increasingly important for people, as they grow older, to know that there is a strong police presence, an active and reliable Country Fire Authority brigade and readily available ambulance services. These services can certainly assist to prevent fragmentation of a community.

This government values the voluntary contribution of people at all levels and from all walks of life. The 2007 budget reflects this through recognition and help for carers, including people who care for the disabled and elderly in our community, not only in the form of equipment and aids, but in expanded respite services to give carers a much-needed break. By looking after their carers, this government is committed to providing the best possible outcomes for some of the most disadvantaged members of society.

We also acknowledge the difficulties faced by older parents caring for a disabled child. These people, after a lifetime of love and caregiving, often find themselves struggling under the increasing physical burden of their care and worry about their child's future. Who will take care of their disabled son or daughter when they die? This is an isolating experience.

In the budget the Bracks government has provided \$16 million for respite care for older people caring for someone with a disability and, importantly, assistance in planning for the future. Improving health services to rural areas is also critically important to the future and wellbeing of small communities, in particular to the quality of life of residents and the ability for the ill, disabled or elderly to remain in their home town amongst their support networks.

This budget offers a great deal to improve the health of people in regional Victoria. A particularly important project for people in western Victoria is the planned medihotel for the Ballarat hospital. This facility will provide accommodation for patients suffering from the tyranny of distance and who are forced to travel for many hours from all over the western part of Victoria to undergo day surgery. It will contribute to better post-operative care and long-term health outcomes. The service is located in Ballarat but the implications of the

medihotel for community health will reach to the South Australian border.

The budget makes a substantial contribution to housing — it will be a fabulous achievement. Government members are extremely proud of this area. No member opposite, who have been spreading doom and gloom, have mentioned it, but why would they? Is this an investment we could have expected them to have made? I don't think so.

This budget has delivered the biggest ever investment in social and public housing by a state government, one I am very proud to be a member of. As the Minister for Housing, Richard Wynne, in the other place said, existing commitments and additional funding provided by this budget will mean that more than \$1.4 billion will be invested in public and social housing in Victoria over the next four years, building almost 4000 new dwellings — or a town the size of Castlemaine. This statement made an impact on me because that is the town that I grew up in, and to conceptualise that size of investment is truly remarkable.

Among other initiatives the government is also continuing its proud record of investment in public housing to combat homelessness and provide shelter and security, again for our most vulnerable members of society. Of the \$510 million set to boost public housing across Victoria, with 2350 new or replacement dwellings, \$40 million has been set aside for Norlane in Geelong. Norlane, in my electorate, celebrated 50 years of public and community managed housing in 2004. Now the government is reinvesting in its future with 200 new homes to be built and 100 existing homes to be upgraded. This will have a flow-on effect of generating more jobs, training opportunities, and skills development for locals. Better public housing facilities in Norlane and throughout Victoria will provide those at risk, such as victims of domestic violence, with the stability and security to which everyone is entitled.

Like the investment in emergency services and innovative medihotels, projects such as these will help foster a sense of community and connection across Victoria. For our government, unlike the federal government that sees Australia as an economy rather than a community or a society, it is very important that our actions in government make a great contribution to Victoria in many ways.

I would like to provide a small insight into the real effects of a budget like this. There has been much talk of facts and figures and specific announcements, but to personalise the budget, I would like to remark on something beyond the sweeping statements and many

millions of dollars, and talk of an individual whose life has been changed by the decisions made by government in the lead-up to the budget.

Bessie lives in Avoca and will celebrate her 90th birthday this year. Despite several serious falls she remains living happily in her own home where she has been for the last 40 years. She has been able to receive all the medical care she needs at the nearby Maryborough Hospital. A community nurse visits her regularly to ensure she is well and to provide basic care. Thanks to the joint state and federally funded home and community care program, she receives Meals on Wheels, goes on bus outings with her friends and has access to a community car for transport to and from appointments. In the afternoons she chats to schoolchildren from her front veranda as they pass by on their way home from the local school. Bessie still plays a vital and active role in her community and this is really what it is all about — that is, allowing people to remain in their communities.

This budget is one for all Victorians. It recognises that the needs of rural communities can be quite different from those of their metropolitan counterparts and provides them with the tools to meet those needs. In this way we empower regional centres and small towns to look after themselves, fostering a sense of pride and self-determination that money alone cannot buy. Clearly, the government's investment in bricks and mortar and specialist equipment is so much more: it is an investment in the very essence of country Victoria.

Ms LOVELL (Northern Victoria) — It never ceases to amaze me how brainwashed new Labor members of Parliament are, and how much they believe their own spin and rhetoric.

The first thing I would like to touch on is something Ms Pulford mentioned in her presentation — that is, the trumpeting as a centrepiece of this budget of the government's investment in housing. We should have a look at that and see if the investment it is making is really as good as the government is saying it is.

For a start, \$200 million is mentioned as the allocation for new public housing, but where is that money coming from? It is coming out of the Victorian Property Fund. It is not being funded by this government but by the real estate agents who have paid into the property fund — and how much will that \$200 million provide in housing? According to the Bracks government media releases, and by dividing them by the number of homes compared to the investment, it looks as if that will provide approximately 1000 homes. But we have to remember that this figure is to be spread over

four years, so we are looking at \$50 million per year and 250 homes per year for the next four years. There are nearly 34 000 families on the public housing waiting list in Victoria, so that statistic will be of little comfort for the 33 000 families that will still be languishing on the Bracks government's public housing waiting list.

In this budget the government also has a one-off grant of \$300 million to establish an investment fund for the development of housing associations, and that will be spent in this current year — it is not over four years — but these houses will not go to the most desperate. They will not go to the people on the early housing waiting list, because in order to survive the housing associations have to take a much higher proportion of their tenants from those on higher incomes. The Office of Housing takes approximately 70 per cent of its clients from the early housing waiting list, so they are the people who are the most vulnerable. They are the people at risk of recurring homelessness, those on disability pensions or those who have special housing needs.

But a much larger percentage of the income of housing associations comes from tenants with moderate incomes. Some housing associations take over 60 per cent of their tenants from this group. This is a group of people who are earning between \$42 347 and \$66 612. However, the most desperate will not be housed with this money that is being used. This money is also being funded by the sell-off of 1200 public housing units. When the Bracks government first established housing associations it said that it would not have large-scale transfers of public housing stock as part of its strategy. I would say 1200 units is a large-scale transfer of public housing stock. In fact it is stock transfer by stealth. This government has broken a promise that was made in 2004, and it could not care less, because it has no conscience about broken promises. The loss of these 1200 homes will mean a net loss of housing for the most disadvantaged, which is a really sad indictment of this government.

Also hidden deep in the government's budget was a heartless rent increase for public housing tenants. The government tried to say that it is just \$3 a week — that \$3 a week is the minimum it will go up. Three dollars a week is \$150 per year and this goes on for the next four years, so the minimum increase for public housing tenants under these rent increases will be \$600. This rent increase is actually being aimed fairly and squarely at families. It particularly targets public housing tenants with children. The way the government is calculating this heartless rent increase is to increase the percentage of the family tax benefit that will be included in the calculation of the rent. Cath Smith from VCOSS

(Victorian Council of Social Service) says that this rent increase will be much higher than what the government has said it will be. She says it will be up to \$21.78 per week for a single parent with five children. That would actually add up to around \$1132.56 per year, which is quite a significant portion of a very low-income family's budget. Cath Smith also says that single-parent families are likely to feel the brunt of the rise in the family tax component of income that will be included in the calculation of rent. As I said, a single parent with five children will incur a \$21.78 increase, which is the sting in the tail for public tenant families.

Cath Smith went on to say that the state government expected the lowest income earners to tighten their belts. It will be those with children who are most affected, and it could mean that kids will miss out on school camps or fruit and vegetables. She said Victoria was a relatively prosperous state and was doing really well economically. She does not understand why the government is clawing money out of the most vulnerable people in this state — and neither do we. We calculated what the rent increases would provide, and it was not a great deal of money. It was certainly not money that this government needed to be getting as revenue — and these are not people who should have been targeted to fund the Bracks government's bottom line.

We also see in the budget that waiting times for early housing have blown out. There has been a steady rise in the waiting times for early housing, from an average of 3.7 months in 2001–02 to 6.4 months in 2005–06. People waiting for public housing are waiting longer under this government. As I said, that is just the early housing waiting list. People ring me daily saying that they have been on the public housing waiting list for up to 20 years — and they are certainly not feeling there is any comfort coming from this government. They do not feel that more investment in public housing is occurring. The Auditor-General has identified that there are significant problems with the maintenance of public housing stock, which delays the turnover for families when they are trying to get into a house that has been vacated. That in turn allows for additional vandalism, which we see all the time. Vacant public housing properties are being vandalised, burnt and destroyed because the government is not investing in the maintenance to allow them to be turned over and handed over to new families early enough.

I would like to touch on some of the budget initiatives in tourism. I acknowledge that the budget had some good news for tourism with some extra dollars in that area, but it is about time that happened for regional and rural Victoria. Rural and regional Victoria has had very

little attention from the Bracks government, and that is reflected in the figures for the numbers of tourists we are seeing visiting those areas. Between 2004 and 2006 there was a drop of over 1 million visitors visiting rural and regional Victoria. Even from 1999 to 2006 there was a drop of 218 899 visitors. There have been significant drops in most areas, and areas like Daylesford, the Macedon Ranges, the Grampians, the Great Ocean Road, the Mornington Peninsula, the Murray River area and Phillip Island have been particularly impacted. Domestic visitations were down for all of them. Most of them were also down on international visitors. This is now the subject of a Rural and Regional Committee inquiry to see how tourism in rural and regional Victoria can be improved. We certainly need to get the numbers up. We need to get high-yield tourists out into rural and regional Victoria, and that means really increasing the numbers of international visitors, who are the ones who spend additional dollars.

The tourism budget has experienced significant blow-outs over the last two years. In fact the expenditure in 2005–06 was budgeted to be \$39.1 million but eventually became \$53.7 billion — a blow-out of \$14.6 million or 37 per cent. Last year's budget papers said the target for 2006–07 was \$46.2 million; this year's budget papers list the target for the same year as \$48.5 million. That should be a straight transfer of figures; we do not understand why there is a difference. The expected outcome is now \$72.1 million, which is a blow-out of \$25.9 million — the government has blown its tourism budget for the past year by more than 56 per cent. In the past two years we have seen budget blow-outs of 36 per cent and 56 per cent.

Next year's tourism budget target has been increased by \$24.1 million. We do not know whether this is in anticipation of the budget being blown again or whether there is some hidden agenda. The question needs to be asked: is the additional \$24.1 million being allocated to tourism because the Bracks government already has plans in place for a night-time grand prix? That remains to be seen. The government says it has no plans to do something, and then it suddenly announces plans to do it.

Last week the Treasurer was in the Goulburn Valley consulting with people in initial meetings — the first meetings that have been held with the water services committee — on the proposed pipeline. He said, 'We will not build it if there is significant opposition from the community; we will consult with the community'. That was last Thursday; this Tuesday the government announced the pipeline. Not only that, but the TV ads

were ready to go. They were filmed long before last Thursday, when the Treasurer first came to the Goulburn Valley and mooted the plan with the community. The government should not tell me that it consults with the community or that it does not have secret plans, because we all know that it does not consult but does have secret plans.

The consumer affairs page of the budget is also a sad one to read. The consumer affairs budget has risen from \$64.4 million in 2005–06 to a target of \$80.9 million in 2007–08, which is an additional \$16.5 million. In spite of the extra money, the targets for every output group have fallen substantially. The figure for inspections, compliance monitoring and enforcement activities is down from 9734 in 2005–06 to a target of 7750 in 2007–08.

For the same periods the figure for registration and licensing transactions is down from 574 000 to a target of 540 000; telephone and face-to-face advice provided is down from 573 374 to a target of 568 000; and written advice provided is down from 22 481 to a target of 16 200. Timeliness is also down from 94.3 per cent to a target of only 90 per cent. Why is consumer affairs being given an extra \$16.5 million when it intends to deliver fewer services of a lower quality, and will take a longer time to do so? The consumers of Victoria are asking themselves whether they are getting value for money from Consumer Affairs Victoria.

The budget for women's policy has been significantly increased. When we asked the Minister for Women's Affairs in the other place why that was so she said it is all about corporate costs. She also told us that \$1.2 million of the budget was for employees' salaries and costs, and operating costs were \$200 000, so we are wondering what 'corporate costs' actually means. There is an additional \$1.1 million as a bit of a slush fund for the minister to play with.

We also note that the Queen Victoria Women's Centre's occupancy rate has become a budget measure. This is interesting because when it was set up it was specifically stated in the second-reading speech and the legislation that it was to be a stand-alone organisation — so why is its occupancy suddenly a budget measure? That is quite amazing.

One of the things that has concerned me for a number of years regarding the Office of Women's Policy budget figures is the timeliness measurement. The timeliness figure for the Women's Safety Strategy delivered against performance target dropped from 83 per cent in 2005–06 to a target of 80 per cent for 2006–07, and the target has remained at 80 per cent for

2007–08. If the government is setting itself a performance target, why is it happy to accept a figure of 80 per cent? That is a very low percentage for the government's own target measures. Admittedly, the minister could just drop the target, but that would defeat the purpose. The Office of Women's Policy should be held accountable; it should deliver the important women's safety strategy.

This week the issue of women's safety has been highlighted with the horrific shootings on the corner of William Street and Flinders Lane. Two people went to the assistance of a woman in trouble, and unfortunately both were shot — one was killed and the other was seriously injured. We would like to think that women are safe in our city. The Bracks government should get on with delivering the women's safety strategy.

The budget was particularly disappointing for my electorate. There was not much there for northern Victoria. The first thing I will say is that the Bracks government wasted its opportunity to give irrigators some relief by waiving their fixed water fees for next year. Irrigators are faced with what is shaping up to be the worst irrigation season ever. Last year they only received 29 per cent of their water allocation, and this year they are looking down the barrel of perhaps receiving even less.

In addition, the Bracks government will now take their water from them. Regardless of whether irrigators receive 100 per cent or 10 per cent of their water allocation, the government expects them to pay 100 per cent. With the government now taking water out of the system, there will be more occasions when irrigators receive less than 100 per cent of their allocation. The government could make a difference to morale in the Goulburn Valley by announcing early — in fact, right now! — that if irrigators do not receive 100 per cent of their water allocations next year, the government will waive their water fees. But it does not care about northern Victoria.

The government also wasted an opportunity to allocate money in the budget for water infrastructure. It had been widely reported that there needed to be at least \$2.2 billion spent in the Goulburn Murray irrigation district, but there was no project included of any real significance. There was some re-announcing of some money for the modernisation of the Shepparton irrigation district, but it was not enough to complete the project. It was \$38 million out of the \$100 million that was needed.

It was particularly disappointing to our region that there was not more money for water infrastructure.

Yesterday, when the money did eventually come, what did we get? We got \$600 million when we needed at least \$2.2 billion. What were we told? We were told that in return for that \$600 million we should be so grateful that we should give our water to Melbourne. That is an absolute insult. I do not recall one other community being told that it must give up its wealth and industry in return for investment in infrastructure.

The government also failed to bring forward the funding to pipe Coliban Water's open channel system. This is a project that could save several thousand megalitres of water per year, enough water to solve Bendigo's problem so Bendigo would not need to draw so much on the Goulburn Valley's water either. But there was not one cent for the funding to pipe Coliban Water's open channel system, which does have significant seepage and leakage problems.

The Grahamvale and Katunga primary schools are particularly disappointed with the budget. They were promised funding for the replacement of their relocatable school buildings. This was an election promise. It was in Labor's policy, but we do not see any mention of it in this budget, nor do we see it on Labor's never-never list of projects to be considered in future budgets.

The Bracks government also wasted an opportunity by not adopting the Liberal Party policy to allocate funding for a police kiosk in the Hargreaves Mall in Bendigo. This would have gone a long way to providing some security for the traders in the Hargreaves Mall who are sick to death of the antisocial behaviour in the mall. In fact the whole of Bendigo is sick to death of the antisocial behaviour. What is the local member, the Minister for Police and Emergency Services in the other place, Bob Cameron, doing about it? Nothing. He has no interest in finding a solution. He needs to show some leadership. He needs to get in there and find solutions for the local community. He does not have time to do that when he makes his occasional visit to Bendigo for a media opportunity on a Friday afternoon.

The funding for the Bendigo Stella Anderson Nursing Home is on the Premier's never-never list of projects to be considered — the key word there is 'considered' — in future budgets. It does not say it will be funded in future budgets, so the people of Bendigo are concerned. They feel there is now a cloud over whether the Stella Anderson Nursing Home will be funded in a future budget. Also missing from the budget was funding for a range of other hospitals in northern Victoria. There is now a cloud over the funding for the Alexandra District Hospital. It is also included on the never-never list of

projects to be considered in future budgets — not projects to be funded but projects to be considered.

There are a number of hospitals that are in stages of redevelopment that did not receive any further funding, including the Numurkah and District Health Service. It needs \$12 million for further redevelopment, for stage 2, which involves a new hospital and a new hostel to replace the Pioneer Memorial Lodge. The Pioneer Memorial Lodge would connect up to the Karinya centre, which was funded about three years ago and opened by the Minister for Community Services, Gavin Jennings. It would be nice for them to get on with the further redevelopment of the hospital. As each year goes past the costs increase, and it is only going to cost the government more and more as it goes along.

There was no additional funding for the stage 2 redevelopment at Goulburn Valley Health, which involves the day procedure unit. The people of Shepparton were particularly disappointed that that was not funded in this budget. Neither was there any further funding for the redevelopment of Echuca Regional Health. There are a lot of concerns about the health area. As I said, two of these hospitals are on the never-never list, and three of them did not even receive any additional funding.

Unfortunately there was also no state government funding for the refurbishment or restoration of the Echuca wharf. The Liberal Party promised \$1.5 million for this during the election campaign. It is a very important piece of infrastructure. It is not only important for tourism in the Echuca area but is also an important heritage asset for our state. The Echuca wharf has been in existence since the 1800s. It was the site where the paddle-steamers would pull in at Echuca. Not only is it part of the heritage of that area, but it is also part of the history of our state. It was the paddle-steamer trade across the Murray River between the colonies of New South Wales and Victoria that led to this country becoming a federation. We are very proud of the role that northern Victoria played in federation, and we would like to see the Echuca wharf restored and remain as a monument to times gone past and a tourist attraction for Echuca-Moama.

The Wodonga Primary School also seems to have been forgotten. There was no money allocated for its classroom redevelopment. Funding for the children's services centre, which was earmarked for the site at Batchelors Green in Wangaratta, was also overlooked in this budget. There are a number of things that have been overlooked.

We now have a cloud over the Bendigo education plan because the government has allocated only \$20 million of the \$72 million that was needed to complete that plan, and there is no further funding in the forward estimates for the entire term of this government. Neither is it on the never-never list. Since the budget the plan to exchange land with La Trobe University has collapsed. There is some doubt over how many schools are going to be built in Bendigo now, because the Minister for Education told us not once but three times in this place that he intends to build only three new schools in Bendigo. The Bendigo community was promised four new schools in exchange for five. Either the Minister for Education is not across his brief or this government is going to completely dud the community of Bendigo over the Bendigo education plan.

We also failed to see any funding or action on either the Yarra Glen bypass or the Kilmore bypass. It is particularly disappointing for both those communities. The people of Kilmore can hardly cross the street because of the number of cars passing by Mrs Petrovich's office every day and seeing her name up there in lights! It is quite dangerous. I pulled up opposite the Carpet Court shop the other day. It was actually a few weeks ago — —

Mrs Peulich — Time flies when you're having fun.

Ms LOVELL — It does. I could not get across the road.

Mrs Peulich — It took you two weeks to get across the road.

Ms LOVELL — Exactly! It me took me nearly two weeks to get across the road. It was so busy, and it is so dangerous in a town like Kilmore. There needs to be further action on the planning for the Kilmore bypass. There needs to be a bypass; there is no internal solution there.

Mrs Peulich — Obviously there is a poor local lower house member.

Ms LOVELL — The lower house member is a very poor local member. He is a nice enough bloke, but when you see him performing, it is pathetic.

Mr Finn — Who is he?

Ms LOVELL — It is the member for Seymour, Ben Hardman. We had a meeting in Kilmore just before the election. The Leader of the Opposition in the other place, Ted Baillieu, came up and addressed the meeting. Ben Hardman and the Minister for Victorian Communities in the other place, Peter Batchelor, also

came up and addressed the meeting. It was quite embarrassing when Ben got up to speak. He shuffled his feet and stumbled over his words.

That is not the only bypass over which Mr Hardman has let down the people of the Seymour electorate. He has also let them down over the Yarra Glen bypass. I have an article from the *Star News Group* of 22 May written by Melissa Donchi and is entitled 'Bypass backflip'. It states:

The state government does not have the \$9 million to fund the Yarra Glen bypass.

The revelation comes as McEwen MP Fran Bailey delivered her part of the bargain in last week's federal budget which contributed \$5.5 million to the project.

Seymour MP Ben Hardman has since been forced to admit the state government cannot fund the project.

'Our budget has been and gone', Mr Hardman said.

What a pathetic excuse — he says, 'Our budget has been and gone. We do not have the money'. We are all crying for him! The article continues:

'It's not in the budget for this financial year' ...

His latest admission comes just a week after he said the state government did have the money for the project.

'We did commit \$9 million towards this project, and it says so quite clearly in the budget', Mr Hardman said last week.

Obviously Mr Hardman could not read the budget, because he had to go back and admit that there is no money in it for that project.

Since the state election last year the Bracks government has given the impression that it was going to fund the bypass. The federal government has come up with the money for its part of the bargain, but there has been no money from the state government for the Yarra Glen bypass.

Sitting suspended 6.29 p.m. until 8.02 p.m.

Ms LOVELL — Before the dinner break I was talking about the money that has not been spent in northern Victoria. I could go on for hours listing more and more projects, but in the interests of allowing other members to speak tonight, I will conclude my contribution by saying that since 1999, revenue in this state has grown by more than 80 per cent — from \$19 billion to an estimated \$34.3 billion in 2007–08. Victoria will have received more than \$57 billion in GST by the end of this year. Land taxes have grown well over budget to \$890 million, a 135 per cent increase since 1999.

Insurance taxes are estimated to rise by 114 per cent from 1999 to over \$1.1 billion in 2007–08. Stamp duties have skyrocketed 184 per cent, from \$1 billion to \$2.9 billion from 1999 to 2007–08. Payroll tax will have jumped by over 60 per cent in that time, from \$1.4 billion to \$3.6 billion this year. Police fines are set to quadruple to over \$400 million since 1999, and gambling taxes are estimated to rise to over \$1.5 billion in 2007–08.

Labor has imposed 14 new or extended taxes on this state. Spending has grown at an equally unprecedented rate under Labor, rising from \$18.2 billion in 1999 to an estimated \$33.9 billion in 2007–08 — an increase of over 86 per cent. But unfortunately services in Victoria do not reflect that increased expenditure. Our hospital waiting lists have grown to well over 36 000 people. In education Victoria is at the bottom end of the scale for mainland Australia on reading, scientific and mathematical literacy and problem solving. There has been no substantial expenditure on water infrastructure up until this date, and even now the government is not funding that water infrastructure itself but is expecting the public to pay for it. School buildings and other education infrastructure remain in a state of disrepair, people are spending more time jammed in traffic, and the condition of country roads is deteriorating. Public transport performance in this state is also deteriorating.

Labor has left a very sad legacy. It is typical of a Labor government to leave a state in such disrepair. We look forward to a time when Victoria returns to a Liberal government, which can improve services and infrastructure in this state.

Mr SCHEFFER (Eastern Victoria) — Overwhelmingly, the 2007–08 Victorian budget has been well received. Individual Victorians, the community sector, the union movement and business, as well as commentators in the media, have welcomed the fact that the budget has largely succeeded in balancing the government's obligations to invest in social and physical infrastructure to ensure future prosperity — with the need to redistribute current resources as equitably as possible over the whole community.

In his speech the Treasurer said the 2007–08 budget is intended to foster sustainable, long-term growth in Victoria and to promote fairness through allocating funds to education, kindergartens and housing. The budget is also intended to develop better technologies in our schools, advance scientific knowledge and research capacity in the state to improve primary industry, and develop the knowledge and skills to better tackle the impacts of climate change and drought.

I was surprised to see Tim Colebatch in the *Age* of 2 May write that evidence of a grand plan is lacking in this budget, because one of the things that really stands out in the budget papers is the way that this budget, like those before, and I quote from budget paper 2, ‘is aimed at ensuring that significant progress is made towards achieving the goals in *Growing Victoria Together*’. The budget also builds on the government’s previous programs and expenditures.

Most commentators and interest groups have been extremely supportive of this budget. Most commentators and groups think the budget is in good shape, not only because their constituencies have derived direct benefits owing to the fact that the economy is doing well but also because they think the budget is evidence of good underlying management. Everyone has noted the wide range of small and large well-targeted expenditures that positively affect Victorians. They also note that these expenditures are increasingly directed to the general community — towards fixing up state school buildings, public hospitals and public housing — and the services that Victorian families depend on.

The other point about this budget that the community has not missed is its focus on the commitments Labor made during the 2006 election campaign. Labor is serious about delivering what we promised and promising only what we can deliver. Unfortunately the opposition has called this ‘recycling unfinished business’.

The Tenants Union of Victoria applauded what it called an extraordinary investment in building and improving public and community housing. In its post-budget media release the TUV says that the government’s spending represents a massive down payment on affordable housing for low income and disadvantaged Victorians.

The Victorian Council of Social Services (VCOSS) also applauded a number of initiatives in the budget, especially in relation to public and community housing and the overall real increase in social spending above and beyond inflation and population growth. VCOSS endorsed the benefit to low-income parents of children at kindergarten through concession increases and the increased funding benefits for people with disabilities on waiting lists for aids and equipment. To be fair, both the tenants’ union and VCOSS did not applaud everything in the budget or the policies which underlie it, but they are certainly supportive of its thrust.

Richard Schmeiszl wrote a very fair article entitled ‘Budget bonanza!’ in the *South Gippsland*

Sentinel-Times of 8 May, stating at the outset that Gippsland South has benefited strongly from the budget, with many important projects having been funded. He notes that all Labor promises made before the November election have been kept — ‘a record result’, Mr Schmeiszl says.

Once again, to not distort Mr Schmeiszl’s article, he does mention some concerns regarding what he calls ‘tepid’ commitments in the budget to some aspects of transport, community libraries and the Leongatha hospital, but I shall come back to some of the particular initiatives in Eastern Victoria Region a little later in my contribution. Overall Mr Schmeiszl’s article is in my opinion a well-considered assessment of the impact of the budget on the readership of the *South Gippsland Sentinel-Times* in the Bass Coast-South Gippsland area.

In the same edition of the *Sentinel-Times* there was a feature by Anna Erbrederis on Inverloch Primary School, a school that was not granted an allocation in the budget for a refurbishment. I visited Inverloch Primary School, and I have seen for myself the condition of the facilities and discussed the situation with the school council president, Mr Euan Wightman, and the principal, Mr Stan Jackson. I have also discussed the concerns of this particular school community with Minister Lenders.

I acknowledge that it is disappointing that Inverloch Primary School has had to wait a little longer before it can be modernised, but the fact is that the government has made the biggest commitment to school rebuilding in Victoria’s history, with \$555 million to upgrade 131 Victorian schools as part of the Victorian schools plan, which is a 10-year commitment to modernise or rebuild all Victorian schools. Yes, there is a backlog, and while many schools are being funded through this budget, some schools will have to wait because understandably not all of them can be modernised at the same time. I think school communities understand this, and I will continue to work with Inverloch Primary School and the other schools across Eastern Victorian Region.

The *Great Southern Star* ran an article headed ‘Bitter budget blow’, with a subheading ‘Region gets crumbs from Brumby’s table’. The article opened with views critical of the budget from Peter Ryan, the member for Gippsland South and Leader of The Nationals in the other place, and Mr Ken Smith, the member for Bass in the other place, who mentioned a number of things that the budget did not fund. But reading the whole article makes it pretty clear that the budget contains a lot of good news for people in South Gippsland, such as funding for the Leongatha hospital and Gippsland

Southern Health Service. The chief executive officer of that service, Gary Templeton, was described in the same article as being delighted with the budget. The \$4 million water recycling project at Murray Goulburn Co-operative Company in Leongatha was also applauded. It was not by any means the bad picture the members for Bass and Gippsland South were attempting to paint.

Some of the highlights of the budget for Eastern Victoria Region that the house should take particular note of include \$4.1 million for the Western Port recycling project, supplying BlueScope Steel at Hastings; \$5 million for the Frankston bypass study, which will have an impact on people living further afield; \$1.3 million for new traffic signals at the Frankston-Flinders-Stony Point roads intersection in Bittern; \$5 million for traffic improvements at the Baxter-Tooradin-Fultons-Hawkins roads intersection; an upgrade to the Hastings ambulance station for a 24-hour service; \$13 million for a peninsula community health service redevelopment at Hastings; a new recreational fishing haven at Western Port; \$508 000 for development at the Devilbend regional park; \$630 000 for the expansion of community renewal at Rosebud West; \$3.5 million for the Mornington pier; \$2 million for the Flinders pier; \$500 000 for the Rosebud pier; and \$643 000 for Point Nepean and its walking tracks.

There is a lot in this budget, and while critics can always point to what is not in a budget, it is important to understand what the budget does and what it aims to do in the context of its policy objectives. This information can be found in budget paper 2, *Strategy and Outlook*. The Victorian budget is anchored in the policy directions set out in *Growing Victoria Together*, with a comprehensive range of underpinning policy statements, including *Maintaining the Advantage — Skilled Victorians, Healthy Futures, Meeting Our Transport Challenges, Our Environment Our Future, Moving Forward* and so forth. These policy statements in turn need to be understood within the framework of the government's five objectives: maintaining the operating surplus, infrastructure investment, improvement and reform in service delivery, taxation reform and net financial liabilities.

The quality of the budget should be measured in terms of how well the government has advanced these objectives and policies over the succession of budgets since 1999. I think that for this budget the Bracks government has once again been commended by the community because it has maintained its overall policy coherence since 1999.

Those who are opposed to this government have attempted to undermine the budget and the government's program by picking out a range of things that are not funded in the coming year. They have done this in an undisciplined, scattergun and non-analytical sort of way in an attempt to appeal to and build their constituencies. I think this is a budget that is hard to criticise because its objectives are worthy, its strategy is sound and it is fair and responsible. It is a good budget, and I commend it to the house.

The DEPUTY PRESIDENT — Order! I might comment to Mr Scheffer that it is important for him not to just read speeches. I hope that in the course of that contribution he was referring to copious notes. In future perhaps there might be a little more evidence of that.

Mr KOCH (Western Victoria) — I have been looking forward for three weeks to making my contribution in response to the handing down of the state budget. Please do not let me leave the house in any doubt at all that it is an absolute privilege to be speaking on behalf of the constituents of Western Victoria Region, which we all know is a very strong part of the state that makes a great contribution to state revenues and in doing so is very important for our state economy.

This year we again have a budget that has been delivered with lots of hype, but regrettably we will not be seeing the delivery of better services or better outcomes for Victorians. Again, record taxes are being extracted from the community of Victoria as the Treasurer and government members put their hands deeper into our pockets. There is a further explosion of taxation across the board, as was demonstrated recently in a chart that was incorporated in *Hansard* of Wednesday, 6 June. The chart shows that there was increased business tax collection under the Bracks government between 1998–99 and 2007–08. Land tax increased from \$387 million in 1998–99 to \$765 million in 2007–08, an increase of 102 per cent. Stamp duty rose from \$1848 million in 1998–99 to \$2.854 billion in 2007–08, an increase of 84 per cent.

Revenue from police fines has also risen. Little things that go flash, flash, flash and a few other measures used by the police department are meant to assist in the improvement of road safety, but sadly I recognise that in more than one instance they are more about revenue raising. We have seen revenue from police fines go from \$320 million to \$419 million between 1998–99 and 2007–08. Insurance revenue has gone from \$604 million to \$1136 million, which represents an increase of approximately 100 per cent. Revenue from payroll tax has moved from \$1.391 billion to

\$3.602 billion. These are huge increases over that period of time, and regrettably Victorians by and large were not beneficiaries of those increases. Our services and infrastructure certainly have not moved in any direction that would reflect what this increased revenue stream has offered.

I assure members that unfortunately regional Victorians are not the beneficiaries of this extraordinary budget. Times have been difficult in rural Victoria. Not only have we had over the last four years some of the worst bushfires ever experienced in the state of Victoria — certainly the worst in the last 10 years — but we have also had some of the worst drought conditions ever experienced. Regrettably during that period the government has not seen fit to offer the support that has been offered historically for drought relief across the state.

Some endeavours to assist have been made. One that has fallen directly towards farmers is drought relief in the form of rate relief. In the past farmers have been successful in gaining support for freight movements of both livestock and fodder, but this certainly did not take place on this occasion. Thank goodness we have received some good rains that are allowing people to get on, grow some grass, get their crops in and move back into what we can only hope is an average cycle. It has been very frustrating for many people in regional Victoria, and I am not in error in saying that the rain has put a lot more cheer into our countryside than we have seen for six or eight months.

Regrettably the rains we have had already will not offer run-off into our catchments. The soil will have to dampen up a lot more before that advantage is offered. Even with a good rain regime I would not anticipate that any of that will happen before August, September or October. We certainly look forward to that happening. We want the levels in our catchments and farm dams to be built up again to put our water supplies back in a position so that livestock has ample access to water, so that the farming community is assisted and so that that restrictions in our provincial and rural centres can be lifted and people in country Victoria have the opportunity to get back to their gardens and live the normal lives they have always appreciated.

From the point of view of the constituents of Western Victoria Region, five principal areas have been ignored, and I will move through and mention those. Agriculture is one of the prime revenue raisers for the state of Victoria, but this year's budget allocation does not even keep up with inflation. The allocation for agriculture has risen by less than 1 per cent when inflation is running at about 3 per cent. With an average increase of

1 per cent — a third of the inflation rate — we see that agriculture is being afforded \$487 million for the 2007-08 year, up from \$474 million.

The biggest problem from regional Victoria's point of view is that research and development and extension services have been short-changed. To give an example, recently staff were removed from the Hamilton Research Institute, as they have been from other centres around the state. The government is taking away services that have been desperately needed and very much appreciated over the last 30 years. In a year of drought I do not believe that this government has shown any feelings for regional Victorians, especially farmers, by doing what it has done.

Fishermen along the south coast are concerned about the virus in the abalone beds. At this stage the virus is taking away much of the opportunity to earn income from our fishing fleet and our fishermen along the south-west coast, particularly between Warrnambool and the South Australian border, yet there has been no endeavour to find out what the problem is or turn it around. People down there have lost up to 40 per cent of their income over the last 12 months — and incomes are still falling. There is no doubt about the plight faced by people in the fishing industry along the southern coastline of the state.

There are major concerns about some of the endeavours to put revenue back into country communities after the bushfires. Regrettably this was done with a cheque book. The government was running around trying to bolster support from rural communities by offering large paint brushes and big pots of paint to paint community halls, by providing fences around recreation reserves and by planting seed in recreation reserves. In many cases our rural communities had the capacity to do those things anyway. That revenue should have been put into underwriting the viability of those farming communities rather than into trying to gain the favour of many people in regional Victoria.

I think policing is a most disturbing issue across the state of Victoria, and particularly in western Victoria. In a word I could suggest that policing and the budget for policing are seen as disasters. To see this we only have to look at some of the figures relating to where policing has gone — or not gone. Since 1999 assaults have risen by 45.8 per cent, homicides by 36 per cent, rape by 18 per cent and sexual assault by nearly 6 per cent.

Mrs Coote — Shameful.

Mr KOCH — In the current situation that is shameful, Mrs Coote; there is no doubt about that at all.

We have ever-growing numbers of police — and Mr Pakula only two weeks ago, I think, said we had had another 1600 police come on board in the last four years. Yet we have probably lost about the same number due to retirements and what have you, so there has been no net gain of any great significance. I think a number of 173 recruits was quoted as going through the academy and coming on board this year. We look forward to that number of police coming on board, but more particularly we would like to see some of them in regional Victoria.

Ballarat, one of our principal provincial cities in western Victoria, has got to a stage where it has been so short of police officers that it has not even been able to put a divisional van on the streets on a Saturday night. That is deplorable in this day and age. We are short by an absolute minimum of 25 police officers in Geelong, and that is of grave concern. Recently, as we have all read in the papers, there was unfortunately a bad assault on two young ladies in Geelong. In this day and age that is something that should not take place in a provincial city such as Geelong, where our policing numbers desperately need to be increased.

Again, however, the resources are not being made available. We have 16-hour police stations that are now being curtailed to 8-hour operations. As was earlier stated, it was fantastic to meet with my colleagues at Skipton for the opening of the new fire shed, State Emergency Service and ambulance services operations — it is fantastic down there. Likewise we have seen an influx of new police stations and police residences, something that was initiated by the Kennett government and fortunately has been continued on by the Bracks government. We have these improved facilities but there is no-one to man them. It is all very well to say, 'We have spent a lot on infrastructure and what have you for policing in regional Victoria'. All these new stations and houses are fantastic and a credit to governments of all persuasions, but by the same token if we do not have the staff to run them, we will have communities falling into depths of insecurity, which causes much concern.

Recently I was at Lexton, which has a brand new house and police station as the result of an investment of over three-quarters of a million dollars. Due to a lack of resources, police operations were endeavouring to not advertise the position in that small community. It was proposed to have a policeman live in the town but work further down the Western Highway at Beaufort. That is of grave concern to small communities.

One of the big selling points of our small communities is that they offer security; that is what gets people out of

them. I can assure members that if we take police out of these small communities, we will see that they have made a far bigger contribution than just in policing. Such moves put people on the back foot. We lose the opportunity of making these smaller towns not only affordable but much appreciated by the people who move into them. We have seen this happen not only at Lexton but also in Branxholme. But hopefully we will have the position there advertised just as we have had at Lexton, where a police officer will be living and working.

The other thing of concern in relation to the shortage of police is what happens from a communications point of view. We have the capacity for digital communications to come out of Ballarat, which is currently servicing the Wimmera but has been promised to service the south-west. It is yet to reach out to Colac, Warrnambool, Portland and Hamilton, and I have raised that matter in this house before. If those communications could be handled directly out of Ballarat, that would free up four officers, which would be of great advantage, particularly to the south-west.

Health is another issue that continues to haunt us in regional Victoria, especially the availability of doctors. We struggle like anything to gain the services of doctors and allied health services. I can assure members that the initiatives put together by the Bracks government do not match what the Liberals took to the last election as their policy position of assisting through offering scholarships and introducing doctors back into regional Victoria. The Minister for Health in another place obviously has been on the back foot.

Hospital waiting lists right across the board, in both metropolitan and regional Victoria, continue to rise. The minister promised to fund 200 000 extra outpatient appointments over the coming four years, and already that has been dropped down to a proposed 70 000 over the next five years. You can see the frustration with the changes to what was taken to the election campaign. The government has been successful in regaining that ground and suddenly only a third of the opportunity is made available.

Health services in Ballarat and the Barwon south-west region face a lot of these challenges, but as we go further out, these things are also confronting other services, such as the Wimmera Health Care Group in Horsham, the Western District Health Service at Hamilton and South West Healthcare at Warrnambool. Warrnambool regrettably was the recipient of only \$16 million worth of funding for a \$90 million promised upgrade. That is the last hospital in regional Victoria that needs to be redeveloped. Its numbers are

continually on the rise. People look to Warrnambool, as they look to our other provincial hospitals, as a leader in health, but if we do not improve that service and give opportunities to the staff and to the community of Warrnambool, we will lose further ground down there.

Public dentistry is another area that falls within the area of health. There is absolutely no doubt that it has been an absolute disgrace over the years. Again, in south-western Victoria we are truly affected by the lack of opportunity in public dentistry. In Ballarat there is a waiting period of 44 months; in Colac, 45 months; and Warrnambool, would you believe it, 67 months, which is in the order of five and a half years. I am not quite sure how long communities can survive under this tardiness when more resources should be made available.

Roads are another great concern. Local government is always under the pump and always trying to get \$1.05 out of every \$1 offered. No significant across-the-board grants are being made to local government.

The Living Libraries program is putting more and more of the cost shift back on to ratepayers. Library services are now being offered with up to an 82 per cent contribution from local ratepayers and their base, with only 18 per cent coming from the state government. Again, we have had some opportunities, especially in the Glenelg shire at Portland. A new library has been built but at the expense of book stocks getting older. Although much infrastructure has been put together, the service has been badly affected by being underfunded not only for staff but certainly for book stocks, and we all recognise the extreme importance of maintaining current book stocks in libraries.

On roads, if it were not for federal funding and the Roads to Recovery funding being doubled by the federal government, there is little doubt that our roads would collapse, particularly in regional Victoria. Two of the most significant roads in Western Victoria are the Western Highway, which is jointly funded by state and federal funding, and the Princes Highway east of Geelong, through Colac to the South Australian border but on which the government has not committed 1 cent. It is a totally funded state road, its funding has nothing to do with the federal government.

Today the house heard the government say how generous it is in looking after regional Victoria, but when we look at some of our highways, what we have to put up with is an absolute disgrace. The condition of many roads would not be tolerated by the interface councils in the metropolitan area, and sadly that lack of action will cost more lives.

The house has also heard a lot today about water. Government members would not believe it, but the opposition has certainly been tossed by the latest announcements — all unplanned, all ad hoc and all leading to not a drop of extra water in the next five years. The government has launched into a \$1 million advertising and spin campaign in the papers when it knows full well that it will not be able to deliver anything in the short term.

Mrs Coote — No consultation.

Mr KOCH — No consultation. This transparent government has not even gone to the people yet and we will have hundreds of kilometres of pipelines running all around Victoria: from north of the Great Divide into Melbourne's water supply and from above the Great Divide down into Bendigo and across to Ballarat, and possibly to Geelong. The pipes are big enough, but I regret that in the short term they will be carrying air, not water.

As I said earlier today in another debate, most of these pipes will be delivered on site, and the community will be under the impression something is happening. It will not be dissimilar to the fast rail project, where people could see tracks and sleepers lying in paddocks for up to 18 months, with not a sod being turned. The community can expect the same with these recent announcements about water — is it any wonder the community gets confused!

On the health portfolio, at the last election a big policy position was taken for Ballarat, particularly in Sebastopol, through the offer of a \$6 million combined ambulance-emergency services building. That has now been taken off the map. People on the Midland Highway are now forced to wait for up to 20 minutes to get an ambulance from the main station in Ballarat, and life has been lost due to that facility not being in place, but I do not know how the government thought it could build an ambulance depot at a cost of \$6 million when it had offered Rural Ambulance Australia just \$7.2 million for ambulance infrastructure throughout the whole of regional Victoria over the next 12 months.

I fail to understand how a government can continue to go to the community, offering these amounts of money, bribing people at the ballot box into believing that they will get this infrastructure when in fact it has absolutely no intention whatsoever of delivering on its campaign promises.

In closing, the Treasurer seems to have spent a fortune without achieving outcomes in most of the key areas, as I suggest, including health, education, traffic, transport

congestion, police, public housing, agriculture and water. Our fundamental needs appear to have been overlooked in favour of the feelgoods and having a good time at the taxpayers expense. Unfortunately for Victorians, we will continue to pay more, get less and wait longer.

Mr SOMYUREK (South Eastern Metropolitan) — It is a pleasure to join the debate on the 2007–08 budget. This budget is another typical Brumby budget, delivering emphatically on key community services such as health, education and community safety, making record investments in infrastructure, providing tax cuts, allocating resources to solve the water crisis, and improving the environment.

This budget proves that you can have your cake and eat it too. With a forecast budget surplus of \$344 million in 2007–08, and surpluses averaging \$324 million over the next three years, this budget is so good that it has precipitated rumours of the Treasurer's retirement. After all, I suspect any Treasurer would want to go out after delivering the perfect budget!

Before I outline the funding delivered to my region, and since it is seven years since the Bracks government came into office after the Kennett government had been in power for seven years, I will firstly outline the achievements of the Bracks government; then I will give a detached and objective assessment of the achievements and failures of the seven years of the Kennett government. My contribution will be objective.

Since 1999 the Bracks government has invested \$6.1 billion in education, which equates to the employment of 7300 teachers and staff, which ultimately means lower class sizes. In health, hospital funding has increased by 83 per cent, which means that 1.3 million more patients are admitted per year, and that equates to 300 000 more than in 1999. Waiting lists, according to the figures I have, have reduced by 10 per cent.

Aged care facilities and ambulance services have been the subject of an investment of \$396 billion, which equates to 123 new or upgraded ambulance stations and 925 more paramedics. Mental health funding has increased by 73 per cent. In community safety there are 1400 more police on the beat and 150 police stations have been built or upgraded.

We have also attempted to tackle social disadvantage, and for the economy we have maintained a AAA credit rating and maintained a surplus of more than \$100 million annually, as promised. In order for these achievements to be meaningful, they need to be

compared and contrasted with an alternative regime of the same period and in the same jurisdiction. It is for this reason that I turn to the seven years of the Kennett government for comparison. As I said before, I will try to be balanced in my assessment.

In assessing the Kennett government's seven years it is important to recognise that the Kennett government took over the state when it faced a fair bit of financial difficulty. When the Kennett government assumed office in Victoria the state was in recession, in a bit of debt and had a relatively poor credit rating. People were not falling over backwards to invest in this state. During its seven-year reign the Kennett government retired some debt, improved the credit rating of the state and inspired confidence in the business community. On the financial side of the equation and under difficult circumstances, the Kennett government did well. However, it needs to be noted that the Kennett government came to power when the nation was coming out of a recession.

Honourable members interjecting.

Mr SOMYUREK — I have not finished yet! Good governance is about getting the balance right between the issues of efficiency, social and distributive justice and accountability. Mr Kennett himself was an economic determinist. We all knew that before he became a Premier. We all knew that the balance was not going to be quite right if Mr Kennett became the Premier. But no-one expected the balance to become as imbalanced as it was in the seven years that followed his election. During the seven years the Kennett government was in power, it closed 350 schools — this is a downside! — it sacked 8000 teachers, it cut 1400 hospital beds, it sacked 10 000 nurses and hospital staff, it closed hospitals across the state, it slashed police numbers and it closed police stations across the state as well. The Kennett government also closed other services in country areas.

The Kennett government's reforms followed the prescriptions of a new management technique that had previously been tried in the UK, USA and New Zealand; it was called new public management. The new public management paradigm is essentially allied to the philosophies of public choice theory and neoclassical economics. Essentially believers are staunch advocates of a small government with a Smithonian invisible hand allocating scarce resources.

Jeff Kennett's typical fashion was this: he was not interested in implementing doses of NPM (new public management) instruments as required; he was interested in using all the instruments of NPM including the blunt

ones. It is argued that the Kennett government came the closest of any government in the world to implementing the entire NPM approach.

Mr Kennett and his government of the time were somewhat naive. They believed the postulations of the NPM advocates. They thought that the efficiency objective alone would be sufficient to solve the social and distributional issues that governments are responsible for. The Kennett government essentially confused the notion of public good and private interest. As a consequence, it paid a heavy price at the 1999 state election. The opposition should take note of this budget and its well-balanced nature.

There are some funding initiatives in my electorate. I was tempted to go through — —

Mr D. Davis — At least you live in your electorate, don't you?

Mr SOMYUREK — I do. I live in Lyndhurst, which is right in the middle of my electorate. I am tempted to go through all of the funding line items in the budget that relate to my electorate, the South Eastern Metropolitan Region, but I will take Mr Atkinson's advice and not do that. But I can say that the residents of my electorate are very pleased with this budget. I commend the bill to the house.

Mr D. DAVIS (Southern Metropolitan) — I am pleased to make a contribution on this budget. I see this budget as contributing to where the state is at the moment.

I have made a number of comments in an earlier speech about the taxation aspects of this budget. Those comments are important because there have been significant increases in almost every taxation category of this budget. It is important to see that as the base behind which this government has operated. There has been an increase in spending from around \$19 billion to more than \$33 billion — almost \$34 billion. That is a massive increase that has been fuelled by GST receipts, but there have also been increases in almost every area of taxation. There has been a 102 per cent increase in the land tax take over the period of almost eight years of the Bracks government. This increase far exceeds the population increase or the expansion of the economy.

As I said in my earlier contribution, our strong national economy is a factor. I pay tribute to the Howard government's efforts, because without a strong national economy, this government would not be in the position it is in and the people of Victoria would not be in the strong position they are in.

I intended to make some comments about other areas. However, the changes and announcements which have taken place this week with respect to water projects are significant. They reflect on a central area of the government's responsibility to the people of Victoria and to businesses of Victoria. Today during question time I asked a question of the Minister for Industry and State Development. He made a number of points, some of which I agree with, about the importance of security of supply. The minister knows that I agree with those points. My only wish, and in a sense it was my prayer, was that the government should act earlier and not wait almost seven and a half years into its term before it decided to make significant decisions about water infrastructure.

Much of that water infrastructure will be delivered slowly. Some of it will be delivered after the next state election in 2010, and much of it will be delivered even considerably later than that, but all of those steps will require enormous coordination. They will require a skill that I am not convinced this government has.

At the Public Accounts and Estimates Committee hearings into the budget estimates I observed the minister responding to questions about how these crucial water projects would be managed, and in a sense those questions were prospective. Indeed, in this chamber a while ago I asked the minister who would manage these major water projects, involving billions of dollars of spending on crucial water infrastructure and which will guarantee, I hope, the future of Victorians and Victorian businesses.

I have to say that this government's history on delivering major projects is mixed and very often significantly lacking. I could choose many projects as examples to demonstrate the point I want to make, but the one I have selected is Spencer Street station. That was delivered well over budget and well over time, and it is deficient in many respects.

Mr Atkinson — It's got half a roof!

Mr D. DAVIS — Yes, half a roof and no water collection, and it was delivered well over budget and well over time. That is the point I seek to make in the initial part of this contribution. In reality these water projects are critical to Victoria's future. This week we have heard a series of announcements by the government about a desalination plant. I need not cover the ground that Mr Guy covered earlier, when he pointed to the government's hypocrisy on desalination.

The Liberal Party went to an election with a clear policy on desalination. We said there should be a

desalination plant. My view was that it would be positioned near Western Port, which is not dissimilar to the location that the government has in fact settled upon. In the chamber today we heard the Minister for Planning floundering as to whether there would be a proper environment effects process in terms of this enormous desalination project that the government has announced. We are told it will be the largest in the Southern Hemisphere.

I have no doubt there is a need for a significant desalination plant because it will offer to Victorians, as the Leader of the Opposition in the other house said prior to the last election, a secure source of water supply that is independent of climate and climate change, which is a very important consideration for an additional source of water supply.

Importantly the government's announcements included not only a desalination plant but also, beyond that, a decision to move water from north of the Great Dividing Range to Melbourne. That is an historic decision and nobody in this chamber should be under any illusions about the historic nature of that decision. This is a once-in-a-century decision and it will see, unless proper protections are put in place, the repeated raiding of the water resources of northern areas of the state — the agricultural areas, the important fruit growing areas around Shepparton and further north to Swan Hill and towards Mildura — which areas are dependent on the flow of Victorian water into the Murray River system. Without that guaranteed and secure water supply, those rivers and those channel systems will not deliver the sources of water that are critical to important agricultural production.

All of us support the concept of piping the irrigation channels. All of us support the steps that require greater efforts to reduce leakage and evaporation. All members of this chamber and the other house support those steps, but they need to be delivered at an early point rather than at a point after the Victorian government under Premier Bracks has begun to raid the water sources of northern Victoria.

The question is about whether this government should have embarked upon the water-saving programs earlier rather than later. Those programs should have been delivered before the Victorian government made the threat in its decision to take water from north of the Great Divide. My strong feeling on this matter is that Melbourne should make a decision to protect the important industries in the hinterland of Victoria, not embark on a decision without proper compensation or proper arrangement to move water across the Great Divide.

There is a significant issue as to how many of these government decisions will be empowered. How will the desalination plant be powered, given the need to reduce the greenhouse impact of our activities in Victoria? It is important to place on the record the massive increase in greenhouse emissions that has occurred over the last almost eight years under the Bracks government.

Mr Barber interjected.

Mr D. DAVIS — The increase in greenhouse emissions has been historic, picking up Mr Barber's interjection, and should have been dealt with locally, at a state level.

It is important to place on record that whatever the arguments for national and international action on greenhouse emissions, which I accept generally, the Premier has had in his hands for almost eight years the ability to deal with greenhouse emissions. The Environment Protection Authority is a state body. Its legislation is enacted through this Parliament. It has the levers to control pollution, and it should have taken steps to control pollution, but it has not. It has allowed greenhouse emissions to grow massively over the last seven and a half years.

Premier Bracks and his government will be judged harshly by history for that growth in greenhouse emissions. It is all very well for them to point to others, but all over the world, state, regional and city governments are taking steps on greenhouse emissions. It is only the Bracks government in Victoria that has decided not to take steps on greenhouse emissions, and I, for one, made the point in my contribution to the budget debate last year and in the lead-up to the state election that this government had a hopeless reporting regime on greenhouse emissions.

I looked at the greenhouse output group in the budget papers and said the community should look at this hopeless reporting effort by the Bracks government — a hopeless reporting effort that reported on ministerial papers delivered, that reported on paper shuffling of all kinds, which reported on the activities of bureaucrats but which did not report on the amount of greenhouse gases emitted from Victoria. That should have been the central focus I would have thought of the greenhouse office or whatever the relevant section of the Department of Sustainability and Environment (DSE) likes to call itself. It was the primary focus, but that was not reported in the budget papers. This government has lost so much time and so much pace that it will be very difficult for Victoria to recover its position from that base.

Talking about these water projects, it is important to go back to what was said at the Public Accounts and Estimates Committee budget estimates hearings this year. It was a travesty that on the Thursday two days after the budget was delivered and within hours of the shadow Treasurer delivering his budget response — if am correct — the Premier was appearing before the Public Accounts and Estimates Committee on a parliamentary sitting day. I do not point the finger at anyone on this occasion, but the process has to improve for next year and into the future.

Mr Dalla-Riva — He was flying overseas!

Mr D. DAVIS — I do not care if Mr Bracks's excuse was that he was flying overseas. I think he has a higher duty to the Victorian Parliament and people than he does to some international appointment. My point is that next year and in subsequent years the government and Premier Bracks need to face up to the people of Victoria, the Parliament of Victoria and the Public Accounts and Estimates Committee after the members of Parliament on that committee have had a decent period of time in which to analyse the budget. Less than two full days after the budget was brought down, just after the shadow Treasurer had delivered his response, the Public Accounts and Estimates Committee sat. I know that Mr Barber and Mr Dalla-Riva are members of that committee. It is a very important committee that has a duty to ensure that the Parliament understands what is going on with the budget so that the Victorian people are able to scrutinise properly the budget's decisions, its allocations and its priorities.

I was very concerned at the hearing of the committee I attended. Let me explain again to the Parliament the sequence of events. On the Thursday the Premier attended at 3 o'clock. On the Friday Parliament had hardly risen and the Treasurer was there. This is less than three days after the budget had been delivered. In the afternoon Mr Theophanous, who is in the chamber today, attended. There were two hearings on the Friday, so there were three hearings in the last two days of the week in which the budget was delivered — and both chambers of Parliament were still sitting. My recollection is that during the process on the Thursday there were divisions and members were required to attend in the chamber and leave the committee hearing. Mr Barber is nodding in agreement. This was a travesty; frankly, it was a joke. This government, which has claimed openness, transparency and accountability, did not deliver it on that occasion. I want to put that very firmly on the record. As a former member of that committee, I understand the importance of those matters.

When Mr Theophanous attended the committee, he was asked questions about water and major projects. As part of my contribution I want to follow a theme of talking about the delivery of these significant major projects which are so important to Victoria's future — to the future of Victorian communities, to the future of Victorians who want to have a garden, to the future of Victorian business — and the security of the water supply, which is absolutely a substrate for the future of Victorian business. When he was questioned closely, Mr Theophanous appeared to have no idea as to who would be running many of these major projects, which were at that time in contemplation. I point out that this was late in May. I make the point that if I were in government and a minister running a serious major projects agenda to deliver some very large water infrastructure, I would want to have a very clear line of authority to and a clear arrangement for who in the bureaucracy was responsible for delivering these projects.

In the week these projects have been announced it is still not clear today who will manage them. Will it be Mr Theophanous and his major projects unit? Will it be the newly created water projects unit inside the Department of Sustainability and Environment? God help us if DSE is running these projects. I have no confidence in that department to run large infrastructure projects. It cannot get right the fire management processes and other land management projects across the state, so goodness knows whether it can run projects of this scale.

On the other hand, will the projects be undertaken by small local water authorities? Is that who is going to undertake these major projects? It is still not clear. Will Mr Bracks take it into his Department of Premier and Cabinet? In previous times there was a very clear line of authority. Back in the Kennett government there was a major projects unit that took on responsibility for these major projects. It had the people in that unit with the skills to manage these enormous projects and do it successfully. They could manage these projects in a way that would deliver them on time and on budget — something very foreign to this government's achievements.

I am asking today as part of this speech who will manage these major projects? Who will manage these enormous projects that are critical to Victoria's future? They are critical to the security of the water supply in our country towns and our major city, Melbourne. They are also critical to the future of business. Somebody in Ballarat said to me last week — I understand it was prior to the government's announcement — that as things stand today if a major new industry that required

significant water were to seek to set up in Ballarat, we would have to tell it no. We would have to say no, because we could not guarantee a secure water supply. This is basic stuff that has been simply mishandled by this government. I think history will judge it very harshly.

Ms Lovell asked a question in the chamber earlier this week about the Melbourne Flower and Garden Show. It is a very important show. Ms Lovell described it as the flagship of the nursery and gardening industry in Victoria and a significant attractor of tourists to Victoria. I was very disturbed to hear the minister's answer about what was going to happen with that show. It appears, for whatever reason, that the government is intending to cut that show adrift. It has made the decision that that show will have no future in Victoria. I am saddened by that, because the nursery industry is a major industry.

I return to the point about who will manage major projects. I will quote from the transcript of the Public Accounts and Estimates Committee proceedings of 4 May, which is not long ago. After Mr Theophanous indicated that he was not sure who would run the major projects, there was a comment to the committee in formal evidence by the executive director of Major Projects Victoria. He said:

They are still, as I understand it, bringing together and mobilising their water projects office and we are currently providing three very experienced people into that office, and we are looking to, as the business cases they are doing and that work out, hopefully have a larger involvement once some of those business cases crystallise into actual projects, because we believe we have a lot of expertise across that range.

This evidence was taken in early May. I invite members to look at the juxtaposition. Now, about a month later, we also know that a water projects unit has been created in DSE. A new executive director has been appointed, and that happened in the first half of this year.

After more than seven years in government this government has realised that it needs somebody who knows something about water projects. That is an indictment of the government. DSE is setting up a water projects office; it is pulling some people who know something about water out of major projects; it wants people who can run major projects. I have to say that after seven years in government it is not a good enough position to be in, as described by the executive director of Major Projects Victoria in Minister Theophanous's department, not in DSE. Clearly the projects may well be better run out of Major Projects Victoria than out of DSE, a department that is

widely regarded as underperforming. I have to say that the failure of the government to make this a critical focus is of great concern.

The other thing about water policy — and I have said this in the chamber before — is that massive amounts have been taken from water authorities over the last seven years. More than \$1.7 billion has been taken out of Melbourne water authorities, and about \$2.4 billion has been taken out of water authorities statewide over the last seven and a half years. Some authorities are run down and cannot focus on their key roles of providing water security to towns and regions. Some authorities have had enormous amounts of money ripped away from them, gouged out of them by this government, and some authorities have lost a lot of the skill and knowledge that is the base for the delivery of some of these major projects. I have to say that if that money had not been repeatedly ripped out of those authorities, they may have been in a better position.

Today I asked Minister Theophanous a question about water charging. The house needs to understand that the government has been up front and has said that water prices will double in the next five years; that increase will be massive. The shadow Treasurer has pointed out that for many Victorian households the impact of that is likely to be the equivalent of a quarter of 1 per cent rise in interest rates. It will be a significant hit on many family budgets.

My point is, if the government had been planning carefully and thoughtfully over the last seven and a half to nearly eight years, it would have been able to have a number of these projects in place. Had the government not been gouging resources out of them, the water authorities would have been in the position to deliver projects that would provide water security to many regions.

Melbourne is a special case. As Victoria's premier city and as the home of so many Victorians it deserves water security, just as country and regional Victoria does. I have to put on record my reservations about the capacity of Melbourne Water to deliver on these projects. I shall illustrate with one current example of a just-in-time major project of the worst kind. I pay tribute to Sarah Wotherspoon for the story that appeared in the *Herald Sun* today. It is a great piece of forensic research. She reported how Cheryl Batagol, the head of Melbourne Water, was scrounging around down near the mouth of Powlett River early this week and talking to farmers.

The head of Melbourne Water, the state's premier water authority, was flapping around the mouth of the

Powlett River looking for a site for a desalination plant on Monday this week. Spare me! Is this the level that this state has fallen to, that the head of Melbourne Water, the largest authority in the state — —

Mr Atkinson interjected.

Mr D. DAVIS — It is not the old days of the Melbourne and Metropolitan Board of Works, Mr Atkinson. Whatever its deficiencies — and I am very happy to hear about the deficiencies of that older authority some time in the future — it was an authority that knew how to run a major project. It knew how to build a dam; it knew how to lay or build a pipe. It knew how to conduct itself. It understood what was required under planning schemes for the future needs and demand coming forward, and it was able to supply the water in a way that was ahead of time.

On Monday, Cheryl Batagol, the chairman of the board of Melbourne Water, was flapping around at the mouth of Powlett River looking in vain for a site for a huge desalination plant. The next day the Premier was announcing the construction of the biggest desalination plant in the Southern Hemisphere, yet only one day earlier the chair of his authority was talking to a farmer down there, saying, ‘Look, we might build the biggest desalination plant in the Southern Hemisphere on your farm’.

Spare me! Does any member know the mouth of Powlett River? We need to think sensibly about this. I know that area; my wife owned land at Kilcunda some years ago. It is beautiful, but you do not want to drive around the hill anymore! Once you get to the top of the hill, you see a whole sweep of wind farms — turbines just turning slowly, only a footy kick from the beach.

This is the government’s coastal policy in action. It said, ‘We are going to protect precious coastal landscapes’. The coastal policy in action is wind farms turning slowly and blocking the vista. Let me get this clear. Down along the coast we now see policy on the run. As we discovered from Sarah Wotherspoon’s article in the *Herald Sun* today, the so-called Wonthaggi wind farm is actually quite a bit closer to the coast than the Premier has told the people of Victoria.

Let me take a step back. Last year the Premier, the then Minister for Planning in the other place and other government officials made announcements about coastal policy; about how coastal landscapes in Victoria are to be protected. I have to say in general I agree with the idea of protecting the coast. Minister Theophanous eventually agreed to stop wind farms down along the

Great Ocean Road, where he owns a house. Most Victorians think the idea of placing large industrial structures on the beautiful coastal landscape is a bad idea. We obviously need to think about the fact that Victoria has a critical need for water supply, and Melbourne has a critical need for water supply.

I want in no way to diminish that, because as the shadow Minister for Industry and State Development and as the shadow Minister for Small Business, I am focused on ensuring that Victorian business and consumers have a secure supply of water. But I repeat: on Monday, the day before the Premier announced the building of the largest desalination plant in the Southern Hemisphere, Cheryl Batagol was flapping around within a footy kick of the beach on the other side of the big sand dune looking for a site for the biggest desalination plant in the Southern Hemisphere.

Mr Atkinson — This was on Monday.

Mr D. DAVIS — This was on Monday.

Mr Atkinson — Long-term planning!

Mr D. DAVIS — It was long-term planning. It was a 24-hour cycle. This is taking just-in-time planning to a new level. Mr Atkinson probably knows that area down around the Powlett River. I can tell the house that that area is just about at sea level; it is within a ruler height of sea level. This is the site proposed by the government that is worried about coastal policy, that is worried about global warming and that is worried about rising sea levels. I am not wanting to be alarmist or anything here, but I want to make the point that proper long-term planning would ensure that if you were going to build a major industrial outfit that was intended to give a secure supply of water to a city of almost 4 million people, you would think carefully about global warming, you would think carefully about rising sea levels and you would think carefully before spending \$1 billion and locating the plant just the other side of a sand dune.

Mr Atkinson — But the EES (environment effects statement) would have checked that out.

Mr D. DAVIS — I will come to that in a moment. Just near the mouth of the Powlett River is a beautiful fishing zone, if anyone knows fishing, and a fantastic camping site, but if you take the sand dune out of the equation, the mouth of the river is about a foot higher than the waves, and that river goes inland for some miles. This is the prospective site for the biggest desalination plant in the Southern Hemisphere, chosen by Cheryl Batagol on Monday during her visit to a farmer down near the mouth of the Powlett River. I am

sorry, and Mr Atkinson might think me a bit old-fashioned, but I thought planning was a more complex and steady sort of process than a quick trip in a limousine by Cheryl Batagol, the head of Melbourne Water, to a nice fishing site just near the mouth of the Powlett River, a foot above sea level, to build the biggest desalination plant in the Southern Hemisphere!

Mr Atkinson — What did the EES say?

Mr D. DAVIS — I want to come to the EES. Mr Atkinson and I have a similar view on this, as does Mr Guy. He asked the minister today in the chamber as to whether there would be an environment effects statement. This is policy 101. When you build a major industrial plant on a site or when you make a major impact on the landscape, what you do is you have an environment effects process. This government has botched most of them, including those on the toxic waste dump and the channel deepening, which is so many years overdue that everyone has lost count. We have run out of fingers.

Mr Atkinson — And it is contaminated.

Mr D. DAVIS — I could go on, but my point is that the process is a joke. Today the minister was unsure as to whether there will be an environment effects process or not. What he is saying is that today he actually contemplated the idea of building the largest desalination plant in the Southern Hemisphere in Victoria at the mouth of the Powlett River — a site that Cheryl Batagol found on her trip down there in a limousine to meet a farmer — and they are going to build it without an environment effects statement. Spare me! Is that what they are really saying?

The Minister for Education is laughing, and I know he thinks it is surprising. It was interesting that the Minister for Planning was thrown out of the chamber by the President today — that is a matter of public record, and I think I am allowed to refer to that — because the minister went off on a discussion in his response to the questions asked by Mr Guy. I can only imagine that he was turning this over in his mind. He was not sure, and he started to reflect, ‘I am the planning minister. I actually have long-term responsibility to ensure that these planning processes are right’. Mr Barber is shaking his head. Maybe I am giving the minister too much credit here.

Mr Barber — I would just tick it off.

Mr D. DAVIS — If you were him? I do not think you would, actually. In his case, the minister might tick it off, but Mr Barber would not and I would not. I do not even think Mr Thornley would. He would think it

through carefully. He would want to see a proper process, he would want to see an environment effects process, and he would want to see that every step was taken to mitigate any unnecessary environmental impact. My point, though, is that this is the way planning operates in this state, and this is the way approaches to the environment operate in this state.

Mr Atkinson — Shambolic.

Mr D. DAVIS — It is shambolic. I think that is what I would call the government’s major projects policy — shambolic. I want to say that I strongly support the idea of a desalination plant, but that does not mean that I do not support having a proper process behind it to ensure that the location is right, to ensure that the environment effects are minimised and to ensure that the greenhouse impact is reduced as far as possible.

The Leader of the Opposition in the other place, Ted Baillieu, announced during the election campaign that we would support and indeed build a desalination plant if we were the government; as events occurred, we are not the government. But the Bracks government has done a huge backflip. It has done a triple somersault! I would call this a Scoresby sort of breaking of a promise. Mr Atkinson, who is from the east of Melbourne, understands the Scoresby promise. Before the 2002 election Mr Bracks said there would be no tolls on the Scoresby freeway. Shortly after the election he did a huge backflip and said there would be tolls, and everyone in the east would be hit twice. This is a Scoresby policy approach, where you make one statement before the election and then you do a huge backflip and do precisely the opposite after the election. The way the government treats the people of Victoria is reprehensible. I think Victorians have every reason to be very angry and to believe that they have been taken for granted.

I want to say quickly make on some key points, but perhaps before I come to those I will make another comment. The budget was brought down just a few weeks ago, and I have referred to that and commented on the estimates process and how shambolic that process was, but what impact will these water decisions have on the state budget?

Mr Atkinson — Decisions on the run.

Mr D. DAVIS — These are decisions made on the run, as Mr Atkinson has said. At the budget estimates hearings there was confusion between the Premier and the Treasurer as to what the capital availability in the budget was. One said \$2.9 billion, but that was

disagreed with by the other. No-one was very clear as to what capital was available in the state budget. But what is clear is that most of the cost of these new infrastructure projects has been pushed off budget. It has been pushed off to the water authorities and to Victorians through their water bills. A 100 per cent increase — a doubling — in five years is what the Premier has admitted, and I think it will be much more.

My concern is about business costs — and I have already had a discussion with Mr Atkinson about this and asked a question about it in this chamber. Already we have had massive increases in business taxation — land tax, stamp duty, payroll tax and all of the key business taxes — under this government. Now I think we are about to have water taxes added to that, and that will be a significant burden on many industries. My fear is that business will bear a disproportionate burden of those costs that will strike at exports, at competitiveness, at competition and at jobs.

A key aspect of the Australian economy has been our competitiveness. This government is doing everything it can to sap that competitiveness. It will do it by forcing these costs off-line and forcing them onto the water authorities. The water authorities will borrow, and they will service that borrowing by increasing charges to consumers and businesses. That is the unfortunate reality about what will occur.

I want to say something further about the competitiveness of the Victorian economy. I want to put on record my disappointment with the Bracks government's weakening of support for a competitive Victorian economy. It has done that over the recent period principally through its decision to walk away from a competitive industrial relations system.

Recently I was very concerned in this chamber when the Minister for Industry and State Development, Mr Theophanous, in answer to a question from Ms Lovell indicated that the controversial cleaning contracts awarded to his Labor mate and donor GJK Facility Services were awarded in part, it appears, by the decision to examine whether or not that particular cleaning firm would use Australian workplace agreements (AWAs).

The AWAs introduced by the federal government have added a competitive element to the Australian economy. They have been critical in export industries and in mining, and they have been increasingly critical in Victoria in retailing and in other areas of the Victorian and national economies. The decision to start awarding government contracts to firms that do not use AWAs is a sinister development — a development that

will sap the cost structure of government contracting. If the government is making that decision — and Mr Thornley is looking confused — the reality is that this is what his minister announced here the other day.

Mr Barber interjected.

Mr D. DAVIS — I do not think 'Good on him' at all; I think it is a very concerning development regarding the awarding of contracts. Were a razor to be run across the contractors by their being asked, 'Are AWAs involved?', and by their contracts being cut if that were so, that would be very concerning for the future of the Victorian economy. I know Mr Thornley is smart enough to understand what that would mean.

The comments by Mr Alan Joyce, the chief executive officer of Jetstar, about his airline and low-cost Asian airlines, as reported the other day, are instructive with regard to AWAs and the Victorian economy. Members should understand that an international airline like Jetstar has to compete internationally. Other carriers from other countries have different cost structures, and Jetstar needs to be able to compete. It is no good our conceding every aspect of the aviation space to other airlines. Mr Joyce is reported as saying:

The reason why we are introducing AWAs is to give us the flexibility we need to be able to compete against these Asian carriers that are entering this market ... Jetstar is seeking to pursue a more direct relationship across our workforce, to work cooperatively as management and staff, to drive our sustainable future growth path against this competition.

Today Ms Lovell and I met with a representative of Jetstar, and it is clear that it is determined to ensure that its airline is competitive. It is concerned about the winding back of AWAs as that would sap its ability to compete internationally. If we do not think about this sort of stuff very carefully, we risk losing major industries in this state. I have to confess that from time to time I have views that Qantas would not find palatable; Qantas, of course, is Jetstar's parent. Nonetheless Jetstar is making a sincere effort to compete, to position itself separately from Qantas and to move the aviation market to the advantage of Australian travellers, including business travellers as well as inbound travellers.

Another aspect of this is that the other day in this chamber Mr Theophanous commented about the future of aviation services. He talked about John Holland Aviation Services, the aviation maintenance group which is a very significant and important group for Victoria and has a key position in the industry. He said:

One of the significant challenges was in industrial relations. I want to thank the union and the company for their

cooperation, because we were able to put together a flexible arrangement ... a collective agreement, not an Australian workplace agreement ...

This government has made the decision that it is in favour of collective agreements. It is not in favour of choice, it is not in favour of arrangements that suit employers and employees, but it is in favour of what suits its union mates. If this is the way we head, we are in deep trouble. I hope Victorians think very carefully at the federal election; if they do not, there will be a real risk with what happens in Victoria and nationally. Australia's competitiveness will be sapped if Mr Rudd and Ms Gillard are able to introduce their industrial relations approach. Ms Gillard and Mr Rudd have said that AWAs will be scrapped.

Hon. T. C. Theophanous — Sit down, you are making a fool of yourself!

Mr D. DAVIS — It is Mr Theophanous who has made a fool of himself in his new suit.

Mr Pakula — Mr Davis, what do you think of the budget?

Mr D. DAVIS — I am disappointed, in one word. The future of the Victorian economy is dependent on how Victorians respond. If Victorians make the wrong decision at the federal election, in my view the economy and our economic future will suffer. I hope that my federal colleagues are able to strongly put their case for why we need a strong and competitive Victorian and Australian economy.

Applause from gallery.

Persons escorted from gallery.

Mrs KRONBERG (Eastern Metropolitan) — I rise to make my contribution to the debate on the Bracks government's budget for 2007–08. The economy in Australia under the stewardship of an exemplary federal government has never been more prosperous. Its people have never been more fortunate in terms of employment opportunities, low inflation and low interest rates. This is an excellent economic climate for making far-reaching decisions and commitments for future generations at the state level.

But where are the far-reaching direction-setting decisions of the Bracks government? The state of Victoria is awash with the river of gold which has been brought about by the GST initiative of the Howard government. Let us pause for a moment to picture this. Standing with the right degree of backlighting and airbrushing is the Premier, Mr Bracks, and alongside him is our Treasurer, Mr Brumby. They are covered

with flecks of gold from splashing around in the federal government-sponsored bounty, a veritable cascade of gold that now pools around their feet and trickles down the cracks of a once polished, impervious surface. Seen from underneath, this trickle of gold through the cracks seems like a torrent of waste: waste from opportunity, waste from excesses, waste from mismanagement — waste, waste, waste!

The Victorian government has received revenues that can only be described as being in the stratosphere. A staggering degree of growth quantified at 80 per cent — from \$19 billion in 1999 to an estimated \$34.3 billion in 2007–08 — is available to this government. Further, by the end of the financial year 2007–08 the dimension of the GST river of gold from Canberra will be \$57 million. Not only is this state Labor government reaping the GST, it is awash with the proceeds of its land tax grab, which saw an increase of 135 per cent from 1999. Land tax revenues for 2006–07 amounted to \$890 million. The crushing burden of stamp duty on the people of Victoria continues its steady course, like the J-curve of the Keating era — a vertical trajectory from \$1 billion to \$2.9 billion in 2007–08.

As if the increased take in payroll tax, the tax on employment, from \$1.4 billion to \$3.6 billion, the quadrupling of police fines to over \$400 million and the rise in gambling taxes to an estimated \$1.5 billion in 2007–08 were not enough, this government of economic vandals has either imposed or extended a raft of no less than 14 new taxes. The government has now got the heavy-duty vacuum cleaner out to suck the last coins out of the pockets of communities and the engine room of the economy — small business.

When we compare the tax burden that our business community has to accommodate against the taxes levied in other states with which the Victorian economy has to compete, the lead in our saddle bags amounts to 23 more taxes than are levied in any state other than the basket case state of New South Wales. Where is all this revenue going? Is it delivering even barely adequate services? How is it that the service provision in this state is adrift, with no competitive pressures to ensure the truly responsive sectors of service delivery are available to taxpayers? One of the most fundamental tenets of our Westminster system of parliamentary democracy is the provision of value for the taxpayers dollar. This government continues to fall far short in that form of accountability to the taxpayers of this state.

What have we seen for the record levels of expenditure, which is now at the dizzying figure of \$33.9 billion? What we do not have is readily measured. Despite the state suffering from the worst drought in a century we

have dithering over water infrastructure, with little prospect of anything coming on line in the next five years. We have a public transport system which is not only ineffective and overstretched but which is frankly an embarrassment. Those who wish to see railway stations manned might get the chance. Very soon a new category of jobs will be advertised — jobs for white-gloved attendants to cram people into trains as happens on the Japanese rail network. Would anyone here seriously consider jumping on the current rolling stock that trundles along our rail system with friends or business contacts from the Northern Hemisphere? I think not.

Can this government not understand that there are huge social, environmental, quality-of-life and economic returns to be had by providing quality public transport and the accompanying infrastructure in the form of a rapid transit system right across the metropolitan area rather than just in selected areas reserved for pork-barrelling? After all, the system should be based on the quality of its interconnectivity. We should be measuring public transport systems much in the way that integrated logistics experts would. Such intermodal networks would be based on the most cost-effective way of moving from one means of transport to another. Where is the funding to provide the essential grade separations right along the Belgrave-Lilydale line? The 19th century rail system in the east is not serving the interests of either its patrons or road users. The number of trains that are able to travel along this rail link is restricted by the fact that the level crossing boom gates would have to be almost permanently lowered against the north-south flow of traffic.

Although \$946 million has been set aside for public transport infrastructure development, in this year's budget not 1 cent has been allocated to solving the intractable problem that occurs when unfortunate motorists travelling along Springvale Road, Heatherdale Road, Mitcham Road or Blackburn Road confront crossings on the Belgrave-Lilydale rail line. What does the Minister for Public Transport in the other place have to contribute to this problem? A letter dated 15 May 2007 from Ms Kosky states:

Any proposed grade separation project, whether at Nunawading or elsewhere, will need to be considered and prioritised on a region-wide and statewide basis.

I read this to mean, 'No matter how much of a public transport and road system crisis you people in the east have out there, we the government will have no truck with you. We stand resolute that no matter how much you complain about your transport problems, we will develop selective deafness'. This is the government saying, 'Oh yes! We are the government that fed

Victorians the public line that we will govern for all Victorians'. I say this is rubbish. It is the government saying, 'All along the Belgrave-Lilydale line and where the rubber hits the road we will play the politics of envy and leave Melbourne's east a transport backwater. After all, we are giving them the toll road that we had to rebadge, embarrassingly, as EastLink'.

According to the minister the government is currently totally reliant on the tollway, improving conditions by substantially reducing traffic volumes on both Springvale Road and the Maroondah Highway. This will do nothing to appease the aggrieved in Melbourne's east.

Melbourne's north-east has missed out once again as far as the Hurstbridge line is concerned. Yes, there has been some funding for a long-overdue track duplication between Clifton Hill and Westgarth railway stations, but this will take two years. There are no crumbs from the \$946 million for the duplication of the track beyond Eltham. Projects such as a rail link to Rowville were not funded despite the acute need and profound arguments in support of such a proposal. The Banyule City Council is disappointed with its \$3 million funding shortfall to get the development project off the ground to revamp Greensborough's major commercial centre.

Mr Pakula's contribution in the last sitting week has reinforced for me what we already know — that is, that Labor has shown a commitment to the west. To our chagrin, we in the east and the north-east know that all too well.

Let me mention the likely suffering and anxiety for the 36 000 people who are on hospital waiting lists. One of my constituents is a partially handicapped man in his early 60s. His disability is the result of a stroke that has totally affected his right side and left him with the partial use of his left side. His use of his left leg is now under threat, and he will have to wait until July 2008 before attending a medical specialist with a view to saving his remaining leg. Should this man lose the use of his leg or lose his leg entirely, his frail wife will have to manage the care of this large-framed man all on her own. Right now, with some use of his leg, at least he is mobile and can move under his own steam. The consequences for all of us of him not receiving medical attention will mean not only great suffering and pain for the individual but yet another person in the queue for a place in a nursing home and massive rehabilitation costs.

So much has been made over the capital works budget for a rebuilding program in schools across the state. The crisis in accommodation for this state's student

population will not be rectified any time soon. It is very hard to applaud a program that will see schools having to wait until 2016 before it is their turn to have a decent, workable and safe environment in which students can learn. I call upon the government to review the scheduling of these works programs. Schools currently scheduled for capital works are already in a state of deterioration, so we need to recognise that the buildings will continue to decline to a point so that when 2016 rolls around students will be learning in conditions akin to those of the early 20th century.

Schools in Eltham are suffering, and there is much wringing of hands. From discussions I have had with school principals, I know they are disappointed once again. Yes, schools are subject to rebuilding and renovation, but what is not highlighted is the impact on the remaining and often near-derelict school infrastructure when buildings are propping each other up when they are designed to be connected, and stage 2 building projects never arrive.

School building programs are starting to remind me of some of the freeways I saw when touring in Italy. They were built by mafia-controlled entities. Such freeways thrust out into valleys with sheer drops at either side. That is what some of these school campuses are going to look like unless stage 2 funding is immediately accelerated.

Schools in the Eltham area have grounds that, because of the difficult topography, are currently landscapes of ravines and gullies, and these gullies are awash when it rains. However, one school — Eltham North Primary School, under the brilliant leadership of principal David Foley and his hardworking school council — refused to wait for state government funding for extensions to this thriving school. They raised the money themselves by approaching the community and businesses and built their own extensions.

I pose this question to the Bracks government. In 25 years, what will the next generation thank you for? This is a bland-as-blancmange, vanilla-flavoured budget that once again just scrapes by. This government will be remembered as the government that squandered opportunities for direction setting, vision, courage and, above all, inspirational leadership at a time of unprecedented success and bounty on the national front.

Debate adjourned on motion of Mr THORNLEY (Southern Metropolitan).

Debate adjourned until next day.

BUILDING AMENDMENT (PLUMBING) BILL

Statement of compatibility

For Hon. J. M. MADDEN (Minister for Planning), Mr Lenders tabled following statement of compatibility in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities, I make this statement of compatibility with respect to the Building Amendment (Plumbing) Bill 2007.

In my opinion, the Building Amendment (Plumbing) Bill 2007 as introduced in the Legislative Council, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of bill

The bill amends the Building Act 1993 to:

modernise the existing regulatory framework and improve the operation of the plumbing regulations to reflect current workplace best practice;

enable registered plumbers to undertake specialised plumbing work on behalf of licensed plumbers;

make some minor and administrative amendments to improve the operation of the Building Act 1993 and to remove uncertainties about the coverage of certain aspects of the regulations.

Human rights issues

1. Human rights protected by the charter that are relevant to the bill.

Section 13 — right to privacy and reputation

The only human right that might be impacted by the bill is the right to privacy under section 13 of the Charter of Human Rights and Responsibilities Act 2006. This provision states that a person has the right not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with.

It is considered that although clauses 13 and 19 of the Building Amendment (Plumbing) Bill 2007 (the bill) engage the section 13 right they do not limit that right.

Clause 13 of the bill amends section 221ZZZA of the act to enable a compliance auditor to enter a residence or land on which a residence is situated outside the hours of 8.00 a.m. to 6.00 p.m.

Clause 19 of the bill amends section 229 of the act to enable an authorised officer to enter a residence or land on which a residence is situated outside the hours of 8.00 a.m. to 6.00 p.m.

These provisions do not limit the right to privacy because the interferences with privacy are not unlawful or arbitrary. They are not unlawful as they will be provided for in this act and

extend the right to lawful entry provided for in the Building Act 1993 by enabling entry outside the hours of 8.00 a.m. and 6.00 p.m.

Entry is also not arbitrary because of the safeguards provided in the amendments. A compliance auditor and an authorised officer already have the capacity under the existing provisions of the Building Act to enter a residence or the land on which the residence is situated between the hours of 8.00 a.m. and 6.00 p.m.

The amendment that provides the power to enter outside those hours is limited by the requirement that the written consent of the occupier must be obtained before entrance can be obtained outside those hours. Further the amendment provides that a compliance auditor and an authorised officer must first inform the occupier of the purpose of the inspection before obtaining consent.

The purpose of the amendment is to facilitate the inspection of plumbing work at a more convenient time than is currently available.

The Plumbing Industry Commission audits a minimum of 5 per cent of all plumbing work carried out in Victoria and upon receipt of a claim of defective plumbing work by an owner or occupier inspects the plumbing work carried out in Victoria.

The audits and inspections require attending the site and inspecting the work undertaken by appointment with the owner or occupier and usually with the plumber in attendance. The appointment is made by the auditor or authorised officer at such time as is mutually agreeable with the owner or occupier.

Regularly the time of the appointment is outside the hours of 8 a.m. to 6 p.m. and is often at the request of the owner or occupier due to their commitments. However, given the wording of sections 221ZZZA and 229 there is an issue whether an owner or occupier has any discretion to allow such an inspection to take place despite such an inspection being convenient for the owner or occupier.

The amendments to sections 221ZZZA and 229 will unambiguously give an owner or occupier discretion to permit entry for an inspection outside the hours specified in the current section.

2. *Consideration of reasonable limitations — section 7(2)*

As the bill does not limit human rights, it is not necessary to consider section 7(2) of the charter.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because it does not limit human rights.

JUSTIN MADDEN, MLC
Minister for Planning

Second reading

Ordered that second-reading speech be incorporated on motion of Mr LENDERS (Minister for Education).

Mr LENDERS (Minister for Education) — I move:

That the bill be now read a second time.

Incorporated speech as follows:

I am pleased to present the Building Amendment (Plumbing) Bill to the house today. The purpose of this bill is to introduce a number of improvements to the legislation regulating the plumbing industry.

The proposals in this bill assist in adopting a consistent approach to the building sector as a whole by bringing aspects of the plumbing regulatory regime into line with that underpinning building.

The proposals included will:

modernise the existing regulatory framework;

enable registered plumbers to undertake specialised plumbing work under the supervision of licensed plumbers; and

make some minor amendments to improve the operation of the act and to remove uncertainties about the coverage of certain aspects of the regulations.

Modernise existing regulatory framework

The proposal will amend the Building Act to reference the Plumbing Code of Australia in a similar way to how the act currently references the Building Code of Australia. Currently, the act limits plumbing regulations to setting standards fixed at a point in time. This means that every time the Plumbing Code of Australia, which is being adopted as the national yardstick, is amended the plumbing regulations need to be changed before the changes can be applied, whereas comparable building, gas and electricity regulations already apply prevailing industry standards.

Plumbing regulations need to avoid requiring plumbers to adhere to outdated standards and to promote innovative performance-based solutions. The proposal will enable the regulations to adopt the Plumbing Code of Australia as it is modified from time to time. This statutory solution reflects our existing approach in the act to the Building Code of Australia and will facilitate more efficient operations in the plumbing industry.

Enable registered plumbers to undertake specialised plumbing work

Currently registered plumbers (who are not required to be insured) can carry out plumbing work on behalf of a licensed plumber, except where the work is specialised plumbing work.

This has an impact on housing affordability as the work can only be undertaken by a licensed plumber. The proposal will enable a suitably qualified registered plumber to do specialised plumbing work under the supervision of a licensed plumber.

Enabling registered plumbers to carry out specialised plumbing work under the supervision of licensed plumbers opens up specialised work to a larger number of qualified people without removing the controls designed to ensure amenity, health and safety. Having more plumbers able to do

the work will reduce the cost to consumers. It will also enable licensed plumbers to have greater flexibility in how they run their businesses.

Make minor amendments

This bill also makes a small number of additional amendments which are designed to improve the operation and effectiveness of the act.

These proposals will also contribute to consistency in the building sector by bringing aspects of the plumbing regulatory regime into line with that applying to building generally.

The proposals remove a number of anomalies from the plumbing provisions of the Building Act, namely:

clarifying that the act empowers regulations to prescribe product standards;

clarifying that the offence of breaching plumbing laws applies to plumbers directly not only when a licensed plumber supervises work that is defective or in breach of plumbing laws;

enabling an owner to obtain the compliance certificate within a specified time from a registered building practitioner who has been given the compliance certificate;

realigning the enforcement of plumbing laws with existing arrangements for the rest of the act by allowing an infringement notice to be issued for a prescribed offence under part 12A or the plumbing regulations; and

in relation to inspection of plumbing work, enabling after-hours access to dwellings with the agreement of the occupier.

I commend the bill to the house.

Debate adjourned for Mr GUY (Northern Metropolitan) on motion of Mrs Coote.

Debate adjourned until Wednesday, 27 June.

CRIMES AMENDMENT (DNA DATABASE) BILL

Introduction and first reading

Received from Assembly.

Read first time for Hon. J. M. MADDEN (Minister for Planning) on motion of Mr Lenders.

ADJOURNMENT

Mr LENDERS (Minister for Education) — I move:

That the house do now adjourn.

Breastfeeding: maternal support

Mr ATKINSON (Eastern Metropolitan) — I wish to raise a matter with the Minister for Health in another place. It concerns some research that has been done by the National Health and Medical Research Council which was reported recently in a publication that is circulated by the federal Parliament. It refers to breastfeeding rates in Australia and notes that they are lower than they ought to be in our nation because, in part, of the early discharge from hospital of new mothers. There is a concern that many women leaving hospitals after having a child are not properly skilled in the techniques and so forth of feeding their baby and have not had the opportunity to establish the breastfeeding adequately before leaving hospital.

According to the National Health and Medical Research Council dietary guidelines for children and adolescents the single biggest reason for the stopping of breastfeeding is a concern by the mother that she is not supplying enough milk for her baby — in other words, she is agitated and concerned that she is not doing the right thing by her baby. As I said, the research has linked that fairly clearly to the short-term stays of many mothers in hospitals in the current environment. Whilst it is obviously good to get mum and her baby into the home environment where she is comfortable and happy, the fact is that establishing that breastfeeding pattern is very important.

Given the research, which I am sure the minister will be aware of, I am keen to learn what government programs are being considered or might be considered in the future to support young mothers and give them assistance in establishing breastfeeding patterns and giving them some confidence in knowing that they are doing the right thing by their children. The Australian Breastfeeding Association has its headquarters in my electorate, and I know it does a marvellous job with this. It gets a level of government support, but clearly more needs to be done, and I seek advice from the minister about programs that might be considered in our hospitals to support young mums.

Timber industry: government strategy

Mr HALL (Eastern Victoria) — Tonight I wish to raise a matter for the attention of the Minister for Water, Environment and Climate Change. It concerns the timber industry strategy. On 6 April 2006 the government announced the establishment of the Sustainable Timber Industry Council (STIC). I am looking at a press release of that date, which says in part:

One of STIC's major roles over the next year will be the development of a timber industry strategy, which will establish Victoria as a world leader in sustainable timber industries ...

That is a quote of Mr Bob Cameron, the current Minister for Police and Emergency Services from the other place, who was then the Minister for Agriculture. That was 14½ months ago, and we have not seen or heard anything of that timber industry strategy being developed or released. Despite the repeated promises we have heard from the Bracks government over many years, the timber industry — or I should say what is left of the timber industry — has never been in a state of greater uncertainty than it is now.

Since Our Forests Our Future, which took out more than 30 per cent of the industry in this state, we have had the implementation of the VicForests auction system, which has had a disastrous impact. Many sawmillers have closed or merged their operations due to their inability to secure resources through that auction system. Black Forest Timbers in Woodend is one of those, and I had the opportunity to visit the company last week and discuss its particular issues with its representatives. Its operators are being forced to close its sawmilling operation, despite the fact that this government hailed the company less than two years ago as a world leader in value-adding in its industry.

We have also seen resources taken away from the industry — Goolengook in East Gippsland is an example — despite the fact that there was a Victorian Environmental Assessment Council process in place. Come election time, the government aborted that process and unilaterally declared that that resource would no longer be available for the timber industry. We have had bushfires, and we have also now had proposals to set up an auction system for the harvest and haulage sector of the timber industry, again creating uncertainty in that sector of the industry as well.

The urgent action I seek from the Minister for Environment is the production of this government's timber industry strategy, as was promised in April 2006. I believe it is the least this government can do for an industry that appears to be of no interest to it, despite its generating something like \$3 billion of revenue for the Victorian economy.

Williamstown Community and Education Centre: playground

Mr PAKULA (Western Metropolitan) — My adjournment matter is directed to the Minister for Planning. It concerns a dispute which is occurring over

a roughly 100 square metre plot of land in Cecil Street, Williamstown. The background is that the Williamstown Community and Education Centre is a centre which families can use for short-term child care — up to 3 hours — on one-off occasions or as needed. It is effectively a neighbourhood house which provides services to those who could not otherwise afford child care. Only a nominal fee is payable.

As I indicated, there is a roughly 100–150 square metre area of green space in Cecil Street at the side of the centre which the centre wants to use as outside play space. It wants to install playground equipment for the children who use the centre, and the finances for the purchase and installation of the equipment have been secured. A number of local residents are resisting the land's being used for the purpose outlined and insist that it should be retained for general use. Hobsons Bay council has considered the issues raised by the residents and has determined to issue the relevant permits for the playground to be completed.

The objecting residents have nevertheless maintained their objection and have pushed the matter to mediation. On Monday night a working party of supporters and opponents of the playground was established. Via that process the problem may resolve itself, but it may not. My request to the minister is that he instruct his department to fully inform itself of all the relevant issues and to do all that it can to assist the parties to find a resolution.

Members: salaries

Mr BARBER (Northern Metropolitan) — My adjournment matter is for the attention of the Premier. Members may be aware that federal parliamentarians have been granted or are about to be granted a pay rise. If we do nothing else, that will automatically kick in to our own salaries. However, back in 2004 the Premier introduced a bill to the lower house called the Parliamentary Salaries and Superannuation (Amendment) Bill, and in doing so he said that the amendments in that bill:

... demonstrate the willingness of this government to apply to itself the same wage restraint that it expects and that the community expects of all Victorians.

I believe the Premier got it right then, so my request by way of action is for him to introduce a similar bill to keep our wage increases in line with the consumer price index.

Consumer affairs: estate agents resolution service

Ms LOVELL (Northern Victoria) — I wish to raise a complaint that has been sent to me by Mr Rick Funston regarding the estate agents resolution service. This is not the first complaint I have received about Consumer Affairs Victoria or about the estate agents resolution service. Mr Funston has been involved in property sales for many years and is convinced that the agent he dealt with in the selling of his house has breached the Estate Agents Act and regulations on several counts. Mr Funston's letter states:

I am seeking an investigation and resolution in relation to the unethical behaviour of —

and he names the real estate agent and its salesman —

in their sale of my property at 29 Birdwood St, Bentleigh East.

I believe the agency has breached estate agent professional conduct regulations.

...

I have been involved in property sales for many years and I don't remember ever seeing such a blatant breach of trust:

offers were concealed from me at the time of finalising my decision and signing the contract of sale

the property was advertised on the internet without my knowledge and consent at a price \$10 000 below my asking price

confidential information was published on the internet causing me pain and suffering

illegal and unauthorised entry and trespass to my property on 20 December 2006 at 9.30 a.m.

Mr Funston goes on to say:

The concealment of a higher offer at the time a vendor is about to sign a contract strikes at the very heart of estate agency sales — that is, trust. I was denied the opportunity to negotiate a higher price. (I would not have acted in the same way had I been made aware of all available information I was entitled to know.)

I assert that the agent has not achieved the 'level of service' agreed — that is, 'to get the best price'. Furthermore, the authority to claim commission is defective in that the agent has failed to provide:

'agents estimate of the selling price' and

the calculation method.

He goes on to say:

I only became aware of a higher offer when the potential buyer ... contacted me two days after the sale was made,

when he saw the sale price promoted by the agent on the internet ... A price lower than he offered.

As I said, Mr Funston referred this to the estate agents resolution service at Consumer Affairs Victoria and has had a response. Consumer Affairs Victoria has identified a breach of section 47A of the Estate Agents Act, but Mr Funston is not convinced that this fully covers all his complaints.

The action I seek is for the minister to conduct a thorough investigation of the estate agents resolution service's handling of Mr Funston's complaint with a view to establishing if there have been further breaches that have not been dealt with.

Rail: station emergency alarms

Ms HARTLAND (Western Metropolitan) — My adjournment matter tonight is for the Minister for Public Transport in the other place. Last Monday night I was at Footscray station and was watching a group of about 10 boys pretending to beat each other up and generally skylarking. That was fine, but it was when one of the boys dangled a smaller boy over the edge of the platform with a train approaching I felt I had to intervene. I shouted at him not to be so stupid and to think about what he was doing.

The boys swore at me, pulled the small boy back on to the platform and continued their behaviour, so I pressed the emergency response button on the platform, but there was no response. I was there for another 10 minutes and continued to try to use the emergency response button, but it did not work. The boys probably thought I was a joyless old biddy, but what if one of them had slipped and their mate fell in front of a train? How could they have faced that boy's family or the driver of the train? Not only are the trains late and so overcrowded that they become a safety risk but the emergency measures are not up to scratch.

I called the Connex feedback line on Monday night, but I would give members two guesses as to whether I have had a response. I ask the minister to investigate the process of how Connex maintains and checks these emergency buttons on platforms across the system.

Sexually transmitted diseases: awareness campaign

Ms DARVENIZA (Northern Victoria) — The matter I raise for the attention of the Minister for Health in the other house concerns the increased incidence of HIV and sexually transmitted infections (STIs) in the community. I know the minister recently announced a \$6.5 million sexual health package which is aimed at

helping to reduce the rate of HIV and sexually transmitted infections in Victoria.

We know that health authorities in this state, nationally and internationally are seeing the rates of HIV and STI rising. We know and recognise that more needs to be done. We need to be providing an immediate response to enhance preventive effects, to raise awareness of the rising rates and to highlight strategies by which we are able to reduce infection. We know that people's risky behaviour contributes to the problem. We also know there needs to be a clear message sent to young adults between the ages of 18 and 25. We have a campaign that encourages people to know who they meet, to play it safe and to use a condom. We know that the best way for young adults to avoid sexually transmitted infection is to ensure that they constantly use a condom, and this will lower the rates of HIV and STI. The minister has put in place a range of strategies. A task force has been set up. There is an HIV and STI awareness campaign and there are community partnerships to provide better services. International experts have been engaged and harm minimisation has been promoted.

I specifically want the minister to take action so that she or her department makes sure that this awareness campaign — a significant amount of money is being spent on it — reaches out to rural and regional Victoria. It is often more difficult for people who live in small cities and country towns to access treatment, because they do not have the anonymity that people living in a big city have. If you are homosexual, there can be embarrassment associated with attending and accessing services and with having a sexually transmitted disease. I ask the minister to make sure that rural and regional Victorians are provided with these services and receive promotional material.

Schools: Free Fruit Friday program

Mr P. DAVIS (Eastern Victoria) — I raise a matter for the Minister for Education. I refer him to the government's Free Fruit Friday commitment to provide a piece of fruit to children in prep to grade 2. I refer to the government's election policy statement of *Go for Your Life — The Next Steps in the Fight against Diabetes*, particularly the part entitled 'Promote healthy lifestyles in schools'. It reads:

Introduce a Free Fruit Friday initiative to provide free fruit to primary school children from prep to grade 2 once a week as part of a range of programs to boost fruit and vegetable consumption by young Victorians.

There was also an announcement by the Premier on 15 December, which was after the election. It was entitled 'Tackling the looming obesity and type 2

diabetes epidemic' and the Premier again referred to Free Fruit Friday. It reads:

Free Fruit Friday — which provides free fruit once a week to primary school children from prep to grade 2.

I further refer to the budget announcements of 1 May. The Minister for Sport, Recreation and Youth Affairs in the other place said:

... \$11 million has been allocated to boost fruit consumption for primary school children through the Go for Your Life initiative, Free Fruit Friday.

As the minister knows, he and I share an enthusiasm for regularly visiting some of our great Victorian government schools. But what has been of interest to me is that during my discussions with primary school principals I have met with recently, I discovered that none of those principals has any understanding about how the Free Fruit Friday program is to be delivered.

Those principals who have any concept of the program are under the impression that they have to go to their local vegetable shop, order fruit, pick it up, bring it back to the school and then somehow find the money in their school budget to fund a government commitment. Those principals have ideas about how new fundraising initiatives might have to take place to cover the cost of this program. Given the lack of understanding by principals, will the minister take the necessary action to inform them, and indeed this house — and I invite him to do so this evening — about how this program will be implemented seven months after the commitment was made?

Responses

Mr LENDERS (Minister for Education) — President, my Christmases have come all at once. I finally have an education question from the Leader of the Opposition, albeit in the adjournment debate. I will start off with Philip Davis. Free Fruit Friday is a fantastic concept. It is all about inculcating into young people healthy habits of eating and diet. On the first day of school this year we put out into school canteens the Healthy Food Guide for Students. I went to Preston East Primary School. Free Fruit Friday will be rolled out over four years to all government primary schools from prep to grade 2. Come the first day of school in 2008, I will be delighted to go with Mr Davis to a government school where we will roll out Free Fruit Friday. It will roll out over four years until we get every school covered. I would be delighted to go with Mr Davis to a school.

We could go down with the principal to the local greengrocer, because we are supporting small business.

Mr Atkinson loves supporting small business. We will get the fruit from small businesses. The government will pay for the fruit for grades prep to 2. We will roll it out over four years. The information will go out to principals towards the end of this year because we do not wish to burden our principals with unnecessary red tape, but as we get ready for it we will send it out. I think that answers Mr Davis's adjournment question. I will be delighted to go arm in arm with him to a government school of his choice where we can deal with Free Fruit Friday.

There were seven items from other members which I will pass on to the relevant ministers.

The PRESIDENT — Order! The house now stands adjourned.

House adjourned 10.12 p.m.

