

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

Thursday, 7 June 2007

(Extract from book 8)

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Professor DAVID de KRETZER, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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Minister for Housing and Minister for Local Government	The Hon. R. W. Wynne, MP
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Joint committees

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

Heads of parliamentary departments

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

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Thursday, 7 June 2007

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

PAYROLL TAX BILL

Introduction and first reading

Received from Assembly.

Read first time on motion of Mr LENDERS (Minister for Education).

PETITION

Following petition presented to house:

Nuclear energy: federal policy

To the Legislative Council of Victoria:

The petition of certain citizens of Victoria draws to the attention of the Legislative Council the commonwealth government's promotion of a nuclear industry in Australia and the strong likelihood that Victoria will be selected as a site for the construction of a nuclear power facility.

The petitioners therefore request that the Legislative Council of Victoria reaffirm the opposition of the Victorian government to the creation of a nuclear industry in Victoria, including the construction of a nuclear power plant.

**By Mr SCHEFFER (Eastern Victoria)
(564 signatures)**

Laid on table.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Budget estimates 2007–08 (part 2)

Mr PAKULA (Western Metropolitan) presented report, including appendices and minutes of evidence.

Laid on table.

Ordered to be printed.

Mr PAKULA (Western Metropolitan) — I move:

That the Council take note of the report.

I made my comments in relation to the budget estimates upon the tabling of part 1 of the report, so I do not think there is a need to reprise those comments.

Mr DALLA-RIVA (Eastern Metropolitan) — I wish to join Mr Pakula in speaking on the presentation of part 2 of the Public Accounts and Estimates Committee's budget estimates report. We are looking forward to part 3, which will be the more analytical report and which was the subject of concern with the part 1 report. While we still have the same concerns with part 2, this is just the continuation from the part 1 report.

To put it in some context, now that the Public Accounts and Estimates Committee hearings have been completed and all ministers have presented, I can say that the entire budget estimates hearing process involved 51 hours of proceedings that extended over 14 days; in excess of 530 questions were researched and raised by committee members; there were 128 questions on notice and 35 unasked questions; the provision of evidence by 10 departments and the parliamentary departments; hearing of evidence from 91 witnesses; and 626 pages of transcript.

The chair's report speaks about the importance of part 3. We certainly look forward to that. I again put on the record our gratitude to the secretariat that supported the committee during those hearings: Karen Taylor, the office manager, is working under enormous pressure at the moment while there is no executive officer and they are trying to find a couple more research officers; Jennifer Nathan, the business support officer; Mark Roberts, the manager of the joint committee administration office; and certainly the research officers who have put this work together, Joanne Marsh and Ian Claessen; and the specialist advisers, Joe Manders and John Misiano. Thank you for your commitment and work.

I know there is still more work to be done in the presentation of part 3. It will obviously take a lot longer because it will be more the analytical side to the work that is required, but I appreciate the work that has been done. I look forward to seeing part 3 of the report, as I am sure will other committee members, Parliament and the people of Victoria in terms of the key findings and recommendations relating to the budget estimates hearings for 2007–08.

Motion agreed to.

Victorian Auditor-General's Office: financial audit 2006–07

Mr DALLA-RIVA (Eastern Metropolitan) presented report, including appendices.

Laid on table.

Ordered to be printed.

Mr DALLA-RIVA (Eastern Metropolitan) — I move:

That the Council take note of the report.

Whilst this is a small report, it is important to the Parliament. It is about holding the Auditor-General to account through the Public Accounts and Estimates Committee process. The subcommittee that undertook the inquiry was made up of the chair of the committee, the member for Burwood in the other place, Bob Stensholt; the deputy chair, the member for Scoresby in the other place, Kim Wells; the member for Mordialloc in the other place, Janice Munt; and me. I again express appreciation for the work done by the relevant officers.

Regarding the selection process, it was clear that a limited number of people had applied. Under item 2.6, recommendation 1 is that in accordance with section 17 of the Audit Act 1994, as amended, we appoint Terry Benfold of Pitcher Partners to conduct the financial audit of the Victorian Auditor-General's office for the 2006–07 year. It is important that the Parliament have an overview of that process. It is a solid and good report.

Motion agreed to.

PAPERS

Laid on table by Clerk:

Judicial Remuneration Tribunal — Report No. 1 on Judicial Allowances and Conditions of Service, May 2007.

Judicial Remuneration Tribunal Act 1995 — Statement of Reasons in relation to Report No. 1 of the Judicial Remuneration Tribunal pursuant to section 14(2) of the Act.

Multicultural Affairs — Whole of Government Report, 2005–06.

A Statutory Rule under the following Act of Parliament:

Evidence Act 1958 — No. 42.

Victorian Law Reform Commission — Final Report on Assisted Reproductive Technology and Adoption.

BUSINESS OF THE HOUSE

Adjournment

Mr LENDERS (Minister for Education) — I move:

That the house, at its rising, adjourn until Tuesday, 19 June.

Motion agreed to.

MEMBERS STATEMENTS

Office of the Workplace Relations Advocate: complaints

Mr ATKINSON (Eastern Metropolitan) — In the last Parliament a number of members, including Helen Buckingham, who at that time represented Koonung Province with me, sought intervention by the workplace relations advocate in respect of concerns that they had about employers who were underpaying or not meeting award conditions for staff in their employ. I note that the Minister for Industrial Relations in the other place, Mr Hulls, has shown a disinclination to refer to the workplace relations advocate any investigation of work directions and complaints made in respect of its treatment of workers.

If we are to have confidence in the workplace relations advocate and in the integrity of that system we need to refer all matters of complaint to the workplace relations advocate, not simply those that are a matter of convenience at a particular period of time. We certainly need to ensure that debates on workplace relations are not a matter of hypocrisy.

Teachers: support

Mr HALL (Eastern Victoria) — Last week I was a guest of the Governor at a maths and science round table convened to discuss the teaching of maths and science in schools. I was extremely grateful for the invitation and found the day's discussions productive. The contributions from many participants reminded me of the huge and sometimes unreasonable expectations we have of teachers. We expect our teachers to inspire, to motivate and to educate students while at the same time being cognisant of their individual learning needs and social and personal circumstances. We are quick to criticise teachers for poor learning outcomes, even when the personal circumstances of students may prevent them from achieving all they are capable of.

It is my view that the education of young people is the responsibility of a community broader than the classroom teacher. After all, a child spends far more

time out of the classroom than in it. Learning is not confined to the classroom. Whether we be parents, grandparents, family friends, neighbours or the local sporting coaches, we all have a contribution to make towards the education of the children we come into contact with. That contribution should be supportive of classroom teachers in the very difficult and complex task they undertake.

Planning: St Kilda triangle development

Ms PENNICUIK (Southern Metropolitan) — Last Thursday night I attended a briefing at the St Kilda town hall by the successful tenderer for the ‘redevelopment’ of the St Kilda triangle site. There has been a lot of hype and spin around this proposal since its release, and there was a lot at the meeting as well. The first thing to remember is that the triangle site is Crown land — public land. Half of it is public open space and it belongs to the people of Victoria. Whatever hype there is about the architectural merits or otherwise of the design, what is before the public now is a total overdevelopment of the site. Everyone agreed that the site needed a makeover to improve the public space, and the community was promised an upgrade of the Palais Theatre, a focus on art and public entertainment and improved public open space. Instead the community has been presented with an over-the-top proposal that includes, among other things, 181 retail outlets, 6 entertainment venues, a 73-room hotel, 1150 car spaces, restaurants, cafes and a supermarket.

We are talking about public land, about the size of a couple of football fields, on the foreshore. The state government has consistently refused to commit public funds to the upgrade of the triangle site, which is an abrogation of its responsibility as custodian of the site on behalf of the people of Victoria. Due to this lack of support from the state government the community is being presented with what is no less than a shopping complex to pay for the modest improvements that were needed on the site. While a few people are waxing lyrical about design and excitement, most people that I have spoken to in the community are totally dismayed.

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

Rail: Kerang accident

Mr EIDEH (Western Metropolitan) — The terrible tragedy that befell the community at Kerang on Tuesday is a stark reminder to us all of the horror of what can happen on the roads. As someone who for many years was a truck driver, I know the dangers that exist on the roads and the images of tragedies that live

with us for life. Each and every one of us feels deeply for all the victims. I take this opportunity to extend my deepest and most sincere condolences to the families and friends of all the victims. I also wish to pass on my praise to all the members of the services, many of whom are volunteers, who acted with such professionalism in responding to this tragedy, including the police, the paramedics, the hospital staff and many others. While the Bracks government is doing its very best to fight the scourge of road trauma, collisions will still happen. I plead with all Victorian drivers to take extra care on our roads — and more so on the long weekend that is coming up.

Moorabbin Children’s Traffic School: future

Mr D. DAVIS (Southern Metropolitan) — My matter today concerns the Moorabbin Children’s Traffic School, which I have talked about in this chamber on a number of occasions. That important school has provided an opportunity for young children to learn about road safety and the road rules in a safe environment in a way that enables them to understand some of the challenges they will meet as they go forward in their young lives.

Unfortunately the Bracks government has chosen to withdraw funding from that important traffic school that has provided assistance to generations of people in the south-east of Melbourne. I report to the house with concern the delay in taking an interest in this matter by the local member, the member for Bentleigh in the other place, Rob Hudson, and his lack of enthusiasm locally for protecting this important institution. He should have acted much earlier. It has been only in the past few days that he has become more interested in this matter and indeed has finally convened a meeting of one or two of the local police officers and a number of people from local kindergartens. But people are not impressed. This will not be a public, open meeting. There are many who would have liked to have had their say at this meeting, and the community is not happy with the way the member has behaved in this matter. The solution is for the school to be reopened. It requires a modest amount of money, and the Premier and the local member should have found these additional resources.

Royal Victorian Association of Honorary Justices

Ms PULFORD (Western Victoria) — Last Saturday morning at the Ballarat town hall I was privileged to speak to a group of honorary justices who had come from around Victoria to attend a training session held by the Royal Victorian Association of

Honorary Justices. The association has a long and proud history of providing high-level training for justices of the peace and bail justices. It was wonderful to see their training course being held in regional Victoria. The work of the justices is important in so many ways, including community protection and the upholding of rights, responsibilities and equality before the law, which are the very building blocks of our society. Bail justices hear and determine out-of-session bail applications, which typically occur outside normal court hours and at any time of the day or night. Justices of the peace witness statutory declarations and receive affidavits as a service to the community.

It takes real dedication and effort to serve the community in this way. Many rural honorary justices often have to travel more than 100 kilometres to do their duty and attend hearings — again, often in the middle of the night. It is a wonderful service that these people provide through their active commitment to fairness and justice in our community. I would like to thank them for their tireless and selfless work.

Timboon P-12 School: crossing

Mr VOGELS (Western Victoria) — I have received a letter from a concerned parent, Wendy Maskell, from Timboon about the Timboon school crossing. The letter states in part:

I am hoping to get something done about this dangerous crossing before it is too late.

I am writing to complain about the school crossing outside the police station. My son puts the flags out morning and night on a school day. Occasionally I put them out if he can't. It is a very dangerous crossing as it is on a corner and also the speed limit is 60 kilometres —

an hour —

... I have complained to the police but of course they can't be there all the time.

...

Does someone have to be hit or killed before something is done? I will not step onto the crossing until I know that the vehicles will stop. In the fog it is even worse.

The speed signs need to be changed to 40 kilometres —

an hour —

as it is a school crossing. Another suggestion I have had said to me is lights or even perhaps the flashing lights for when the flags are out.

Something needs to be done, and I am asking could you please at least look into this dangerous crossing before it is too late.

I call on VicRoads to work with the Corangamite shire and the school to address this issue before there is a tragedy.

Small Towns Development Fund: Bannockburn and Shelford

Ms TIERNEY (Western Victoria) — I rise to mention just two examples of the use of the Small Towns Development Fund that I have witnessed in recent times. The first was the opening of stage 2 of the Bannockburn industrial estate on Tuesday, 15 May 2007, by the Minister for Agriculture in the other place, Joe Helper.

Supported by the Shire of Golden Plains, the local chamber and individual businesses, the stage 2 development is now under way with substantial buildings constructed and many more ready to be built. Stage 2 demonstrates the substantial growth of Bannockburn, the air of confidence and a team of people who are about taking Bannockburn forward, hinting that further stages will be necessary in the not-too-distant future.

The second example is the opening of the community meeting space at Shelford overlooking the Shelford oval, which has seen many a good cricket and football match over the years. It is a multiuse community space named in honour of Bill Gillett, a living icon in Shelford — a deeply loved and respected man. I take this opportunity to wish Bill and his wife, Sybil, all the best in the coming years. I also take this opportunity to congratulate the Golden Plains shire in working with the local communities in a tireless way and working with the government to address the needs identified by those communities.

Business: Next Big Thing Award

Mr THORNLEY (Southern Metropolitan) — On Friday, 25 May, a couple of weeks ago, I had the pleasure and privilege of being invited to present the major awards for the Next Big Thing Award by INNOVIC to a range of innovative young companies. It was a trip down memory lane for me, seeing terrific young companies doing new and interesting things. I want to record in the house some of the outstanding new young Victorian companies and the sorts of things they are doing to show why we can be confident about the next generation of our economy.

Minnamurra Aquaponics has worked out how to combine aquaponics in terms of fish culture with aquaponic agriculture. The fish waste is used to fertilise the agriculture and the agriculture delivers back by

cleaning the water for the fish. It is very clever stuff, and it is working very effectively. In an industrial context Sensear Pty Ltd provides special ear mufflers that have directional microphones that allow people to keep the mufflers on in a noisy industrial environment but also speak directly with each other. The winning firm among many fine entries was V-Focus, which works in the medical arena. The V-Focus circuit and catheter system provides safe, efficient targeting delivery of therapeutics to the beating heart of a conscious patient with minimal loss of the agent to other areas of the body. This is an important and very successful innovation. V-Focus has already sold 50 units to research laboratories around the world, including the Harvard medical school. This is testimony to the outstanding and innovative work of new Victorian companies.

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

Metec Driver Training Centre: achievements

Mr LEANE (Eastern Metropolitan) — I would like to congratulate the board and management of the Metec Driver Training Centre, which is located in Bayswater within my electorate. Metec is a not-for-profit community organisation which runs courses for drivers ranging from inexperienced learners to the most experienced drivers.

It runs a fantastic program that has been utilised by private and public secondary schools from all over the state for students over 15 years of age. The course objective includes an understanding of theory and practice of driving procedures; road rules; attitude towards other road users; and the skills and knowledge needed to obtain a learners permit. Very importantly it teaches students to drive well enough to be ready to be taken out on the road by a parent or a driving instructor. Anyone who has given their 16-year-old kid a driving lesson would understand the importance of that.

I would like to thank Mike Welsh and Neill Sheldon for giving me a tour of the centre, including the 5-kilometre controlled roadway that includes practice parking bays, skid planes and traffic lights. I support Metec's early learning approach to driving.

Osteoporosis: free bone scans

Ms DARVENIZA (Northern Victoria) — I want to highlight a recent campaign announcement by the Minister for Innovation in the other place, John Brumby. It is a terrific initiative that will allow Victorians to have a free bone scan to help guard

against osteoporosis. It is being undertaken jointly with a dairy company, Fonterra, and will provide for some 600 people to be scanned each day on a bone density machine which has been specially designed for mobile health check centres. It is estimated that one in two women and one in three men in Australia who are over 60 years will suffer from osteoporosis fractures. The bone scan machine will do a quick and simple scan of the quality and strength of bones, and provide a general indication of a person's bone health. This initiative will help to provide thousands of Victorians with information that will help them reduce their risk of developing osteoporosis. Osteoporosis is a condition which causes bones to become fragile and brittle, and leads to a higher risk of fractures.

STATEMENTS ON REPORTS AND PAPERS

Anti-Cancer Council of Victoria: report 2006

Mr DRUM (Northern Victoria) — I rise this morning to comment on the *Report to the Victorian Parliament for 2006* of the Anti-Cancer Council of Victoria, which operates under the business name Cancer Council Victoria. Looking through some of the more pertinent aspects of the report, I note that the president's report contains a detailed summary of the work the council is doing to limit the impact of cancer in the community. It believes the best chance of doing this is by promoting the environment and behaviours that facilitate cancer prevention.

Throughout the report you can see the very strong link the council places on cancer prevalence and that of tobacco and smoking. Some of the other statistics in the report include the fact that by the age of 75 more than one in three men and almost one in four women in Victoria will develop a cancer other than non-melanocytic skin cancer. Statistics released in November 2006 by Cancer Council Victoria's cancer registry show that in 2004 a total of 13 000 men and nearly 11 000 women presented with new cancers, and 5283 men and over 4000 women died of cancer. This is Victoria and Australia's leading cause of death. Nearly 30 per cent of all deaths are attributable to cancers, with 24 per cent of all deaths in this state being attributable to coronary diseases.

A large portion of that quantum is effectively attributable to the use of tobacco. It is important that we understand the link between cancers and the work that the Quit organisation is doing under the guidance of the Anti-Cancer Council of Victoria. A link has been made in the report between reducing smoking and examining tobacco regulation. There is a tobacco control unit

within the council which has shown that there has been an overall reduction in smoking prevalence since 1983, so the numbers have in fact been coming down.

This downward trend has continued in recent years and there has been a significant reduction in the prevalence of male smoking. It has come down from 24 per cent to 20 per cent over a seven-year period. The worrying factor is that smoking rates among women have declined at a much lower rate, effectively from 18 per cent down to a fraction under 17 per cent over the same seven-year period. It is a worrying trend that many of the women in our communities continue to smoke. It is also a worry when we realise that the prevalence of smoking in our community tends to peak in a specific age group of young girls, the 16 to 18-year-old bracket. That tends to get up into the high 20 per cent range, so we still have a real problem there.

While we are extremely concerned about the percentage of Victorian secondary school students who were smoking in 2005, the number is trending downwards. However, the overriding evidence suggests that it is not trending down at a fast enough rate. We still have the situation in this state where it is not illegal for young people to smoke. Mixed messages are being given to young people. There has simply not been enough funding made available to the Quit helplines, which have a huge impact on the prevalence of smoking throughout the state. While this report mentions that there are some positive trends happening — —

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

Victorian Child Death Review Committee: report 2007

Mr ELASMAR (Northern Metropolitan) — I rise to speak about the 2007 report of the Victorian Child Death Review Committee into the deaths of children who were known to the child protection service. As a parent the issue of the premature deaths of young children is very difficult to talk about, especially the deaths of children who are known by the child protection service to be at risk. During 2006, 18 children died. This number is surprisingly comparable to child deaths within the overall community. The cause of death of those who made up the largest group of child deaths was either acquired illness or congenital disease; four children died of unknown causes, and these causes are yet to be determined by the state coroner; and these were followed by deaths as a result of accidents and sudden

infant death syndrome. This disease, known as SIDS, is well known to the entire community.

I cannot think of anything more tragic than to lose one's baby before it has a chance to establish its life and express its personality to the world in general. Only the grieving parents could know and suffer the anguish of wondering whether they had done something or had not done something to cause the tragedy. Sixty-seven per cent of the overall reported child deaths were of children under one year of age. In fact in 2006 no adolescent deaths were recorded and one death of an Aboriginal child was recorded. The most significant feature of the child death review and the families involved in it is that a number of factors are known to reduce parenting ability or capacity. These factors are parental mental illness, substance abuse and systemic family violence. In most cases families presented with more than one of the underlying causes of poor parenting. Many parents involved in this review had themselves suffered abuse and mistreatment at the hands of their parents, thus establishing a cycle of neglect and maltreatment of their children.

Child protection services has put in place over several years programs and monitoring systems to help identify and protect children who are desperately in need of intervention. The child deaths inquiry process is about establishing a nationally agreed framework to categorise all child deaths within both the general community and the child protection service that are attributable to fatal neglect and abuse. The overall intention is to achieve better outcomes for all vulnerable children and their disadvantaged families.

I commend the child protection service for its vigilance and compassion when dealing with the disadvantaged, the underprivileged and the mentally challenged parents in our community who, by necessity, come under the watchful eye of the Department of Human Services. I also commend the minister and this sad report to the house.

Planning: ministerial intervention statement 2006–07

Mr ATKINSON (Eastern Metropolitan) — I wish to comment on a statement on ministerial interventions in planning matters tabled in this house by the Minister for Planning earlier this week. I welcome this statement, and I welcome the periodic statements by the minister explaining the various interventions that have been made. I note that many of the interventions that are made occur because of approaches by municipal councils wanting to resolve issues that they have some difficulty with in terms of their planning schemes — in

some cases to facilitate better community outcomes, in other cases to resolve outstanding zoning issues and to address matters such as heritage overlays. I notice that in this particular swathe of interventions that certainly applied to Moonee Valley.

This report includes a couple of interventions that are of great interest to me and no doubt my colleagues in the Eastern Metropolitan Region, because they concern Whitehorse and Maroondah councils. In the case of Maroondah council the intervention no doubt was undertaken in collaboration with the city. It centres on the opportunities of the transit zone and the proposed redevelopment of much of the central Ringwood area to integrate public transport solutions and development solutions in and around the central area of Ringwood. A considerable amount of work has been done in Ringwood by the local municipality, supported by state government authorities. Ms Kronberg and I attended a function the minister was at late last year outside the Maroondah clock tower to discuss some elements of the — —

Mrs Kronberg — The launching of the flags.

Mr ATKINSON — It was the launching of flags, unfortunately. It was not a terribly significant announcement; I think the minister had a hole in his diary that day. But nonetheless it was good to see him come out to Ringwood and have the chance to see what some of the opportunities might be in that area, particularly with EastLink opening, some significant work proceeding on public transport and significant private investment, particularly by QIC. The intervention here was about facilitating that development, and I hope the minister remains attuned to the needs of the Ringwood community in addressing quite a range of areas — development, traffic, environmental and certainly transport issues — as it moves forward in bringing to realisation its transit city ambitions.

The other issue that I note with some interest is the City of Whitehorse's proposal where the minister intervened to introduce height controls in a number of neighbourhood centres within Whitehorse — in fact in 53 neighbourhood centres. This intervention provided an interim cover on those neighbourhood centres. I note that occurred just before the election and I understand that at that time there was an effort to try to ensure that there was no further controversy in the city of Whitehorse over height controls because, of course, that is the municipality that had the multi-storey tower — some 15 storeys — proposed for Mitcham in a totally inappropriate development for that suburb.

I note that whilst the ministerial intervention covering 53 centres is a welcome step and gives some certainty to the community in Whitehorse, it still does not cover any development height controls in Mitcham, Blackburn, Nunawading or a number of other centres up and down the railway line, in particular the major centres which are most likely to encourage or attract significant levels of development. The community certainly does not want to see the sort of overdevelopment that was suggested in Mitcham and I would hope the minister works with the local municipality to resolve a better outcome for all centres within the Whitehorse municipality, and indeed the broader eastern suburbs area, over a period.

Mount Buller and Mount Stirling Alpine Resort Management Board: report 2005–06

Ms BROAD (Northern Victoria) — This morning I wish to speak on the Mount Buller and Mount Stirling Alpine Resort Management Board annual report for 2005–06. The message from the chairman of the board, John Dyson, at the commencement of the report refers to the 2006 snow season as experiencing the lowest recorded snowfall since 1973. I am pleased to say that with just two days to go before the official start to the 2007 season, conditions are being reported as providing the best start for seven years. In fact with some 25 centimetres of snow falling last week, the resort will be open tomorrow in advance of the official opening by the Deputy Premier on Saturday.

I can certainly recall the 2006 official opening at Mount Buller as being entirely dependent on artificial snowmaking, which was okay provided you did not get too close to the machines. Those very challenging circumstances served to underline the importance of the investment in snowmaking at Mount Buller. This year the Mount Buller and the Mount Stirling Alpine Resort Management Board expects to commission the new \$3.4 million wastewater reuse and water conservation project. I am pleased that the Bracks government has made a \$1 million investment in that project and as a result 2 million litres of water can be recycled daily and used for snowmaking. That project is in line with the aims of another initiative launched in 2006 by the alpine industry called Keep Winter Cool. That initiative is about demonstrating a leadership role in relation to addressing the impact of climate change on alpine environments.

The annual report also refers to the very successful opening in 2006 of the new visitor information centre at Mansfield by the then Minister for Tourism in the other place, John Pandazopoulos. That information centre is a joint initiative of the Mansfield shire and the board, and

it is a terrific demonstration of the strong and productive relationship between the two communities.

There are many other actions outlined in the annual report including implementing the first year of the mountain pygmy possum recovery plan for the endangered and iconic *Burramys parvus*. I wish to refer also to the period between the 2006 and 2007 snow seasons and the fires that threatened the resort over a six-week period over summer. I would like to take this opportunity to congratulate the local community, the resort management board, the lift company, the Country Fire Authority and the Department of Sustainability and Environment for their outstanding efforts in saving the community.

Finally, I wish to acknowledge and thank the chair, John Dyson, and all the members and staff of the Mount Buller and Mount Stirling Alpine Resort Management Board, as well as Buller Ski Lifts, for their contributions over the 2005–06 year and wish them all the best for the coming weekend and the year ahead.

Anti-Cancer Council of Victoria: report 2006

Mrs KRONBERG (Eastern Metropolitan) — I rise to report to this house on the Anti-Cancer Council of Victoria report to the Victorian Parliament for 2006. In doing so I ask that we pause in our own quiet moments to reflect on the lives that are lost to cancer and the suffering of cancer patients in this state.

The Anti-Cancer Council of Victoria operates under the business name of the Cancer Council Victoria. To deliver on its core activity of cancer control the Cancer Council both conducts and supports research and provides support and prevention programs across Victoria. These programs are conducted by units that carry out both epidemiological and behavioural research. They include the tobacco control unit, Quit Victoria, the Victorian cancer registry and public education and support units.

The Cancer Council Victoria also advocates for the alleviation of the physical and emotional burden of cancer. This is accomplished by reducing the impact of cancer. Activities include the promotion of environments and behaviours that facilitate cancer prevention; support of early cancer-detection screening; and multicultural and multilingual communication strategies. The capacity building of the organisation encompasses measures such as ensuring appropriate funding levels, continuous improvement of efficiency and effectiveness, nurturing of its human resources and all the time ensuring the council's integrity. The council

disseminates knowledge and assumes responsibility for the evaluation and monitoring of both basic and applied research. I am pleased to say that during 2006 the council celebrated 70 years of service to Victorians. During that period of time of patient support, education and research the cure rate for cancer patients in Victoria has improved from less than 25 per cent to more than 60 per cent.

The prevalence of cancer in this state is defined in the following way: by the age of 75 more than one in three men and almost one in four women in Victoria will develop cancer. In 2004 as many as 9613 Victorians lost their lives to cancer. However, the encouraging news is that cancer deaths for men and women continue to decrease at an annual rate of about 1.2 per cent and 0.9 per cent respectively. In the area of funding for biological and clinical research the council supports cancer researchers working in Victorian universities, hospitals and medical research institutes. In 2006 its medical and scientific committee had a budget of \$4.86 million to fund biomedical research. In 2006 it funded 37 research projects, 15 postgraduate scholarships, 7 postdoctoral fellowships, 5 major fellowships, and vacation studentships.

The Cancer Council Victoria is the lead agency for a \$7 million grant from the Department of Innovation, Industry and Regional Development under the science, technology and innovation infrastructure grant program. In 2006 the council's trial management scheme awarded grants totalling \$750 000 to 18 cancer treatment centres. Statewide cancer prevention and early detection programs include SunSmart, PapScreen, the men's cancer program, breast cancer programs, cancer education of multicultural communities, bowel cancer screening, obesity prevention and a general practice program. Turning to the end of the report I can say the Auditor-General has given a qualified audit opinion because of the management of cash — —

The ACTING PRESIDENT (Mr Finn) — Order! The honourable member's time has expired.

Auditor-General: *Maintaining Victoria's Rail Infrastructure Assets*

Mr PAKULA (Western Metropolitan) — I rise to make a statement on the Auditor-General's report entitled *Maintaining Victoria's Rail Infrastructure Assets*. It is also timely for me to express my sorrow at the death and injury caused by the collision at Kerang on Tuesday and send out my best wishes to the families and loved ones of the victims.

I want to congratulate the Auditor-General on his report and focus primarily on two elements: the renewal and maintenance of metropolitan infrastructure and, by contrast, the review of maintenance of intrastate rail infrastructure. What are the key findings? With regard to the metropolitan rail infrastructure, at page 47 of the report the Auditor-General finds in effect that the condition of the track and the electrical and signalling infrastructure is fit for purpose and that the infrastructure has performed well but that there is scope for further improvement. The fact that the Auditor-General has found that there is scope for further improvement in the metropolitan infrastructure should be of no surprise to anybody. I certainly do not suggest, and I do not imagine anybody on this side of the house would suggest, that the metropolitan rail infrastructure is either perfect or not in need of some improvement. I think that is particularly so in the case of signalling assets.

There are two points that should be made about that finding. Firstly, the Department of Infrastructure (DOI) has accepted all of the Auditor-General's recommendations. Secondly, and rather than reinvent the wheel I will read from the Auditor-General's endorsement of the government's Meeting Our Transport Challenges plan. The Auditor-General says in the report:

In May 2006, the government announced the Meeting Our Transport Challenges (MOTC) plan. MOTC sets out a 10-year plan for shaping Victoria's transport system to meet the challenges it faces. For the metropolitan rail system, MOTC identified capacity constraints and the need to replace some obsolescent infrastructure as the key priorities. The major actions include track capacity upgrades, additional rolling stock, new train control and communications systems and the upgrading of infrastructure within the Melbourne underground rail loop (MURL).

MOTC aimed to set out the government's actions to address the capacity constraints on the metropolitan rail system and the plan does this. MOTC is valuable, because it identifies the parts of the rail infrastructure which need to be upgraded or expanded to meet these capacity challenges.

Whilst identifying the problem, the Auditor-General, also identifies that there is a plan in place to fix the problem.

By contrast, the intrastate infrastructure key findings are that the arrangements established in 1999 by the Kennett government did not provide for the adequate maintenance and renewal of the infrastructure and that the only light on the horizon to rectify the situation is this government's decision to buy back the lease. Some of the findings are just damning of the Kennett government's abdication of responsibility for maintenance, when a 15-year lease was signed with

Rail America, or Freight Australia Ltd as it called itself, which placed no obligation on the lessee to plan for maintenance and renewal for the first 10 years.

Rather than reinvent the wheel, again I will read the Auditor-General's own words at page 55 of his report:

The May 1999 arrangements established by the previous government provided neither: sufficient information to enable DOI to understand the condition of the infrastructure; nor the contractual means for addressing any problems with the management of the assets. The arrangements for providing access to competing rail freight operators did not work well, with no operator managing to negotiate an access agreement.

It further states:

DOI has been constrained in the past by the terms of the lease. The government's buyback of the lease provides the opportunity to revise the current arrangements.

The only hope for intrastate rail infrastructure is the government's decision to buy back the lease. In May 2006 the state announced an upgrade of the Mildura line for freight purposes and contributed \$53 million towards the cost of the upgrade. That has only been necessary because of the inadequacies in the lease signed by the previous government.

Justice: asset confiscation operations 2005–06

Mr DALLA-RIVA (Eastern Metropolitan) — I am pleased to speak on the report to the Attorney-General on asset confiscation operations for 2005–06, which includes an activities summary.

I went through *Hansard* and noticed that the last time I spoke on a similar presentation to the Parliament was in July 2005 on the activities summary of 2003–04. At that point the value of assets seized under the Confiscation Act 1997 was \$4.286 million. The table presented at page 6 of the current report shows a gradual increase in the amount of assets recovered through the process under the act. In 1998–99, following the scheme's introduction, the amount was \$0.76 million, and I am pleased to see in today's report that the figure for 2005–06 is \$6.621 million. It shows that the system is working at some level.

For those who may not be aware of the fact, I recall the time that I was working as a detective in the then newly established asset recovery squad, which was an offshoot of the fraud squad, and the processes that we had to go through to try to trace the assets that suspected criminals gained through various activities. At that time those activities were not necessarily related to drugs, but that has been more the case in recent years.

I am pleased to see that the confiscation scheme as outlined at page 4 of the report involves four main stakeholders, including Victoria Police, and particularly the criminal proceeds squad, as it is now called. Obviously that has now developed and grown into its own separate unit, and that is of advantage because it is solely focused on that operation.

It is a difficult task, as we have seen from recent media reports about Tony Mokbel — Fat Tony to his friends. It is a difficult process where the assets are captured not only in Victoria and right across Australia but throughout the world in places where we do not necessarily have the relationships that enable us to track those assets. I am pleased to see that legislators around the world are more aware of the money that is derived from drugs.

While we can talk with some level of confidence about the \$6.6 million confiscated in 2005–06, it pales into insignificance when you consider the amount of drug money involved. Reports indicate that Mr Mokbel offered \$1.6 million to buy his escape. That shows the amount of money these people have through drug dealing.

I am also pleased the Office of Public Prosecutions is the second component among the stakeholders considered by the courts in the determination of the orders made. Then there are the important asset confiscation operations, which essentially are responsible for the management of assets retained. I recall long ago when I did a report for my bosses that there was no management in relation to the location of these sorts of orders made under the court's jurisdiction. I recall that a lot of these orders were placed in a bottom drawer in a department.

Thankfully that has been improved. We now see a gradual increase in these sorts of operations, and this report demonstrates the hard work of Victoria Police, the courts and the community in dealing with the proceeds of crime.

University of Ballarat: report 2006

Ms PULFORD (Western Victoria) — I wish to make a statement on the University of Ballarat's annual report for 2006. The University of Ballarat is a vital institution not only to the Ballarat region but to the entire Western Victoria Region that I represent, with many students being drawn from the broader region. I am proud to speak on the university's 2006 annual report and the impact the university has on young people in western Victoria.

The university has 22 000 students and 1400 staff across six campuses — three campuses in Ballarat and one each in Horsham, Stawell and Ararat across my electorate. The university has such a strong relationship with the region that the mayor of the City of Ballarat, Cr David Vendy, recently credited the University of Ballarat with helping to lure groups like IBM, the State Revenue Office and Rural Ambulance Victoria to Ballarat with a supply of graduates ready to enter the workforce.

Last year was a year of significant change for the university, with Professor David Battersby being appointed vice-chancellor in July and the university changing its stated goals the following: to become the leading multisector regional university in Victoria and to be distinctive in its vision to achieve the university's goals in the region nationally and internationally.

I would like to focus on the regional part of that newly stated goal, and I have met with Professor Battersby to discuss the issue of youth retention and youth migration patterns in regional Victoria and how tertiary education can play a role in keeping young people in regional Victoria. Professor Battersby and I, along with many others throughout my region, share concerns about the lack of tertiary education opportunities for young people in regional Victoria and the trend for young people to seek tertiary education in Melbourne. This is why the University of Ballarat is so important in western Victoria and why it plays a very important role in keeping young people in regional Victoria. As I have said before in the house, 79 per cent of graduates from the University of Ballarat who are from regional Victoria commence their first employment after graduation in regional Victoria. This is critically important because the university services the Wimmera, the Grampians and the Western District as well as the immediate Ballarat area.

Unfortunately only 29 per cent of 18-year-olds from the Wimmera are at university, and 27 per cent from the Western District. By contrast, 51 per cent of 18-year-old Melburnians are at university. Also concerning is that 77 per cent of 18-year-olds from regional Victoria who move to Melbourne to study do not go back to their home communities. This means two things: not enough regional Victorians are in tertiary education, and those who are and who move to Melbourne are not tending to make their way back. This is a problem when four out of five people aged between 18 and 35 cite post-secondary school education and training as a reason they left regional Victoria.

What can be done about it? At a federal government level perhaps reducing HECS (higher education contribution scheme) debts for students at regional and rural university campuses could be considered, and increasing financial assistance for students studying at regional or rural university campuses would encourage young regional Victorians not only to go to university and stay once there but to go to courses at a regional university. Increased government funding for universities would also help, as two-thirds of the University of Ballarat's funding is privately sourced. More initiatives like the two new student residences on Jamacra Place and Elsworth Street to help house students coming in to Ballarat would be possible.

I would like to thank the University of Ballarat for its good work in trying to boost tertiary education in western Victoria to help keep regional Victorian youth in regional Victoria, and documents like the university's annual report encourage me to believe the university will be a willing partner in my quest to stop the brain drain from country to city that occurs throughout the nation.

Mount Buller and Mount Stirling Alpine Resort Management Board: report 2005–06

Mr D. DAVIS (Southern Metropolitan) — I am pleased to make a contribution to the statements on reports and papers, in particular today on the Mount Buller and Mount Stirling Alpine Resort Management Board report for the year ended 31 October 2006.

The community is now aware of a great deal more information since this annual report was tabled in Parliament just a while ago. Yesterday in the Parliament we had the results of financial statement audits for agencies with other than 30 June 2006 balance dates in which there was a special focus by the Auditor-General on alpine resorts. At a glance he said:

There were five alpine resort management boards required to prepare financial statements for the financial year ended 31 October 2006.

They are, of course, Falls Creek, Mount Buller, Mount Stirling, Mount Hotham, Lake Mountain and Mount Baw Baw. He pointed to some financial issues in the deterioration of the financial position of Lake Mountain and Mount Baw Baw, and he also said:

Poor practices and inadequate documentation supporting personal expenditure reimbursement payments for senior staff and board members across the five alpine resorts were noted.

One of his recommendations, very appropriately, was:

Alpine resort management boards should review and update their policies and procedures relating to personal expenditure reimbursements, so that expenditure is clearly related to business purposes and supported by appropriate documentation.

I could not agree more. He went further in pointing to entity control environments and expenditure reimbursement arrangements in particular and said at page 42:

Our examination found that policies and procedures had either not been established for expenditure reimbursement claims or were deficient in some respects — including that documented procedures and claimable amounts were outdated; types of allowable expense claims were not specified; and authorisation arrangements were not clearly outlined.

He went on to say:

Partly due to these deficiencies and the failure in some instances to follow established procedures, we found a number of issues across the sector relating to expenditure reimbursements, including:

tax invoices not provided to support expense claims

expense claims not appropriately authorised

...

inconsistencies in amounts claimed for mileage and travel claim expenses

lack of documentation to support claims —

and most concerning of all —

a refund of \$1100 to a board member for attending a political fundraising event.

It is not yet fully clear who that board member is, but it is starting to become somewhat clearer. I quote from page 8 of today's *Age*:

The *Age* believes this claim was made by the chairwoman of the Falls Creek board of management, Judy Ward, to attend a fundraising event for state Labor MP Rob Hudson, the member for Bentleigh.

It is not my aim today to criticise in general the individuals on those boards. They are volunteers who do very good work. They have significant assets to manage and the responsibility to protect the natural environment in these important areas, and by and large they do a very good job. However, if it is Ms Ward who made the claim, as the *Age* believes, it is of great concern that a chairperson would use money from a resort management board to attend a political fundraiser, in effect giving public money to the Labor Party to pump up its coffers. That would be a disgrace.

If it is true, there are real questions to be answered here. If it is also true, as the *Age* also believes, that it is the member for Bentleigh in the other place, Mr Hudson, who was the recipient of the public money to pump up his election campaign in Bentleigh, he has a lot of explaining to do.

Ms Broad — That is not what he says.

Mr D. DAVIS — I think he should pay the money back, Ms Broad.

Ms Broad — That is not what he says.

Mr D. DAVIS — That is not what he says, but that is the information, and it has to be got to the bottom of. He has not ruled it out, as you would see if you read what is said in the paper. I will read it for your benefit:

Mr Hudson said that 'of course' he knew Ms Ward, but declined to comment on whether she had attended the fundraising event.

'I have not accepted a payment from any public sector agency', he said. 'Every payment I receive from fundraising comes from individuals'.

But if it comes from Ms Ward and she later claims the money out of the public purse, that is a concern. I have to say Mr Hudson must have —

The ACTING PRESIDENT (Mr Finn) — Order! The honourable member's time has expired.

Gordon Institute of TAFE: report 2006

Ms TIERNEY (Western Victoria) — I rise to make a contribution in respect of the Gordon Institute of TAFE and its annual report for 2006. As many members know, the Gordon institute is based in Geelong — in fact the institute is almost synonymous with the word 'Geelong'. However, it now has campuses outside Geelong in Colac, Werribee and, of course, in Melbourne. I must say it was not until I was in Stawell last week and spoke to a wonderful woman named Val Findlay, a member of the ALP and a retired librarian, about her memories of growing up in Geelong, memories associated with the Gordon institute, that I was prompted to try to track the genesis of the Gordon Institute of TAFE. My search came up with some dramatic results that I think will be of interest to members, particularly those of us who have always taken the Gordon a little too casually, as it has always been there for us.

The Gordon opened its doors for the first time in 1887. It was brought about by the need for tradespeople to be trained up, and it operated as a night school for many years. At first it catered mainly for tradespeople and

operated at night from a single-storey hall, but it developed into a proper institution. As I said, it now covers five campuses, offers 220 nationally recognised courses and has an annual student enrolment of 23 000. It is no surprise that the Gordon institute is synonymous with Geelong, because it has been part of Geelong for a very long time. It has maintained its relevance in terms of delivering skill training to the people of Geelong and surrounding areas for a great length of time.

On a personal level I was pleasantly surprised to see that the president of the Gordon Institute Council is now Brian Williamson, who holds a very senior position in product development at Ford Geelong. I last saw him at the other side of the bargaining table. I assure members that he is at the forefront of technological development.

Mr D. Davis — Did you win?

Ms TIERNEY — Yes, we did. With him around, we know that the Gordon is not just in good hands now but also for the future. The state government has also recognised this by contributing \$9 million for the building and construction centre at the institute, which the Minister for Skills, Education Services and Employment in the other place opened just last month. It is a testament to and a great example of what government, TAFE institutes, business and local communities working together in partnership can do to meet the emerging needs of business and individuals. The Gordon Institute of TAFE has positioned itself well and will continue to be the home of and engine for producing skilled workers for Geelong and the surrounding areas. I very much look forward to being part of its ongoing development.

Victorian Child Death Review Committee: report 2007

Mrs COOTE (Southern Metropolitan) — I speak today on the annual report on inquiries into the deaths of children known to child protection, which was published by the Victorian Child Death Review Committee. It is an absolute indictment of this government. Let me get this quite straight: it is not about the deaths of children in the wider community but about the deaths of children who are known to child protection services in this state. These are children who have been notified to the Department of Human Services, and the department has a duty of care and understanding regarding them. In this state 18 children died while under the auspices of child protection services. This is not good enough.

Let us put it into context. The 18 children who died represent a 60 per cent increase on the year before. There is absolutely no excuse for this. Ten of these children were under six months of age. This is absolutely appalling. We all know that the ethos and philosophy of the child protection unit of the department is to try to keep children in their homes with their biological parents for as long as they possibly can and to give the parents support for their children so that they can overcome many of the hurdles they have to experience, and I will certainly admit that some of these hurdles are quite challenging. There is domestic violence, alcohol abuse, drug abuse, mental illness and a whole range of issues that cause stress for these families and for the children born into them. But these are families who are known to the department in one way or another. There does not seem to be enough cooperation between units within the Department of Human Services to make quite certain that these vulnerable children are protected and supported.

If children are not able to be supported within these families, then we should have a much stronger process whereby they are put into foster care until their parents can sort out the problems and challenges they are faced with. Ten children under six months of age in this state did not live to experience a fruitful life of any sort. This is totally unacceptable in our community. This report is an indictment of the system, and it contains many recommendations. I will take the opportunity to come back and talk through this report during this segment of another parliamentary week because it is important that everyone in this chamber understands its significance.

As I said, the ethos of the government is to try to keep children within their biological unit, and that is commendable, but much more needs to be done. In the end we are talking today about the children who have died. What about the children who have been shaken and now have brain damage? What about the children who are born as alcoholics or are drug affected? These are things we must identify and work on and for which we must put funding into appropriate programs as a matter of urgency, and this report highlights that. I hope the minister and the government take note of what is in the report, because we must not see another increase when this report comes out next year. It is absolutely appalling, and it is something the department can actively do something about.

The executive summary of the report says:

The annual report serves two related, but distinct, functions. First, it provides quantitative and demographic data about the deaths of children known to child protection that occurred in 2006. Second, it provides qualitative analysis of child death inquiries reviewed by the Victorian Child Death Review

Committee in the reporting period between April 2006 and March 2007.

The overview of the report says:

Historical analysis suggests that the death rate in the child protection population is broadly comparable with the death rate in the general Victorian community.

No child death is acceptable, especially not one that happens under the auspices of child protection services. The overview goes on to say:

A total of 18 children who were known to child protection died in 2006: nine from acquired/congenital illness, four for reasons unknown or yet to be determined, four from accidents and one from (sudden infant death syndrome) SIDS.

In 2006 more than half the child deaths involved infants younger than six months of age. Sixty-seven per cent of deaths involved children aged younger than one year. No adolescent deaths were recorded in 2006.

That is to be praised.

The ACTING PRESIDENT (Mr Finn) — Order! The honourable member's time has expired.

Mount Buller and Mount Stirling Alpine Resort Management Board: report 2005–06

Ms DARVENIZA (Northern Victoria) — I would like to make some comments on the Mount Buller and Mount Stirling Alpine Resort Management Board 2005–06 annual report. It is timely to look at last year's report by the management board, given that the ski season is about to open this coming weekend. It is terrific to see that we have had significant snowfalls so early in the season — I think around 25 centimetres of snow has fallen already this year. I usually spend a bit of time at the ski resorts in the alpine region over the winter period, but unfortunately I will not be skiing this year. Hopefully I will be up there, but I will not be skiing this year due to recent surgery on one of my knees.

It is great to see such significant snowfalls early in the season, and I hope it indicates a bumper year. It has certainly got to be better than it was last year. You only have to have a bit of a look at the annual report, even if you did not make it up to the snow last year — not that there was much to see when you got up there — to see that it was the worst season that had ever been experienced by the resorts. In fact they had the lowest snowfall during the last season in more than 30 years, so it really was pretty bad.

Mount Stirling and Mount Buller were able to have a season, and the reason they were able to have one was that they were able to make snow. They had manmade

snow, and for many years now they have been working on putting the infrastructure in place so that they have the capacity to augment natural snowfalls. In situations like this — which has happened once in a bit more than 30 years — they were almost totally reliant on manmade snow. I went up to Mount Buller last year in what was probably the middle of the season, and you could ski; some of the runs were open. I took my very young nephew up there. He had some skiing lessons and was able to do a few runs down Bourke Street, so the resort was certainly open for business. That would not have happened had it not been for the foresight and planning put in place by the management board to ensure Mount Buller had the necessary infrastructure.

If members look through the report they will see that ecotourism is a real issue, one that members of the board are looking at and have been looking at for some time. They are certainly looking at ways that they can open up the facilities in the ski resorts and the national and state parks up there to ensure that they have more visitors throughout the year.

In his message the chair of the management board highlights just how much members of the board value the strong and complementary relationship they have with the other Crown land managers in the region, including the Mansfield shire, Parks Victoria, the Department of Sustainability and Environment and the catchment management authority. I know that they all work very closely together, to really make the best of the natural resources and, of course, the ski resources we have up there. Previously my parliamentary colleague Candy Broad talked about the water recycling project. It really is a fantastic project, on which construction began back in 2006. The commissioning was due in April and we will see it in operation in August.

I would like to take this opportunity to congratulate Phil Nunn, the chief executive officer of the Mount Buller and Mount Stirling board, and also all the members of the management board on the fantastic job they did during 2005–06. I wish them a fantastic coming season, which I know will be an improvement on last year's season. It was not only a bad snow season last year, but of course bushfires threatened that area as well.

PROFESSIONAL STANDARDS AMENDMENT BILL

Statement of compatibility

**For Hon. J. M. MADDEN (Minister for Planning),
Mr Lenders tabled following statement in**

accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006, I make this statement of compatibility with respect to the Professional Standards Amendment Bill 2007.

In my opinion, the Professional Standards Amendment 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 bill

The Professional Standards Amendment Bill implements certain procedural and machinery amendments to the Professional Standards Act 2003 to enable the Victorian Professional Standards Council and the Victorian government to administer the legislation consistently with other jurisdictions.

Human rights issues

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

The provisions in this bill do not raise any human rights issues.

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

As the bill does not raise any human rights issues it does not limit any human right and therefore 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 raise human rights issues.

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:

The Professional Standards Act 2003 was passed as part of the national tort law reforms with the specific objectives of improving professional service standards and limiting the occupational liability of professionals in certain circumstances. The Victorian act is based on the NSW Professional Standards Act 1994. Similar legislation, based on the NSW act, is now in effect in all other states and territories. While jurisdictions have agreed to implement nationally consistent professional standards laws they are not necessarily uniform or model laws.

The administration of state and territory professional standards legislation on a national level is governed by the intergovernmental Professional Standards Agreement 2005. This agreement provides that jurisdictions will endeavour to maintain a nationally consistent framework for the administration of professional standards legislation by, amongst others, appointing the same council members to each of the state and territory professional standards councils, using a common secretariat to support each council and also providing for nationally consistent fees regulations.

This bill contains local amendments to the Victorian Professional Standards Act 2003 in order to better enable the Victorian council and the Victorian government to facilitate the commitments made under the Professional Standards Agreement and to make the Victorian act more consistent with professional standards legislation in other jurisdictions. The amendments are mainly procedural or machinery in nature. The key amendments in this bill are as follows.

A. Inserting sufficient heads of power to promulgate regulations

Currently, the fee structure for associations seeking to participate in capped liability schemes under the Victorian act is set out in schedule 4 of the act. The Standing Committee of Attorneys-General has agreed to implement nationally consistent fee regulations, based on the NSW regulations, in all jurisdictions. As a result, schedule 4 of the Victorian act will require replacement by regulations.

This schedule was included in the act on an interim basis in the expectation that replacement regulations would be made in future. However, while it is intended that much of the current schedule will be remade in the regulations, there are certain items in the schedule that cannot be remade in the form of regulation without first including sufficient supporting heads of power. Moreover, there are clauses in the NSW-based regulations that are not currently in schedule 4 which will require inclusion in the Victorian regulations. The current differences between schedule 4 and the NSW regulations are due to amendments being made by the New South Wales government to the New South Wales regulations almost a year after the Victorian act was passed and also due to ongoing discussions by the Standing Committee of Attorneys-General to settle a final form of the proposed regulations. Accordingly, further heads of power must be inserted into the Victorian act in order to ensure that the Victorian regulations can be made consistently with other jurisdictions.

B. Establishing a new and separate Professional Standards Council Fund

Section 52 of the act provides that a trust fund shall be established in the public account into which money appropriated by Parliament or fees paid to the council under the act should be paid. The Victorian council is an independent statutory body which is now operating under a national framework that was not in existence when this act was passed. The proposed amendment seeks to better reflect the council's independent status by separating the council trust fund out of the public account. Further, the current provision could more clearly set out the ways in which the Victorian council can apply any funds credited to its account for its activities. As a result, the act will be amended to effectively close the current trust fund in the public account, transfer existing funds into the new statutory fund and provide

clearer guidance as to how the funds might be used by the council in performing its functions. There will be no loss of accountability in terms of how money is received into or paid out of the fund as the council is still required under the act to provide an annual report to Parliament covering both its operations and its finances.

C. Amendment to enable limited delegations by the council and to enable the council to enter into agreements with other parties

Finally, this bill will allow the council to make delegations to the Secretary of the Department of Justice or an executive officer to exercise some of the administrative functions on the council's behalf. The council consists of part-time members who meet between 8 to 10 times annually to consider, review and approve professional standards schemes. The council's members are professional members who hold other positions or are engaged in full-time work. This will facilitate the practical arrangements necessary for the administration of the national framework under the intergovernmental agreement without placing an undue burden on the council members themselves.

Under the intergovernmental agreement, parties have agreed to establish a common national secretariat to service all state and territory councils. The secretariat operates from within the New South Wales Attorney General's Department. The establishment of a common secretariat provides cost and resource savings for the Victorian government that would otherwise be incurred if a separate secretariat were to be established for the Victorian council. It is intended that by providing a delegation of powers from the Victorian council to the Department of Justice, the department can enter into such arrangements, on the council's behalf, with the NSW Attorney General's Department for the provision of secretariat services. The council may specify conditions, restrictions or limitations on that delegation by virtue of the operation of the Interpretation of Legislation Act 1984.

In conclusion, this bill will facilitate necessary machinery amendments to the Victorian act to enable nationally agreed commitments concerning the administration of professional standards legislation to be implemented in Victoria.

I commend the bill to the house.

Debate adjourned for Mr RICH-PHILLIPS (South Eastern Metropolitan) on motion of Mrs Coote.

Debate adjourned until Thursday, 14 June.

HEALTH PROFESSIONS REGISTRATION AMENDMENT BILL

Statement of compatibility

For Mr JENNINGS (Minister for Community Services), Mr Lenders tabled following statement 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 Health Professions Registration Amendment Bill 2007.

In my opinion, the Health Professions Registration Amendment 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 bill

The Health Professions Registration Amendment Bill 2007:

amends the Health Professions Registration Act 2005, in light of COAG decisions to establish a national registration and accreditation scheme for 9 of the 12 health professions regulated in Victoria, in order to defer a number of minor regulatory initiatives contained in the act, and reduce the administrative burden on registration boards during the period of transition to the national scheme;

improves the functionality of the Health Professions Registration Act 2005 and addresses a number of minor omissions in the act.

Human rights issues

The bill engages the right to privacy. However, the proposed amendment does not limit the right to privacy.

Section 13 of the charter states that a person has the right —

- (a) not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with; and
- (b) not to have his or her reputation unlawfully attacked.

Clause 14 of the bill amends section 30 of the Health Professions Registration Act 2005, which establishes a register of health practitioners to be kept and maintained by a responsible board. That register must be available for public scrutiny and may be published by a responsible board on the internet.

Establishment or amendment of a public register engages the right to privacy, as information privacy (privacy of information about ourselves) is a recognised subset of the concept of privacy.

Clause 14 amends the Health Professions Registration Act 2005 by giving responsible boards the discretion to publish a health practitioner's qualifications and training, and the address at which a health practitioner provides regulated health services, rather than requiring that publication of this information on the register be mandatory.

Whilst clause 14 does engage the right to privacy, it does not limit the right as there is no unlawful or arbitrary interference with a person's right to information privacy captured in the amendment.

The engagement with the right arising out of this amendment is not unlawful as it occurs in precise and circumscribed circumstances. It is also in accordance with the provisions, aims and objectives of the charter and reasonable in the circumstances.

Indeed, the amendment serves to protect and enhance a health practitioner's right to privacy by reducing the amount of personal information that must be made publicly available on the register. The amendment balances the right of a health practitioner to privacy with the need for the public to be able to access relevant information about those who provide regulated health services.

Conclusion

Proposed clause 14 of the bill engages the right to privacy by amending a public register. However, the proposed amendment does not limit the right to privacy, as it serves to reduce the amount of personal information that a responsible board must publish on a register.

Accordingly, the bill is compatible with the human rights protected by the charter.

Gavin Jennings, MLC
Minister for Community Services

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:

This bill contains a number of amendments to the Health Professions Registration Act 2005. The main purpose of the Health Professions Registration Act is to protect the public by providing for the registration of health practitioners and a common system of investigations into the professional conduct, performance and ability to practise of registered practitioners. The act will commence on 1 July 2007 and will repeal 11 separate health profession registration acts and parts of the Health Act and regulations, provide a consolidated regulatory framework for the 12 regulated health professions in Victoria and transfer the conduct of disciplinary hearings into serious professional matters from registration boards to the Victorian Civil and Administrative Tribunal.

Since the act was passed in 2005, there have been some important developments in regulation of the health professions nationally. In July 2006, the Council of Australian Governments (COAG) agreed to establish a national registration and accreditation scheme for the nine health professions regulated in all states and territories. The scheme is to cover regulation of medical practitioners, nurses, pharmacists, dental care providers, chiropractors, osteopaths, optometrists, psychologists and physiotherapists. Other professions are to be assessed for inclusion in the scheme following its commencement, against criteria agreed by health ministers.

These decisions follow the recommendations of the report by the Productivity Commission titled *Australia's Health Workforce* published in December 2005. The Productivity Commission formed the view that the current system presents significant structural impediments to promoting and maintaining a flexible and sustainable health workforce.

A less fragmented and better coordinated registration system is expected to provide the levers required to improve workforce deployment, generate efficiencies and promote consumer protection, in consistent manner across Australia.

COAG has announced a start date for the national scheme of July 2008. This is an ambitious time frame given it will require legislation in every state and territory, and consolidation of the operations of up to 70 separate state-based regulatory authorities.

Some professional bodies have asked why the government is proceeding to commence the operation of the Health Professions Registration Act 2005 in light of the COAG decisions to establish a national scheme. They have raised concerns that this will impose an unnecessary regulatory burden on registration boards and the professions at this time.

The government has given careful consideration to these concerns. The challenge for the government is to balance two important objectives. First, to ensure that Victorian registration boards continue to have the most up-to-date powers necessary to provide the best possible protection to the public for as long as their efforts are required. Second, to ensure that Victoria is well placed to make a smooth transition to the new national arrangements, when these are established and ready to proceed.

There are also professions that are regulated in Victoria and are not included in the first phase of implementation of the national scheme — that is, medical radiation practitioners, podiatrists and Chinese medicine practitioners. There must be up-to-date regulatory arrangements within Victoria for these professions.

In order to deal with these challenges, the government has decided to proceed with the Health Professions Registration Act as enacted in 2005 but defer, via amendments contained in this bill, and through administrative means, a number of less significant reforms. On balance, this is considered the best approach during this period of transition. The significant reforms contained in the Health Professions Registration Act will still proceed because many are essential in the short term, but they also position Victoria well to make the transition to the national scheme.

The amendments contained in this bill are designed to achieve three objectives. First, to ensure that the reforms implemented under the Health Professions Registration Act are consistent, as far as possible, with the shape of the national scheme and allow a smooth transition to the national arrangements; second, to minimise the regulatory burden on registration boards of implementing the act during this period of transition; and third, to ensure Victoria continues to have an up-to-date and responsive regulatory framework governing health professions for as long as is required, and for those professions not captured in the initial implementation of the national arrangements.

The bill amends the Health Professions Registration Act to defer a number of reforms until the shape of the national scheme is clear. First, the bill will make it discretionary rather than mandatory for registration boards to commence registering students who are in clinical training. Second, the bill will make it discretionary rather than mandatory to enter certain information on the public registers of practitioners, information such as qualifications and contact addresses.

Deferral of a number of other regulatory initiatives, such as standardisation of the registration period and collection of extensive workforce data, will be handled administratively and do not require amendment to the act.

The bill also contains a number of amendments that are designed to improve the functionality of the act. I will describe the most significant of these.

First, the bill provides a general power for boards to endorse the registration of practitioners in particular areas of practice approved by the minister, in addition to the existing specific endorsement powers in part 2, division 2 of the act. This allows a more flexible means for boards to respond, over time, to the needs of the public and the health system for accessible and accurate information about which practitioners or groups of practitioners have additional skills or qualifications that are considered necessary to provide certain types of services. Such powers can be used in future, for example, to publicly identify those nurses who are properly trained and authorised to administer immunisations or provide HIV testing and counselling.

Second, the bill provides for discretion for registration boards to grant general registration to practitioners who have let their registration lapse. This discretion can be exercised by boards where such practitioners have older qualifications that are no longer approved qualifications for first-time registration, and where the practitioners reapply for registration within two years of lapsed registration, and can demonstrate they are of good character, competent to practise and have sufficient recent practice.

Third, the bill provides a number of exemptions to the offence of practising optometry in addition to those already in the act. This will allow medical practitioners and assistants to optometrists and ophthalmologists who are working under supervision to practise in areas that could be considered to fall within the definition of optometry in the act, but without threat of prosecution.

Fourth, the bill provides powers for the Podiatrists Registration Board (alongside the existing powers of eight other registration boards) to authorise suitably qualified podiatrists to use the title 'acupuncturist' and provide acupuncture services as part of their practice of podiatry. It is expected that the Podiatrists Registration Board will work with the Chinese Medicine Registration Board to apply a common standard for training and practise of acupuncture by practitioners granted such an endorsement.

The Victorian government is committed to implementing the COAG decisions to establish a national registration and accreditation scheme for the health professions. The Health Professions Registration Act is designed to protect both consumers and practitioners and provide the best possible regulatory environment to support the delivery of high-quality health services, for as long as it is required.

This bill is framed to provide the best response to the challenges of this period of transition to the national scheme. I look forward to working closely with all registration boards and professional bodies to make a smooth transition to the new arrangements.

I commend the bill to the house.

Debate adjourned for Mr D. DAVIS (Southern Metropolitan) on motion of Mrs Coote.

Debate adjourned until Thursday, 14 June.

PAYROLL TAX BILL

Statement of compatibility

Mr LENDERS (Minister for Education) tabled following statement 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 Payroll Tax Bill 2007.

In my opinion, the Payroll Tax 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 bill

The purpose of the Payroll Tax Bill 2007 is to rewrite the Pay-roll Tax Act 1971 in order to harmonise key elements of Victoria's payroll tax provisions with those of New South Wales.

Human rights issues

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

The bill does not raise any human rights issues.

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

As the bill does not raise any human rights issues, it does not limit any human right and therefore 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 raise a human rights issue.

JOHN LENDERS, MP
Minister for Education

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:

The Bracks government has taken a leading role amongst Australian governments in committing to a vigorous program of red tape reduction for businesses and individuals.

In February I announced with my New South Wales counterpart that our two states, that together make up around 60 per cent of the Australian economy and are home to approximately 57 000 of the country's 95 000 payroll tax paying businesses, would embark upon an ambitious program to reform and harmonise our payroll tax provisions.

This bill is a rewrite of the old Pay-roll Tax Act 1971 and has been drafted following an extensive collaborative effort between the respective treasuries, revenue offices and parliamentary counsels of each state. The New South Wales equivalent bill will be introduced into their Parliament within a few weeks.

The bill does not alter Victoria's competitive threshold and rates, the second lowest in Australia, but otherwise the provisions of the two acts will now be virtually identical.

There are an estimated 8000 businesses that operate in both Victoria and New South Wales who will directly benefit from these changes.

I reiterate my comments at the time of public announcement that these changes will 'make it easier for businesses and their financial advisers to deal with state revenue offices ... and cutting business costs is an integral part of supporting jobs and economic growth'.

Some of the key changes include:

an increase in the period allowed for refunds and reassessments for all state taxes, not just payroll tax, from three years to five years.

the inclusion of employee share schemes in the payroll tax base to ensure consistency with other forms of remuneration. Payroll tax will be payable either at the date of the initial grant of the shares or when options to the shares are exercised, giving employers a choice as to when to pay their payroll tax liability.

employers to submit annual reconciliation returns by 21 July each year, an extension of 14 days from current requirements.

Victoria increasing its exemption rates for motor vehicle allowances and accommodation allowances, to align with the rates applying in NSW.

adoption of consistent grouping provisions. Victoria will now use a 'more than 50 per cent' control test, while NSW will extend a commissioner's discretion provision to enable a business to be excluded from a group under this control test.

in other grouping provision changes, Victoria will adopt the NSW tracing provisions for corporations and definition of a business, while NSW will adopt the Victorian provisions covering the test for inter-use of employees and the Victorian provisions regarding the designated group employer.

uniform definitions and mutual recognition of exempt charities by combining some of the broadest provisions existing in both states.

a single gross-up factor (type 2) for calculating the value of fringe benefits subject to payroll tax for all payroll tax payers.

the removal of the concession allowing prescribed sporting clubs to declare fringe benefits on a non-grossed-up basis. Victoria is currently the only jurisdiction to provide such a concession that benefits professional sporting clubs. The government has decided to defer the removal of the concession for a period of 12 months to allow the prescribed sporting clubs some lead-in time to lessen the immediate financial impact.

This government has placed a strong emphasis during its time in office on embracing technology where possible. We strive to provide business and individuals with the ease of electronic options where possible.

In the area of payroll tax administration the Victorian State Revenue Office has developed the most advanced and user-friendly e-commerce options for taxpayers in Australia. The introduction of online transactions by the State Revenue Office has created savings for Victorian businesses of \$10.3 million a year, which represents a drop in red tape costs of 52.6 per cent. The NSW Office of State Revenue is exploring opportunities to adopt these options.

This bill enacts legislative changes to enhance harmonisation, but it is only the starting point in achieving greater administrative consistency. We will continue to work on our e-commerce options and our administrative arrangements to maximise the degree of harmony with our NSW counterparts. We will continue to engage the business community and other stakeholders to best enable our efforts to be effective and worthwhile.

Victoria remains committed to payroll tax harmonisation with all states and territories. National reform will bring even greater benefits to a greater number of taxpayers and further drive down the cost of doing business across jurisdictions.

I commend the bill to the house.

Debate adjourned for Mr RICH-PHILLIPS (South Eastern Metropolitan) on motion of Mrs Coote.

Debate adjourned until Thursday, 14 June.

APPROPRIATION (2007/2008) BILL and BUDGET PAPERS 2007–08

Second reading

Debate resumed from 6 June; motion of Mr LENDERS (Minister for Education) and Mr LENDERS's motion:

That the Council take note of the budget papers 2007–08.

Mr PAKULA (Western Metropolitan) — As a new member, going through my first budget process has been a bit of an eye-opener. Even though prior to being a member of Parliament one is involved in the political process in a party sense, as an outsider you do not properly appreciate how many programs are funded as part of the state budget and how many grassroots improvements are made to influence the everyday lives of Victorians. You also do not appreciate the discipline and effort of seven years to get the state's finances to where we are today — to enable the government to deliver a budget of this nature.

I also did not appreciate the true ineptitude of the opposition until I listened to the budget reply of the shadow Treasurer and member for Scoresby in the other place, Mr Wells, and read some of his contribution. I found his budget reply somewhat extraordinary. There are a number of things in that reply that to me and many members of the government are as clear as crystal. They were only crystallised further by the performance of the shadow Treasurer as a member of the Public Accounts and Estimates Committee (PAEC) in its budget estimates hearings.

The first thing that is clear is that he is totally economically illiterate. It was clear that his budget reply was written for him by someone else and that he simply read it out without properly understanding what he was reading. What was obvious in his budget reply and also at the PAEC hearings was that he does not understand the difference between recurrent expenditure and capital investment. He also clearly does not appreciate that when a government makes commitments over a four-year term it does not fund every single commitment in the first budget — even though in this first budget the government has funded more than 50 per cent of the four-year commitments.

The response of the shadow Treasurer was deficient in many areas. In some areas he was just plain wrong. First, Mr Wells and subsequent opposition speakers showed a total misunderstanding of the debt figures. The shadow Treasurer claimed — I think I have this quote correct — that net public sector debt is rising rapidly. But it is necessary to look properly at the financials. As a very neat trick in opposition — not one that I would necessarily play — people talk in absolute dollar terms when it suits them and in percentage terms when it suits them.

An honourable member interjected.

Mr PAKULA — I did not say that. The only meaningful figure when you are talking about debt is debt as a proportion of gross state product. The fact is

that in 1999 debt was 10.6 per cent of gross state product and today it is 6.1 per cent of gross state product. That is what matters, because it is about the state's capacity to service that debt. Not only that, according to the forward estimates it is staying under 7 per cent — that is, it is staying well below the percentage rate that we inherited right through the forward estimates period.

Mr Guy interjected.

Mr PAKULA — Mr Guy does not have to take my word for it. I would not expect him do take my word for it. Standard and Poor's, the ratings agency that the previous Liberal government placed a great deal of stock in, is reported as follows:

Ratings agency Standard and Poor's said net debt would not be a problem for the state nor impact its top line credit rating.

Today's budget for the state of Victoria is consistent with the AAA rating already assigned to the state.

Clearly Standard and Poor's does not have the same political imperative to try to make hay about the debt figures as does the opposition, and it has given the budget the tick.

Mr Guy interjected.

Mr PAKULA — Absolutely, Mr Guy. Mr Guy is wrong on debt. He is also wrong on the state's tax take. Mr Wells, the shadow Treasurer, and Mr Guy went on at length saying that the state's tax take was going through the roof. The figures give the lie to that. Since Labor's first budget, gross state product has risen by 48.9 per cent — from \$173 billion in 2000–01 to \$257 billion today. The tax take in that period has gone up by 36.1 per cent — a 49 per cent increase in gross state product and a 36.1 per cent increase in the tax take. Even if you include revenue from grants, total revenue has gone up by 44.5 per cent against a 48.9 per cent increase in gross state product.

Mr Guy — What about GST?

Mr PAKULA — I am talking about total revenue, Mr Guy, and on any measure total revenue has grown at a slower rate than gross state product. In the same period commonwealth revenue has grown by 53.5 per cent and the company tax take, which the commonwealth keeps, has grown by 109 per cent over five years, so the rivers that are flowing are not accruing to the state but to the commonwealth — they are staying firmly in the pockets of Peter Costello. Mr Guy is wrong on tax. Again, if he does not believe me — I would not expect him to believe me — let us

hear what others who are not as partisan as Mr Guy say. Mr Guy is a loyal partisan, I will give him that.

What do others say? A press article states:

Real Estate Institute of Victoria chief Enzo Raimondo said that the tax cuts had addressed his organisation's concerns and sent 'a positive message'.

Another report states that Victorian Employers Chamber of Commerce and Industry chief Neil Coulsen said of the tax cuts 'This provides affordable and practical cost relief'. Neil Coulsen also said the tax cuts:

... will help the overwhelming majority of businesses, particularly those affected by the continuing drought and a relatively high Australian dollar and recent interest rate rises ...

The chief economist of the Australian Industry Group, Tony Pensabene, has also commented. I do not think anyone would say that the AIG is some sort of Labor front organisation. He stated:

This is a sound and a prudent state budget that improves competitiveness in Victoria, builds new industrial capacity and invests in future productivity

As Mr Guy well knows, the AIG represents thousands of businesses. By comparison, what do the pundits say about commonwealth taxation. Macquarie Bank economist Rory Robertson points out the strongly rising tax base in recent years still means:

... Costello almost certainly now holds the record as Australia's biggest taxing Treasurer ...

Honourable members interjecting.

Mr PAKULA — It is not me saying this, it is the Macquarie Bank:

... Canberra's revenue/GDP ratio appears to be at or around multi-decade highs, on any credible measure.

The opposition is wrong on tax and wrong on water as well. Quite apart from the totally irresponsible Chicken Little routine on water by the Leader of the Opposition in the other place, Mr Baillieu, when he said that we would be already pumping water from the Thomson by now — he was wrong about that — the shadow Treasurer, the member for Scoresby in the other place, said that the government was not investing in water infrastructure. This budget alone contains \$136 million of projects all over the state which will save 80 gegalitres of water.

Mr Guy interjected.

Mr PAKULA — I will detail some of them. There is the Eildon dam wall upgrade; \$38 million for irrigation efficiencies in Shepparton, with 50 billion litres saved in the Murray–Darling Basin; the goldfields super-pipe; and the reconnecting of Tarrago Reservoir just to name a few. What was the opposition’s plan? A dam at Arundel would have provided — —

Mr D. Davis — What about desalination!

Mr PAKULA — I will come to desalination. The dam at Arundel would have provided 6 gigalitres in a rainy season and not a drop in a drought season. I notice that the member for Scoresby in his speech is no longer specifically saying, ‘Dam the Maribyrnong’, he is just saying that we need a dam. Where do we need a dam? The Yarra River is already dammed and the water is fully allocated. The Thomson River is already dammed and the water is fully allocated. Where will this dam be, if not on the Maribyrnong?

Honourable members interjecting.

Mr PAKULA — He is not saying that now. As I said, Mr Finn, a dam would not provide one drop of water in a drought. The only time it would provide a drop of water would be when all the other dams were full anyway. You are wrong on water too.

Mr Wells in the other place somewhat audaciously talked about police numbers and the crime rate. The figures are black and white. They are not our statistics, they are the statistics from Victoria Police. The previous government cut more than 1000 police out of the system, and the cuts reached their nadir in 1999, just before the now opposition lost government. What happened over that period? Between 1994–05 and 2000 there was a very predictable increase of 12 per cent in the crime rate. What has happened since Labor has come to government? There has been a 55 per cent increase in the police budget, there are now 1600 more police and there has been a massive reduction in the crime rate — it is down by more than 20 per cent, from 9500 per 100 000 to less than 7500 per 100 000.

In his reply the shadow Treasurer commented about unfunded liabilities for superannuation. He again demonstrated a total lack of understanding of the nature of the issue. As Mr Wells, the shadow Treasurer, would probably now understand since his grilling of Minister Holding at the Public Accounts and Estimates Committee hearing, the state superannuation liabilities for public servants have been reduced by \$5.4 billion over the term of this government — and that is \$1.5 billion more than was expected under the original full-funding formula. We have a full funding formula

and we have paid down \$1.5 billion more than is provided for in that.

In 1999–2000 the state’s interest obligations were 10 per cent of revenue and now they are 6.5 per cent of revenue. We are saving something like \$2 billion each year in debt servicing. That is why we can afford to rebuild or modernise every government school in the state and still deliver budget surpluses north of \$300 million. Opposition members are wrong on superannuation — and on schools they are outright wacky. What Mr Wells said about schools has not been properly ventilated. He said that the Liberal Party would bring forward the completion of the program to repair school buildings from 2016 to 2008. That is a 10-year program costing more than \$1 billion — and it is to be done in two years! It will take 10 years, and the Labor Party’s questions for the opposition are: if it is going to do everything in two years, what taxes are going up to fund it, what other programs is it going to cut to fund it, or is it just going to run a deficit for the foreseeable future?

The opposition wants to bring forward 10 years of school rebuilding and do it in two years, and it says the state budget can accommodate that. This is why the Victorian public has rejected the opposition three times. You cannot propose the impossible to people and expect to be believed. We are going to deliver on every promise in our election commitments.

Let us synthesise, if we can, all the elements of the opposition’s response and its election promises and see what they amount to. As far as I can tell they go something like this: we should improve services at the same time as we slash public sector numbers, or at least not give public servants a pay rise — that will lead to productivity! — and should further reduce revenue from stamp duty, WorkCover premiums, land tax, utilities, gaming and road safety. Never mind that land tax is now 2.5 per cent compared to 5 per cent when we came to office. Never mind four consecutive 10 per cent reductions in WorkCover premiums — —

Mr Lenders — How many?

Mr PAKULA — Four in a row. This is where the shadow Treasurer, Mr Wells, really outdid himself. He said:

Any measure to support Victorian business is welcome, but this must be seen for what it is: the levy can be reduced because of the Victorian WorkCover Authority’s very large operating profit.

To use an immortal phrase, ‘Who would have thunk it?’. If you actually pay attention to workplace safety, if

you actually listen to the big, bad, nasty unions and if you actually do something to try to stop people getting hurt or killed in their workplace, then guess what happens? The system works better, the authority makes money and you can afford to reduce premiums to business. It is what we said all along. It is what the opposition argued against all along, and for Mr Wells to say, 'You can only do this because the authority has made money' shows how out of touch he is.

With all the reduced revenue the opposition says we ought to have, it also says we should expand public transport infrastructure, spend more on doctors, nurses, dentists and mental health, build more roads and rebuild 2300 schools in two years — all in two years! The opposition wants to build a useless dam that will not provide a drop of water when we need it, and it wants to build a desalination plant on the smell of an oily rag. It says it will cost \$400 million when everyone knows it will cost at least twice that. The opposition is for rail freight —

Mr Finn interjected.

Mr PAKULA — Mr Finn is for rail freight, but he will not support an intermodal terminal at Dynon. The Liberal Party will not express a view about channel deepening. The Liberal Party is trying to snow the public, and the public is on to it. Really what the last election and the two elections before it showed was that cheap populism is no substitute for detailed policy work, and on that Philip Davis and I are in furious agreement. I say to the opposition that the public passes judgement on political parties, and if the opposition, as evidenced by the shadow Treasurer's budget reply, continues to roll up with unbelievable, unworkable, impossible, sloppy approaches to policy, the judgement will not change. This budget is not the dividend of seven years of hard work in government; it is the dividend of 11 years — 7 years in government and the 4 years before we got into government.

I want to talk about what this budget provides for Melbourne's west. Former Premier Kennett and his government barely spent \$1 in the west in seven years. The Liberal Party has discovered the west because Mr Finn is a local member. I think it is important to indicate what has already been delivered in previous budgets and works programs. First of all, new primary schools have been delivered in Point Cook, Melton, Tarneit, Deer Park and Roxburgh Park, and new secondary schools have been delivered in Sydenham, Caroline Springs and Point Cook. Recurrent funding to Western Health has been increased by 94 per cent. Upgrades to the emergency departments have been carried out at the Williamstown and Western hospitals.

There are 127 extra police, and a 23 per cent reduction in crime. There is a new police station at Caroline Springs. The government has already spent \$460 million on road improvements in the west. There are integrated children's hubs in Deer Park, Altona and Laverton — the list goes on. It is a proud record that has been built on in this budget.

As has been indicated by the minister, education is top of the list, with half a billion dollars this term for school renewal. Funds have already been committed for brand-new schools in Melton, Hume and Wyndham, and there are school regeneration projects in Altona and Laverton. In health there is \$25 million for upgraded patient facilities and critical infrastructure at Western Hospital. There is \$20 million for the stage 1 redevelopment of Sunshine Hospital, an expanded ambulance service in Altona and stage 2 of the new emergency services precinct at Essendon Airport. In water, there is a major recycling project at Altona and another one at Laverton saving 1.7 gigalitres of water. There is \$10 million to continue the Vision for Werribee Plains. In housing the budget overall commits half a billion dollars to public housing for 2300 new dwellings. I am absolutely confident that the west will get an appropriate share of that funding as well.

In planning there is the fabulous —

Mr Guy interjected.

Mr PAKULA — Even you, Mr Guy, would have to concede that the \$52 million investment in the Footscray transit city project and the rebuilding of the footbridge is fabulous. I was there with the Premier last week opening up the station to the district. The area will be beautified and modernised for the benefit of the community.

When you combine all the things we have done since 1999, the commitments in the 2007 budget, election commitments like the Sydenham line triplication and the other works being carried out as we speak — like the installation of the Sunshine pool, like the grade separation on Taylors Road in St Albans — you see that Labor's commitment to the west is real. It is enormous, and it is very welcome.

There is one final element I want to go to, and that is the measures contained in the *A Fairer Victoria* document. This is the stuff that makes us proud to be on this side of the house —

An honourable member interjected.

Mr PAKULA — Maybe Bill Forwood! This is the stuff that makes us proud to be on the progressive side.

Believe it or not, we even got praise from the *Age*. Paul Austin said:

Credit where it is due: this columnist said when *A Fairer Victoria* was launched with some fanfare in 2005 that the real test of the government's commitment would be whether it followed up with more creative policy work and more money. It is passing the test.

High praise, and indeed rare praise. There is \$1.4 billion in the budget for *A Fairer Victoria*, and that makes \$3 billion in total. As I said, there is half a billion dollars to boost the supply of social housing.

Mr Guy — Hurry up. We want to get to Mr Finn.

Mr PAKULA — We will get to Mr Finn soon enough, Mr Guy, and I am sure we will all be absolutely riveted. There is \$29 million to effectively make kinder free for kids whose parents have a health care card, 40 new children's centres, the extension of the Living Libraries program, the renewal of tech wings and investment in TAFE, investment in family violence community lawyers, and \$80 million to boost home and community care services. This is a comprehensive, integrated approach to tackling disadvantage. It stresses early intervention; it stresses access to services; and it helps communities properly support individuals with problems. Again it is the dividend of good government — as is, in my submission, the whole budget. It is what you get when you focus on service delivery, when you focus on investing in the future of our kids, when you pay down debt, when you work hard on policy, when you run a strong economy and when you care about people.

It is a lesson well learnt by Labor, and it is one that opposition members would do well to reflect on, rather than heckling from the sidelines. Alternatively Mr Guy can keep dishing up the ill-considered, sloppy, populist nonsense he has this week. Frankly that too would be fine by us.

Mr FINN (Western Metropolitan) — There is one thing we can say quite conclusively about the budget under discussion today — that is, that it is as convincing as Tony Mokbel's wig. It fools no-one, we know it is a phoney and we look at it and say, 'Can't they do a little bit better than that?'. It is truly a budget of deep concern for every thinking Victorian, indeed every Victorian with a memory of what happened not so long ago. The figure that tells us that net public sector debt will be \$15.3 billion by 2011 is truly horrifying.

Here we go again, back to the bad, old days. Back to the future in fact, back to the days of Cain and Kirner, back to the decade of darkness, the one we all

experienced between 1982 and 1992. We are revisiting the economic vandalism that this state suffered at the hands of the Victorian Labor Party in the past. Its members have learnt nothing. It is obvious from this budget that they have learnt nothing. We are returning to the days when we had a state crippled by debt and the interest payments on that debt. This is Labor's version of economic conservatism. This is what we have come to expect from the Bracks government. This is what every Australian will come to expect if, unfortunately, the leader of the federal opposition, Kevin Rudd, becomes Prime Minister later this year.

Mr Guy — God help us.

Mr FINN — Indeed, Mr Guy, God help us all. There are three things members of the Labor Party live and die by: taxes, spending and wasting. They tax, they spend, they waste. That is what the Labor Party lives for. What its members have to realise is that that tax money is not theirs; that tax money is hardworking Australians' money. They have worked for it, they have earned it and they are the ones — —

Mr Guy — The people in their McMansions.

Mr FINN — I will get to the McMansions in a minute. They are the ones who have worked hard for that money and they are the ones who deserve that money, not some greedy government which thinks it can spend that money better than the people who earned it. Unfortunately that is the sort of theft that we have come to expect from Labor governments whether they be state or federal, or indeed local for that matter — they are pretty good at it as well.

I ask you, President, to compare this state budget with what we have seen over a period of time from our federal government in Canberra. Any comparison between the state Treasurer, John Brumby, and the federal Treasurer, Peter Costello, leaves the Victorian Treasurer embarrassed and shamed. The biggest question surrounding any federal budget of recent years has been how big the tax cut would be. That is the biggest question people ask about any federal budget coming from Peter Costello — how big will the tax cut be? When was the last time you heard anybody ask that question about a Labor budget? The best anyone can do in the lead-up to a Labor budget is say it might not put taxes up. That might be the best we can do but certainly the question of how big the tax cut will be is never asked.

Mr Vogels — Kim Beazley opposed the tax cuts, remember.

Mr FINN — As Mr Vogels points out, Kim Beazley opposed tax cuts. Former federal Treasurer and Prime Minister Paul Keating went even further — he gave tax cuts and then he took them back after the election. He said they were L-A-W law, and as soon as the election was over he took them back. That is theft.

As federal Treasurer, Peter Costello has eradicated the federal debt. He has overseen, is overseeing and will continue to oversee a booming economy, low interest rates, low inflation, the lowest unemployment in many decades and booming consumer confidence. Peter Costello can be a singular lesson for the Victorian Treasurer, because Peter Costello is an economic genius. He has brought prosperity to Australia. He has brought about a situation where the best of things can happen for all Australians.

Surely even our state Treasurer, Mr Brumby, must agree, because Peter Costello and the federal Liberal-Nationals government are keeping Victoria afloat. It is as simple as that. Without the GST Victoria would have already sunk without trace. We would be gone. With a little convincing I could almost believe that John Brumby would have in his office across the road a little shrine to Peter Costello. He would get down on his knees every day and give thanks for Peter Costello, as indeed we all should. I reckon there would be garlands of flowers around this shrine and he would even light little candles to Peter Costello.

Mr Koch — And burn incense.

Mr FINN — A bit of incense as well. He would be thankful that that money just keeps pouring in, because without it Victoria would be broke. Our debt would already be through the roof — we would not have to wait until 2011. We would already be an economic basket case. We are talking about GST money of \$44 million a day, seven days a week including Sundays, coming into the pockets of the state government. Where would Victoria be without it? We would truly be in a mess.

We heard Mr Pakula talking about the wondrous things that have occurred since 1999. I have to admire his imagination. I am happy to give credit where it is due and Mr Pakula's imagination is something that has to be seen and heard to be believed. It is truly astonishing. We remember that the Bracks government came into office in 1999 and inherited a surplus of some \$1.8 billion. It then went to work and blew it in record time. Labor set a new world record on this — \$1.8 billion down the S-bend in record time. We still do not know where that money went. Labor members do

not know where the money went. It is quite extraordinary.

This Bracks government is both high taxing and high spending, but it is incredibly wasteful. Labor prefers spin and, as we saw from Mr Pakula, glossy publications to just about anything. I am sure every member in this house, and indeed every member in the other place as well, would be aware of the library of publications we have coming into our offices on an almost daily basis. The printing bill alone would sink the *Titanic*.

Mr Vogels — Couriered in.

Mr FINN — Couriered in in many cases, as Mr Vogels says. The printing bill alone must be horrendous, but that is all part of the public relations, the spin, that keeps this government going. Labor members think that if they look good, if they can get their message across, they are achieving something.

To hell with the people of Victoria! They are not important. Do not worry about the future of our children. Do not worry about the economic base of this state. All that the government is concerned about is looking good in its glossy publications. That is not good enough. This government is based on inefficiency and waste. As I mentioned yesterday, members of the government will tell you how much they have spent, because they can spend like drunken sailors on shore leave. Nobody does it better. But can they tell us the results? Can they tell us what they have achieved for the money spent?

Keep in mind that it is not their money. This is the money of Victorian taxpayers, but they spend it in a carefree manner, with very little care and absolutely no responsibility from what I can see. They just spend and spend and spend, waste and waste and waste, and when they run out of money, where do they turn? They hit the taxpayer again. That is just the way they operate. This has been going on now for almost eight years, and I can assure you, President, the people of Victoria are getting very sick of it.

One of the most important and most frequently asked questions put to me in my electorate and as I go around to other areas is, 'Where has all the money gone?'. Where does that \$44 million a day go? Where do all the gambling taxes go? Where does the land tax go? Where does the stamp duty go? From all these taxes, all these slugs on Victorians from one end of the state to the other, where does all this money go? People know that this government brings in more revenue than any other

government in Victoria's history, and they ask me, 'Where does this money go?'

Mr Vogels — What do you say?

Mr FINN — I have to say to them that there is a bit of spin and more than a few consultancies, because they love to look after their mates. As I have said, I will always give credit where it is due, and Labor governments do look after their mates like nobody else. If you are a mate of the Labor Party and it is in government, you are home and hosed; every day is Christmas. I reckon that for 365 days a year some of those Labor mates have a Christmas tree set up in their lounge room. They know that nirvana has arrived as soon as Labor has hit the Treasury benches.

When people ask where does the money go that the Labor Party brings in when in government I have to say to them that, largely, I have not got a clue. I really do not know. The government has not been able to explain it to us to any large degree. It has been able to explain certain bits here and there. It will trumpet this and that announcement. Some projects have been announced up to eight or nine times, each with a big party and much fanfare. We remember that when Peter Batchelor was Minister for Transport in the other place he had clowns down at Spencer Street station. I thought it might have been a family reunion. They had big parties down there, and it cost hundreds of thousands of dollars. How many times did they announce the Southern Cross station project? They were still announcing it when the thing was nearly finished. It is quite extraordinary the way this government thinks it can get away with this.

I say to people who ask me where the money goes that, largely, I do not know. We know that it is certainly not on water infrastructure. No great money or thought or concern, it would seem, goes into that at all. The fact is that Victoria is running out of water. We have a water crisis in this state. Our water reserves are below 30 per cent, but in this budget this government has done absolutely nothing about it. This is the greatest crisis any state could face, and this government is doing absolutely nothing. It is doing zilch. It is astounding, frustrating and infuriating, but this government continues to snooze on as the water continues to drop.

The Minister for Water, Environment and Climate Change in this state would have to be one of the greatest snoozers we have seen in this country's history. While nothing is happening in Victoria, Western Australia has already ordered two desalination plans and is looking at a third. New South Wales is building a desalination plant. Queensland is building a desalination plant. Victoria is not interested. We will

just all die of thirst, I suppose. Perhaps then the Labor government will be happy. It does not spend the money on roads, and anybody who uses roads in this state — I am sure there is a fair number of us in this chamber who do — will be only too well aware of that.

As I mentioned yesterday, at peak hour in this state there are more red lights than in Amsterdam. As far as the eye can see there is red light upon red light upon red light, and people are stuck in traffic as they crawl to work and crawl home. This is something that the vast majority of Melburnians in particular have become accustomed to, but I assure you that they are not happy about it. They are totally sick of it. They would much rather be at their offices or at home with their loved ones than stuck in traffic day after day, as happens in Melbourne on a daily basis.

The money is certainly not being spent on roads; we can be absolutely sure of that. I know that it is not being spent on children with autism. Mrs Coote said during the adjournment last night that early intervention programs for children with autism in this state are nothing short of disgraceful. World best practice dictates that each child with autism needs at least 10 hours early intervention each week. This government provides between 1 and 4 hours for each child each week. That, at best, is 40 per cent of the minimum that these children should be getting. Not only is it not good enough, it is a living, breathing disgrace that this government will throw money around on glossy publications, it will throw money around on spin, it will throw money around on consultancies and looking after its mates, but when it comes to children who desperately need these services, children with autism, children whose lives will be ruined without these services, is there any money for them? No, forget it.

Again we come back to the fact that this government's priorities stink. They just stink. It really has to have a look at itself, go into the room of mirrors and have a good hard look at itself, have a think about what is important in life, have a think about these children, have a think about their families and send some money their way so that their lives will be better and the lives of their families will be better. Right now that is not happening, and that is an indictment of this government and something over which its members should all hang their heads in shame.

I am sorry that Mr Pakula has left the chamber. He tried to tell us that this government was looking after the west of Melbourne. I know that Mr Pakula does not get out to the west of Melbourne very often — —

Mr Guy — Where does he live, again?

Mr FINN — I think he lives down on the southern beaches somewhere.

Mr Guy — Is that in the western suburbs?

Mr FINN — No, I do not think it is anywhere near the western suburbs. I know he does not get out to the western suburbs very often, but if he did he would find out that some of the codswallop that he was coming out with this morning is as far removed from the truth as anything I have ever heard in any Parliament anywhere.

I am glad that the Minister for Planning, Mr Madden, is in the chamber, because he is a bloke who does not get around the west much either. He claims to be an expert on McMansions. He claims to be able to tell people in Tarneit and Caroline Springs where they should be living, what they should be living in and probably what they should do in their spare time. The member may well do that, but the reality of the situation is that when it comes to the western suburbs Mr Pakula and Mr Madden do not have a clue — they have absolutely no idea.

I hear Mr Theophanous talking about people not showing up at things. Mr Madden allegedly represents the western suburbs of Melbourne, but I am yet to see him at one function. I have not seen him at one function in the time I have been a member of Parliament representing all of the western suburbs of Melbourne. Beyond the tram tracks government members are not interested, they just bag the west. Mr Madden's view, and it would seem it is the view of the entire government, is that the people out in the outer suburbs do not matter.

But the fact is that the west is indeed the fastest growing region in Melbourne. It is growing like Topsy due, I must say, largely to Mr Madden's McMansions. Mr Madden gives planning approvals to new estates like they are going out of fashion, but we then have to sit back and wait for the transport, wait for the schools, wait for the hospitals. And guess what? We are still waiting! You get the feeling that the way this government moves means we are going to be waiting — Mr Madden should stay in the chamber — for a very long time indeed, because this government has not even considered the sort of infrastructure that is needed in the western suburbs, much less put in place a process to provide it.

I make a point to the government that people in the west of Melbourne pay tax too. A lot of people in the west of Melbourne pay a lot of tax and deserve the same sorts of services as everybody else in Melbourne

but are not getting them. That is not good enough. It has been that way for a long time. Nothing has changed in the eight years this government has been in office. The west continues to miss out, and we are totally sick of it. This is a matter of justice for the people in the west of Melbourne. No longer should we be ignored and neglected. It is about time this government got its act together and supported those who for so long — although for not much longer — have been supporting it. If this is the way it treats its own you would hate to be the enemy.

Mention was made by Mr Pakula of the Sunshine pool. This is a saga of some interest, I am sure, to a number of people, particularly to the residents of Sunshine. Members will be aware that prior to the last election a very strong campaign was run by local residents in the Sunshine area on the need for an outdoor swimming pool in Sunshine. This campaign had been running, I think, for about 15 years, but they really ramped it up prior to the last state election. In fact they spooked the horses to the point where Mr Madden — he did not come out himself; that probably would have been a bit too much to ask — sent an emissary, a bloke called Henry Barlow, who just missed out by the skin of his chinny chin getting into this place, to a public meeting of residents in Sunshine. This was at the 11th hour, just hours before the government was to go into caretaker mode.

He said, 'Righto, we know you want a 50-metre pool. Fair enough, we will give you a 25-metre pool'. We said, 'Can we think about it?'. He said, 'No, we go into caretaker mode at 11.00 p.m.'. This was at about 8.30 p.m., mind you. We said, 'Has the council agreed to this?'. He said, 'Oh yes, they have agreed to it. My word, they have', but we found out the next day that the council had never heard of it. The first the council heard of it was when people rang the next day and said, 'This is great, isn't it?'.

The local community was bullied into accepting this 25-metre pool. I suppose half is better than nothing at all, although the people of the west have to learn to expect fully what they want and not just crumbs from the rich man's table. We waited until the election. When the Bracks government was re-elected there was much rejoicing — not necessarily by me — by a number of people in the Sunshine area. They thought that at last they were going to get their pool. They sat back and waited — and they waited, and they waited. Then they said, 'Who is this Finn bloke? We had better go and see him, because we are not getting this pool'. They came to see me and said, 'You were at the meeting, you remember what was said'. I said that I certainly did remember.

I raised the issue, as indeed a number of other people raised the issue, and the government sort of came to the party, but the result was nowhere near what it had promised. Originally it promised that Sunshine would get its pool and that it would not cost the local community 1 cent — it would not cost it a red cent. The first try-on by the government was that it would cost the local community somewhere in the vicinity of, I think, about \$3.5 million. We had gone from not costing the community a cent to it costing about \$3.5 million.

Members can imagine the community outrage, because the Brimbank City Council is, you would have to say, not flush with funds. I think it would be fair to say it does not have huge reserves. In fact that would understate things somewhat. The prospect of forking out \$3.5 million was something that horrified not just the council but the entire community. Obviously if that proposition continued Sunshine would not get its pool. Understandably there was community outcry, there was outrage and there was uproar.

After the government went back and had a think, it came back with another proposal, which has since been accepted, whereby Sunshine does get its outdoor pool after 15 years, but — and ‘but’ surely is the most dangerous word in the English language — it will cost the Brimbank council \$600 000. I was there in October 2006 when the Bracks government, through the emissary of the minister, stood in front of a packed hall and said, ‘This pool will be delivered and it will not cost you a cent’. We have got the pool, but it has cost the local community and the council \$600 000. It just goes to show how little regard this government has for dollars, ratepayers, residents and taxpayers. It shows also how it has even less regard for the truth. That is the reality of the situation.

Public transport in the west is abysmal. By any standards it is abysmal. Huge tracts of the west have no public transport at all, particularly on Sundays. If you can find a bus to take you anywhere on a Sunday, good luck to you. I suggest you go and buy a Tattsлото ticket because you are about to win a fortune. It is nigh on impossible. Even one of the great tourist attractions of the west, the Werribee Open Range Zoo, does not have public transport servicing it on a Sunday. Can you imagine anywhere in the world where a major city has a major tourist drawcard like that without public transport on a Sunday? It is extraordinary to contemplate.

Craigieburn, for example, is still waiting for electrification. How long does it have to wait? This was promised years ago. You would have thought it would be up and running a long time ago. The people in

Craigieburn obviously did. They were proven wrong and probably will continue to be proven wrong.

I mentioned yesterday North Melbourne railway station and the marvellous upgrade it will receive — a new escalator and a coat of paint. That is something I am sure a lot of people who will be stuck in the rail yards at North Melbourne for extended periods of time will be looking forward to seeing as they pull up and more people are pushed, Tokyo-style, onto the trains. They will be able to admire the new escalator and the coat of paint, if indeed they pull up in the rail yards close enough to the railway station. However, that upgrade will not do anything for the efficiency of the train service in the western suburbs or indeed, Mr Guy, the northern suburbs for that matter.

As I explained yesterday, there are a number of train services which use the North Melbourne railway station. Quite frankly, the congestion there is causing such a bottleneck that unless something is done soon the whole thing will grind to a halt. It will be next to useless. Speaking of the Minister for Public Transport, it is about time she got her act together and actually put some thought into her portfolio and indeed showed some interest in it. There are hundreds of thousands of people who want to use the public transport system but who are precluded from doing so by what is happening at the North Melbourne station, and every day is getting worse.

On the Werribee line, for example, by the time the train leaves Werribee it is pretty much full. By the time it gets to Hoppers Crossing, you cannot fit any more on. Quite often the trains just sail through Laverton leaving people on the stations saying, ‘But that was my train’. Well, it was your train, sir, but you will not get on that one.

Mrs Petrovich — They become express trains.

Mr FINN — As Mrs Petrovich says, they become express trains, because you cannot fit another living, breathing soul on them. It is all because we cannot get any more trains on these lines because of the congestion at North Melbourne. An escalator and a coat of paint is not going to help. We need major infrastructure changes in that North Melbourne railway station area and railway yards so that more trains can get on the tracks to service those people who want to use the public transport system.

Mr Guy — It’s common sense.

Mr FINN — It is common sense, as Mr Guy says. We have to get to the stage where the people of the west are no longer treated as animals and pushed in like

cows on cattle cars as they find their way to work or find their way home in the evening.

That brings me to the area of police. This has been a huge issue in the west for a very long time. The first thing the government has to do on this is work out exactly what its position is. Every time something goes wrong, it blames the Chief Commissioner of Police. Not enough police at Werribee? It blames the chief commissioner. Closure of the Williamstown police station overnight? It blames the chief commissioner. Whilst I am inclined to believe it is the chief commissioner's fault, surely the government must take some responsibility somewhere.

At the moment we have a classic Labor situation where they are robbing Peter to pay Paul. They are taking police out of Footscray to put them into Werribee. They are closing the Williamstown police station at night — I wonder who represents that electorate — to put more police into Werribee. The west is not interested in that. We do not want shuffle police; we want new police. The people of the west deserve protection to the same degree as everybody else in Melbourne. It is not good enough to be shuffling police around here and there, robbing this suburb to prop up another one. We want all the suburbs in the west of Melbourne to be properly protected by a police force which is absolutely committed to the task of doing what it must to protect our people. It is not good enough for a government to say it is somebody else's fault, as it so often does — it is far, far from good enough.

Very briefly on the issue of roads, I say that like the rest of Melbourne the west is suffering from enormous congestion problems. I mentioned yesterday we really should change the numberplate slogan because Victoria is the state of congestion. Go down the Calder and Tullamarine freeways! The West Gate Freeway is an absolute nightmare twice a day. This government is not doing a thing. There is a desperate need for a second Yarra River crossing. There are a lot of people who are very worried about the West Gate Bridge. It is coming to the end of its life span and there are still hundreds of thousands of people using it every day. What is going to happen in the future if we do not see action from the government right now? I fear to think — I really fear to think. It will be far worse than the traffic jams that commuters face every day right now.

There is the need for a proper interchange at Duncans Road, Werribee, right near Werribee Park Mansion and Werribee Open Range Zoo, which you can imagine a lot of people visit. If you are coming from Melbourne, it is not a problem because you get off at Duncans Road. However, if you are coming from Geelong or

Warrnambool, you have to go on the great trek: you have to get off the highway, head into Werribee and then come out again — a round trip of about 10 kilometres. What we need at this Duncans Road exit is a proper interchange to service people visiting these major tourist attractions, people coming not just from Melbourne but also from the west of our state.

There is one thing that has the capacity to blow this budget out of the water — that is, the proposed closure of Essendon Airport by a federal Labor government. I have been informed that Martin Ferguson has already said that if he becomes the minister he will close Essendon Airport. If that happens, there goes Melbourne's third runway. There goes our edge in aviation, because Essendon Airport more than anything else gives Victoria an edge that nobody else has. We have a great airport at Tullamarine, Melbourne Airport. I think it is one of the best in the world, and it is certainly the best in Australia. But Essendon Airport gives the Victorian aviation industry a huge head start; it is a huge top up over the others. The prospect of closing it, as the federal Labor Party says it will do if it is elected later this year, will create a situation where a third runway will be needed immediately at Melbourne Airport.

Where would the operators of Melbourne Airport get the money that they need — and we are talking about vast sums of money here — to build that runway? It is not something in their immediate plans, because, of course, Essendon Airport is there and already services the needs of the third runway. If a third runway is needed at Melbourne Airport, where do the operators turn? Will they turn to the Victorian government? Will they say, 'Because of what your federal colleagues have done, because they have destroyed the edge that Victoria has in the aviation industry, are you going to give us the money to put in the third runway at Tullamarine, or do we risk losing it all?'. If the government is fair dinkum, it will have to give them the money.

Mr Guy — And go into debt.

Mr FINN — It will go into further debt, there is no doubt about that, because, as we are seeing from the figures in the budget, that debt will be a progressive thing over a number of years. A third runway at Tullamarine, now many years in the future but with the closure of Essendon Airport it will happen almost immediately, is something that the state government has to take to its federal colleagues and discuss very seriously. It has to tell them the dangers involved in the closure of Essendon Airport.

It is a matter that I will raise at other times, because it is a very important issue. Essendon Airport is vital for regional and rural Victoria. It is a lifeline, as we have seen this week after the tragic events at Kerang, and it is a very important part of the aviation infrastructure for Victoria. It is a form of vandalism and something that should be resisted by every Victorian to have any federal party wanting to be in government proposing Essendon Airport's closure. Essendon Airport is a part of the west. It provides huge employment for a lot of people in the west, and without it it would create hardship the likes of which we have not seen since the collapse of Ansett some years ago. That is not something I am keen to rush back into.

The west of Melbourne deserves better than it has been getting, and it deserves better than it is getting. We in the west deserve the same opportunities, the same chances, as everybody else. We do not get that. We have not got the same infrastructure, we do not have the same services. We pay the same tax, but we do not get the same go. That has to change. Let us see if it can change with this government. Let us see if the Bracks government can put its rhetoric aside and get into gear and put the west's interests ahead of any other priorities such as public relations and spin that it believes may well be what it is looking at. At the moment under this government the west of Melbourne continues to go down the drain. My great fear — my great terror — is that if we continue down this path, all of Victoria will go down the drain.

Ms DARVENIZA (Northern Victoria) — I am very pleased to rise and make a contribution to this debate on the recent budget that was brought down by our Treasurer, John Brumby. I particularly want to highlight in my contribution those areas in rural and regional Victoria that have benefited from the budget, and I do that in two capacities. First of all, as a member for Northern Victoria Region, which is a very large electorate. It is the largest region in the Victorian Parliament, and it covers 48 per cent of the state. From that perspective I have a real interest in what is being delivered, and I am pleased about what is being delivered not only to my electorate but also to rural and regional Victoria generally.

It is a good budget, because first and foremost it delivers on the election commitments we made to the people of Victoria during the 2006 election campaign. It shows very sound management, as have all of the budgets that have been brought down by the Bracks Labor government. All of them have been brought down by the Treasurer bar one, the first one, which was brought down by the Premier who also held the position of Treasurer in that first term of government.

This budget also shows a record infrastructure spend. We often hear opposition members criticise the government because of lack of spending on infrastructure. They only have to look to this budget to see that this is an all-time record spend on infrastructure, with a \$3.6 billion spend in the 2007–08 budget.

This budget creates a more competitive business environment through land tax cuts over four years of around \$500 million and a further cut in WorkCover premiums of 10 per cent. This is the fourth consecutive budget where WorkCover premiums have been cut. This has had a big impact on business. Both the land tax cuts and the WorkCover premiums impact greatly on businesses and their capacity not only to do business but also to grow their businesses.

We are delivering to families. The previous speaker, Mr Finn, talked about how we should be delivering for families. If he took a close look at this budget he would see that we are delivering for families in a range of different ways through the services the government provides, particularly through a \$1 billion boost to help housing affordability. This is probably the biggest and most important element of any family's life, and is often the biggest expenditure item any family is involved in: their home, no matter whether they are buying or renting it. Certainly the affordability of housing has been significantly boosted, which has a large impact on the way we are able to deliver for families.

The second most important way we are delivering for families is through the first stage of the biggest school rebuilding program Victoria has ever seen. This is the largest boost to funding for schools in the history of the state. This is a big boost for families because they want their children to have schools in close proximity, schools they are able to attend and schools that are delivering the programs and structures that meet the educational needs of our children. This is the biggest way we are delivering for families.

This budget, like our other budgets, we see as building for our future. It is not only about immediate needs but is also about our future needs. In each of the budgets the Bracks Labor government has brought down we have always looked not only to that financial year but also to things we have done in the past so that we can build on them in not only the immediate and short term but also for the future.

The ways in which we are doing that can be clearly seen in the fact that the budget addresses the environmental challenges by saving 80 billion litres of

water and investing in our rail and road connections. They are two big items in this budget that we are delivering for the future.

In rural and regional Victoria, even though we have seen not only one of the worst droughts in history which has had an enormous impact on business, on families and on the ability of farmers to produce but also the devastating bushfires that have occurred during our recent summer, we have seen enormous growth. Although regional Victoria has suffered those two devastating natural environmental impacts on the ability of people to make a livelihood, there has been growth.

The regional centres of Bendigo, Shepparton, Ballarat and Mildura are the four fastest growing inland regional areas in Australia. We have seen not only the populations of our regional cities grow but also the population throughout rural and regional Victoria. There has been record building activity. Regional population growth is the strongest it has been in 17 years. In spite of drought, in spite of bushfires and in spite of the impact those two very real and big issues have had on our rural and regional community, we have seen the drive of the Bracks government, working with rural communities and regional cities, to increase the population and to encourage people to move from cities into rural and regional areas.

We have seen the campaigns and the money that has been committed by the government to get skilled migrants, of which there is a shortage in rural and regional areas. There has not only been a commitment of dollars, there has been a commitment in campaigns and a commitment in partnership in working with rural and regional Victoria to get skilled and business migrants to come to rural and regional Victoria. That has also given a big boost to the populations of rural and regional Victoria. It has also given a boost to productivity, because if you have the skilled workforce, you are able to deliver the best services, to operate your business at the optimum level, to maintain your business and to grow your business.

It has been through these sorts of initiatives that the Bracks government has been determined to work in partnership with rural and regional councils, businesses and communities to make this happen. I believe we have the right economic fundamentals and the right conditions in rural and regional Victoria to have made this happen. Regional employment has grown significantly in recent times. Victoria is one of the fastest growing rural and regional areas in terms of employment. A state like Queensland may have higher employment in rural and regional areas than Victoria,

but we are certainly up there as one of the fastest growing areas of regional employment.

Unemployment is dropping, and Victoria has one of the lowest unemployment rates. The government has directly facilitated more than 390 000 investments worth over \$7 billion outside of Melbourne, which has contributed to the creation of over 100 000 new jobs in rural and regional areas. We are inspiring and working with communities in rural and regional areas to encourage people to have an understanding of what it is to live, to work and to raise your family in a rural and regional setting.

People are listening to that message. They are talking with their feet and moving to rural and regional areas. They are establishing families and businesses and making rural and regional communities grow. This budget builds on that. We have seen building approvals in regional Victoria more than double. This shows that the population is moving there and that there is a need for new homes to be built.

When you compare the current number of jobs in rural and regional areas with what has happened in the past, you can see that we have produced very strong regional jobs growth. From November 1999 — the time we came into government — to now we have seen an extra 120 000 jobs created in rural and regional Victoria. Looking back at the time before we came into office, when the opposition was in government, from October 1992 to October 1999 an extra 40 000 jobs were created in rural and regional Victoria. During that span of years under the Kennett government we saw 40 000 jobs created; during the time the Bracks Labor government has been in office we have seen an extra 120 000 jobs created. We have very strong regional jobs growth, and this budget will continue to build on that growth. It will continue to build on those programs and projects that we have worked on in partnership with rural and regional Victoria to ensure that we are able to continue to grow rural and regional areas.

Driving jobs and investment growth in regional areas has been a priority for this government. We want to ensure future jobs growth and future investment in the region. In this budget you can see that there will be \$508 million in savings through future land tax reforms, giving Victoria the lowest rate for virtually all businesses with landholdings valued at between \$400 000 and \$4.5 million. That is a big incentive. Stamp duty has been slashed by \$177 million, with a 40 per cent cut in the duty paid on new motor vehicles worth between \$35 000 and \$57 000. We have seen \$167 million of savings per year from a further 10 per cent cut on the average WorkCover premium and from

WorkCover savings for businesses in each area. That is very significant.

Let us look at what these savings might mean. The City of Wodonga will save about \$1.1 million from those WorkCover cuts. That is a very significant saving for it. The City of Greater Shepparton will save \$1.8 million; the City of Greater Bendigo will save \$2.2 million; the City of Ballarat will save \$3.5 million; the City of Greater Geelong will save \$5 million; and the City of Latrobe will save \$2 million. These are just the savings from the 10 per cent cut in WorkCover premiums. That is money that businesses will be able to utilise in other ways — to put back into their businesses in order to expand them. These are very significant savings for investment in rural and regional areas, not only for business but also for jobs growth, the growth of the community, the growth of the population and the wellbeing of everybody who lives in rural and regional Victoria. It will be easier for them to access the services they need, and they will have a greater variety of services to choose from.

As I said earlier, education is one of those very big-ticket items in this year's budget. We will see the first stage of the biggest school rebuilding program in Victoria's history with an investment of \$123 million in regional Victoria. I will talk a little bit about what that will mean across regional Victoria and certainly across my electorate of Northern Victoria Region. We will see \$58 million spent on modernising 18 schools, \$8.3 million spent on building replacement schools in Ballarat and Stawell and \$13.5 million spent on replacing relocatable facilities with new permanent buildings to secure the future of six regional schools. We will also see more than 43 million spent on starting rebuilding and modernisation programs in Bendigo, Wangaratta, Geelong and Colac.

We will see \$209.5 million invested statewide in support for teachers. That includes employing 300 teacher assistants and 200 specialist teachers, as well as continuing to employ 256 primary welfare officers in schools. It is a very significant injection of funds into rural and regional schools. If you are going to be growing the population, if you want people to come and live in regional Victoria, if you want people from the cities to really look at making a move to regional Victoria and if you want migrants who have the skills we require to settle in rural and regional Victoria, then you need to have schools. Families need to know that their children are going to have modern, well-equipped schools to attend in those areas.

I would like to specifically mention a number of schools. There is \$5.2 million going into the

modernising of the Beechworth Secondary College, and the Minister for Education, John Lenders, recently visited that school. Euroa Secondary College will receive \$3.9 million and \$3.2 million will go to Kinglake West Primary School. We are going to see \$4.6 million spent on Wangaratta High School and Ovens College and a \$2.5 million upgrade of the Mooroopna North Primary School, with permanent buildings. That involves relocatable buildings being replaced with permanent buildings. I know Mooroopna North Primary School well — I have a niece and nephews in Mooroopna who attended that school. I know that other schools in regional Victoria as well as in the city are very pleased with this massive injection of funds. There is also \$500 000 for a transport and logistics centre in the city of Wodonga, to be located at the TAFE college.

Looking at specific schools in my electorate, there is \$20 million for two new Bendigo South schools, \$5.3 million for the modernisation of Echuca College, \$2.9 million for the modernisation of the New Gisborne Primary School and \$2 million to upgrade the Harcourt Valley Primary School, which involves removing relocatables and replacing them with permanent buildings. Again, it is about securing the future. It is not just about the advantages the students will have when relocatables are removed and replaced with new buildings or when a new school is built to replace an old school. It is not just about servicing the needs of the children who are at the school now and their families. It is about building for the future. It will mean that future generations of schoolchildren in those areas will be able to benefit from the funds being injected into the budget this year.

Supporting industry is very important if you are going to grow regional Victoria, if you are going to increase the population and if you are going to encourage people to come and live, work and re-establish their families in a rural or regional area. One of the ways to do that is to create jobs. If you have got jobs people will come and bring their skills. They will bring their families, and they will invest in an area which they believe has some future and some growth potential and is going to prosper. In this budget we see \$5.4 million to expand the regional office network reach of the Industry Capability Network, including a new office in Wodonga. We also see a \$23 million boost for regional tourism operators and local events. That has been a very big issue, particularly in my electorate, for areas that have been affected by the drought and, particularly, by bushfire. Not only has there been funding through this budget but there has also been funding through the bushfire task force and through the drought task force.

Tourism operators, the council and the community, along with the government, have worked hard to build on those tourist attractions to ensure that people realise that our country and regional areas are open for business. They are trying to encourage people — even though there has been a drought and there might not be as much water as there once was; it was looking a bit dry but now it is looking very green and lush — to come to visit rural and regional areas. Of course bushfires have the capacity to make people think twice about whether to travel to an area, but the whole region was not burning. Only parts of the region were affected by the devastating fires, and it is really important that we encourage people to come back to those areas and that we support those tourism, business and community endeavours. This budget has helped to build on the support that has been given not only through past budgets but also through those two important task forces.

In this budget we see \$6.3 million for natural attractions and \$5 million for the redevelopment of the Eureka Centre at Ballarat. There is also \$5 million for upgrading and improving regional airport infrastructure. Again, this is something that is very important if you want to be able to bring people into regional areas. We have seen in our time in government significant amounts of money put into infrastructure to accommodate larger aircraft at our regional airports, which are becoming busier all the time. There is \$2 million for regional community tourist events, and again tourism operators and communities look forward to getting some monetary assistance from the government through this sort of funding for community events.

Agriculture is another area I wanted to spend a little bit of time on because in northern Victoria and right throughout rural and regional Victoria agriculture is a very important source of income for many farmers. It is a source of income for many community business operators, and it is an important source of income as far as Victoria's economic strength goes. The amount of exports that our agribusiness and agriculture sectors are involved in really adds very significantly to the strength of Victoria's economy. The budget provides for initiatives that will strengthen Victoria's agricultural sector, including \$239 million to protect and ensure growth in the sector. I want to run through a few of these which are particularly important.

The \$180 million bioscience research centre that will be set up at La Trobe University in Melbourne will really cement Victoria's lead in agricultural technology. It will be a driving force in protecting the important ability of farmers to improve their crops and make sure

they are able to withstand drought and also to improve production. Production improvements in agriculture will be driven by this very important centre. There is \$30 million to protect Victoria's farms and natural environment from pests and weeds. When you go out to rural and regional areas and talk to farming groups they talk at some length about the need to be able to control pests and weeds.

There is \$5 million to assist primary producers to improve local roads on key agricultural routes. There is \$4 million to help communities to rebuild their rural showgrounds. Again this builds on funding that the government has put in place in the past, not only through Regional Development Victoria but through past budgets that have put significant amounts into the upgrading of rural showgrounds, some of which have been quite dilapidated. It is one of the areas where the community really welcomes this sort of injection of funding. Now we are seeing showgrounds in rural and regional areas being used for a whole variety of community functions as well as for shows, which, of course, is great to see.

In his contribution to the debate Mr Finn said that the government is doing nothing about water. I want to talk about what the government has been doing about water and what is provided in the budget to boost water savings. Water for growth and for the environment has been particularly important. It is a shame Mr Finn is not in here, but I am sure he is listening intently on the speaker in his room. There has been an investment of \$501 million in the Wimmera-Mallee pipeline, which will provide savings of more than 100 000 megalitres of water. The northern Mallee pipeline will save 35 000 megalitres of water. The Robinvale irrigation upgrade has a \$20 million government contribution. The Bendigo recycling project has \$6.6 million of government funding. The goldfields super-pipe has \$71 million.

The Goulburn irrigation channel automation has \$23 million, and there will be increased inflows of some 50 gigalitres into the Goulburn system as a result of that. For the Eildon Dam upgrade, dam safety and irrigation systems improvement in that area there is \$26 million. The boost for the Mount Buller and Mount Hotham recycling projects is \$5.2 million. The \$130 million contribution by the government to the reconnection of the Tarago Reservoir will increase water supplies by 21 000 megalitres per year. The Gippsland Water Factory has \$50 million. The irrigation channel automation in the Macalister district has \$8 million. The Lake Wendouree recycling project has a \$2.1 million contribution.

For Mr Finn to come in here and say that the government has done nothing about water, including water in our rural and regional areas, is just ridiculous. He obviously is not paying any attention to what is going on in rural and regional Victoria and the infrastructure projects the Bracks Labor government has been involved in over many years to boost our water supplies and ensure that we make the most of the water that is available during drought times. This is also about building for the future. It not just about looking after what is happening now; it is about putting in place infrastructure that will ensure that in the future we will be better able to meet the reduction in water availability due to climate change.

The budget provides a \$136 million boost for water and for water savings of 80 billion litres, which are very significant. There is a \$38 million injection into irrigation efficiencies in the Shepparton irrigation district, with savings of up to 50 billion litres of water. There is \$11 million for the promotion of the interconnection to the northern grid. There is \$16 million for the new water recycling projects around Melbourne, saving 3.5 billion litres. There is \$10 million to continue and build on the savings that have been made in Werribee and for the infrastructure that has been put in place there previously. There is \$4 million for a major recycling project in Leongatha to free up fresh water for the township.

Victoria has been the first to meet its obligations under the Living Murray agreement. If the \$1 billion of new funding for irrigation right across regional Victoria is not the biggest budget allocation ever, it is certainly very close to it. So Mr Finn's assertion that the government is doing nothing about water and that it has not responded in any way to put in place infrastructure or mechanisms that would save water and better utilise and recycle water is just not true.

I want to talk about another big budget commitment in another area that Mr Finn talked about when he spoke about looking after families — that is, statewide affordable housing. There is a provision in the budget of \$510 million to boost social housing. It will provide 2350 new or redeveloped units throughout Victoria. That is a huge and very significant commitment to affordable housing. There is \$300 million in grants for social housing units and \$200 million for an additional 800 public housing units. The budget provides for a \$305 million reduction in stamp duty for home buyers. There is \$234 million to extend the \$3000 first home bonus until June 2009 and to increase the bonus to \$5000 for newly constructed homes. They are very significant initiatives for affordable housing.

I will touch on a couple of other areas that I will do quickly and then talk about my own electorate. Significant allocations have been made to health, and in Northern Victoria Region \$18 million has been provided to the Nathalia District Hospital for aged-care redevelopment. Money has also been allocated for new magnetic resonance imaging equipment for Shepparton, which is much needed and welcome. The Yea ambulance station is to be upgraded. Also in health we have allocated \$2 million for the Bendigo Hospital planning and development; \$2.5 million for the Murtoa community health centre redevelopment; and \$1.5 million for the Bendigo dental school. They are all very significant injections of funds for rural and regional areas to meet their health needs. If we are going to encourage people to move to rural and regional Victoria, if we are to encourage people to bring their skills from overseas and settle in rural and regional Victoria, we need good schools, good opportunities for jobs or for investment, for growth and we need good hospital and health services. This budget delivers those for regional Victoria.

In transport I would like to mention the Bendigo bus improvements and the \$53 million for the Mildura rail corridor freight upgrade. In justice and emergency services, in Northern Victoria Region we have seen a boost for community legal services in Bendigo and Mildura, which have been most welcome; the replacement of the Castlemaine Country Fire Authority station; the Ouyen and Kyneton police station upgrades; and the Swan Hill joint police and State Emergency Service station. We have seen the replacement of the Wallan, Wangaratta and Bonegilla CFA stations and the Mitta Mitta joint CFA and SES units. We have training facility upgrades in Wangaratta. They are so important in rural and regional areas and important particularly when we have bushfires. We have had the recent tragic train accident at Kerang and it is the state emergency services that we need to be there to be equipped and trained to deal with those emergencies. This budget has seen injections of funds in my electorate of Northern Victoria and particularly in those areas.

This is a good budget for all Victoria, but a particularly good budget for rural and regional Victoria. It is building on our achievements of the past and it is building not just for the short to medium term but building for the future. That is what we have done in the past and what we will continue to do.

Debate adjourned on motion of Mrs PETROVICH (Northern Victoria).

Debate adjourned until later this day.

**VICTORIAN AUDITOR-GENERAL'S
OFFICE**

Financial audit

Message received from Assembly seeking concurrence with resolution.

Assembly's resolution:

That pursuant to section 17 of the Audit Act 1994 —

1. Mr Terry Benfold of Pitcher Partners be appointed to conduct the financial audit of the Victorian Auditor-General's Office for the 2006–07 financial year in accordance with the conditions of appointment and remuneration contained in the report of the Public Accounts and Estimates Committee on the appointment of an independent auditor to conduct the financial audit of the Victorian Auditor-General's Office (parliamentary paper no. 21, session 2006–07);
2. The level of remuneration for the financial audit be \$27 500 exclusive of GST; and
3. Mr Benfold be appointed for three years, subject to negotiation with the Public Accounts and Estimates Committee of a suitable level of remuneration for future financial audits and approval by the Treasurer.

Ordered that message be taken into consideration forthwith on motion of Mr LENDERS (Minister for Education).

Mr LENDERS (Minister for Education) — I move, by leave:

1. That the Council concurs with parts 1 and 3 of the Assembly's resolution and resolves that, pursuant to section 17 of the Audit Act 1994:
 - (a) Mr Terry Benfold of Pitcher Partners be appointed to conduct the financial audit of the Victorian Auditor-General's Office for the 2006–07 financial year in accordance with the conditions of appointment and remuneration contained in the report of the Public Accounts and Estimates Committee on the appointment of an independent auditor to conduct the financial audit of the Victorian Auditor-General's Office (parliamentary paper no. 21, session 2006–07); and
 - (b) Mr Benfold be appointed for three years, subject to negotiation with the Public Accounts and Estimates Committee, of a suitable level of remuneration for future financial audits and approval by the Treasurer.
2. That the Council concurs with part 2 of the Assembly's resolution that, 'the level of remuneration for the financial audit be \$27 500 exclusive of GST; and', with the following amendment —

After 'GST' insert 'and disbursements'.

Motion agreed to.

Ordered that message be sent to Assembly seeking concurrence with resolution, as amended.

**APPROPRIATION (2007/2008) BILL and
BUDGET PAPERS 2007–08**

Second reading

Debate resumed from earlier this day; motion of Mr LENDERS (Minister for Education) and Mr LENDERS's motion:

That the Council take note of the budget papers 2007–08.

Sitting suspended 12.52 p.m. until 2.03 p.m.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Planning: Hilton on the Park

Mr GUY (Northern Metropolitan) — My question is to the Minister for Planning. Noting that the then Minister for Planning used her call-in powers to intervene and approve the proposed redevelopment of the Hilton hotel because the project was of significance to the Commonwealth Games, and further noting that this project has still not begun, I ask: can the minister inform the house of the status of this project and whether the call-in approval is still valid?

Hon. J. M. MADDEN (Minister for Planning) — I welcome the member's question. I have been eagerly awaiting some questions from the opposition in relation to planning matters this week, and the member has finally got his chance. I appreciate that his chance has come and that I get a chance to answer the question.

The project Mr Guy referred to is one which I understand is complicated by a range of matters in the East Melbourne precinct. While I am not going to go into too much detail, my understanding is that a range of matters need to be considered in relation to that project and in relation to other zoning issues in and around that precinct by a number of the other land-holders. I understand it is a reasonably complex arrangement of circumstances. I am happy to seek further information on the status of that project. As the member mentioned, yesterday we published the call-ins by respective ministers. In relation to those projects, if at any time members wish to ask me about any of them, I am always happy to answer those questions. I am always happy to have questions asked of me. As to this

question, I do not have the specifics in front of me. I am happy to bring those back to the chamber at some stage.

Can I also advise the member that there are a number of projects currently taking place in the East Melbourne precinct. There are a number of controls across the area, and whether projects are being built or are being submitted for approval, if they need to come to this minister, they will be considered appropriately — they will be given full and thorough consideration.

Supplementary question

Mr GUY (Northern Metropolitan) — By way of supplementary question, I wonder if the minister can advise the house what his own policies are for the use of ministerial intervention in planning matters.

Hon. J. M. MADDEN (Minister for Planning) — I welcome the member's question in relation to call-in powers. As I have mentioned on a number of occasions in this chamber, the Bracks Labor government established guidelines for call-ins, which is in stark contrast to what existed before we established those guidelines. Let me remind the chamber that until the Bracks Labor government reformed the planning system we had Maclellanesque call-ins. One of my favourites — I remember this one very clearly, although I think it was before I indicated I might even consider becoming a member of Parliament — was a call-in by a former planning minister, the Honourable Rob Maclellan, relating to, I think, the Empire theatre in Windsor.

Mr Guy — I asked about your policy.

Hon. J. M. MADDEN — I have stated mine, but I am also reminding you, Mr Guy — —

Mr Guy interjected.

Hon. J. M. MADDEN — I am happy to take up the interjection. We have published guidelines, and we maintain those guidelines and refer to them, which is in stark contrast to the position of the Liberal Party, which lacks a policy in any of these areas. The Maclellanesque way of calling in the Empire theatre is an example. I recall the question being posed as to why those matters were called in, in the same way as we are being asked why our matters will or will not be called in. At the time Mr Maclellan said it seemed like a good idea because his son's mate was proposing a development that could not get through. That is the stark contrast. We have guidelines and we adhere to those guidelines. They are published — —

Mr Guy — What are they?

Hon. J. M. MADDEN — If Mr Guy would like I could refer to the entire two or three pages of them, but I will not because I know Mr Guy will have more questions for me.

The PRESIDENT — Order! I would prefer that the minister did not engage in a debate across the chamber and just stuck to giving a relevant answer to the question.

Hon. J. M. MADDEN — I am being provoked by interjections from the opposition, President, and you know how much I enjoy interjections. But as I said, we have guidelines, and we refer to those guidelines. They are published and freely available, and we adhere to them. That is in stark contrast to the opposition, which has no idea, no guidelines, no procedure and no policy. Opposition members continue to come in here and ask questions which just reminds all Victorians and Melburnians that they are commentators and that they have no policy in this area.

The PRESIDENT — Order! The minister took a great deal of licence in giving his answer, and he caused me some concern with his determination to debate and divert from the subject matter. I ask him to abide by my previous rulings when responding to future questions.

Home and community care program: funding

Ms DARVENIZA (Northern Victoria) — My question is to the Minister for Community Services. Services provided through the home and community care program are extremely important to many Victorians, both older Victorians and younger people who suffer from a disability. As we know, these services assist and support people to stay in their own homes and remain independent and to stay engaged with their communities. Can the minister explain how the Bracks government is working in partnership to secure these services into the future?

Mr JENNINGS (Minister for Community Services) — I thank Ms Darveniza for her question and for her concern about people in our community who receive home and community care (HACC) services. She will be pleased to know — and in fact all members of the chamber will be pleased to know — that a high degree of collaboration and partnership permeates the HACC agreement. I can say in very sincere and glowing terms that in fact there has been a high degree of collaboration between all tiers of government — commonwealth, state and local — in delivering home and community care services throughout Victoria.

Indeed of recent times the commonwealth Minister for Ageing decided to stop meddling in the wellbeing of the Australian Football League and its drug policy and keep his eye on the ball in relation to his portfolio responsibilities when he signed off on the home and community care agreement. I will be eternally grateful to him for doing that. This is the minister who not so long ago said he did not have any connections with older people at all. However, I understand he is an Ethel Merman fan, and he is probably trying to build a bridge between himself and his ageing constituents with his musical tastes.

The good news is he has signed off on that agreement. It means that a significant amount of funding is flowing to the state of Victoria. The Bracks government will rise and will more than match its funding requirements in the years to come. Indeed the state of Victoria will contribute \$210 million to the HACC agreement this year, which is approximately 48 per cent of the funding to be provided. That is far in excess of the 60:40 requirement where under normal circumstances 60 per cent of the funds would come from the commonwealth.

I am pleased to say that the commonwealth has recognised the performance of Victoria in delivering innovative, appropriate and quality care. Victoria will receive \$6 million from a bonus pool that was created by the predecessor of the federal Minister for Ageing, Christopher Pyne, to support good innovative practice in the home and community care field. A significant amount of that bonus funding will come to Victoria.

Ms Darveniza's question clearly indicates that she understands that this program supports many people throughout Victoria — 236 000 people are supported through this program each and every year. About 70 per cent of them are over the age of 70, but there is a significant number of people younger than 70 who have some degree of disability and require a degree of support and care. We recognise that HACC plays a very important role in the quality of their lives. Some 40 per cent of the recipients of this program live alone, and we recognise that there is value in providing them with timely and appropriate support so that they can stay independent and enjoy a high quality of life.

The good news in terms of the reduction of red tape, which is an issue that unites some parts of the chamber, is that there is a three-year basis to this agreement —

Mrs Peulich — You like it and we don't.

Mr JENNINGS — I thank the member for the opportunity to say that this is a landmark in the reduction of red tape, because it is a three-year funding

agreement. The commonwealth may impose some elements of red tape which may seem a bit onerous — for instance, if the Victorian community puts in its business plan a little bit late, we could be subject to a fine of 1 per cent of the funding coming to the state of Victoria. There are incentives for us to do our paperwork on time. There is not so much of an incentive for the commonwealth to do its paperwork on time, so we will be very interested to know whether we can all be efficient in the delivery of this system.

Overall the state of Victoria is pleased to say that there is a high degree of collaboration in this regard and at this point in time in relation to the home and community care agreement between the commonwealth, the state of Victoria and the local government agencies which provide this service to Victorians each and every day.

Disability services: commonwealth state/territory agreement

Mr DRUM (Northern Victoria) — I address my question to the Minister for Community Services, Gavin Jennings. The federal government currently has on the table a dollar-for-dollar offer to the Victorian government to provide additional supported accommodation and respite care for Victorians, conditional on the Bracks government producing a detailed plan as to how this unmet need can be addressed. When will this plan be presented to the commonwealth government?

Mr JENNINGS (Minister for Community Services) — While I might argue the toss with Mr Drum about whether that is a totally accurate description of the offer from the commonwealth — from my vantage point it is not an accurate description of that funding offer — work is being undertaken in all jurisdictions across the country to try to find a way by which we can achieve a successful conclusion to the commonwealth state/territory disability agreement stage 4. Beyond the offer I have reported to this chamber previously, there has been correspondence between the jurisdictions in the past week. An approach is being adopted by the states and territories to try to respond to that proposal from the commonwealth in a coordinated fashion. We are very keen to ensure that there is appropriate growth allocated to the program and that we rise up as a nation to address unmet need.

It will be very interesting to see what levels of understanding and agreement we can achieve in the negotiations to take place between now and the end of July, when the ministers get together. As recently as in the last 24 hours I have sent correspondence to the

commonwealth to try to ensure that there will be ongoing funding and indexation of the payments coming from the commonwealth to the state of Victoria once we click into the 2007–08 financial year. It is very important that we maintain that degree of commonwealth effort in the latter part of the year while we are negotiating this framework. I continue to be determined and optimistic about our potential to do this. The critical date, as I have indicated, is the end of July, when the next round of face-to-face negotiations is expected to take place.

Supplementary question

Mr DRUM (Northern Victoria) — I thank the minister for his answer. Could the minister outline what data he has been using in trying to quantify the amount of unmet need in these two areas so the government can produce a detailed plan to address this unmet need and therefore come up with a dollar amount that the Victorian government is hoping the federal government will match in this dollar-for-dollar offer, which is outside the CSTDA (commonwealth state/territory disability agreement)?

Honourable members interjecting.

Mr DRUM — It has nothing to do with the CSTDA.

Mr JENNINGS (Minister for Community Services) — In Mr Drum's supplementary comment to his supplementary question, which may or may not have been picked up by Hansard, he was trying to indicate that the offer is outside the commonwealth state/territory disability agreement. I do not think that is the case. In fact my understanding of it is that it is to be roped in within the terms of the agreement, if it is struck.

Regardless, in response to the question about information, we have a disability support register which is maintained by the department. It is the primary source of data and information available to the Victorian community. It is available in summary form to all Victorian citizens through the government's website. Mr Drum and other members of the community could check it today if they wished. That is the primary source. We try to make sure we are alive to any additional regional analysis or considerations that may take place within the regional catchment framework from time to time in consultation with providers and agencies. However, the primary data is that which is published on the state government's website.

Planning: rural zones

Mr VINEY (Eastern Victoria) — My question is to the Minister for Planning. New rural zones were introduced in 2004 to protect and maintain farmers' rights to farm. I understand some councils have yet to translate to the new zones. I ask the minister to update the house on the progress of translation to the new rural zones and in particular to outline what the Bracks government is doing to assist councils to implement them.

Hon. J. M. MADDEN (Minister for Planning) — I welcome Mr Viney's interest in this matter. He has an extensive rural electorate to look after, and I am very pleased that he has shown a great degree of interest in this matter. It is a matter of interest to many people in this chamber, as it should be.

The rural zones were introduced in 2004. They strike the right balance between maintaining farmers' right to farm, tree-changers looking for a quiet life and the need to protect environmentally sensitive areas. Victoria's farmers produce around \$8 billion worth of products each year. The food and agriculture sector accounts for 11 per cent of Victoria's gross state product. These new zones clarify planning guidelines for development in Victoria, protect the rights of farmers to farm and prevent ad hoc development.

The introduction of rural zones followed extensive consultation, and at the time the vast majority of landowners, the Victorian Farmers Federation and rural councils supported these areas. I know there are members on the other side of the chamber who support this move. While I know the opposition does not have any policy in this area, there are members of the opposition who support this.

I know that a member for Northern Victoria Region, Mrs Petrovich, is a great fan of protecting rural areas. I refer to an article which appeared in the *Age* on 26 January 2005 — it might have been the Australia Day weekend — about Hanging Rock and the races held at that time of the year. The article in the *Age* states in part:

Mrs Petrovich says the council is under increasing pressure from developers.

'It could become too much of a good thing', she says.

'We do need to ensure we don't have overdevelopment, because we will lose those very things that make it a lovely place to live'.

I agree with her, and I am pleased to know she agrees with us. It is only a matter of time before we get some

policy out of the opposition along these lines. I look forward to that as well.

Those things make Victoria a lovely place to live, and that is what rural zones are all about. These zones ensure that we do not have overdevelopment, so we do not lose the things in rural areas that make those rural areas great places to live. I want to reinforce that the new rural zones do not affect the existing rights of landowners to apply for permits to build houses on rural lots, but it has always been the case, and still is now, that these permits are subject to council approval. Any claims that the new rural zones will result in declining land values is just nonsense and irresponsible scaremongering.

Rural land sales data for a place like Macedon Ranges shire, for example, shows that sellers of vacant rural land are actually commanding prices well above — I reinforce, well above — the official valuations for rural land by the councils themselves. Further, contrary to the claims of some, the evidence is that permits continue to be granted for new houses in rural zones. I am delighted that over 80 per cent of translation to the new rural zones has already taken place, and my department is continuing to work with councils to implement those and complete the remainder of the translation.

Unlike the opposition, we have always been committed to regional Victoria. We know that is not the case for the opposition. In 2004 we provided \$150 000 to the Municipal Association of Victoria to assist with the translation of zones. At last year's election we promised to complete the implementation of the new rural zones with councils and the MAV by providing an additional \$500 000. We are delivering on that commitment with the \$500 000 strategic planning of rural land use funding included in this year's budget. We will continue to work with local governments, we will continue to work collaboratively, we will continue to implement policy — I can spell it out for the opposition if it does not know how to spell the word 'policy' — and we will continue to make Victoria a great place to live, work and raise a family.

Aviation industry: Australian workplace agreements

Mr D. DAVIS (Southern Metropolitan) — My question is to the Minister for Industry and State Development. I refer to his answer in the house yesterday which indicated that the Bracks government does not believe Australian workplace agreements (AWAs) are required in the aviation support industries. Is the minister aware of the comments by Jetstar chief executive officer Alan Joyce that airlines need AWAs

to be competitive with low-cost Asian airlines, and does the Victorian government policy support airlines like Jetstar in the use of AWAs, given that Victorian taxpayers helped subsidise Jetstar's entry to Victoria through an assistance package?

Hon. T. C. THEOPHANOUS (Minister for Industry and State Development) — President, I will try to abide by your ruling in relation to being kind to the opposition, although I must say that the number of members of the opposition who came and congratulated me yesterday after my contribution in relation to David Davis keeps growing. Can I say that despite the negativity of the opposition and in particular the opposition spokesperson, who continues to talk down Victoria — —

The PRESIDENT — Order! I will once again read the particular rule on which the minister is giving me grief:

I do not propose to change this longstanding practice. However, a minister's answer will be deemed to be not relevant and responsive if the minister makes a personal attack in any way upon the member asking the question or overtly criticises the opposition ...

Hon. T. C. THEOPHANOUS — Thank you, President. The aviation industry is an important industry for Victoria, and I am happy to respond to the question of the honourable member by pointing to our record, and the record, I think, in response to another question that I received — —

Mr D. Davis — Just respond by answering the question.

The PRESIDENT — Order! Mr Davis too is testing me constantly, and given that he continues to interject, I will give the minister some licence to respond to him vigorously if he wants to.

Hon. T. C. THEOPHANOUS — President, I thank you for that leeway. I must say that I do not want to be in a position of having to have a two-way interaction all the time in relation to matters of fact. When we are dealing with matters of fact I think we should at least be able to agree on those rather than simply having this process of reinterpreting the way in which facts are presented simply because that helps in putting an argument.

Can I just say that here are some facts about the aviation industry which I put on the table yesterday. We wanted to get Tiger Airways into Victoria. We went to Tiger and we talked to it about a whole range of things before it made its decision to come and base itself in Victoria. It was the case that one of the things that it

considered very carefully was industrial relations. As you would expect in a competitive environment, some of our competitors in other states pointed to the industrial relations situation here in Victoria.

I am not sure what comments the opposition spokesperson made when he also met the chief executive officer of Tiger. He may well also have expressed concerns about the industrial relations situation here in Victoria, because I do not think he was a champion for wanting to get Tiger Airways into Victoria. Despite all that negativity from various people who tried to talk Tiger out of basing itself in Victoria on the industrial relations issue, in fact what happened was that Tiger made the decision to base itself here in Victoria. It was a huge vote of confidence in the Victorian aviation industry. Tiger did so without having to have any guarantees from us or any discussion in relation to AWAs (Australian workplace agreements). It came here and was prepared to come here and work within the industrial relations system as it is in Victoria.

The other one I mentioned yesterday was John Holland Aviation Services, which was prepared to come here take over and resolve an issue which has been six years in the making, where all these people in the Ansett facility were desperately hanging onto their jobs. John Holland came along and also raised the industrial relations question with the government. What did the government do? We went along, took the union, put the union together with the company and said, 'Look, can we sort this out in a way that will suit all sides?'. And guess what? We came up with a collective agreement which suits John Holland and which allows for a huge amount of flexibility, including an annualised salary structure and so forth.

In relation to all these players, increasingly they are basing themselves in Victoria, and we are happy to work with them. We are having great success. Despite the negativity coming from the opposition, we are nevertheless attracting people. In so far as Jetstar is concerned, I am very happy to talk to Jetstar about the industrial relations climate in Victoria and how we could get the same kind of flexibility for them that we have been able to achieve for all the other players that have based themselves in Victoria.

Supplementary question

Mr D. DAVIS (Southern Metropolitan) — On precisely that point, does the minister support Jetstar's arrangements and the AWAs (Australian workplace agreements) that it uses, and will he support it using AWAs with further packages by the state government, if it continues with those AWAs?

Hon. T. C. THEOPHANOUS (Minister for Industry and State Development) — The real question here is: does the opposition support the flexible working arrangements that we have been able to bring in for players like John Holland and Tiger that have come here — a collective agreement which involves cooperation between the parties? Does the opposition support that kind of approach or does it support the approach of having more and more industrial strife? The answer in our case is: we support an approach where we bring together the parties — the unions and the various players — to have a cooperative approach that results in higher productivity. That is the approach of the Australian Labor Party and of the Victorian government. That is the approach we use in industrial relations, as opposed to the law of the jungle which John Howard wants to introduce and which is clearly supported by the opposition.

Questions interrupted.

DISTINGUISHED VISITOR

The PRESIDENT — Order! I draw the house's attention to the fact that we have an ex member of this house in the gallery, Sang Nguyen.

Questions resumed.

Employment: growth

Mr TEE (Eastern Metropolitan) — My question is to the Minister for Industry and State Development. Can the minister outline how Victoria has fared in the most recent Australian Bureau of Statistics employment statistics figures?

Hon. T. C. THEOPHANOUS (Minister for Industry and State Development) — Yesterday I was very pleased to come to the house and outline five major areas of economic activity in which we were kicking goals, and I am pleased today to be able to provide information on the way in which that activity is reflected in the employment figures we are seeing in the state.

As I have outlined time and time again, the business environment in the state is one of creating jobs. Again, the house does not have to take my word for it; we can simply look at the latest ABS (Australian Bureau of Statistics) figures on jobs growth and see what they show. In the 12 months to May a staggering 89 100 people became employed in Victoria — the second highest increase since August 1995. It is a huge number of people, and I might add for Mr Drum's information that many of them are in regional Victoria.

What is more, and this is an important point, 94 per cent of those jobs — that is a total of 84 000 jobs — were in fact full-time jobs. They were real full-time jobs. Let us look at the unemployment figures when we came in to government and compare them with today's figures. Let me just outline to the house that unemployment in the state has been reduced by 1.9 per cent. It is now 1.9 per cent lower than when we came to government. Unemployment is now at 4.7 per cent, which is a significant achievement.

It means that we have been putting jobs on at the rate of a thousand jobs a week. Just think about this, and I say this especially for the benefit of David Davis, who does not seem to like these sorts of statistics: every week a thousand people are being employed in the state — new people getting jobs. Every week, week on week, a thousand new people are walking into a job somewhere and being employed. That is the record that this government has been able to achieve.

We are able to do it because we have an export orientation. We have been able to increase the number of exports. I want to conclude on this, because I know that David Davis has put out some more information about exports and it is important for those exporters who are out there creating jobs that I make this point. He keeps quoting the volume of exports in relation to the resource-rich states which are exponentially increasing the volumes going out. He continues to ignore that our exports in relation to the service industry keep going up and, the most important thing of all, the dollar value of exports.

If Mr Davis were to look at the dollar value of exports and not mislead us, he would see that the situation is that the dollar value of exports from Victoria, using the same statistics that he quotes in his press release, was 6.5 per cent higher in the March quarter than it was a year ago. In addition to the unemployment figures, the fact of the matter is that we are now exporting 25 per cent more than was being exported under the Kennett government, and that is why we are getting more and more jobs in this state.

Questions interrupted.

DISTINGUISHED VISITOR

The PRESIDENT — Order! I draw to the house's attention that we have another ex-member of the chamber in the gallery, Maree Luckins.

Questions resumed.

Schools: anti-dairy campaign

Mr VOGELS (Western Victoria) — I direct my question to the Minister for Education. Animal Liberation Victoria plans to take its anti-dairy 'milk sucks' campaign into Victorian schools to counter Healthy Bones Week in August and World School Milk Day, claiming milk and dairy products are bad for human health. Will the minister ensure that this ill-informed anti-dairy group is prohibited from distributing damaging misinformation to our schoolchildren through Victorian public schools?

Mr LENDERS (Minister for Education) — I thank Mr Vogels for his question. As I said earlier, I am delighted I am getting questions from right across the opposition on educational matters.

Mr P. Davis — It's our no. 1 priority.

Mr LENDERS — I am pleased Mr Vogels is asking the question, and I am also pleased that Philip Davis is on message. We will get him over the line yet. Mr Vogels asked a very valid question about healthy food in schools. This is the first I have heard of the issue he has raised. I will certainly look at it with interest.

Mrs Peulich interjected.

Mr LENDERS — It is interesting that we get the interjection 'Yet again' from Mrs Peulich. I would have thought that after her inappropriate counting of numbers for Ken Aldred in Holt she would have had enough to say for a long time. Needless to say, that inaccurate counting of numbers was overturned by her administrative committee. Mr Vogels raised the question — —

Mrs Peulich — On a point of order, President, the minister is actually in breach of two standing orders. The first is that he is inadvertently misleading the house, and the second is that he is actually debating the question.

The PRESIDENT — Order! Let me just say in relation to the member's first comment suggesting the minister was out of order on two issues that I will be the judge of that. Unfortunately for Mrs Peulich I was distracted. I was having discussions on serious matters with the Clerk and did not hear the comments being made. However, I am sure that the Leader of the Government has the good sense to know whether he is getting close to the line or not and will pull back if necessary.

Mr LENDERS — Perhaps I erred, President; perhaps it was Mr Rich-Phillips who did the counting.

Mr Vogels raised the question of what was happening with animal liberationists in schools, and certainly I will take it up with interest and get back to him. But it does raise the bigger question of what we do in regulating schools and red tape. My views on red tape do not stand alone. With just a cursory look at *Hansard* you can see that 7 of the 15 opposition members have expressed in this chamber great concern at the burden of red tape on government during this term of the Legislative Council alone — 7 of the 15 members have expressed great concern. I hear that, and I also hear from the community about the need for us to be careful about how much red tape we bring into schools.

I will certainly take up Mr Vogels's issue with interest, but I also say with great concern that I am very aware that the 1594 government schools in this state are crying out for the burden of red tape to be lifted. I am very aware that the 702 non-government schools in this state are crying out for the burden of red tape to be lifted. I say to Mr Vogels that in addition to listening to members of the school community who do not like red tape and listening to principals who do not like red tape, I will take on board Mr Vogels's question.

Supplementary question

Mr VOGELS (Western Victoria) — I must say I did not get much of a response, but I am looking forward to the minister's reply. The importance of dairy products to good nutrition is well established. The dairy industry is worth over \$2 billion annually in export earnings to this state, as we heard the minister say. Will the Minister for Education assure the house that the government will not cave in to the Animal Liberation Victoria 'milk sucks' campaign by withdrawing dairy products from school canteens?

Mr LENDERS (Minister for Education) — Mr Vogels, Mr Viney and I are the only members of this chamber who grew up on dairy farms milking cows. I note there is not a member of The Nationals among that group.

Mr Drum — On a point of order, President, I do know how you go about raising a stringent point of order, but I would like to raise one, because the minister is misleading the house.

The PRESIDENT — Order! Mr Drum, that is so close to being a frivolous point of order warranting 30 minutes. As I say, it is very, very close. The minister, to continue.

Mr LENDERS — If I erroneously excluded any dairy farmers, my most profound apologies. The only people who have talked about dairy farming are two of those three.

Mr Vogels has raised the issue that the dairy industry is a great industry, and I can say that from experience. Dairy foods are great foods. The only thing we do in school canteens is try to ensure there is healthy food in them. Clearly milk is a healthy food. We can have a discussion about whether flavourings are. We want healthy foods in our canteens because the whole Go for Your Life campaign is about ensuring that Victorians from cradle to grave are as healthy as they can be. Healthy foods and healthy exercise are key parts of that. Dairy products are an important part of healthy foods in our diet. We share a great affinity with the dairy industry, and through good policies we make Victoria a better place to live, work, exercise and raise a family.

Schools: enrol-to-vote campaign

Ms PULFORD (Western Victoria) — My question is to the Minister for Education. Brian Burgess, president of the Victorian Association of State Secondary Principals, has recently called for year 12 students to enrol to vote before exam pressures prevent them from doing so. Can the minister inform the house what the role of schools is in encouraging students to enrol?

Mr LENDERS (Minister for Education) — I certainly welcome the question on what is the role of schools in getting students to enrol to vote.

Honourable members interjecting.

Mr LENDERS — From the catcalls opposite, obviously there is some secret agenda about making it harder for students to enrol to vote through the changes to the federal Electoral Act. Students need to enrol to vote. Firstly, it is their civic obligation, and secondly, it is their right. We will have a federal election presumably in October or November this year right in the middle of Victorian certificate of education exams, when students understandably will be focused on their future careers and the exams. If they have not taken the action of enrolling to vote, they will miss out on the franchise. Four hundred thousand Australians enrolled to vote when the federal election was called three years ago, and of those almost 70 000 new entries were 18-year-olds.

I welcome the call by Brian Burgess, the principal of Eumemmerring Secondary College in Mr Somyurek's electorate. One of the graduates of Eumemmerring

Secondary College sits on the opposition benches here — Mr Rich-Phillips. Mr Burgess is calling for this to happen in schools. The Australian Electoral Commission has developed a vote week in response to the changes. What I would say is important — as part of civics, as part of giving people their basic rights — is that our year 12 students enrol to vote now. Any 17-year-old can make a provisional enrolment — any 17-year-old — and I would urge every member of this house to join in the Australian Electoral Commission's enrol-to-vote campaign to get every 17-year-old on the roll so that when the federal election is called they can exercise their democratic right.

Unfortunately bad federal legislation has made it harder for young Victorians to vote, but this is an important thing in every school. I urge every member of the house to make sure that those 70 000 young Australians who may miss out on voting because of the federal change remedy that and get on the roll. It is very important, and I urge all members to support it.

Aboriginals: Yorta Yorta agreement

Mr BARBER (Northern Metropolitan) — My question is to the Minister for Aboriginal Affairs. I thank the minister for keeping us updated on the implementation of the government's new cultural heritage laws. However, the government does have existing obligations under the cooperative management agreement between the Yorta Yorta Nation Aboriginal Corporation and the state of Victoria. Are there any contradictions between the obligations under the new framework and this agreement? Does the new framework supersede or override the government's obligations under the cooperative management agreement, and if not, how will the government reconcile the two?

Mr JENNINGS (Minister for Aboriginal Affairs) — I thank Mr Barber for his question. It is one of a series actually where he has referred to the wellbeing of the Yorta Yorta nations as part of the Victorian community and the important role they play in terms of cultural heritage and regard and recognition of the ongoing and unswerving contribution of Aboriginal people in the state of Victoria. Mr Barber referred to the agreement struck between the state of Victoria and the Yorta Yorta nations in relation to land management issues covering parcels of land adjacent to the Murray and Goulburn river streams in Victoria. That agreement, from memory, covers something in the order of 50 000 hectares of the state of Victoria that is subject to its conditions.

Mr Barber has put to me a question about the crossover between the standing of that agreement and the cultural heritage legislation. I believe the agreement is binding in terms of all the elements that are contained within it, and beyond that in terms of the goodwill and spirit by which the agreement was entered into in terms of recognising the standing of the Yorta Yorta nations and their connection to country and knowledge of cultural heritage matters to be incorporated within land management issues. From my vantage point those things are to be supported and maintained during the life of the agreement. Depending upon the consideration of the Aboriginal Heritage Council in terms of its responsibilities when it determines who is a registered Aboriginal party for that area, this may or may not be an issue. It may or may not be, depending upon whether the Yorta Yorta nations become the registered Aboriginal party for that part of Victoria either exclusively or in collaboration with other parties.

There may be some issues that are drawn to attention and action that may stem from the registration of Aboriginal parties under the Cultural Heritage Act. It is a bit premature to speculate at this point in time, until the heritage council makes a determination on this matter, about whether there would be any potential conflicts or potential difficulties in being able to accommodate the terms, the spirit and the intent of the agreement with the cultural heritage law. I would only be crystal ball gazing, and I am optimistic that there will not be difficulties, but I am very happy in collaboration with various communities to deal with any potential difficulties that may arrive in the implementation of the agreement and the new legislative arrangements.

The PRESIDENT — Order! Mr Green, on a supplementary.

Honourable members interjecting.

The PRESIDENT — Order! That was genuinely Freudian. Mr Barber, on a supplementary.

Supplementary question

Mr BARBER (Northern Metropolitan) — We have all changed our surnames! I have received a report that an officer from Aboriginal Affairs Victoria in a briefing for the Goulburn Broken Catchment Management Authority on its obligations under the new act stated that there was no contradiction because the cooperative management agreement, in her words 'Does not relate to cultural heritage'. However, in the objectives in schedule 3 it states in 1.3:

to develop a partnership that recognises shared interests and goals of working to improve the environmental, cultural and social management of the designated areas.

The Yorta Yorta people probably think that the environmental, cultural and social management is just one big thing anyway; whitefella law, whitefella departments and whitefella ministerial portfolio allocations do not. My supplementary question is: when will the minister meet with the Yorta Yorta Nation Aboriginal Corporation to sort out this and other matters it has been seeking a meeting about?

Mr JENNINGS (Minister for Aboriginal Affairs) — I guess, President, I want to let you know that Mr Barber is not as naive as he looks, so in terms of that possible interpretation of your description of him, he is reasonably well informed. He is perhaps not as well informed as he might be, but he is reasonably well informed about these matters, because the Yorta Yorta nations have not been seeking a meeting with me to discuss the terms and conditions of this agreement. In fact they have been seeking to have meetings with and in fact have had meetings with officers of the appropriate minister, who is the Minister for Water, Environment and Climate Change in the other place. Those meetings have taken place.

I am always ready and able to have meetings personally with members of the Aboriginal community. Probably over the years my diary has been laden with many such meetings, and I anticipate that will continue to be the case in the future. I stand by my substantive answer of my understanding of what the terms of the agreement mean and what they might mean in relation to the crossover between that and the cultural heritage legislation.

Schools: external stakeholders

Mr THORNLEY (Southern Metropolitan) — My question is to the Minister for Education, Mr Lenders. Can the minister inform the house how the Bracks government is promoting best practice on engaging external stakeholders to participate in education?

Mr LENDERS (Minister for Education) — I could muse that Bolte the Bolshevik built the Thomson Dam using debt, but I will not. I will answer the question. Mr Thornley asked a question about engaging external stakeholders. Firstly, I would say that if you want to achieve results in education you should engage external stakeholders and you should see what is happening.

The government responded to the recommendation of the Education and Training Committee of the Parliament on teaching maths and science in schools.

Members around this chamber would know that we engage with external stakeholders. Governor de Kretser invited 50 to Government House. Philip Davis was there, Mr Hall, a former maths teacher, was there and Ms Pennicuik was there as well as 50 other distinguished Victorians. They included Dr Alan Finkel, the publisher of *Cosmos* science magazine, Dr Ray Shaw from Rio Tinto, Dr Peter Binks, the chief executive officer of NanoVic, and a range of other people. They all came to a roundtable so we could get the best practice for teaching maths and science in schools.

In response to Mr Thornley's question, one way in which we can do that is by bringing people together, learning what is happening, getting best practice and moving forward. Another way is to just make statements on 3LO out of the blue as if it were new.

Mrs Coote — On 774.

Mr LENDERS — On 774; I was just testing. It is quite interesting. The federal minister this morning called on schools in Victoria to encourage corporate sponsorship because it is beyond the capacity of government to give them resources. She also called for links between schools and business. In response to Mr Thornley I say that two things arise out of that. One is to ask whether the commonwealth has abrogated responsibility on education. Philip Davis has said in this chamber today that it is the no. 1 priority. Has the federal minister decided it is all too hard, and is it pulling out of education, the no. 1 priority of any government? That is one question. The other question is that the federal minister has also made the observation that we should have dealings with corporate Australia. In response to Mr Thornley, I suggest that Ms Bishop should come to Victoria to look at some of the partnerships we have with business. I mentioned Dr Peter Binks, the chief executive officer of NanoVic. Three weeks ago I was at St Helena school near Eltham.

Mr Guy interjected.

Mr LENDERS — Mr Guy knows about the school because it is in his electorate. I am impressed! As I told the house before, year 7 students at the school were studying nanotechnology. We have partnerships at the moment. We have structured workplaces through vocational education and training and the Victorian certificate of applied learning. We have apprenticeships, we have industry and community mentors, we have career expos, we have work skills, we have a Try a Trade competition, we have local community partnerships in Geelong and the

adopt-a-school project. We have multiple projects where we engage with industry. That is how you engage.

But this morning in a bolt out of the blue the federal minister said that to move education forward you should engage with industry. My response to Mr Thornley as to how you do this is, firstly, you learn the facts. You might learn them by actually setting foot in a school in the state of Victoria. No opposition member has yet told me of a school in Victoria that the federal minister has set foot in. If she actually set foot in a school in Victoria she might learn something about education that her 700 public servants in the Moscow on the Molonglo in Canberra have not noticed for her. She might talk to industry and learn that partnerships are happening.

Education is too important to be in the hands of amateurs. I say to Ms Bishop in a spirit of goodwill that I will happily take her to any of Victoria's 1594 state schools and any of Victoria's 702 independent schools to show her education so she can appreciate that some of her good ideas are actually happening in Victoria. Education is one of those great things that makes Victoria a fantastic place to live, work and raise a family. We can do it in collaboration. I welcome any innovative ideas from the commonwealth, but I would rather it looked at schools instead of rehashing something that a republican polster from the United States of America has told it is a good idea.

QUESTIONS ON NOTICE

Answers

Mr LENDERS (Minister for Education) — I have answers to the following questions on notice: 149–168, 199–207; 249–51, 269–71, 309, 310.

APPROPRIATION (2007/2008) BILL and BUDGET PAPERS 2007–08

Second reading

Debate resumed

Mrs PETROVICH (Northern Victoria) — I am pleased to make my contribution to this budget debate. I have followed the process with keen interest. As a newly elected member of Parliament I have noticed with some interest the contrast between the election promises made to voters in the Northern Victoria Region and what has in fact been delivered.

Mr Guy — Is that a broad brush?

Mrs PETROVICH — Very much so; I would say it is a very broad brush. I will be highlighting these anomalies in the communities which have once again been made promises by a government that has had its fingers crossed. The member for Seymour, Ben Hardman; the member Macedon, Joanne Duncan; the Minister for Police and Emergency Services, Bob Cameron; and the Minister for Education Services and Employment, Jacinta Allen, all members from the other place, have serious credibility issues in relation to not delivering the goods for the communities that elected them.

I would also like to take this opportunity to make a comment on one of the most serious issues facing communities in Northern Victoria Region, and that is the impact of drought. The money which has been provided to those communities, which are on their knees, is too little too late. It is obvious when looking at the amount of money being allocated to these communities for drought assistance that the understanding of the magnitude of this issue has not been fully realised by the Bracks government. Small business is suffering under an economy which has simply dried up.

I was interested to scrutinise the frivolities at the Labor Party's national conference, especially its 265-page draft national platform and constitution. Drought gets mentioned just twice, and only in a phrase relating to its impact on our cities and in a cursory comment. Of course I expected only a small mention, particularly as this government believes Victoria finishes at Sunbury. Drought is mentioned in just one sentence, which reads:

Labor believes the commonwealth has a responsibility to support innovation in these areas, which are critical to combating the threat of climate change and the impact of drought on our cities.

It was up to the leader of the opposition, Wee Kev from Queensland, to rescue the situation. In a 50-minute speech containing 5772 words to articulate his views, he mentioned drought just once. He said, 'We have faced great threats in the past — through drought, depression and the threat of invasion'. That is it. There is no more.

The drought-affected communities in Northern Victoria Region deserve far more than a cursory glance and the amount that has been allocated to assist an area that is now declared to be 100 per cent drought affected. It was with great disappointment that I realised that the old phrase was appropriate; it is unfortunately true that state budget funding for the lower house electorates in

my region, particularly Seymour, which is a neglected seat, is conspicuous by its absence. Why are the people of Seymour not on this government's radar? It is a great shame, and I do not know what we are going to do. Ben Hardman is a great bloke, but just smiling and nodding at meetings is not enough any more, and writing letters will just not cut it.

I have carefully looked through the budget papers and the government's election promises searching for investments in these towns. Roads is an interesting issue. I would like to speak at length today about the Yarra Glen bypass. There is nothing for the bypass, although \$9 million has been promised by Ben Hardman as part of his commitment to the community of Yarra Glen and the Seymour electorate. The federal government has upheld its commitment by providing a \$5.5 million grant as its share of funds, but the project will not go ahead without state government moneys, and we do not know when they will be forthcoming.

The government's election materials promised to 'support growth, jobs, tourism and development'. In the 2006 Victorian election publication — policy 4 — the government promised to contribute \$9 million to the Yarra Glen bypass and undertake a study for the Kilmore bypass. It is a bit sad. In the case of Kilmore we still do not know where that is. VicRoads is supposed to be completing a study by mid-2007. We do not know where it is; Labor does not know where it is. At the last Mitchell Shire Council meeting the council resolved to investigate the issue and ask the government to produce this long-awaited study. We know Rome was not built in a day, but where is the financial commitment by Steve Bracks and Ben Hardman to get trucks out of the towns of Wallan and Kilmore and give these communities back their towns and main streets? These are country towns, and they do not deserve to have the volume of traffic that currently passes through them and effectively prevents them from being proper business precincts. Of the \$91 million promised for regional roads, \$63 million has been committed to the Geelong ring-road and the Anglesea overpass. This leaves very little for the rest of regional Victoria.

This brings me to health, which is an even more vexed issue. Even though the Hume corridor is one of the fastest growing regions in the state, I could find nothing in the budget for health services in Seymour, and, in particular, nothing for the hospitals in Seymour and Kilmore.

Mr Koch — How strange.

Mrs PETROVICH — It is very odd. I have a cutting from the Kilmore *Free Press* that discusses something I find disgraceful — the government's lack of commitment and delivery in this budget regarding an election promise. The article talks about the importance of a development at the Kilmore and District Hospital. It says:

The importance of the two-stage development is illustrated by the hospital's willingness to press ahead despite government funding yet to be approved.

This community has actually begun fundraising for the second stage of redevelopment, estimated to cost between \$300 000 and \$400 000. This is a travesty and a disgrace. Country communities are well known for getting behind these projects and supporting themselves, but this is a state government responsibility. The government is negligent.

This is the state of health in Kilmore: a state government responsibility is once again being shifted back onto the community. As I said previously, this is a growth corridor and the demand for health services is increasing. What forward planning has been done to address this? The Seymour electorate stands in stark contrast to other areas of the state that have neither its current demand nor its projected growth figures for the next few years. The Alexandra District Hospital has not been funded at all. During the last election \$15 million was promised to upgrade it. I hope the government understands the pressure these broken promises place on patients and their families in these communities. They will not be able to access the proposed upgraded facilities, and they deserve much better. In many cases the need for treatment imposes great costs and travelling time on families. They have to arrange for child care and be separated from loved ones because of the tyranny of distance. We should not undervalue the importance of these rural hospital facilities. The government certainly has not supported the Alexandra hospital.

In a budget of almost \$1 billion we once again see a shortfall in education funding in Seymour for the school rebuilding program in Seymour. Where is the investment in the schools of the Seymour electorate? Only one of the schools mentioned as being funded is in Seymour. Is this really the best the government can do for the seat?

Transport is a vexed issue across the state. We have a fast train that does not run fast and bottlenecks at North Melbourne station. Country and metropolitan train travellers are constantly delayed. We certainly have a problem with transport in Seymour. It also missed out on funding for trains in the budget. The budget injects

\$872 million into public transport, but only a pittance is to be spent in rural and regional Victoria. There are 25 bus improvement projects in Portland, Colac, Lakes Entrance, Geelong, Ballarat and Bendigo, but once again there is not a blessed thing for Seymour. Locals would be happy if the trains would simply run on time; I reckon they deserve a bit better than that, and I am hoping we can do a better job for them in the future.

Water is also a vexed issue. We have talked at length about drought, infrastructure, the intricacies of pipelines that have not yet been built and communities that will probably be out of water by September. As far as I am concerned this government's attitude to water is an absolute joke. There are towns in the electorate of Seymour which have had to have water trucked in for months, and this is simply not good enough. There is nothing in the budget for long-term solutions to the water crisis in this area. Where are the alternative solutions for rural Victoria? We have just received some rainfall, which is a great start. We have seen a little bit of green growth, but there is certainly no easing of the water situation, and we should not be under any illusion that the drought is over. The catchments have not received much run-off as yet. It will take quite a lot more rain and a lot more soaking of the soil before that can happen, so members should not be under any illusions. We need improvements in infrastructure, we need some money spent, and I do not think that is going to happen.

Very little rain has fallen over the Melbourne catchments, and there are grave fears in the country that water that has traditionally been earmarked for agriculture and to sustain rural communities will not only be piped to the big regional centres but will ultimately be shipped even further, eventually to Melbourne. We know that Melbourne has gone past its trigger point for stage 4 restrictions, and this state government still has not acted. I do not know where it is going to get its water from in the end, but it is absolutely critical and irresponsible not to be acknowledging that this is a serious issue. We have a classic case of a government that is not fixing any of the infrastructure problems and not acknowledging the issues, and a budget that simply has not gone any way towards fixing the water crisis. When we have seen any action at all, it has simply been a case of robbing Peter to pay Paul.

I do not think we have any contingency plans. I ask, 'Where are they?'. Where is the funding for major infrastructure improvements? What has the Bracks government done about tapping into the Campaspe deep lead aquifer and alternative sources of emergency water for agriculture in communities such as Bendigo?

I asked a question of the Minister for Water, Environment and Climate Change in the other place, Mr Thwaites, many months ago and I still have not received an answer. I am still waiting, and I hope it is being considered because if that pipeline does not get finished by September the community of Bendigo is certainly going to be high and dry.

I happen to support the pipeline to Bendigo, but one of the concerns I have with it is the energy required to pump water over the Great Dividing Range. If we are looking at conserving energy and looking at our CO₂ emissions and how we can better protect our planet, I am, as I said, very concerned about the energy required to pump water over the Great Dividing Range. I think we would see — and the researchers told me — that the energy required to do this pumping would be similar to the amount required to power a city the size of Bendigo. I do not know where the environmental responsibility is in that.

We hear that the drought is caused by global warming, and here we have the Bracks government contributing to the problem by creating massive CO₂ emissions in the powering of that transfer of water — again, robbing Peter to pay Paul. We see this most valuable resource being taken away from our agricultural areas to our dry cities because of a lack of planning. If we had had some improvement in planning and infrastructure over the last eight years and investment in those most crucial channel pipelines, we certainly would not be in this position now. We have had eight years and we have seen nothing. We are waiting on a pipeline, and we still do not see any line items in this budget to explain where that money is coming from.

We already have producers struggling with drought, and they certainly will not be able to continue. I would really like an explanation about what is going to happen to those rural communities and to the longevity of the agricultural industries that have been the mainstay of these regions and rural communities. There is a lot of rhetoric in the chamber about the great job the Bracks government is doing to assist industry, but there needs to be an acknowledgment of the ripple effect of this drought, the loss of the agricultural dollar and the effect that will have on the agricultural communities for a very long time. I know from my experience in running a business that when the country is in drought the cities experience a reduction in their economy and businesses struggle a little bit more. I do not think we will see the full effects of this dry spell for a long time.

We have seen \$10 million over four years allocated to improve irrigation practices through the WaterSmart farms program and \$29 million to improve water

quality for small country towns. I would like to compare this to the \$21 million allocated by the Bracks government to complete a 21-hectare Australian garden at the Royal Botanic Gardens in Cranbourne. I find this a little hard to sell to people in my rural communities. The point I am making is that gardens are fine, and we all enjoy having one, but when people in my region have struggled to water their stock and grow some produce it seems a little irresponsible and quite frivolous to them and to me that an amount equivalent to half of the money spent on vital water initiatives is being spent on a 21-hectare garden. There is a great irony in that!

It is clear that little strategic work is being done by government departments. The Bendigo corridor strategy that started five years ago was to be a strategic document to guide development in that region both socially and economically, but I do not know what has happened to that either. I was on the Macedon Ranges Shire council at the time, and as mayor I attended many meetings with mayors and chief executives from across the region. There was concern at the time that we needed to get our planning right because we needed the vital infrastructure, and we needed to make sure we had sufficient water and the creation of employment opportunities. Some \$500 000 has been spent on this strategy to date, but nobody seems to know where it has gone.

I heard Kaye Darveniza speak with great excitement earlier today in the chamber about all the jobs that will be created in the community for people who are going to live, work and raise a family in rural and regional Victoria. I am really pleased about that. Northern Victoria Region is a great place. It is a wonderful place to raise a family — as long as you have schools and the capacity to make sure that people have sufficient employment. I do not know that we have seen that happen as yet. I am hoping we can get an update and some progress on this. I hope it does not cost us another \$500 000 for an invisible strategy.

When we hear members talk so gleefully about the number of people moving into rural Victoria, we need to make sure that we have strategic planning and that we are able to support those people in those communities. It is impossible to detail all the promises across the towns of northern Victoria that have been broken. I think the state of the Seymour electorate is a great indicator of the lack of importance placed on country Victoria by this government.

Before I conclude I would also like to commend a Macedon Ranges resident and former member of the Australian Democrats and the Mount Macedon branch

of the Labor Party, Mr Russell Mowat. Last week in the local Macedon Ranges media he highlighted another broken Bracks government election promise on something which had not been delivered to those communities along the Calder corridor. The issue raised was the interchanges at Sunshine Avenue and Calder Park Drive and the highly dangerous Robertsons Road T-intersection. This promise was made during the last election campaign by George Seitz, the member for Keilor in the other place, and I believe it has been broken by not only George Seitz but also other local Legislative Assembly members Joanne Duncan, Geoff Howard, Jacinta Allan and Bob Cameron, who, through their lack of advocacy and push for those communities as members of this government, have not delivered this vital piece of work that would free up that bottleneck.

Today members have heard again about the growing communities, the number of houses and how wonderful it all is, but again lack of planning and infrastructure is making it nearly impossible for the communities all the way along that Calder corridor to access their homes or the metropolitan area in a timely or safe manner. We have dangerous, slow and prohibitive traffic, and the people who use that road on a daily basis are very, very annoyed and angry. Of course they have no choice but to use this road because the very fast train that has been promoted so heavily is often so slow and crowded and unreliable that they are significantly late for work. I know employers who have become very intolerant of this and I know members of my community who have actually given up working in Melbourne because of the difficulties of accessing the city and commuting each day due to the time delays and the frustration and anxiety they were causing them. We were supposed to have fast rail delivered. At the moment we have trains that most of the time have standing room only and are late. It is no good.

I would like to condemn the Bracks government for the lack of commitment to public transport and usable road networks and to communities north of Melbourne. I would like to condemn Assembly members Bob Cameron, Jacinta Allan, Geoff Howard and Joanne Duncan for their complete lack of advocacy for and commitment to their communities and for the broken promises along that Calder corridor. I would also like to condemn Ben Hardman, the member for Seymour in the Legislative Assembly, for his lack of commitment to and advocacy for the seat of Seymour and for the Yarra Glen bypass promise that has been broken.

Hon. T. C. Theophanous — Anyone else?

Mrs PETROVICH — I could condemn you, too, Theo, if you like, but I think you condemn yourself enough.

Hon. T. C. Theophanous — On a point of order, Acting President, the honourable member has breached standing orders on two counts. Firstly, she referred to me by my Christian name only, and that is against standing orders. Secondly, I take exception to the aspersion she cast on me, and I ask you to ask her to withdraw it.

Mrs PETROVICH — On the point of order, if offence has been taken, I withdraw.

Quite frankly, I do not know what to say about Ben Hardman's lack of commitment to his communities of Kilmore, Wallan and Healesville, except: Ben Hardman, I think you have actually let your community down and I hope the Seymour electorate will be the judge of you in the next election.

Ms TIERNEY (Western Victoria) — When I made my inaugural speech one of the points I wanted to make was that I was so pleased to be part of a government that has an enormous commitment to regional Victoria. That view has been solidified during my term of office over the past six months as I have travelled throughout the electorate of Western Victoria Region. On reading the budget papers one can see that they testify to the Bracks government's commitment to regional Victoria. Of key interest to me is that this is nothing new. It was a commitment made by the government when it was first elected. The government has provided good grounding in a whole range of areas affecting rural Victoria, whether it be through the Department for Victorian Communities, health, education, the Department of Primary Industries or the Department of Innovation, Industry and Regional Development.

I refer to the dreadful bushfires over the past two summer seasons and the advent of the drought that has been with us for some time but the real impact and effect of which have been felt in the past couple of years. They have wreaked havoc on regional Victoria. We have had a government that has had clear, purposeful programs in place and has brought networks of people together to build a resilience that sustains those communities during horrific times. The government has been out there, has had its finger on the pulse and has been able to respond to emergency situations and to chronic or long-term situations as well. I make those initial comments on the basis that they are the overlay of what I have experienced in regional Victoria.

It is important to mention also that, whilst all members feel the need, for good reason, to go through each and every line item of the budget to find what it provides for our own electorates, we must be mindful of the fact that each portfolio has a number of commitments that are not necessarily specific to every electorate; they are much more wide ranging than that. As an illustration of that, before I go to the areas that have been successful in the electorate of Western Victoria, I refer to the education portfolio.

In respect of education it is important that we remind ourselves that there is an additional \$35 million over four years to employ teacher assistants in secondary schools. That will assist teachers in a whole range of ways so that they can concentrate and be focused on actually delivering the education and doing the one-to-one work that is often necessary between a teacher and a student. The teacher assistants will be able to do things like help with organising school functions and excursions and photocopying — a whole range of tasks that are important but at the same time should not be done by teachers who are actually employed to teach. That is an excellent initiative of the government.

A further allocation of \$80 million is for the employment of 256 welfare officers at 450 needy primary schools across Victoria. That needs to be highlighted in so many ways, because a theme throughout the budget is that the government is doing as much as it can to protect the most disadvantaged and where possible to deal with the issues at the earliest possible stages. By having welfare officers in primary schools instead of just in secondary schools we will reap the benefits for generations to come.

There is \$1.8 million over six years to continue the successful career change program and \$1.4 million over six years for science graduate scholarships. There is also \$49 million over three years to continue the Schools for Innovation and Excellence program, and I think most members are fairly familiar with that program. It is holding traction in not just the schools but also the community of schools in each region. There is also \$32 million over two years to support teaching and learning, and, of course, we all know that teachers need supporting not only on a daily basis but also on a professional basis in order to keep up with the changing needs in the educational area as well as gaining individual satisfaction by being able to grow further in their careers.

There is \$11 million for maths and science equipment grants and \$5.4 million to promote diversity, and that will be done in a number of ways. Funds will be

allocated to provide ongoing support to continue the work of five Victorian schools of languages in regional Victoria. Of the five, two are in the electorate of Western Victoria: one is Warrnambool College and the second is Horsham College. I can assure members that the money allocated to those schools will be well spent, and I already know that it is highly appreciated by the people involved in those schools. In a general sense we can all get carried away with what is in the budget for our electorates, but there is also a substantial allocation right across this state in a whole range of portfolios.

In respect to education, and continuing with that theme, I will go now to the specifics of what has been allocated to Western Victoria Region because it is important to record a fairly comprehensive yet succinct contribution. I will go straight to a number of primary schools. In Ballarat there is \$3.3 million for the Grevillea Park Primary School replacement. At Stawell we have a \$5 million allocation for the Skene Street special school replacement. Again in Ballarat there is a \$5.633 million allocation for the east campus modernisation of the Ballarat Secondary College. In Geelong there is a \$2.12 million allocation for the Geelong South Primary School modernisation, and \$2.91 million has been allocated for the North Shore Primary School modernisation. In Ballarat there is \$3.01 million for the Black Hill Primary School modernisation program.

I also want to make special mention of the Inverleigh and Lethbridge primary schools. They are quite small schools in fairly remote areas in my electorate. I know firsthand that they have been absolutely ecstatic about the announcement contained in the budget, because it means a future for those schools, for the children and for the local community. So it is \$1.15 million for the Inverleigh Primary School and \$2 million for the Lethbridge Primary School to replace relocatable facilities with new permanent buildings. Members can imagine what the local township is like at the moment with respect to that. The Point Lonsdale Primary School modernisation program brings with it \$4.03 million. At Torquay there is a major modernisation program going on at the Torquay Primary School which will receive \$6.613 million. There is a major regeneration program at the Western Heights Secondary College in Geelong where there will be an amalgamation of three campuses, and nearly \$14 million has been allocated for that. As I previously mentioned in a members statement, Colac is going through a major regeneration program where a number of campuses are coming together to have an education precinct with a new single secondary college. It has an allocation of \$5 million.

There have also been other allocations in the education portfolio that do not necessarily go to schools, and an example of that is \$3 million for wool classing at the Gordon Institute of TAFE. There is a substantial amount of money over a four-year period — \$1.2 million — for the Marine Discovery Centre at Queenscliff to provide educational opportunities for students from kindergarten right through to tertiary, as well as providing an information service for community groups, stakeholders and the public about marine ecology and the importance of conservation.

We also have \$1.7 million allocated to the Oberon High School modernisation program at South Barwon. Brauer College at Warrnambool will receive money for a new science and technology centre amounting to \$1.593 million. There is an additional \$1.5 million for the Tate Street Primary School modernisation program in Geelong. In a nutshell that is an enormous financial and, dare I say, educational commitment to regional Victoria in any guise regardless of which side of the chamber you sit. You cannot ignore the fact that these allocations go to rebuilding education in a way that no other government in this state has done, and I think those involved need to be congratulated.

In respect to emergency services, again there is genuine recognition of the need to replace and upgrade a number of facilities. In Daylesford there is \$1.35 million to construct VicSES units. There is \$22.4 million over four years for ambulance services, including a new station at Lara, as well as new crews and upgrades to other regional stations. There is also in the order of \$1.125 million to upgrade emergency services units at Geelong. At Penshurst there is \$150 000 for the upgrade of its units. The areas of Belmont, Daylesford, Geelong and Stawell are all part of the \$7.5 million package for the upgrade of rural ambulance stations. Then at Ararat, Kyneton, Melton and Bacchus Marsh there is funding that will result in new police stations. Daylesford, Fiskville and Ararat are part of the package of 18 Country Fire Authority stations that will be replaced or upgraded. At Halls Gap we have a \$470 000 allocation for the upgrade of CFA stations, and at Geelong there is \$8.4 million to upgrade its CFA stations.

Moving on to the environment, the Grampians are part of the five national parks package which has received an allocation of \$12 million to fund the upgrade of camping and recreational facilities. At Queenscliff there is \$1.5 million to protect piers and jetties and heritage elements of the Queenscliff pier. There is \$500 000 for the small towns water quality fund at Avoca and a number of allocations to places like Lara and Tarneit to continue the program called the Werribee Vision. There

is a shotgun education course, which is a priority for the lower house seat of Ripon, and 15 extra rangers for the Grampians. A Water Smart Farms initiative will be offered through all rural irrigation areas, and Geelong will be part of a \$4.6 million initiative aimed at tackling four-wheel driving.

A number of key initiatives cover a number of townships in western Victoria in respect to justice. There will be a number of measures to support the communities of Ballarat, Warrnambool, Colac, Geelong and Werribee. There will be an expansion of legal services in Ballarat, Warrnambool and Colac, and there will be five lawyers to serve each community as well as the six surrounding communities. Geelong, Warrnambool, Colac and Werribee will receive funding for a network of seven family violence community lawyers and increased assistance for people attending family violence hearings. Obviously much of that is very much needed, as are the commitments to health, which involve significant amounts of money. Most of us are familiar with the commitment to the Warrnambool hospital, with \$16 million going towards the new intensive care unit, 20 new beds and new obstetric, paediatric, medical and surgical rehabilitation wards. There is \$20 million for Stawell health services, including community health services, a GP clinic, physiotherapy and primary care services. All of these will be expanded within the \$20 million expansion. In Ballarat \$4.5 million has been allocated for an extra operating theatre and to develop a medi-hotel at Ballarat hospital to accommodate patients from rural towns who require day-of-surgery admission. I know from talking to people throughout western Victoria that those sorts of initiatives have not gone unnoticed. Indeed they are needed in a very real sense. As we all know, when we are not feeling particularly well most of us prefer to be either at home or close to home and these sorts of initiatives are basically the closest we can come to that in situations where people have significant illnesses.

In respect to public transport, Portland, Colac, Geelong and Ballarat are all part of a \$30 million package that will deliver a total of 23 bus improvement projects in rural Victoria. In respect to roads and ports, \$63 million — not an insubstantial amount; in fact a very significant amount — has been allocated to fund the state government's share of the next stage of the Geelong ring-road, the Anglesea overpass. There is an allocation of \$3 million for the new passing lanes on the Glenelg Highway between Scarsdale and Linton.

There is also a significant contribution in respect of tourism. There is \$5 million to establish a regional aviation fund to provide infrastructure to upgrade the

state's regional airports. There is a \$66 million allocation for tourism and major events, which of course western Victoria is part of. The majority of that will go to regional Victoria. There is also \$5 million in funding for the Ballarat Eureka Centre for its stage 2 redevelopment, which will extend the centre and emphasise its importance as the focal point for democratic change. There are a number of other initiatives such as the fly-drive holidays program, the regional community tourist events and \$1.2 million for promoting regional wineries and food and to build the interstate connections that are required to get more people coming across the borders into Victoria and sampling the delights of our regional produce.

The regional and rural development portfolio has been allocated money to put towards festivals and a number of other initiatives that are particularly aimed at trying to assist townships through the winter or cooler months when they struggle a bit to get that tourist trade. Money has been allocated towards that. In fact as recently as this week the Treasurer has announced \$8000 for winter weekends in Port Fairy. That will assist in terms of the comedy, music and art festival to be held from 8 to 10 June and the food and wine of the great south coast festival to be held from 6 to 8 July. Of course the local history and cultural heritage weekend is from 11 to 12 August. Each week we are seeing additional contributions and layer upon layer of building what is required to sustain regional Victoria, in partnership with local councils and local community organisations.

There are many other areas I could cover. Issues such as skills and employment, planning, children, justice and multicultural affairs will be addressed in a newsletter my office is developing. However, I want to mention the \$2.7 million over two years that has been allocated for the Otways. That will provide transition programs to assist timber workers to retrain for other jobs when timber harvesting in the Otways ceases in 2008. Those sorts of programs are absolutely critical, not only in terms of those workers finding other employment but also in providing a cushioning to the surrounding towns in respect of local economies and ongoing employment.

I mentioned at the beginning that I was pleased about the ongoing commitment to regional Victoria, particularly given the devastation, essentially, that we have seen as a result of the bushfires and the drought. That has been underpinned by things like a commitment to eradicating weeds and a pest control program. In fact \$30 million has been allocated to that. In addition there is \$13 million for the Our Rural Landscape program to develop scientific solutions to

threats posed to regional industries and communities by climate change.

I could go on to talk more about how the government, through this budget, is initiating a program to tackle disadvantage, and I could talk substantially about the very proud initiative that all of us on this side of the chamber are more than happy with and still very excited about — that is, the commitment to the boost in funding for public housing. But leaving those to one side, I believe this is a popular budget. By and large it has general support. It has been well accepted by a number of stakeholders and community groups as well as the business community. In saying that and taking the house through some of the specifics that relate to the electorate of Western Victoria, I have purposely tried to talk about what has been delivered in this budget as opposed to what some members on the other side of the chamber have tried to do today and indeed tried to do yesterday. They have essentially assumed to promulgate some log of claims instead of talking about the budget and getting on with the business of getting this bill through so we can get on with the business — get the money to where it is needed and get on with the job.

Having said that, I look forward to working with communities in Western Victoria Region on their proposals for advancing their cities, their towns and their areas and working up proposals that will be supported in future budgets.

Mrs PEULICH (South Eastern Metropolitan) — I thank the member for leaving what I hope will be sufficient time for me to at least on a superficial level touch on the range of issues that are pertinent to my constituents across the South Eastern Metropolitan Region, none of whom have a lower house Liberal state member of Parliament. It is unfortunately a fairly dire state of affairs in the South Eastern Metropolitan Region. I have extensive notes, and I certainly hope, Acting President, that should time be insufficient, we can continue the debate into the next sitting week.

In particular the Labor heartland of the South Eastern Metropolitan Region is probably suffering the most through neglect by its longstanding members of Parliament. The other night I went to the Springvale town hall to a City of Greater Dandenong citizenship ceremony. When I walked through the door the mayor and one of the councillors nearly fell over, and I thought, ‘Goodness me! They mustn’t see too many Liberal politicians’. They said not only had they not seen too many Liberal politicians but it had been a long time since they had seen a politician, full stop. I was quite saddened by that, given that I know many of my

Liberal colleagues service their electorates assiduously. I regret that some lower house Liberal candidates were not successful, because no doubt they would have given those constituents much more vigorous advocacy and better representation.

Acting President, how do we judge an effective state government? I would judge an effective state government by looking at how effectively it builds and maintains economic and community assets, our physical capital; how well or effectively it delivers on services and supporting community development — that is, how much input there is into the development of social capital; whether it does this with acceptable, non-punitive levels of taxation and without unnecessary waste and regulation; and whether all of that is delivered in an open, transparent, honest and democratic way through democratic institutions.

But it would not be fair to subject the Bracks Labor government to my standards for an effective government, so I will use its own standards. This is the eighth budget in a sequence. It is not a debut, as Ms Tierney tried to indicate — it is not the first up — and therefore the government should not be crying foul about being judged too harshly or being expected to deliver too much. This is not a debut act, this is not the first performance; it is the latest in a sequence of eight.

I have gone to the government’s Premier of Victoria web page to look at what particular performance indicators the government has set itself so I can at least use those as a focus for assessment today. The key commitments are: responsible financial management that delivers budget surpluses every year, overseen by an independent Auditor-General; rebuilding basic services in health, education and community safety; providing economic infrastructure and creating new employment and investment opportunities across the whole state; conserving our water resources for the future and promoting sustainable environmental strategies to protect Victoria’s environment; and restoring government accountability. I intend to use the government’s own performance indicators, its own commitments, its own goals, for an assessment of how I see the lie of the land not just in the South Eastern Metropolitan Region, where I have been fortunate to be elected, but throughout Victoria.

The love affair between the Premier, Steve Bracks, and Victorians I believe is evaporating about as fast as our water supply. Each day the stocks are getting lower and lower. Following the unexpected election of Steve Bracks in 1999 the affection for him was relatively high, but the expectation from the Bracks Labor government was relatively low by comparison. It has

now taken a long time — eight years in fact — for this romance between the Premier and his Labor government and the Victorian community to begin to sour and for the promises that were made to Victorians to start being seen as disappointments and in many cases betrayals. I believe that is well and truly beginning to set in. The wheels are beginning to rattle, punctures are happening on a daily basis and the government from this point on will lurch from crisis to crisis. None of these crises will effectively be patched up by the puncture patch or by the spin cycle that we hear during question time or through expensive government advertising and the media unit public relations machine.

When the Bracks Labor government was elected to office it offered the sun, the moon and the sky — as I mentioned, responsible financial management — but what do we now have? The government has been the beneficiary of record levels of stamp duty, land tax and payroll tax, and the seriousness of these heavy levels of taxation are being borne out on a daily basis. In particular stamp duty on land tax is creating a crisis in housing affordability, a crisis in rental availability, a crisis for young home buyers trying to break into the market and also a crisis facing the aged, who in many instances are looking to downsize, but the prospect of having to pay very sizeable stamp duty is so prohibitive, so punitive, that they choose not to do so, which is clearly in breach of what the government would hope to see in terms of managing our ageing population.

Victoria is also enduring a water crisis and chronic traffic congestion. Let me say that if there is one huge issue across the South Eastern Metropolitan Region, it is the issue of chronic traffic congestion emanating from the decline in the public transport system, an increasing population size, higher density housing, the planning policies of the government and its failure to manage our major roads to connect to major arterial flows. Pushing traffic onto local roads has caused enormous grief to residents and risks pedestrian as well as vehicular safety. The disconnect caused by giving public transport and roads to two separate ministers, when the whole focus of transport policy is to improve connectivity, is the best single piece of evidence to show that this government has lost the plot and that Victorians, in particular those in the South Eastern Metropolitan Region, will pay and continue to pay a very heavy price. The growing number of rail passengers being subjected to cancelled and overcrowded services is unacceptable, and levels of violent crime continue to rise.

Schools, despite what we have heard from government members opposite, no longer have a predictable schedule of maintenance funding and therefore capital works funding. Many schools are crying out for funds, not only in the more established suburbs but also in the growth corridor, where need is clearly not being met. Despite the record revenue, this budget is failing to deliver on each front and in each of the categories of promises the government has made for itself. In addition to that it brings with it a forecast of very significant debt, which must be a concern for every single Victorian, in particular those who lived and ran small businesses during the days of the Joan Kirner regime.

I will not go through at great length the revenue the government is in receipt of — except to sketch a very quick summary — but the revenue of this government has increased from \$18.9 billion in 1999 when it won office to an estimated \$34.3 billion in 2007–08. This is an 81 — —

Mr Vogels interjected.

Mrs PEULICH — My colleague Mr Vogels reminded me that I have until 4.30 p.m., but the needs in the South Eastern Metropolitan Region are so great that 45 minutes, let alone 35 minutes, would hardly be doing justice to the absolutely massive problems faced by the region. The region has been very badly neglected by its lower house members, who have failed as advocates for community needs. The community has certainly been taken for granted by the Bracks Labor government. I inform Mr Vogels that I am going to need not only the 35 minutes but possibly even longer when we resume Parliament following the rising today.

The GST payment is up from \$5.5 billion in 2001 to a forecast \$9.1 billion in this budget. The total amount of GST paid to the Bracks Labor government is \$57 billion. It is a lot of money, a lot of moolah. Over 2007–08 Labor will receive \$44 million every day from GST payments and federal government grants. In actual fact the GST ought to be renamed. It ought to be called ‘general state tax’ because that is what it was intended to be. But you cannot keep the greedy Labor government’s fingers out of the pockets of Victorians — Victorian families, Victorian workers, Victorian businesses. It loves money, and it is absolutely reckless in how it spends money.

Victoria’s revenue from its own taxes and charges is up by a third from \$9 billion in 1999 to a forecast \$12.4 billion in the next financial year. It will receive \$33 million a day from its own taxes — each day, every day. Debt will have quadrupled from \$3.5 billion in

2002 to a staggering \$15.3 billion by 2011. I think every Victorian has got to be horrified by the prospect of this spiralling debt, waste of their precious funds, deterioration and betrayal in terms of delivering the services our community needs and of course the infrastructure as well as securing those key and essential services of water and electricity.

I will not go over all the government taxes and charges. Clearly the state is heavily dependent on revenue from property taxes. I have just purchased a home for the time when I relocate into the region — it is a very modest home, it is not a McMansion, yet it attracts \$17 000 just in stamp duty. It is heartbreaking to think how many young families cannot get into their own homes because of this greedy tax, and I think that is at the heart of our housing affordability crisis.

Hon. T. C. Theophanous — Is the opposition going to abolish it?

Mrs PEULICH — We are not going to announce what we are going to do because the minister would be very busy picking out the best of the policies. Basically the government side is bereft of policies and ideas. We heard that from the Minister for Education today. The minister is a very fine man, a very nice person, very cordial and very civil. I quite like the repartee, and I understand the minister was also a teacher. But this view that the government does not actually have a vision for the education sector until it finds out what the ideas are by bringing in the key stakeholders is a sad apology showing the lack of vision amongst the Labor frontbenchers and the Labor government.

Land tax has increased more than 100 per cent from \$380 million to \$765 million. The other day I was speaking to an elderly woman, a self-funded retiree, who had never once taken any social welfare from anyone. She had supported herself through small business, and she told me that she had to sell a very humble investment home in order to pay her land tax bill. What did that mean? It meant there was another rental property off the market, and we wonder why renters are having to bid for the rent offerings in order to secure accommodation. It is a very serious and sad state of affairs that is affecting everyone across the community.

Payroll tax has increased nearly 60 per cent, from \$2.1 billion to \$3.6 billion. As I mentioned, stamp duty increased from \$1 billion to \$2.9 billion. This government just cannot get enough. Gambling taxes will reach \$1.5 billion, yet last night on the adjournment I was talking about how precious funds were being set aside for a gambling awareness week

but none of the benefits were actually available or seen at the grassroots level where the funds are needed. It is all consumed by strategy. What this government has got to understand is that developing a strategy alone is not going to solve the problem. The government actually needs to implement it effectively, efficiently and responsibly. It is not enough just to produce an interesting paper and an interesting strategy. Clearly the government has lots of those, but unfortunately the execution has been flawed.

Police fines are up from \$100 million to \$419 million. What has the government promised? It has promised more police. How is it delivering? It is now requiring non-uniform police to wear uniforms. Why is it doing that? It is because it creates the impression of there being more police in the community and on the beat. Is there a trick in the book that the Bracks Labor government has not thought of? I do not think so. If there is, it will probably bring together all those clever minds, find out what else can be done and, of course, do so to its benefit but to the detriment of Victorians.

Regarding dividends from government levies on public authorities, Victorian metropolitan water authorities have been made to contribute dividends and taxes of more than \$300 million a year to prop up Labor's revenue. That is a total dividend of \$2.2 billion since the government was elected, with very few of those funds spent on critical water infrastructure. We had a piece of legislation in this chamber called the Water Amendment (Critical Water Infrastructure Projects) Bill, and the reason it was critical was that it was five to seven years too late. The Bracks Labor government has been ripping money off these authorities, all of whose boards it has appointed. It should be held accountable for a lack of investment and not securing our water supplies.

Since 2004-05 water charges have included an environmental levy. When it was introduced the water levy was set at \$44.6 million; now it has increased to \$60.2 million. There are 14 other extended or new Labor taxes. I will not go through all of them, but they include things like the congestion tax and land development levy which impacts on the growth corridor. The Minister for Planning is sitting in the chamber. He has talked about the need to preserve green wedges and so forth and about the undesirability of having a McMansion. An \$8000 development levy which applies to interface councils in growth corridors adds cost to new homes being sought by basically those who are the most disadvantaged — young families with very limited incomes.

I will not go through all the other ways the government has ingeniously sought to bolster up its revenue. Despite the record revenue and expenditure, performance in virtually all areas has worsened. Do we have responsible financial management as the government has set itself? I would say blind Freddy could see that we do not.

We come to the second claim — that only a Labor government can improve the key services. We have heard it often enough and have seen it on business cards that Labor will make education its no. 1 priority. What a con! It is only overshadowed by the con line of Bob Hawke when he said that no child will live in poverty. It is at about the same level. Currently, of course, we hear quite often from the government, and Matt Viney in particular, about how the previous government sacked a lot of teachers. Let me place it on the record yet again: not a single teacher was sacked in the Victorian education system. We inherited a bankrupt, basket-case state where Joan Kirner and her predecessor, John Cain, through their maladministration, had made this a rust-bucket state. People were voting with their feet. We inherited a whole lot of schools that had received barely any funding in maintenance or capital works. What happened?

An honourable member interjected.

Mrs PEULICH — Yes, we did fix that. In fact we introduced the physical resources — —

Mr Thornley interjected.

Mrs PEULICH — I would like Mr Thornley to actually listen. This is the man who sits on the finance committee of Melbourne University and has turned up only twice. The reason is there is probably not a buck to be made. He is going somewhere else where in actual fact he can make a dollar because that is how Labor works. It preaches and says all the right things, but what it does is very different. Mr Thornley is going to have to lift his performance if he is going to get to the front bench. I am sure there are a lot of Labor members in their offices having a quiet chuckle.

We inherited a school system absolutely falling apart and we introduced a schedule called the physical resources maintenance schedule which classed the needs and repairs from one to five. We could make it predictable, open and transparent so schools could say that this year the government is funding the ones and twos and every school that had repairs in that particular category could expect those funds to be allocated.

This is not how Labor operates. Labor demands, insists on and cultivates grovelling. You have to grovel to members of the Labor Party. You have to kiss their backsides in order to get a buck. That is how Labor works. We wanted an open, transparent and accountable system where maintenance funding was allocated in equitable, fair and open fashion. That is not what Labor wants. It wants a system it can manipulate where patronage can be exercised and it can strongarm its agenda on school communities. Many of them are having to play ball; many of them are petrified. They talk about Jeff Kennett and his ministers intimidating school communities. Let me say this: every school community knows how Labor operates. They do not admire it; it has betrayed them and let them down. They know full well that education has not been the no. 1 priority.

Labor has embarked on school amalgamations. Let me say that in some cases amalgamations may be a way to go; in some cases, of course, it is not. If Labor were making the funds available, if there were logical and educational grounds for amalgamations, then it would be a defensible course of action. Coincidentally there are two schools that I have been associated with that have been zapped. A school I went to, Albert Park Secondary College, is in Southern Metropolitan Region, which is represented by Evan Thornley. It was a school at which many people were educated and to which ordinary working-class people sent their kids before the gentrification of Albert Park, but it cannot stay. Labor wants to zap it. Why? It is prime real estate. The government has made a commitment to reopen it, but that was in the heat and thrust of an election campaign.

Another school is Cleeland Secondary College, at which I had the great honour of teaching a lot of migrant kids from Albania, from Kosovo. They were good kids.

Mr Guy — Ukrainian?

Mrs PEULICH — I am not sure how many Ukrainians were there. The government is zapping four and keeping two. The reality is that sometimes amalgamations have to occur. I say to Labor, ‘Do not take the high moral ground, do not point the finger, because you know full well that you amalgamated schools under Joan Kirner. You are currently amalgamating schools in instances unlike ours. In ours there were educational reasons; yours are often politically and financially driven’. A Menzies Research Centre paper written by Henry Ergas entitled *State of the States* — I highly recommend it to Labor members — —

Mr Thornley — Paid for by whom?

Mrs PEULICH — It is a Liberal Party think tank. There is no doubt about that, so I am being completely upfront about it. I say to Mr Thornley that he should get on it and learn something. The evidence that Henry Ergas uses is all beyond dispute. I point to chart 11 on page 10 headed ‘Real recurrent expenditure per FTE student, government schools’. The source is the Steering Committee for the Review of Government Service Provision 2007 report on government services of 31 January. At page 11 the paper states:

A reduction in effective class sizes combined with increased real expenditure per student could reasonably be expected to result in significantly improved educational outcomes.

It makes sense, does it not? For us, for the Liberal side, outcomes matter. For the Labor side it is only the inputs that matter. However, this outcome has generally not taken place, or at least we are yet to observe such improvement on a large scale. So much for making education a no. 1 priority.

Mr Thornley — Devastating.

Mrs PEULICH — Obviously it is not important to Mr Thornley. Maybe he chooses not to send his children to government sector schools. Maybe he has material resources to facilitate choices. A lot of ordinary Victorians, many of whom are immigrants, have no choice — and all schools should offer the best possible standard of education.

Mr Thornley — That is why they voted for us.

Mrs PEULICH — We will see about that. They voted for state Labor governments across the board predominantly because they were very comfortable with the federal Liberal government. We will see.

Other schools are being amalgamated, and schools at Springvale and Noble Park are going through the same process. However, what we see in the growth corridors is that schools are bursting at the seams. I had to fight tooth and nail together with Mick Morland, the Liberal candidate for Narre Warren North at the last election, to force Labor to honour a commitment to build the Timbarra secondary college. It was only three days before the election and after our campaigning vigorously that Labor adopted that initiative when in fact land had been purchased for that purpose. The Timbarra Primary School was already there and it was going to make a whole lot of sense to build a secondary school close by. Many people had bought into the Timbarra estate in the expectation that there would be a secondary school there, yet Luke Donellan, the member

for Narre Warren North in the other place, kept on saying, ‘The numbers just don’t stack up’. But they stacked up three days before the election. I will be keeping a very careful eye on this to make sure that residents of the Timbarra estate get what they deserve.

Other more established suburbs have very run down schools — many of them are in Mentone and Mordialloc — that are becoming desperate for upgrade money. I will not be speaking extensively on this. I am currently accumulating accurate and comprehensive data, and I look forward to bringing that into the Parliament in the near future.

We have spoken about the importance of a physical resources management system (PRMS). Where is it? What is the government doing with it? Where has it gone? Where is the money? We know, for example, that VELS — the Victorian essential learning standards — are currently being implemented. Many of my former teacher colleagues are pulling their hair out because they have not had the professional development necessary in order for them to implement the standards effectively. During an interesting conversation recently one of those teachers told me that each year every student will have made available to them their results from the previous year, and that if you mark a student lower than the result given the previous year you will need to explain yourself. Most teachers, who are of course pushed for time, will make sure that they do not mark students lower, because it will just mean more work — more paperwork, more interviews and having to justify themselves. I caution the education minister that rather than getting stuck on a daily basis into Julie Bishop, the federal education minister, about whom he appears to be quite obsessed, he ought to get a handle on what his own department is doing so he can make sure that we avoid problems such as this one in the making.

Secondary schools in the city of Casey are filled to capacity with student populations of between 1600 and 2000. The state government has not planned for any new secondary schools in the area, with the exception of Timbarra belatedly coming to the party. One new secondary school with permanent buildings was promised. It will now have 30 portables out of 70 teaching rooms and its oval space is diminishing. Grade 5 students are being turned away from enrolling at secondary schools due to limits being met. Clearly this is an issue that the government needs to address.

The Catholic school sector is not too happy. I received a copy of a letter from a former teaching colleague at St Peter’s Parish Primary School, in the electorate of David Davis and Andrea Coote. The letter is dated

23 May and comments on the Bracks Labor government's budget disappointing the Catholic sector. It states:

Catholic schools in Victoria receive about \$578 less per child each year than children being educated in Catholic schools in New South Wales.

Further on it refers to:

... accessibility to Catholic schooling by low-income families, support for welfare needs, students with disabilities and refugee students.

That accessibility is not being supported by the government. It also states:

... the announcement in the state budget of \$113 million to non-government schools was not a new allocation of funding, as \$83 million of this total is no more than a continuation of previous budget commitments to support literacy, numeracy and retention rates.

Labor is really good at repackaging and reannouncing without coming to terms with what it needs to do.

Crime across the South Eastern Metropolitan Region is such that homicide is up 23.8 per cent; sexual assault, up 18.2 per cent; arson, up 16.7 per cent; property damage, up 16.1 per cent; abduction and kidnap, up 15.2 per cent; robbery, up 8.5 per cent; theft of a motor vehicle, up 8.3 per cent; all crimes against property, up 7.9 per cent; and all crimes against the person, up 4.3 per cent.

Mr Guy — Crime has gone down under the Bracks government!

Mrs PEULICH — Crime has gone down, they say. Let me give a hint as to why it has gone down. My son and his best friend were assaulted at a local video store. We called the police. They turned up and took some notes. They went to the local 7-Eleven store, which had a video. The police subsequently came back. One of the boys had been invited to the police station to look at mug shots, and despite his repeated request that he be allowed to make a statement, he was never allowed to do so. This is coming back more and more often, because if you make a statement, it means it becomes a crime statistic. If you do not make a statement, it is one way of keeping those crime statistics down. What happened when we came back? The police said they could not proceed and there was no point in making a statement, and — wait for this — even though the closed-circuit TV at the 7-Eleven had caught the act and the villains and they had a full visual of the faces, they could not take action because on the video they could not see the registration plate of the car. That inspires confidence in the safety of our community!

I could give a blow-by-blow breakdown across the region. For example, the city of Casey has had a significant increase in various drug-related crimes; crimes against property in the city of Frankston had very significant increases, with an 82.4 per cent increase in stealing. The city of Monash, covering Mount Waverley, had a 17.6 per cent increase in crimes against the person. The city of Greater Dandenong has some real problems, especially in the area of assault and robbery, with a 12.55 per cent increase in crimes against the person and a 42.3 per cent increase in regulated public order issues, as well as a 29 per cent increase in a slightly different category. How will the Attorney-General, Mr Hulls, address this? He will decriminalise public drunkenness or some sort of public disorder and immediately wipe away a category of crime captured in the statistics. The whole issue of promising a safer community has not been delivered.

I move on to the health figures across the region. Time is fast moving on, so I will not go into great depth. What do you do? You get rid of the category that you have to report on because the figures do not look good. One of those is patients staying in an emergency department for more than 12 hours. You do not do it any more unless it is a life-threatening situation. Clearly some of those waiting lists have been managed, but in particular the operation of emergency departments leaves a lot to be desired. I raised the matter of cuts in mental health services earlier, especially in the way that affects Frankston. These issues need to be addressed because mental health services have to be available when people need them, and that is not necessarily 9 to 5.

The most serious problem facing the south-east is transport and roads. Clearly public transport has been a serious issue. We have heard a lot of comment. We know that one in six trains on the Frankston line is late, and that affects the Legislative Assembly seats of Mordialloc, Carrum and Frankston. There is a series of problems such as not being able to find parking at railway stations and having to park in local streets. Those problems not only contribute to clutter and danger but also decrease pedestrian safety.

The failure of the Bracks Labor government to build the Dingley bypass is the greatest injustice to the south-eastern region as well as to businesses across the region. We have had phase 3 built at no cost to the government — that is, the Dandenong bypass. We now have the South Road extension, a shandy costing \$28 million, but what we do not have is that major piece, phase 2, which is so desperately needed, otherwise that traffic will not go anywhere. What the government is doing is funnelling major traffic into Old

Dandenong Road, an undulating road bisecting Heatherton Road. It is a rural zone, and farmers traditionally move their equipment across the road in order to continue farming. They will not be able to do that with Old Dandenong Road taking the brunt of that traffic.

The Aspendale Gardens Residents Association has been campaigning for a very long time for the completion of the Dingley freeway as well as the Mornington Peninsula Freeway extension. Greater Dandenong council, as well as the Kingston council, supports the completion of the Dingley bypass. In addition to that, we do not have the Cranbourne and Frankston bypasses. As well, a whole range of other traffic issues are emerging with the construction of EastLink. I received an email the other day saying:

Traffic management in Frankston will be a huge issue. Not only is Lathams Road going to be a nightmare, but the fact that you are unable to gain access to the Frankston freeway from the end of EastLink to go towards Mornington is a real bungle. Add to that the fact that we don't have a bypass. Travelling by vehicle in Frankston will be absolutely ludicrous. Someone needs to really rattle the cages on the whole EastLink issue and how Frankston has been completely neglected by this government when it comes to our roads.

Add to that the fact that we are provided with one of the worst train lines in the state — unbelievable.

Lathams and Rutherford roads also have substantial increases in traffic. The road needs to be duplicated. The government does not need to take control over it. The issues and infrastructure affecting the city of Casey are well documented, and I will be happy to contribute on that when it comes to the infrastructure debate during the next sitting week.

I will speak on the port of Hastings development next sitting week, as time is running out. The South Eastern Metropolitan Region is home to many thousands of businesses and industries. EastLink will have a major effect on those businesses and industries because many other businesses will want to locate along EastLink. Unless these problems, such as the negative impact on local businesses and job opportunities as well as the amenity of local neighbourhoods, are fixed, the south-east will be left further behind.

The government has an opportunity to take stock of these issues, to make a difference and to put to use the enormous amount of money it is collecting on behalf of Victorians. Please end the betrayal and neglect of the South Eastern Metropolitan Region.

Debate adjourned on motion of Ms PULFORD (Western Victoria).

Debate adjourned until next day.

COURTS LEGISLATION AMENDMENT (JUDICIAL EDUCATION AND OTHER MATTERS) BILL

Introduction and first reading

Received from Assembly.

Read first time on motion of Hon. J. M. MADDEN (Minister for Planning).

Statement of compatibility

Hon. J. M. MADDEN (Minister for Planning) tabled following statement 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 Courts Legislation Amendment (Judicial Education and Other Matters) Bill 2007.

In my opinion, the Courts Legislation Amendment (Judicial Education and Other Matters) 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 bill

The proposed bill contains amendments to the Constitution Act 1975, the Supreme Court Act 1986, the County Court Act 1958, the Magistrates' Court Act 1989, the Victorian Civil and Administrative Tribunal Act 1998 and the Children, Youth and Families Act 2005.

Amendments to the Supreme Court Act 1986, the County Court Act 1958, the Magistrates' Court Act 1989 and the Victorian Civil and Administrative Tribunal Act 1998 will establish legislative support for judicial education. The relevant head of each jurisdiction will be responsible for directing the professional development and training of judicial officers (judges, masters, magistrates or members, as appropriate) within their respective jurisdictions.

The amendments to the Constitution Act 1975 relate to the commission, seniority and retirement of Supreme Court judges and the entitlement of certain judges or their spouses to a pension.

The amendments to the Constitution Act 1975 and Supreme Court Act 1986 will enable the Court of Appeal to be constituted by a master for procedural applications in civil proceedings, providing legislative support for a program of civil appeal reform in the Court of Appeal designed to improve case management and reduce delay.

The amendments to the County Court Act 1958 will provide that an order as to costs may not be subject to appeal to the Court of Appeal except by leave of the Court of Appeal or the County Court and will ensure that an appeal does not operate

as a stay unless so ordered by the County Court or the Court of Appeal.

The amendment to the Children, Youth and Families Act 2005 will extend the commencement of the sunset date for children's Koori Court to 1 July 2009.

Human rights issues

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

Section 8(3) of the charter provides that every person is equal before the law and is entitled to the equal protection of the law without discrimination and has the right to equal and effective protection against discrimination.

The amendment to continue the Koori Court (criminal division) of the Children's Court to 1 July 2009, engages section 8(3) of the charter, in that the jurisdiction of the Koori Court is limited to offences committed by Aboriginal children, therefore discriminating against children who are not Aboriginal.

Section 8(4) of the charter provides that measures taken for the purpose of assisting or advancing persons or groups of persons disadvantaged because of discrimination do not constitute discrimination. A purpose of the Koori Court is to assist persons who are disadvantaged and, therefore, the proposed amendment to the Koori Court is compatible with the charter.

The preamble to the charter provides that human rights have a special importance for Aboriginal people of Victoria, as descendants of Australia's first people, with their diverse spiritual, social, cultural and economic relationship with their traditional lands and waters.

Section 8(2) of the charter provides that every person has the right to enjoy his or her rights without discrimination. The amendment to the Constitution Act 1975 regarding reversionary pensions positively engages section 8(2) of the charter, in that the amendment is intended to fix the anomaly that currently exists in the constitution relating to the entitlement of a judge's spouse to a reversionary pension.

Currently, the spouse of a judge, who is appointed before the age of 60 and dies in office or after retirement, is entitled to a reversionary pension. This entitlement only applies where the judge is appointed before the age of 60. If a judge is appointed after the age of 60, his or her spouse has no entitlement to a reversionary pension.

This amendment positively engages section 8(2) of the charter. It rectifies a provision which discriminates on the basis of age and is incompatible with the charter. The amendment is therefore compatible with the charter.

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

As the bill has no impact on 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 raise a human rights issue.

JUSTIN MADDEN, MP
Minister for Planning

Second reading

Ordered that second-reading speech be incorporated on motion of Hon. J. M. MADDEN (Minister for Planning).

Hon. J. M. MADDEN (Minister for Planning) — I move:

That the bill be now read a second time.

Incorporated speech as follows:

The bill contains five distinct sets of amendments regarding the courts and the judiciary across the Victorian court hierarchy. The bill both promotes court and judicial innovation and enrichment, and rectifies some anomalies that currently exist between the different courts and that may unfairly affect some judicial officers. I will address each of these in turn.

Judicial education

For the first time in Victoria, the bill establishes a uniform scheme of judicial education that will apply to judicial officers in each jurisdiction — the Supreme, County and Magistrates' courts and the Victorian Civil and Administrative Tribunal. As magistrates, judicial officers at the State Coroner's Office and the Children's Court will also have the opportunity to benefit from these new provisions.

The bill makes the head of each jurisdiction responsible for directing their judicial officers to participate in specified professional development and continuing education and training activities. The heads of jurisdiction are empowered to direct all judicial officers, a specified class of judicial officers or a specified judicial officer to participate in judicial education.

The provisions give effect to the government's 2006 election policy commitment, contained in *Access to Justice*, of introducing ongoing education for the judiciary. The policy maintains the independence of the judiciary while strengthening the community's confidence in our legal system.

The government established the Judicial College of Victoria to support the judiciary to stay up to date with developments in the law, in technology and in community attitudes. Building upon the success of the college to date, the college will deliver the professional development, continuing education and training activities required to give effect to these amendments.

The judicial education amendments have been developed having regard to the principles of the separation of powers, including the need to respect and maintain judicial independence. The provisions have been developed in

consultation with each of the heads of jurisdiction, on behalf of their judicial officers, and are well supported.

Commissions, seniority, resignation, retirement and pensions of judges

The bill amends a number of provisions of the Constitution Act 1975 which relate to judicial appointments, commissions, seniority, resignation, retirement and pensions.

These amendments are technical in nature. They clarify current provisions of the constitution and rectify some anomalies that create an unfair disadvantage for some judges. The amendments do not introduce any new policies.

Firstly, the bill contains amendments to clarify that judges are appointed on commission. The constitution contains provisions which set out the seniority of judges in relation to one another.

The chief justice is the most senior judge, followed by the President of the Court of Appeal, and so on. The seniority of judges who hold the same office, for example, trial judges of the Supreme Court, is determined according to their commission date. That is, the date of their appointment.

However, the provision of the constitution which provides for the appointment of judges does not refer to a 'commission date'. The bill makes it clear that the office of judge is an office held under a commission.

Secondly, the bill makes an amendment regarding the resignation of judges to expressly provide for a judge to resign before reaching the compulsory retirement age.

Thirdly, the bill addresses two anomalies relating to the entitlements of judges to a disability pension and of spouses of judges to a reversionary pension.

The bill fixes these anomalies and ensures that the same entitlements are available to all judges and their spouses who qualify for a judicial pension.

Masters to constitute the Court of Appeal

I now turn to the amendments in this bill which are designed to support an important initiative of the Supreme Court.

The bill amends provisions of the Constitution Act 1975 and the Supreme Court Act 1986 to allow the Court of Appeal to be constituted by masters for procedural applications in civil proceedings.

The Supreme Court has initiated a program of civil appeal reform in the Court of Appeal to reduce case processing time and to target delay. These amendments will give masters of the court the power to handle procedural applications and to case manage matters. These amendments will be supported by rules and practice guidelines that will set out the detailed parameters of masters' powers. Matters that must proceed to final hearing will be heard and determined by judges of the court.

The Bracks government fully supports this initiative of the Supreme Court, which is entirely consistent with the government's commitment to timely access to justice principles.

Civil appeals from the County Court to the Court of Appeal

The bill brings greater consistency between the Supreme Court Act 1986 and the County Court Act 1958 in civil appeals to the Court of Appeal. There are currently two inconsistencies that this bill will remove. These are in relation to appeals on costs and the operation of an appeal as a stay of proceedings.

The bill provides that appeals from the County Court from an order or judgement on a question of costs to the Court of Appeal will require the leave of either the Court of Appeal or of the County Court judge who made the order. The Supreme Court Act 1986 already provides that an appeal from the trial division of the Supreme Court to the Court of Appeal on the question of costs requires leave.

The bill removes a constraint on the County Court in relation to its ability to determine whether a stay of proceedings is just or appropriate on an appeal to the Court of Appeal. The bill will bring consistency to civil appeals from both the County Court and the trial division of the Supreme Court to ensure that an appeal from either jurisdiction does not operate as a stay unless so ordered by the court.

There is a particular benefit in reducing inconsistencies between the trial division of the Supreme Court and the County Court in civil proceedings following the commencement of part 2 of the Courts Legislation (Jurisdiction) Act 2006 on 1 January 2007. As the County Court now has an unlimited jurisdiction in civil matters, parties can issue civil proceedings in either jurisdiction and would be more likely to experience these inconsistent appeal rights.

Koori Court (criminal division) of the Children's Court

The bill amends the Children, Youth and Families Act 2005 to enable an extension of the sunset date for children's Koori Court to 1 July 2009.

The majority of the provisions of the Children, Youth and Families Act 2005 commenced operation on 23 April this year. Section 605 of the act will repeal each of the Koori Court (criminal division) provisions of the act. Section 2(3) states that section 605 comes into operation on 1 July 2007, if not earlier. The bill replaces the 1 July 2007 date with a new date of 1 July 2009.

The repeal provisions make it clear that the children's Koori Court is a pilot. An evaluation of the children's Koori Court has commenced and will be completed by the proposed new sunset date.

The early indication from the evaluation is that the children's Koori Court has produced valuable justice outcomes for participants and the wider Victorian community.

Given the success of the children's Koori Court sitting at Melbourne, I have announced that Victoria's second children's Koori Court will be operational in Mildura by the end of 2007.

I commend the bill to the house.

**Debate adjourned on motion of
Mr RICH-PHILLIPS (South Eastern
Metropolitan).**

Debate adjourned until Thursday, 14 June.

**WATER ACTS AMENDMENT
(ENFORCEMENT AND OTHER MATTERS)
BILL**

Introduction and first reading

Received from Assembly.

**Read first time on motion of Hon. J. M. MADDEN
(Minister for Planning).**

Statement of compatibility

**Hon. J. M. MADDEN (Minister for Planning)
tabled following statement 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 Water Acts Amendment (Enforcement and Other Matters) Bill 2007.

In my opinion, the Water Acts Amendment (Enforcement and Other Matters) 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 purpose of the bill is —

- (a) to amend the Water Act 1989 and the Water Industry Act 1994 to make further provision for enforcement in relation to drought response plans, emergency management plans, permanent water saving plans and water restrictions set out in by-laws; and
- (b) to amend the Infringements Act 2006 to extend the operation of that act with respect to infringement notices under by-laws; and
- (c) to amend the Water Act 1989 to enable the minister to make further provision for licences to take water.

The bill is necessary —

- (a) to improve compliance with, and enforcement of, drought response plans, emergency management plans, permanent water saving plans and water restrictions set out in by-laws; and
- (b) to prevent non-consumptive licences from being converted to water shares; and
- (c) to enable new licences to be issued to take water for non-consumptive purposes.

Human rights issues

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

The following human rights protected by the charter are relevant to the bill.

Section 13(a): privacy

Clauses 12 (new section 185D) and 19 (new section 291D) of the bill will prima facie intrude upon an individual's right to privacy regarding information about them by requiring the compulsory disclosure of a person's name and address. Specifically, these clauses will allow an authorised water officer to require a person to state his or her name and address if that officer has reasonable grounds for believing that that person has contravened, or is contravening, a restriction or prohibition on the use of water contained in a drought response plan, an emergency management plan, a permanent water saving plan or water restrictions set out in a by-law.

Section 25(2)(a): minimum guarantees in criminal proceedings

Clauses 7, 10 and 22 of the bill substitute and augment existing provisions in the Water Industry Act 1994 and the Water Act 1989 that provide for the issuing of infringement notices for contraventions of the restrictions and prohibitions on the use of water contained in a drought response plan, an emergency management plan or a permanent water saving plan. Clause 25 of the bill extends the operation of the Infringements Act 2006 to infringement notices served for contraventions of the restrictions or prohibitions on the use of water contained in a by-law.

While the issuing of infringement notices is not captured by the charter, it is desirable that infringement notices satisfy the requirements of subsection 25(2)(a) of the charter. That is, an infringement notice should always be sufficiently clear and detailed so as to inform the person of the nature and reasons for it being issued, and persons issued with such notices should always be informed of their option to defend proceedings in court. Infringement notices issued under the Water Act 1989 and the Water Industry Act 1994 will be issued in accordance with the Infringements Act 2006, which requires an infringement notice to include prescribed details and state that the person is entitled to elect to have the matter heard and determined in the Magistrates Court, consistent with the requirements of the charter. There is therefore no limitation on the right in section 25(2)(a) and no need to proceed to consider whether limitations are reasonable in relation to clauses 7, 10, 22 and 25 of the bill.

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

Section 13(a): privacy

(a) What is the nature of the right being limited?

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.

The right to privacy under the charter is not absolute. It may be subject to reasonable limitations under s.7 of the charter.

(b) *What is the importance of the purpose of the limitation?*

The purpose of the limitation is to improve compliance with, and the effective enforcement of, water restrictions and prohibitions on the use of water by improving the ability of authorised water officers to compel persons to provide information in the course of investigating non-compliance with water restrictions. The purpose of the limitation is essential to achieving the objectives of these acts, which includes the promotion of the orderly, equitable and efficient use of water resources. Without the power to require a person to state his or her name and address, additional time and expense will be required to obtain this information, with the risk that where the information cannot be discovered an infringement notice will not be able to be issued or criminal proceedings brought.

(c) *What is the nature and extent of the limitation?*

Clauses 12 (new section 185D) and 19 (new section 291D) of the bill will allow an authorised water officer to require a person to state his or her name and address if that officer has reasonable grounds for believing that that person has contravened, or is contravening, a restriction or prohibition on the use of water contained in a drought response plan, an emergency management plan, a permanent water saving plan or water restrictions set out in a by-law. These clauses of the bill will prima facie intrude upon an individual's right to privacy regarding information about themselves by requiring the compulsory disclosure of a person's name and address. The intrusion on an individual's right to privacy will only allow an authorised water officer to require a person to state his or her name and address and no further personal information. The power will be exercised on a case-by-case basis and only in circumstances where the authorised water officer has reasonable grounds for believing that the person has contravened, or is contravening, a restriction or prohibition on the use of water.

(d) *What is the relationship between the limitation and its purpose?*

These clauses establish a reasonable and proportionate means of achieving the objectives of the Water Act 1989 and the Water Industry Act 1994. The clauses authorise an interference with privacy in precise and circumscribed circumstances, where an authorised water officer has reasonable grounds for believing that a person has contravened or is contravening, a restriction or prohibition on the use of water. A decision to interfere with an individual's privacy will be made on a case-by-case basis in accordance with the law and the merits of each case. The power is not arbitrary as each interference with privacy will take place in accordance with the provisions, aims and objectives of the charter. The limitation is designed to achieve the purpose of improving the ability of authorised water officers to investigate non-compliance with water restrictions, and there is a proportionality between the purpose of the limitation and the means employed to achieve that purpose.

(e) *Are there any less restrictive means reasonably available to achieve its purpose?*

No other means are considered reasonably available to achieve the purpose of the restrictions placed on a person's right to privacy.

(f) *Are there any other relevant factors?*

No other factors are considered relevant.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because it does limit, restrict or interfere with a human right, but that limitation is reasonable and proportionate.

Justin Madden, MP
Minister for Planning

Second reading

Ordered that second-reading speech be incorporated on motion of Hon. J. M. MADDEN (Minister for Planning).

Hon. J. M. MADDEN (Minister for Planning) — I move:

That the bill be now read a second time.

Incorporated speech as follows:

The main purpose of this bill is to improve compliance with drought response plans, water restriction by-laws, permanent water-saving plans and emergency management plans.

The continuing low rainfall and inflows into Victoria's reservoirs over the past decade are threatening the security of the state's water supply. The government has introduced a number of measures, including permanent water saving plans, to reduce the consumption of drinking water in this state.

This led to Melbourne and regional cities and towns saving great volumes of drinking water. In Melbourne alone, there has been an average per capita reduction in drinking water of 22 per cent compared to 1990s levels.

Water restrictions are important instruments for further reducing water consumption across Victoria in times of severe water shortage, such as the current drought. As at 10 April 2007, 93 towns were on stage 1 restrictions, 35 towns were on stage 2, 17 towns plus Melbourne were on stage 3a, and 254 towns were on stage 4.

From here on, I will collectively refer to drought response plans, water restriction by-laws, permanent water-saving plans and emergency management plans as water restrictions.

Most Victorians are doing the right thing and are complying with water restrictions. There are, however, some people who are letting down the vast majority by not complying with these measures. The community rightly expects there should be in place an enforcement framework that effectively deters people from doing the wrong thing.

Last year the government introduced legislation to enable the water businesses to authorise persons to serve infringement notices as an alternative to bringing court proceedings. In addition, the water businesses have the power to restrict the supply of water to a property. These measures, together with the ability to issue warning notices, have given the water

businesses a suite of tools to deal with people who do not comply with water restrictions.

Based upon the experience of last summer, further legislative measures are contained in this bill to finetune the enforcement process.

This bill makes four key changes to the enforcement framework. First, this bill enables a person to be issued with an on-the-spot fine or charged with an offence for breaching water restrictions without first having to receive a warning notice. It is important that the water businesses are able to choose whether to give a warning notice or take immediate action. Currently a person must be given a warning notice before enforcement action can be taken. This has been an important mechanism for ensuring that people are aware of their obligations. The water businesses are doing an excellent job in extremely difficult circumstances to ensure that people are familiar with water restrictions. Education will continue to be the primary tool for ensuring compliance.

Secondly, this bill provides for the appointment of authorised water officers by a water business and the issue of identity cards to those officers. At present, water business employees who exercise enforcement powers are not required to produce identity cards. This bill will also make it an offence for a person to impersonate an authorised water officer.

Thirdly, the water businesses in Melbourne will have the power to require a person suspected of contravening water restrictions to state his or her name and address. The water businesses that supply water to regional towns already have this power. A person will only be required to state his or her name and address if the authorised water officer produces an identity card. Obviously, this power is required to ensure that on-the-spot fines are issued to, and court proceedings brought against, the right person.

Fourthly, this bill extends the definition of 'infringement offence' so that it includes a by-law made under section 171 of the Water Act 1989 or a by-law made under a prescribed act. This will ensure that the rights and protections contained in the Infringements Act 2006 are accorded to persons served with infringement notices for not complying with water restrictions.

This bill also makes changes that affect licences that allow persons to take water from waterways for purposes known as non-consumptive uses, such as fish farming and hydro-electricity generation. These uses are referred to as non-consumptive because each of these licences is subject to a condition requiring the licence-holder to return water to the waterway from which the water was taken. In some cases, these licences allow large volumes of water to be taken.

The Water Act 1989 was amended in 2005 to provide for the unbundling of certain water entitlements (including licences for non-consumptive uses) into water shares, delivery entitlements and water-use licences. In the unbundled world, there is no ability to impose conditions on water shares and for this reason it was never intended that non-consumptive licences be converted to water shares. This bill will amend the Water Act 1989 to prevent non-consumptive licences from being converted. This bill will also make an amendment to enable non-consumptive licences to be issued in areas that have been unbundled.

I commend this bill to the house.

Debate adjourned for Ms LOVELL (Northern Victoria) on motion of Mrs Coote.

Debate adjourned until Thursday, 14 June.

ADJOURNMENT

Mr LENDERS (Minister for Education) — I move:

That the house do now adjourn.

Public transport: park-and-ride facilities

Mrs KRONBERG (Eastern Metropolitan) — My adjournment matter is directed to the Minister for Public Transport in the other place. In raising this matter, I do so in the knowledge that if the principles I suggest are adopted, they will directly contribute to the green credentials of the state government.

Recently the City of Manningham and the Ventura-owned National Bus Company displayed considerable initiative and forward thinking in their joint upgrade of parking bays at the Doncaster park-and-ride facility. Members may ask, 'So what? Parking bays in a park-and-ride facility!'. As a result of the Manningham task force's initiative, a small number of car bays have been replaced by two-wheel vehicle bays which will accommodate six motorcycles and electric scooters in each space. This initiative coincides with the release and aggressive marketing of now fashionable high-powered electric two-wheeled vehicles.

These vehicles typically produce 14 kilograms of carbon dioxide per 1000 kilometres travelled compared with 296 kilograms produced by commuters with combustion engines. According to VicRoads, as at the end of April there were 134 318 motor scooters and motorcycles registered in Victoria. We all recognise that public transport patronage has risen, to the discomfort of the state government, given that it is so totally unprepared for such a shift in commuter behaviour, so the last thing it may want to hear at this time is a suggestion that will actually increase further public transport passenger numbers.

There are 200 park-and-ride facilities located adjacent to Melbourne's public transport system. Melbourne's road network is in an almost constant state of gridlock. Melbourne's traffic congestion and the subsequent increases in emission levels are of great concern to us all. I ask that the minister undertake to report back to this house on the feasibility of both converting an appropriate number of car-parking places at park-and-ride facilities to places reserved for two-wheel

motor vehicles and/or utilising the dead space for the installation of solar-charging posts for recharging electric scooters, such as occurs in London, along with the accompanying infrastructure for securing these vehicles.

Bendigo: nightclub lockout

Mr DRUM (Northern Victoria) — Yesterday the people of Bendigo woke to read that the liquor licensing director had implemented a 1.00 a.m. lockout on all the nightclubs in the city of Bendigo despite the fact that the City of Greater Bendigo was calling for a 3.00 a.m. lockout. Obviously the licensees were also in favour of a 3.00 a.m. lockout, and there is no doubt that the police who have been dealing with much of the antisocial behaviour caused by the drunks getting out of the nightclubs at various hours would also have been in favour of a 2.00 a.m. or 3.00 a.m. lockout. However, the ambit claim for a 1.00 a.m. lockout which the police put in place in the hope that it would effectively result in a 2.00 a.m. or 3.00 a.m. lockout has been met, in effect, with the liquor licensing director deciding to adopt a 1.00 a.m. lockout.

A whole range of problems have not been addressed. For example, hospitality workers who finish work late at night and who want to go for a social drink will not be able to enter any venue after 1.00 a.m.; patrons who are required to leave a venue for health or safety reasons or who just want a breath of fresh air after 1.00 a.m. will be unable to get back in; and intending patrons who join a queue to enter a venue prior to 1.00 a.m. but are unable to gain access will be walking the streets looking for something to do after 1.00 a.m. as well.

No evidence has yet been produced to show that the police or the City of Greater Bendigo are going to be able to cope with the number of people walking around the streets at 1.05 a.m. or 1.10 a.m. looking for somewhere to drink. There is no doubt that this will lead to an increase in the number of gatecrashers who are going to be looking for somewhere to go, given that they cannot get into nightclubs. They are going to be working their mobile phones overtime and texting each other to make sure they are able to get into private parties. The amount of drinking that will be taking place in non-licensed venues will certainly be on the increase.

One of the other unintended problems with this early lockout will be that many of the licensees will start vying for patronage early in the evening by giving away cheap drinks and offering free entry, trying to fill their

venues up early in the evening to ensure that patrons are locked in when the lockout occurs at 1.00 a.m.

I call on the Minister for Consumer Affairs in the other place to meet with the liquor licensing director to see if the implementation of this early lockout can be delayed until it has been through an appropriate examination by the Victorian Civil and Administrative Tribunal, as there is no doubt that the licensees are planning to take this decision to VCAT.

We believe that Minister Andrews, whom I am calling on to address this adjournment debate matter, could also meet with the licensees to see if he can come up with a compromise, which could possibly be a voluntarily implemented 2.30 a.m. lockout by all the licensees.

Western Victoria: sporting facilities

Ms PULFORD (Western Victoria) — My adjournment matter is directed to the Minister for Sport, Recreation and Youth Affairs in the other place, James Merlino. Last week I became aware of five successful grants made under the community facility funding program in the Wimmera in my electorate of Western Victoria Region. The grants are designed to fund works to upgrade, replace and build infrastructure at five deserving community sporting venues.

These five projects, including the \$60 000 laying of a water-saving synthetic surface at the Nhill Bowling Club — which I asked the minister to fund in this very chamber last month — are just some of the 77 projects across the state that received \$3.2 million in funding in this round of grants. These grants will encourage people of all ages in my electorate to be active and to keep fit and will boost local clubs in their hopes of attracting and keeping young people in their communities.

Two of the five grant announcements took place in the Horsham region, including the development of netball and tennis facilities at Cameron Oval reserve to the tune of \$60 000, and almost \$30 000 to the Natimuk and District Field and Game Club to modify and improve its facilities, which will help the club in an isolated and drought-affected area. Thanks to these grants, communities will be strengthened through sport and recreation participation, and members of the community of all ages will be encouraged to access sport and leisure facilities.

I would like the minister to see the effects of these grants on communities and to consider them when looking at future applications. In that spirit I invite the minister to join me in the Horsham region to inspect the

projects at two of the successful grant applicants, Cameron Oval reserve and the Natimuk and District Field and Game Club, to see just how important these grants are to communities in Western Victoria Region.

Rail: service standards

Ms HARTLAND (Western Metropolitan) — My adjournment matter tonight is for the Minister for Public Transport in the other house, Lynne Kosky. I would like to thank Mr Pakula for his explanation last night on the adjournment that there will be more services on the Williamstown line during the peak period from October and for asking the minister to supply the timetables for these new services and say when they will be introduced. I would like to extend the question and ask for information regarding when new services will start on the Werribee and Sydenham lines and what the minister will do in the meantime regarding passenger safety on what are now dangerously overcrowded trains.

Environment: Rockbank broiler farm

Mr VOGELS (Western Victoria) — I raise an issue for the Minister for Water, Environment and Climate Change in the other place, the Honourable John Thwaites. It concerns the ongoing saga of odour emissions from a broiler farm at 742 Greigs Road, Rockbank. I would like to quote from a letter I have received from John Pace. He writes:

The broiler farm emits the most unbearable odours, at times a very strong smell of ammonia and more often a very strong and repugnant smell of chicken faeces, which is absolutely disgusting. The broiler farm sheds are located just less than 500 metres from our home ... The broiler farm consists of four sheds, each housing 40 000 chickens. Our land is being used as a buffer zone as the property the broiler farm is located on is not large enough.

We have lived on this property for a period of 30 years, and my wife and I have worked very hard to own this property, to raise our family and retire here. Unfortunately the past five years have been an absolute nightmare ... we both have suffered bad asthma since the operation of the broiler farm and I have suffered many heart-related problems due to the stress of having to deal with the problems associated with having this broiler farm at such close proximity to my home.

My wife and I are 73 years of age and live for the weekends when our children, grandchildren and great-grandchildren come and visit. It breaks our heart when at times my grandchildren want to go home because they can't do the fun outdoor things children normally do on a farm ... One of our granddaughters used to keep her horse in our stables and stay every weekend and ride her horse on our property, but due to the disgusting smell she now stables her horse at a property in Bacchus Marsh.

Mr Pace writes that he and his wife are embarrassed to have visitors and cannot have barbecues. The smell is so strong it enters their home, and his wife sometimes cannot hang the washing on the line because the clothes would end up smelling so bad. I am raising this matter because on at least three occasions the Environment Protection Authority has issued an infringement notice against the broiler farm. I have a letter with the reference number 42387, signed by Suzie Sarkis of the west metropolitan region of EPA Victoria. The letter to the broiler farm says:

We wish to advise that on the basis of ongoing odour emissions from the premises and its adverse off-site impact, EPA issued another pollution abatement notice ... restricting the operations by limiting the number of birds and sheds at the premises.

The letter refers to a penalty infringement notice:

... for the breach of the pollution abatement notice ... in that odours offensive to the senses of human beings were discharged beyond the boundary of the premises situated at 742 Greigs Road ...

... EPA officers identified that the activities conducted at the premises are the source of the offensive odours.

The action I seek from the minister is that he ensure the EPA carries out the responsibility it is charged with to allow the Pace family to live the normal life they have worked so hard for.

Consumer affairs: investment advice

Mr THORNLEY (Southern Metropolitan) — My matter is for the Minister for Consumer Affairs in the other place. I raise the matter of Australian Capital Reserve. Unfortunately some 30 000 investors, many of them self-funded retirees and people of modest means, are faced with a dreadful situation. They thought they were investing in a product that was reasonably safe but would generate slightly higher rates of return than they might get elsewhere. I am particularly familiar with this case because of close family friends who unfortunately had their life savings in Australian Capital Reserve and who are now facing the potential loss of their homes and other distressing circumstances after 40 years of working lives as honest, decent, taxpaying people — and I know there are 30 000 others like them.

The action I seek from the minister regarding this scandal and a number of others that have occurred with these types of crooks is that he consider an amendment to the way we regulate these sorts of investment products. There is quite a lot of regulation, which leads to lengthy prospectuses and a whole lot of fine print that is very difficult to wade through and understand for the average person. It seems to me that a simple,

graphical representation of the risk-return curve and where the product fits on the curve would be more useful to the average person considering their investment options than a lot of fine print. We all know that every investment product basically fits on the same risk-return curve.

There is no free lunch. If somebody is offering you a higher return, it is usually because they are asking you to bear a higher risk. If you are making an informed decision to do that — if you are able to bear the risk and you look forward to the possibility of a higher return — that is fine. However, so many innocent people, many of them of limited circumstances, are misled by deceptive advertising or, as in this case, by high-pressure sales tactics and are bewildered by the array of regulatory fine print that is meant to protect them, I wonder if we could make that a lot simpler by simply certifying each of these products with the range on the risk-return curve where the product sits so that people can make informed decisions.

Melbourne: car park levy

Mr D. DAVIS (Southern Metropolitan) — My adjournment matter is for the attention of the Treasurer. It concerns the state government's so-called congestion levy, the parking tax that hits the city of Melbourne area and part of the city of Port Phillip. It is a significant impost raising nearly \$40 million — a massive hit on small businesses in the areas — and it is increasingly having perverse and unexpected effects as people respond to the arrangements that the government has put in place. As people have said, it is called a congestion tax but is really a tax on car parking.

To explain to the Treasurer so he understands fully, what is occurring is that people are responding by reducing the amount of car parking in certain places and pricing it differently. From recent conversations with the Air Conditioning and Mechanical Contractors Association it has become clear to me that one of the effects of this has been that where previously car parks in large city buildings were available for servicemen and others to stay for short periods or while they undertook the servicing of certain equipment — in this case air-conditioning equipment in many of the larger, and some smaller, city buildings — increasingly, those places are not available for servicemen to park in, and they now are faced with the difficulty of parking on the street, driving around endlessly in circles or taking their chance with a fine.

Of course one alternative is for them to go to a nearby commercial car park, but that is also a significant cost, and those costs are of course passed on in the price of

services. The truth is that air-conditioning repairs and servicing — which is an important greenhouse issue, amongst others — is becoming more costly in the city area and Southbank as a direct result of the government's congestion levy.

I am seeking from the Treasurer an examination of some of the unintended effects of that levy, including the effects on the air-conditioning industry and service vehicles that want to go about their lawful and sensible business in the city area. I ask that he find a way to ensure they are not unfairly or unreasonably hampered in the work they seek to do.

Schools: Notting Hill sites

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I wish to raise a matter for the attention of the Minister for Education. It relates to what have become known as the Notting Hill school sites. These are the former Notting Hill Primary School and the former Monash Secondary School in my electorate that have been closed by the government and are now listed for redevelopment. The two schools are not on adjoining sites but they are in close proximity to each other and are joined by a public access along a drain easement.

The Notting Hill community is concerned that the closure of these schools and their redevelopment will lead to a massive loss of public open space in the area. The Australian Research Centre for Urban Ecology noted that Notting Hill has one of the lowest ratios of public open space in Melbourne, so it is a significant issue for that area. People in Notting Hill are very keen to see part of one of those sites preserved for public open space. Currently the former school oval is still available and still being used. While the buildings at the school have been quarantined, the oval is still available for use, and it is the desire of locals that that space continue to be available. The school site is subject to rezoning by the City of Monash for residential development.

I am asking that the minister agree to make part of one of the school sites available for public open space. This is a practice that has been followed elsewhere. In Frankston the government agreed to give a disused school oval to the local community for use as public open space. That is the precedent we seek to have followed in Notting Hill. In the interim before making that decision I seek the minister's agreement to meet with a delegation of residents from Notting Hill so that they can put their case as to why this important issue should be taken on board by the minister prior to the sale of that site.

Rail: Noble Park station

Mr SOMYUREK (South Eastern Metropolitan) — I raise a matter for the attention of the Minister for Public Transport in another place concerning safety issues at Noble Park train station. Noble Park is a suburb that has been doing it tough for a couple of decades. The majority of its citizens are blue collar migrants who came to Noble Park initially because it is so close to Dandenong, one of the manufacturing hubs in Australia. The negative impact of globalisation on our manufacturing industry has resulted in a lot of that industry going overseas.

The people, the workers, of Noble Park have certainly been hit very hard by this. Because of cheap housing and the availability of community services Noble Park has attracted a lot of migrants, a lot of protection visa-holders from around the world and a lot of people with low incomes. Noble Park has pretty much been community of need for a number of years now. However, things are starting to turn around in Noble Park. The council has invested a lot of money in the suburb, and the state government has also invested heavily in it. I can declare that Noble Park is just around the corner from experiencing its renaissance.

Safety issues have been a concern at Noble Park, and I concede that there are some safety issues at the train station. In some ways these concerns are exaggerated because of the perceived threat from Somali youths, who congregate at the station during certain periods of the day. The Liberal candidate for Isaacs, Mr Fox, recently decided — —

Mr Finn — The next member for Isaacs!

Mr SOMYUREK — He is a candidate at the moment. He recently took a photo of the Noble Park underpass and gave the impression in a related article that he could somehow fix the underpass in Noble Park. He is the federal candidate, not a state candidate, so that was a little bit misleading.

An honourable member interjected.

Mr SOMYUREK — I suggest that capable members like Mr Rich-Phillips and Mrs Peulich are more than capable of lobbying — —

The PRESIDENT — Order! Mr Somyurek has no need to engage in debate. In fact he cannot debate and will get back to the issue.

Mr SOMYUREK — I ask the minister to improve security at Noble Park train station.

Gippsland Ports: management

Mr P. DAVIS (Eastern Victoria) — I raise a matter for the attention of the Minister for Water, Environment and Climate Change in another place, Mr Thwaites. I refer initially to a joint press release of 10 November 2005 from that minister and the then Minister for State and Regional Development, Mr Brumby, as part of various announcements relating to the provincial Victoria statement. The press release states:

Mr Thwaites said Lakes Entrance was home to Victoria's largest commercial fishing fleet as well as being a premier recreational boating and fishing destination.

'This project will create clear navigable channels to Lakes Entrance and ensure that they're kept open over coming years.

The government will provide \$31.5 million to fund the installation and operation of a comprehensive sand management system that will address the build-up that is threatening access to the port'.

The press release went on to detail some of the initiatives that would be funded from the project. It states:

Mr Brumby said the investment in Lakes Entrance was the largest in a Victorian regional port in many years and demonstrated the Bracks government's long-term commitment regional Victoria.

The minister then talked about the very important high-value commercial and recreational activities in that port.

I make the point that at the time I certainly welcomed the announcement of the ministers. I congratulated them then and I do so again now. The government made a significant financial contribution to dealing with a vexatious issue — the accretion of sand in the entrance to and in the channels around the port of Lakes Entrance. I had a firsthand involvement in that matter in 1998 and 1999 as a parliamentary secretary working through the then Department of Natural Resources and Environment. I managed to obtain the initial funding of \$900 000 for the trial of sand pumps in that port.

We now have a disaster. On Tuesday this week the chairman of the Gippsland Lakes charter boat operators association, Mr Barry Peel, travelled from Lakes Entrance to Parliament and return, a trip of more than 4 hours in both directions, seeking my assistance to urge the government to address the complete inadequacy of the management capacity of its authority. The authority has been given \$31.5 million and has, it would seem, done nothing with it or has frittered it away on useless expenditures, because the port is now in a crisis. The whole township of Lakes Entrance is

threatened with economic disaster from losing the fishing fleet and the possibility of recreational activity — and there is also the potential for submersion when the drought eventually breaks and we have real flows in the Gippsland Lakes. I therefore ask the minister to review the operations of the Gippsland port authority.

Responses

Hon. J. M. MADDEN (Minister for Planning) — Mrs Kronberg raised the matter of park-and-ride arrangements and the availability of different forms of transport in those facilities. I will refer this to the Minister for Public Transport in the other place.

Damian Drum raised the matter of the 1.00 a.m. lockout for nightclub operators and publicans in his community. I will refer this to the Minister for Gaming, I think, in the other place. Is that the minister that he wants it referred to?

Mr Drum — I think so.

Hon. J. M. MADDEN — We will source the relevant minister to address that to.

Ms Pulford raised the matter of sport and recreation grants in the Horsham and Wimmera regions. I will refer this request to the Minister for Sport, Recreation and Youth Affairs in the other place.

Colleen Hartland raised the matter of new train services in the western suburbs and the relevant timetabling. I will refer this to the Minister for Public Transport in the other place.

John Vogels raised the matter of a broiler farm in the Rockbank area and its environmental impact and relevant Environment Protection Authority infringement notices. I will refer this to the Minister for Water, Environment and Climate Change in the other place.

Evan Thornley raised the matter of Australian Capital Reserve and issues related to consumer affairs. I will refer this to the Minister for Consumer Affairs in the other place.

David Davis raised the matter of the car parking tax or congestion levy. I will refer this to the Treasurer.

Gordon Rich-Phillips raised the matter of two Notting Hill school sites and the relevant public open space. I will refer this to the Minister for Education.

Adem Somyurek raised the matter of safety issues around the area of the Noble Park train station. I will

refer this to the Minister for Public Transport in the other place.

Philip Davis raised the matter of Lakes Entrance and associated environment issues for the port authority there. I will refer this to the Minister for Water, Environment and Climate Change in the other place.

The PRESIDENT — Order! The house stands adjourned.

House adjourned 4.58 p.m. until Tuesday, 19 June.

