

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

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

**Wednesday, 12 March 2008**

**(Extract from book 3)**

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## Legislative Council committees

**Legislation Committee** — Mr Atkinson, Ms Broad, Mrs Coote, Mr Drum, Ms Mikakos, Ms Pennicuik and Ms Pulford.

**Privileges Committee** — Ms Darveniza, Mr D. Davis, Mr Drum, Mr Jennings, Ms Mikakos, Ms Pennicuik and Mr Rich-Phillips.

**Select Committee on Gaming Licensing** — Mr Barber, Mr Drum, Mr Guy, Mr Kavanagh, Mr Pakula, Mr Rich-Phillips and Mr Viney.

**Select Committee on Public Land Development** — Mr D. Davis, Mr Hall, Mr Kavanagh, Mr O'Donohue, Ms Pennicuik, Mr Tee and Mr Thornley.

**Standing Orders Committee** — The President, Mr Dalla-Riva, Mr P. Davis, Mr Hall, Mr Lenders, Ms Pennicuik and Mr Viney.

## Joint committees

**Dispute Resolution Committee** — (*Council*): Mr P. Davis, Mr Hall, Mr Jennings, Mr Lenders and Ms Pennicuik. (*Assembly*): Mr Batchelor, Mr Cameron, Mr Clark, Mr Holding, Mr McIntosh, Mr Robinson and Mr Walsh.

**Drugs and Crime Prevention Committee** — (*Council*): Mr Leane and Ms Mikakos. (*Assembly*): Mr Delahunty, Mr Haermeyer, Mr McIntosh, Mrs Maddigan and Mr Morris.

**Economic Development and Infrastructure Committee** — (*Council*) Mr Atkinson, Mr D. M. Davis, Mr Tee and Mr Thornley. (*Assembly*) Ms Campbell, Mr Crisp and Ms Thomson (Footscray)

**Education and Training Committee** — (*Council*): Mr Elasmarr and Mr Hall. (*Assembly*): Mr Dixon, Dr Harkness, Mr Herbert, Mr Howard and Mr Kotsiras.

**Electoral Matters Committee** — (*Council*): Ms Broad, Mr Hall and Mr Somyurek. (*Assembly*): Ms Campbell, Mr O'Brien, Mr Scott and Mr Thompson.

**Environment and Natural Resources Committee** — (*Council*): Mrs Petrovich and Mr Viney. (*Assembly*): Ms Duncan, Mrs Fyffe, Mr Ingram, Ms Lobato, Mr Pandazopoulos and Mr Walsh.

**Family and Community Development Committee** — (*Council*): Mr Finn, Mr Scheffer and Mr Somyurek. (*Assembly*): Ms Beattie, Mr Perera, Mrs Powell and Ms Wooldridge.

**House Committee** — (*Council*): The President (*ex officio*), Mr Atkinson, Ms Darveniza, Mr Drum, Mr Eideh and Ms Hartland. (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Mr Delahunty, Mr Howard, Mr Kotsiras, Mr Scott and Mr K. Smith.

**Law Reform Committee** — (*Council*): Mrs Kronberg, Mr O'Donohue and Mr Scheffer. (*Assembly*): Mr Brooks, Mr Clark, Mr Donnellan and Mrs Maddigan.

**Outer Suburban/Interface Services and Development Committee** — (*Council*): Mr Elasmarr, Mr Guy and Ms Hartland. (*Assembly*): Ms Green, Mr Hodgett, Mr Nardella, Mr Seitz and Mr K. Smith.

**Public Accounts and Estimates Committee** — (*Council*): Mr Barber, Mr Dalla-Riva, Mr Pakula and Mr Rich-Phillips. (*Assembly*): Ms Graley, Ms Munt, Mr Scott, Mr Stensholt, Dr Sykes and Mr Wells.

**Road Safety Committee** — (*Council*): Mr Koch and Mr Leane. (*Assembly*): Mr Eren, Mr Langdon, Mr Mulder, Mr Trezise and Mr Weller.

**Rural and Regional Committee** — (*Council*) Ms Darveniza, Mr Drum, Ms Lovell, Ms Tierney and Mr Vogels. (*Assembly*) Ms Marshall and Mr Northe.

**Scrutiny of Acts and Regulations Committee** — (*Council*): Mr Eideh, Mr O'Donohue, Mrs Peulich and Ms Pulford. (*Assembly*): Mr Brooks, Mr Carli, Mr Jasper, Mr Languiller and Mr R. Smith.

## 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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**FIFTY-SIXTH PARLIAMENT — FIRST SESSION**

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**Leader of The Nationals:**

Mr PETER HALL

**Deputy Leader of The Nationals:**

Mr DAMIAN DRUM

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Coote, Mrs Andrea	Southern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Darveniza, Ms Kaye Mary	Northern Victoria	ALP	Pakula, Mr Martin Philip	Western Metropolitan	ALP
Davis, Mr David McLean	Southern Metropolitan	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
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Drum, Mr Damian Kevin	Northern Victoria	Nats	Peulich, Mrs Inga	South Eastern Metropolitan	LP
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Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Scheffer, Mr Johan Emiel	Eastern Victoria	ALP
Guy, Mr Matthew Jason	Northern Metropolitan	LP	Smith, Hon. Robert Frederick	South Eastern Metropolitan	ALP
Hall, Mr Peter Ronald	Eastern Victoria	Nats	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Tee, Mr Brian Lennox	Eastern Metropolitan	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Theophanous, Hon. Theo Charles	Northern Metropolitan	ALP
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Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Vogels, Mr John Adrian	Western Victoria	LP



# CONTENTS

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## WEDNESDAY, 12 MARCH 2008

BUSINESS OF THE HOUSE	
<i>Photographing of proceedings</i> .....	611
<i>Budget speech 2008–09</i> .....	680
PAPERS .....	611
MEMBERS STATEMENTS	
<i>Teachers: enterprise bargaining agreement</i> .....	611
<i>Australian Formula One Grand Prix: economic benefits</i> .....	611
<i>The Nationals: policies</i> .....	612
<i>Western Victoria Region: government initiatives</i> .....	612
<i>Our Lady of Lebanon Maronite Church</i> .....	612
<i>Ringwood Community Garden: achievements</i> .....	613
<i>Croydon Community School: Way2go event</i> .....	613
<i>Federal government: carers bonus</i> .....	613
<i>Water boards: resignations</i> .....	613
<i>Buses: western suburbs</i> .....	614
<i>Manningham: Aboriginal flag</i> .....	614
<i>Australian Volunteer Coast Guard Association: Portland flotilla</i> .....	614
SUSPENSION OF MEMBER.....	613
CHEMICAL INCIDENTS: RESPONSE .....	615
HOUSING: AFFORDABILITY.....	623, 643
QUESTIONS WITHOUT NOTICE	
<i>Water: desalination plant</i> .....	635
<i>Economy: performance</i> .....	636, 639
<i>Hepburn: spa redevelopment</i> .....	637
<i>Melbourne Convention Centre: benefits</i> .....	637
<i>Budget update: mid-year report 2007–08</i> .....	638
<i>Firearms: licensing</i> .....	640
<i>Information and communications technology: regional and rural projects</i> .....	641
<i>Emergency services: south-western Victoria helicopter</i> .....	641
<i>Commonwealth-state relations: funding</i> .....	642
<i>Supplementary questions</i>	
<i>Water: desalination plant</i> .....	636
<i>Hepburn: spa redevelopment</i> .....	637
<i>Budget update: mid-year report 2007–08</i> .....	639
<i>Firearms: licensing</i> .....	640
QUESTIONS ON NOTICE	
<i>Answers</i> .....	643
CRIMES AMENDMENT (CHILD HOMICIDE) BILL	
<i>Second reading</i> .....	680
<i>Third reading</i> .....	690
CONSUMER CREDIT (VICTORIA) AND OTHER ACTS AMENDMENT BILL	
<i>Second reading</i> .....	690
<i>Third reading</i> .....	697
ADJOURNMENT	
<i>Torquay and Lorne caravan parks: redevelopment</i> .....	697
<i>Medical scientists: enterprise bargaining agreement</i> .....	698
<i>Buses: eastern suburbs</i> .....	699
<i>Sewerage: septic tanks</i> .....	699
<i>Energy: low-emission technology</i> .....	699
<i>Anglesea: riverbank facilities</i> .....	700
<i>Planning: Seymour development</i> .....	700
<i>Local government: councillor remuneration</i> .....	701
<i>Police: Orbost</i> .....	701
<i>Neighbourhood houses: funding</i> .....	702
<i>Albert Park college: site</i> .....	702
<i>Freeways: noise barriers</i> .....	703
<i>Firearms: licensing</i> .....	703
<i>Water safety: review</i> .....	703
<i>Goulburn Valley Water: restrictions</i> .....	704
<i>Roads: Frankston bypass</i> .....	704
<i>Community health centres: tax ruling</i> .....	705
<i>Responses</i> .....	705



**Wednesday, 12 March 2008**

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

**BUSINESS OF THE HOUSE****Photographing of proceedings**

**The PRESIDENT** — Order! I wish to advise all members that an official photograph of members in the chamber will be taken today at 12 noon prior to the commencement of question time.

*Honourable members interjecting.*

**The PRESIDENT** — Order! By way of explanation, because it seems to be a matter of some conjecture in the house, the fact that we are having another photograph is directly related to the changes in the leadership of the opposition and the fact that we have not published the brochure that would normally have encapsulated the previous photo. We are not spending any more money than we have to, and it will be up to date — to the minute.

**PAPERS****Laid on table by Clerk:**

Auditor-General —

Report on Accommodation for People with a Disability, March 2008.

Report on Records Management in the Victorian Public Sector, March 2008.

Commissioner for Environmental Sustainability — Strategic Audit of Victorian Government Agencies' Environmental Management Systems, January 2008.

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

Bass Coast Planning Scheme — Amendments C46 Part 4, C68 and C79.

Cardinia Planning Scheme — Amendment C117.

Central Goldfields Planning Scheme — Amendment C12.

Greater Geelong Planning Scheme — Amendment C18.

Hume Planning Scheme — Amendments C92, C103 and C104.

Moreland Planning Scheme — Amendment C67.

Wangaratta Planning Scheme — Amendment C32.

Whitehorse Planning Scheme — Amendments C57 Part 3 and C74 Part 1.

Whittlesea Planning Scheme — Amendments C71 and C75.

Safe Drinking Water Act 2003 — Report on Drinking Water Quality in Victoria, 2006–07.

**MEMBERS STATEMENTS****Teachers: enterprise bargaining agreement**

**Mrs PETROVICH** (Northern Victoria) — I rise to speak about the shameful way in which Premier Brumby and the Labor Party are treating Victorian teachers. I reiterate to this chamber that Victorian teachers are being paid close to \$10 000 less than their counterparts in New South Wales. This protracted dispute is in the hands of the Premier, who has said on more than one occasion that he will not come to the table and meet with the unions and negotiate a successful outcome.

Today schools in Northern Victoria Region have a half-day strike and are marching to their local MPs' offices demanding government support. Last week when I was a guest at the Seymour Technical High School attending a year 12 International Women's Day function, this inspirational event highlighted to me the commitment of the hardworking teachers who go the extra mile for their students with no extra reward.

I know the parents of school-age children are growing tired of hearing the Premier's claim that education is his no. 1 priority. Parents have been patiently backing the teachers in striking and understand their plight, but they are also asking the question: why will the Premier or Minister Pike not meet with members of the Australian Education Union? Yes, it is confrontational and it is disrupting the school year, but what choice do our teachers have? Even one of their own, Mary Bluett, has been quoted as saying, 'When it comes to investing in education, Victoria is at the bottom of the class'.

I urge the Premier to support all Victorian teachers before they start leaving the profession or, as many have already done, moving interstate.

**Australian Formula One Grand Prix: economic benefits**

**Ms PENNICUIK** (Southern Metropolitan) — Formula one grand prix chief executive officer Bernie Ecclestone is threatening to withdraw the grand prix from Melbourne when the contract expires in 2010 unless organisers agree to a night race. The Greens

agree with the government that a night race is a very bad idea. Lighting up 300 hectares of parkland would add an estimated \$38 million in costs to an event which is already economically unviable. The night race held in Qatar last Sunday used 5.4 megawatts of energy, and the 1600 lighting projectors which will be required for the upcoming race in Singapore will use 3.8 megawatts. This is enough to power thousands of homes.

The costs of the grand prix, which have never been fully revealed by the Australian Grand Prix Corporation or the state government, have risen from an estimated \$10.6 million in 2003 to around \$40 million this year. Organisers are moving towards twilight races. The grand prix is already in its twilight years, with falling attendances and rising costs. The government should move to put the lights out for good and abandon this anachronistic, wasteful, gas-guzzling and sexist event — Larissa Dubecki made some pertinent comments about that in yesterday's *Age* — and use the funds saved to upgrade the Palais Theatre, which would be much more appreciated in the city of Port Phillip and for all Victorians into the future.

### **The Nationals: policies**

**Mr PAKULA** (Western Metropolitan) — Channel deepening is unambiguously good for country Victorians. A more efficient port is always good news for farmers. But The Nationals are going soft on dredging. Why? Because they have caved in to the Liberal Party. Repairing and upgrading our irrigation channels is also good for country Victorians. It means more water for everyone. But The Nationals run around trying to scare the life out of the people they pretend to represent. Why? Because it helps the Liberal Party. For seven years The Nationals voted with Jeff Kennett while he closed country schools, country hospitals and vital regional services. Why? Because Kennett was Premier and The Nationals were addicted to the perks of office.

For 11 years in Canberra The Nationals toed the Liberal line, even voting to sell Telstra. Why? Because life was good for The Nationals under John Howard. For the last seven years in Victoria, The Nationals have made a reasonable fist of asserting their independence and to an extent country Victorians have appreciated that.

But it is all over now, Baby Blue. Yet again The Nationals have allowed the Melbourne Liberals to seduce them, and one more Nationals leader has become a Liberal leader's lapdog. It would be a sad time for rural and regional Victorians were it not for the fact that the Labor Party continues to protect their interests.

### **Western Victoria Region: government initiatives**

**Mr KOCH** (Western Victoria) — Over the last eight years there have been calls, with limited success, for the government to deliver on numerous initiatives to address the growing list of rural issues in Western Victoria Region. Recently work commenced on improving road safety for right-turning vehicles at the Nigretta Road–Glenelg Highway intersection, 5 kilometres west of Hamilton, which is expected to be finished in the next couple of months. This intersection has at long last been allocated \$40 000 as part of the grey spot program funded by the Transport Accident Commission.

An assertion was made in a recent letter to the editor of the local Hamilton *Spectator* that credit for this upgrade lies entirely with the failed Labor candidate for Lowan, Paul Battista, who I am told is a factional hack working for Jaala Pulford. Despite this assertion, I can assure members that both the sitting member for Lowan in the other place, Hugh Delahunty, and I have called for improvements to this dangerous intersection on numerous occasions.

However, if the failed Labor candidate has such influence, perhaps he could deliver a rescue helicopter for the south-west, get our region's roads fixed up, stop the sale of police houses, supply adequate funding for cash-starved libraries, repair poorly maintained schools and secure a commitment from the Brumby government that it will deliver on all of its promises to country Victorians, instead of more spin, false expectations and backroom factional deals.

### **Our Lady of Lebanon Maronite Church**

**Mr KAVANAGH** (Western Victoria) — On Saturday, 8 March, I had the honour of attending the opening of Our Lady of Lebanon Maronite Church in Thornbury. My invitation was organised by Mr Elasmarr, and I thank him for that. Ms Mikakos and Mr Eideh also attended, as well as many members from the lower house.

The building of the church was a \$12 million to \$13 million project undertaken by a relatively small community. Its members can be proud of their vision and their sacrifice. They can also be proud of the legacy that they are creating for future generations. I am proud that Australia has provided to these good people not only a good home but also a sanctuary where they have been able to practice their faith freely and in peace.

It was an honour to be invited to this great event.

**Ringwood Community Garden: achievements**

**Mr LEANE** (Eastern Metropolitan) — I congratulate the Ringwood Community Garden on receiving a nomination in recognition of the 25th anniversary of the Taste of Summer open garden as part of the Maroondah City Council's 2008 Australia Day Community Event of the Year awards. Having visited the garden last week, thanks to Ralph Powell, I commend everyone involved in that great facility which gives a number of people in the community the opportunity to enjoy the proven therapeutic activity of growing their own plants. The garden has recently put in concrete pathways to make it easier for people with disabilities to also enjoy this activity.

I feel that I should declare to the house that Mr Powell gifted me the best zucchini I have ever seen. I included it in a pasta sauce and it was delicious. Mr Powell also gave me some rhubarb that ended up with a well-known cook from the Chadstone area, Gemma Venier, who plans to put it into a rhubarb and apple pie, and I am looking forward to that.

**Croydon Community School: Way2go event**

**Mr LEANE** — On another matter, last week it was fantastic to attend the Way2go business event at Croydon Community School which honoured local businesses and identities in helping students at the school to prepare for future careers. I commend these businesses for helping the Croydon Community School in the important work it does. I was also delighted to hear that some of the school's innovative programs have been extended into a number of schools including a number of private secondary schools.

**Federal government: carers bonus**

**Mr FINN** (Western Metropolitan) — On 24 November 2007, the Australian people decided that they wanted new leadership. It is only now that Australia is finding out what that new leadership is. It is mean-spirited leadership, it is cruel leadership, it is miserable leadership, it is tight-fisted leadership. Irrespective of the Prime Minister's — —

**Ms Darveniza** — Eat your heart out, Bernie.

**Statements interrupted.**

**SUSPENSION OF MEMBER**

**The PRESIDENT** — Order! Unfortunately for Ms Darveniza I heard her comment, and she knows the

rules. Under standing order 13.02 I ask Ms Darveniza to vacate the chamber for 30 minutes.

**Ms Darveniza withdrew from chamber.**

**Statements resumed.**

**Mr FINN** (Western Metropolitan) — Thank you, President. I think that makes 2 for 2. Irrespective of the Prime Minister's backflip on the allowances over this last 12 hours, the government's agenda is set; its intent is clear. Having attacked school funding as it did not so long ago, even after supporting it during the federal election campaign, the Rudd government sent the attack dogs after the old, the sick, the disabled and those who care for them.

The federal Treasurer, Wayne Swan — and what a dud he is turning out to be — was particularly pathetic when he said the paltry amount these carers and pensioners receive was inflationary. He is blaming the pensioners and the carers of the disabled and the old for inflation in this nation. The Rudd government has given notice that this new leadership will rip into the most vulnerable in our society without mercy. The Rudd government has stamped itself as one we must all be very wary of. It will think nothing of attacking carers and pensioners as it brings nothing but disgrace upon itself.

**Water boards: resignations**

**Mr DRUM** (Northern Victoria) — Like many northern Victorians I am confused and concerned about the avalanche of resignations from the top positions at our water boards and authorities. Goulburn-Murray Water chairman Don Cummins resigned just a few months ago and was replaced by Stephen Mills, who had recently resigned from the chairmanship of the Goulburn Broken Catchment Management Authority. Goulburn-Murray Water has also now lost its managing director, Russell Cooper.

Coliban Water's longstanding chairman, Gordon McKern, has resigned and been replaced by John Brooke, who was also a member of the local catchment management authority and a director of Goulburn-Murray Water. Now the equally longstanding managing director of Coliban Water, Geoff Michell, has also resigned.

Meanwhile, over at Goulburn Valley Water, there is a new chairman — the aforementioned Don Cummins, who has gone from Goulburn-Murray Water to Goulburn Valley Water. By the way, he is also a member of the local catchment management authority.

Now Goulburn Valley Water's managing director, Laurie Gleeson, has announced his resignation.

I ask the minister: is this rash of resignations and musical deckchairs coincidental or is there something else going on? Is the government playing the old pea-and-thimble trick in the hope that the increasingly angry public misses the sleight of hand? There is another coincidence in all these men being shuffled from one water board to another. They are all lap-dogs of the Labor government and supporters of the arrogant Labor water policies in the north. Has the Premier, John Brumby, found his posse of yes-men, and is he trying to blur the details by getting them to change horses every now and again?

### **Buses: western suburbs**

**Mr EIDEH** (Western Metropolitan) — I rise today to applaud the Brumby Labor government for attending to the transport needs of the local community in East Keilor and environs. The Minister for Public Transport in the other place has announced that a new bus lane will be developed along Buckley Street, East Keilor, to ensure faster travel times for bus commuters. The provision of this priority lane for the SmartBus should provide a faster and more efficient bus service for the local community, and I am proud that this initiative has materialised.

The Brumby Labor government has committed \$660 million across the state for the SmartBus project, including \$2.8 million in this area. The local community will be the winners. In addition, local transport services on the route from Moonee Ponds via Essendon and Niddrie to East Keilor-Avondale Heights will be upgraded for the benefit of all passengers.

A remarkable improvement will be new technology that will give the SmartBus priority at traffic lights, further improving bus travel. Motorists will also be given a side benefit. If buses can move faster, there will be fewer problems for the drivers of all other vehicles, because traffic will move better and more safely. I sincerely hope this will also encourage more of the local community to use this great bus service and thus aid their mobility across the region.

### **Manningham: Aboriginal flag**

**Mr TEE** (Eastern Metropolitan) — The issue I wish to raise concerns the momentum created by the apology issued to the stolen generation by the Prime Minister. Councils in my electorate, including Knox, Maroondah, Whitehorse and Yarra Ranges, are all now flying the Aboriginal flag on a permanent basis. This is an

important symbol of commitment towards genuine reconciliation and to acknowledging and addressing Aboriginal disadvantage. I welcome this initiative.

Unfortunately one council in my electorate has failed to take this opportunity to show its commitment to reconciliation. At its February meeting, Manningham City Council, while considering this issue, deferred a decision — an outcome that caused hurt and concern amongst the Aboriginal community present at the meeting. It is astonishing that in the same month that the Prime Minister made his historic sorry speech, Manningham council has decided that it cannot decide whether it is okay to fly the flag of indigenous Australia. I call on Manningham council to reconsider its decision and to say sorry for its failure to fly the flag of reconciliation.

### **Australian Volunteer Coast Guard Association: Portland flotilla**

**Ms TIERNEY** (Western Victoria) — On 13 December last year I had the pleasure of launching the new Australian Volunteer Coast Guard Association Portland flotilla search and rescue vessel. The 11.9-metre long Sabre-built vessel is the result of a \$469 000 grant under the Brumby government boating safety and facilities program. Since its launch the boat has clocked up over 800 hours in training and has rescued four boats, including a 30-tonne commercial crayfishing boat, three times the size of the search and rescue vessel.

Portland flotilla commander, Cyril Cram, said that many locals are astonished at the number of uses the vessel has. Mr Cram said that this would not have happened without the overwhelming support of local businesses and community members through sponsorship and in-kind donations. This is an inspirational example of community groups, volunteers and government agencies working together towards an outcome which not only improves public safety but enhances community spirit.

The vessel is named after a dearly loved and respected community member, the late Helen Handbury — an honourable blessing for the vessel, I am sure. Now in its eighth year, the boating safety and facilities program has already contributed more than \$26 million towards making boating safer and accessible for more Victorians.

Congratulations to the community of Portland and to the state government for a wonderful initiative that works even harder to make Victorian waters the safest in the country.

**CHEMICAL INCIDENTS: RESPONSE**

**Ms HARTLAND** (Western Metropolitan) — I move:

That this house calls on the government to respond to the chemical incident at Paramount Road, Tottenham, on 22 December 2007 by —

- (1) allocating sufficient funding in the 2008 budget for an emergency telephone alerting system to commence within the next year for, at a minimum, residential zones adjacent to industrial zones in Victoria;
- (2) arranging for, and funding, the Environment Protection Authority, WorkSafe and City of Maribymong to investigate fully the compliance of industrial warehouses and workplaces in the Tottenham-Brooklyn area, as a matter of urgency;
- (3) making public any investigation that the Metropolitan Fire Brigade, Environment Protection Authority, Department of Human Services or Metropolitan Ambulance Service conducted into the incident;
- (4) investigating the need to provide larger buffers between residents and 'Industrial 1' (heavy industry) zones; and
- (5) answering the questions posed in my report 'Report on the community experience of the Tottenham chlorine emergency incident of 22 December 2007', released on 6 February 2008.

I have brought this motion to the house today so that not only can I describe what happened to residents in the western suburbs, particularly Tottenham, West Footscray and Seddon, on 22 December 2007 but also can start the debate on how the Brumby government must rethink its policies on community alerting, monitoring of hazardous sites in residential areas, re-evaluating buffer zones between residential and industrial zones and fulfilling its promise of open and transparent government.

On 22 December 2007 a fire broke out at a warehouse at 11–13 Paramount Road, Tottenham, and released a plume of toxic smoke. My understanding of what happened is that the shed stored one or more chlorine compounds; there was a leak of water into the shed and there was spontaneous combustion. From hereon in I will refer to it as a fire, because that is the term the MFB (Metropolitan Fire Brigade) has used.

The warehouse is approximately 200 metres from the nearest residential dwelling and stored swimming pool chemicals. On the morning of the fire I first heard it on ABC radio station 774, which is our emergency services network station. I would like to say that normally 774 performs an amazing job in alerting the community to bushfire, flood et cetera, but it just does not seem to work well in the urban setting. Obviously

one must ask: if the ABC is not given good, up-to-date information, how can it broadcast well?

When I left my house in West Footscray I could see the toxic cloud. I knew what the residents would be going through, because as I have lived in West Footscray for over 20 years I have gone through a number of these kinds of chemical fires. When you hear those first alarms your heart just goes into the pit of your stomach because you are not sure what is going to happen next. I have gone through the United Transport fire in 1988, the Dynon Road gas leak in 1990 and the Coode Island fire in 1991, to name just a few of the major fires, and there have been dozens of other incidents. I honestly thought that with everything that had been learnt from previous hazardous events residents would be well assisted. I was unfortunately very wrong. I rang friends who live in the area to make sure they were okay. At that time they had been told to stay inside and shut their windows and doors. I assured them that this was in fact the right procedure — it is a procedure called shelter in place — because often it is too dangerous to evacuate people from their homes into a cloud mass outside.

On the following day, 23 December, 2007, I started doorknocking along with my friend Nora Tchekmeyan, who lives in the street that was mainly affected, to gather people's stories and find out what had happened. I was shocked to learn that in fact their houses had filled with the chlorine gas and that even though a number of residents had repeatedly rung 000 to call an ambulance, ambulances did not come.

Residents found it hard to breathe, they were coughing or choking and their eyes were streaming, and their pets were vomiting. Their gardens were damaged or partially destroyed. They were terrified, and I understand that terror, having gone through a number of these situations. They also tried to pass on information to the MFB about the chlorine smoke filling their homes. We found out later that the 000 service has no mechanism by which it can pass on this vital information to the emergency services personnel on the ground.

The chlorine fumes had a range of sudden and extreme health impacts on the residents who were either inside or outside their homes on the morning. The absence of information and clear communication during and after the event exacerbated people's anxiety. The communication gap that exists between emergency services and the community needs to be bridged. A new style of communication is needed between the 000 service, emergency services and residents. Information needs to be gathered from community members and passed on to those making the decisions

about how to deal with a situation. Relevant information needs to be fed back to residents in their homes.

Many people felt quite abandoned, which increased their anxiety. I read a quote from Katharine K, who wrote a statement for our report:

At approximately 8.30 I rang MFB and the MAS (Metropolitan Ambulance Service) on 000 to advise of the situation and get assistance. MFB advised us to close windows et cetera which we had already done. I advised that our home was already full of fumes and asked for advice regarding what to do. We were asked to remain indoors and that someone would come to our door and tell us what to do. We left the bathroom to unlock our front door (for the emergency services to enter) and awaited their arrival. They never came.

I believe it is vital that the stories of the experiences of individuals and families who lived through this incident are heard. Their concerns about what occurred on that day, what went wrong and the potential for those failures to recur in the next hazardous incident are valid and need to be addressed.

I have to say I was very impressed with the community meeting on 7 February organised by the mayor, Cr Michelle MacDonald, of the City of Maribyrnong, which police and other agencies, such as the MFB, Department of Human Services and the Environment Protection Authority, attended. There was an open and honest discussion such as I have never seen in the 16 years I have been campaigning on these issues. It seemed to me that the agencies that have to deal with these situations on a day-to-day basis understood what needs to happen. They understood what needs to change to make it better. Unfortunately, it appears that this understanding does not extend to government ministers.

Just after the incident I wrote to Bob Cameron, the Minister for Police and Emergency Services, and Daniel Andrews, the Minister for Health, both in the other place. It took almost five weeks for my letters, on what I thought were very urgent matters, to be responded to. I refer to comments in Mr Cameron's letter:

Thank you for raising the matter of community warning systems. Victoria has well-developed emergency management arrangements that include a whole-of-government, all-hazards approach and a well coordinated multi-agency response and recovery capacity. Chemical incidents are complex by nature and whilst current emergency management plans are robust, well rehearsed and supported by legislation, the government and emergency management agencies are committed to learning from incidents and further improving the response and planning for such events.

Unfortunately I do not believe that planning and thought had gone into how to deal with this particular event.

The Brumby government must face up to the politics of why it thinks it is acceptable to allow toxic industries near people's homes in the western suburbs. These industries would not be tolerated in the suburbs where government members live. In recent times I have been criticised in this house for my support of community groups that are campaigning for a better environment in the west. MPs who do not live there have called members of the campaign groups Johnny-come-lately, latte-sipping trendies, but that just shows a lack of knowledge of local history. I have lived in Footscray for over 20 years, and there have always been such campaigns — and I have been involved in and have led several of them.

For those who have never experienced a toxic fire or accident, it is difficult to comprehend the feeling of fear and helplessness. My main motivation in moving this motion is to raise the profile of community safety in the western suburbs, where residents and industry exist in close proximity, but I would not say in harmony.

Community alerting programs are used to inform residents of danger and also to inform them when a perceived danger is not in fact serious or when a period of danger has passed. There have been a number of trials of community alerting programs, and the one that has the most relevance to this situation is the Coode Island community warning system trial, which finished in 2004. Having been involved in this program, I can say it worked well. It was multilingual and got information out to people very quickly.

As a result of that trial the City of Maribyrnong decided that it could put in place a community alerting system for the Maribyrnong flood plain. That system has the capacity to broadcast voice messages to up to 1000 phones, mobile phones, answering machines and answering services simultaneously. Different messages could be sent to different groups of numbers as required. In other words, we have the technology.

The Maribyrnong system is also very good for times when we have incredibly heavy rain and residents believe that the river will break its banks. The alerting system can send out the message, 'Even though the river has risen quite high, we do not believe there will be a flood'. It is used not only to alert people of dangerous situations but also to inform people that things are okay.

A telephone alerting system is a quick, efficient means of contacting residents by phone and of giving and receiving information during and after an emergency. One of the things I found during this incident was that the lack of information provided to the community after the emergency was just as bad as the lack of information during the emergency. Admittedly, it was right on Christmas and I understand that it was difficult for agencies to respond, but still that anxiety was increased.

A community alerting service needs to provide repeated and timely information alerts and updates to residents' nominated phone lines; to include a 24-hour free-call number that residents can ring to give and receive information; to include an ability for information given by residents to the free-call number to be passed on immediately to emergency services; and to be multilingual in the languages appropriate for that community. Maribyrnong has a large number of newly arrived communities, and we have older communities. Each district needs to be provided with information in the languages that are best for it.

To make a community alerting system effective, there must be an education element. This would include community education about the industry near people's homes, on how the telephone alerting system works and how the free-call number and the emergency procedures work. If there had been a telephone alerting system, residents would not only have been able to be warned of the dangers but would also have been able to be given up-to-date information throughout the day. They would also have been able to feed information back to the emergency services. Had the Metropolitan Fire Brigade known that chlorine was in people's homes and they were choking, it may have changed its position on evacuation. If there had been an alerting system, people would have known also that there was an evacuation centre. Residents actually found out about the evacuation centre by seeing it on the news that night.

I am aware that the government wants to implement community alerting as a national program, but how long do we have to wait? How will the next big toxic disaster be handled if there is no community alerting system? I urge the government to allocate sufficient funding in the 2008 budget for an emergency telephone alerting system, to commence within the next year as a minimum, in residential zones adjacent to industrial zones across Victoria. I believe local councils should be supported in every possible way, because they are the ones that have history with residents; they have that connection. We cannot wait until some distant time in the future for a national scheme that has not even

reached the drawing board. Let us remember that the Coode Island trial was in 2004. It is 2008, and we have not progressed at all. The 2008 budget also needs to allocate funding to the Environment Protection Authority, WorkSafe and the City of Maribyrnong to fully investigate compliance of industrial warehouses and workplaces in the Tottenham and Brooklyn areas as a matter of urgency.

What resources will we need to make sure that residents are never placed in this situation again? We need to know what is in the warehouses and workplaces in the area. In some ways you can forgive residents for asking the question, because if they had known this information beforehand this fire may not have occurred. The government may also not have to allocate a single extra cent for this if it knows what is happening in that area and can prove it to the residents. Unfortunately my experience shows that I doubt that it does know what is in these warehouses and workplaces. I do not want to discuss the details of the fire because I do not want to jeopardise the prosecution, but what I understand for sure is that WorkSafe and the EPA need more resources and political will to make sure that dangerous sites are shut down before such accidents can happen again.

In Maribyrnong we have residents living close to warehouses and factories. I ask the government to ensure that it knows what is in every single one of them and knows whether materials are being stored in a way that complies with government regulations. The Brumby government prides itself on transparency. The Premier, Mr Brumby, spoke about that in his opening address to Parliament this year. An action that would prove this transparency would be for any investigation or assessment conducted by the authorities into the Tottenham chlorine fire to be made public. Listening to the authorities speak at the community meeting on 7 February gave me a lot of confidence that they were conducting a very worthwhile and meaningful investigation, and once I had started talking to them I found that their efforts of meeting with residents made me feel this was being taken seriously. They said they expected the reports to be completed around the end of this month, and if the community has access to those reports it is likely to increase its confidence in what has occurred. If the government is serious about being accountable and transparent, it will not force me or the community to seek this information under freedom of information.

The government also has to investigate the need to provide larger buffers between residents and industrial 1 — heavy industry — zones. Victoria has a planning scheme. The scheme says that some areas are residential, and we have a responsibility to ensure that

residential areas are safe for residents. The heavy industry zone where the incident occurred is very close to the border of an industrial 3 — light industry — or buffer zone, but this site is approximately 200 metres from Indwe Street and houses, and this is the area that was worst affected. Indwe Street forms an approximate east-west axis between Paramount Road and Roberts Street. At the western end there is a residential 1 zone on the northern side and an industrial 3 zone on the southern side of the street, buffering an industrial 1, heavy industry, zone a block further south. It is a very confusing area, and we need to be able to make sure that what is expected of them is clear to residents and to industry. I urge the government to look seriously at the problem of what happens when dangerous toxic industries are allowed to exist next to residential zones.

When we bought our first home in Footscray we knew there was industry. What we did not know was that the industry was toxic, badly managed, not well monitored by government and could cause serious harm to community members. Rezoning may not be viable for many years, due to existing use provisions, but it may be an option for long-term planning. At the very least, wider industrial buffer zones should be considered between residential zones and the heavy industry of industrial 1 zones. I think a really good example of the need for this in Footscray is the Mobil tank farm, which is approximately 20 metres from the nearest house, with absolutely no buffer.

In the report on the community's experience of the Tottenham emergency incident, released on 6 February 2008, we have posed a number of questions. We have again written to all ministers concerned asking that these questions be answered. If the government wants to be transparent and honest, it should answer valid questions posed by community members and by me, an MP. The questions in the report are not frivolous, nor are they seeking to attack. They have mostly come from residents who have been directly affected by this fire. In answering the questions in the report, the government would be answering questions posed by community members.

Before I conclude I would like to say that the really amazing thing about this group of residents in Tottenham is their sense of community, and that is one of the things you see all over Footscray: people know their neighbours; they look after each other; people take each other's pets to the vet; and they make sure that the older people who live next door to them are okay. It is that sense of community that has driven me to ask these questions on their behalf.

In conclusion, part of the role of government is to protect residents from harm, no matter where they live. I urge members in this house to vote in favour of this motion because it goes to the heart of fairness. People, no matter where they live, have a right to live in safety.

**Mr PAKULA** (Western Metropolitan) — The government will not be opposing Ms Hartland's motion. On behalf of the government I want to commend Ms Hartland for the work she did with the residents in the immediate aftermath of the incident. I also want to commend my colleague in the other place, the member for Footscray, Marsha Thomson, who has also been actively involved in the consultations that have taken place since 20 December. I find myself in agreement with much of what Ms Hartland had to say. Having said that, though, I think it is important to make a number of points in the course of the debate.

This is a serious issue for the residents directly affected by the fire. It was a serious issue on the day and it remains a serious issue, because, as Ms Hartland indicated, residents live in close proximity to both light and heavy industry. The point needs to be made that it is being treated seriously by government MPs and by the emergency services, which have responded to the residents' concerns, particularly at the community meeting. These are not the sorts of issues that should be used by anyone to engage in political point-scoring. One of the reasons the government has no intention of doing anything other than supporting Ms Hartland's motion is that we are treating it in the spirit in which we believe it is intended, which is a spirit of genuinely seeking to improve circumstances for the residents.

It is important to put on the record that in some respects — and only in some respects — the motion pre-empts the debriefing process that the emergency services routinely conduct following an emergency of this nature. As Ms Hartland has conceded, the issues that were raised by residents have been included as part of the debriefing process that the emergency services are conducting. As has already been alluded to, the emergency services are very aware of the residents' issues, primarily because of the community meeting that was hosted by the Maribyrnong City Council and the emergency services at the Maidstone community hall on 7 February. I do not think I have agreed with Ms Hartland so often before. As she indicated, it was a very well-attended and extremely frank meeting. That assessment was shared by Ms Hartland, as she confirmed today, and by the residents who attended. There have also been some individual meetings between community groups in the area and agency heads.

It is my understanding that the process of the debrief is almost complete. Ms Hartland mentioned the end of this month, and it is also my understanding that it will be approximately the end of this month when that debrief process is concluded. I can give Ms Hartland this comfort at least: once the learnings have been taken and the opportunities for improvement have been identified, I have been given a commitment that the Office of the Emergency Services Commissioner will report back fully to residents on the outcomes of that debriefing process.

I also understand that both the Environmental Protection Authority and WorkSafe are conducting separate investigations, which are ongoing and which will also be the subject of a report back to residents. The emergency services, the EPA and WorkSafe are all serious about residents' concerns and are treating their concerns as such. They are intent on capturing appropriate understandings from the incident and will provide residents with a full response once that debrief process is complete.

The agencies concerned have already demonstrated their bona fides in this regard in a couple of ways. Firstly, in regard to 'closing the loop', which is a term used to describe the way that information flows occur, it has been reported to me that the residents indicated that one of the things they wanted was consistent, timely advice. They wanted to know that information they were providing to 000 was being communicated appropriately to the emergency services on the ground. As Ms Hartland said, that was especially pertinent for people asking for advice about smoke inhalation and whether or not an ambulance could attend to their home. Before the community meeting the Metropolitan Ambulance Service (MAS) made an undertaking that it would close that loop. That means that call-taking and dispatch would feed any information that they received back to the incident controller on the ground.

The reports are that there were requests for ambulances and up-to-date information. Residents reported not getting a call back. This is something that the MAS is addressing and was addressing prior to the meeting on 7 February. In light of the incident, other agencies are also looking into the way they respond in that regard, because there did seem to be a disconnect between calls to 000 and the need for clear and up-to-date advice.

As a result of the incident, there is now an undertaking that even if people are ringing 000 just to give them some information — for instance, to tell them that there are smoke fumes in their home — and even if the individual is not seeking specific action from 000, the Emergency Services Telecommunications Authority

will note down the details of that call and feed the information out to the agencies on the ground so that they can pass it on to the relevant incident controllers. That was one of the main undertakings given to the residents on 7 February.

This second action that I understand has already taken place and been agreed to is that the Metropolitan Fire Brigade will examine and get some learnings about its shelter-in-place policy. The shelter-in-place policy is widely regarded as world best practice when dealing with chemical fires. However, one of the criticisms of the emergency services response to this incident was that homes were already filled with fumes when people were told to close their doors and lock their windows. That is an incident that Ms Hartland has already referred to. In effect the shelter-in-place policy trapped people inside their homes with noxious fumes.

Another criticism that was levelled at the emergency services was that people were told to stay low, when chemicals like chlorine sit low to the ground and so it is not necessarily the correct advice in regard to such chemicals. A shelter-in-place strategy generally reduces collective risks, because it is designed to protect people from whatever fumes exist outside, but with chemical fires it is important to know exactly what chemical is being dealt with. The Metropolitan Fire Brigade has indicated that it will look at the protocols for its shelter-in-place strategy to see if refinements need to be made, especially how to shelter in place. It is still the view that a shelter-in-place strategy is overwhelmingly the right approach, but it is about how to shelter in place. There are issues around what clothing should be worn, how to deal with heavy gases versus light gases, where to place yourself in space, mobility, water, and whether to stay together or to separate. This strategy is also about providing residents with more timely advice on shelter-in-place protocols. A number of things have already been committed to and more information will be provided when the debrief is complete. It is important not to pre-empt the outcomes of the debrief.

I turn briefly to the issue of the emergency telephone alerting system. Ms Hartland's motion refers to 'residential zones adjacent to industrial zones in Victoria'. There is some merit in the idea of a telephone alerting system. However, it is true that the government sees the need principally for a national community information and warning system. I do understand Ms Hartland's concerns about delay, but the fact is that emergencies do not recognise state borders. They might happen in a very contained way, but in many circumstances they occur across state borders and certainly beyond municipal borders. The Victorian government has not been sitting on its hands about a

national community information and warning system. In fact the Victorian government has already put the issue on the agenda for the next meeting of the Ministerial Council for Police and Emergency Management, which will be held in April. The Victorian government is absolutely committed to progressing that matter with other states and the commonwealth.

Members would all recognise the important point that no single warning system can ever be 100 per cent guaranteed. During the Tottenham incident — which I was going to say we heard about on 3LO, but I think I am showing my age, as it is now 774 — we saw that the limitations on a national community warning system with a very localised incident are equally valid. Another point to make is that a warning system is only ever as good as the technology that exists and the way it operates in practice on the day of an incident. The community really needs not a single warning system but multiple ways of getting time-critical information, and that is a factor of not just a telephone-response system but the way the emergency services handle the incident on the day, the protocols that exist and the nature of the incident itself.

On the planning issues, essentially the Maribyrnong City Council is going to have to work through a number of the planning-related issues, and I understand it is doing just that. Like Ms Hartland, the advice I have about Paramount Road, where the incident occurred, is that it is on the outer edge of an industrial 1 zone and adjoins an industrial 3 zone. The industrial 1 zone covers the core industrial area of West Footscray and the industrial 3 zone wraps around the periphery of the area to provide a buffer between core industry and the nearby residential land. Ms Hartland has indicated that that buffer appears to be about 200 metres. My advice about the Maribyrnong planning scheme is that the industries in that zone do not require any planning approval which is conditional on meeting the buffer distances set out in the Maribyrnong planning scheme. I am also advised that council is currently investigating whether the use of the land at the particular warehouse complies with the buffer distances set out in the planning scheme, and I understand that that investigation is ongoing.

It is important to understand that there are certain areas of Melbourne where core industry does exist relatively adjacent to residences, and they are not confined to the west. I grew up in the city of Moorabbin. The Moorabbin-Cheltenham area equally has enormous tracts of industrial land where there are both factories and warehouses. In fact, when I was growing up there was a number of similar fires and spills which affected

residents in that area as well, but under the mixed-use plan — —

**Mrs Peulich** interjected.

**Mr PAKULA** — But under the mixed-use framework plan — —

**Mrs Peulich** interjected.

**Mr PAKULA** — Mrs Peulich has sat here quietly for the last 15 minutes. I have been absolutely staggered. I wondered how long it would take her to fire up. In fact I remember when she was one of my councillors at the City of Moorabbin.

**Mrs Peulich** — I was. Did you vote for me?

**Mr PAKULA** — I was too young to vote back then. I think you ran on a joint ticket with Mr Salter.

**Mrs Peulich** — On a point of order, Acting President, I would hate the member to inadvertently mislead the house. I was elected unopposed, and there was no joint ticket with anyone like Mr Salter. I think Mr Pakula is attempting to imply that I am racist. That is offensive, and I ask that he withdraw.

**Mr PAKULA** — I withdraw. I was not attempting to imply that.

**Mrs Peulich** — You were.

**Mr PAKULA** — No, I was not.

**Mrs Peulich** — Yes, you were.

**Mr Guy** — Well, that speech deviated a bit, didn't it?

**Mr PAKULA** — It did deviate. I really do need to bear my own share of responsibility for that, Mr Guy. The reality of the Maribyrnong planning scheme is that industrial precincts located in Yarraville, West Footscray, Tottenham and Brooklyn are close to the docks and other transport terminals and are characterised by large areas of industrial zoning in use. They are large allotments, with nearly all of them being over half a hectare and often much larger, and there is a range of long-established large, heavy manufacturing and complementary industry.

The municipal strategic statement of the Maribyrnong planning scheme recognises that industry will remain a major element of the economic base of the city. In future industry will not dominate local employment or the city's image, and that is something that everybody is happy about. Having said that, existing industry is

encouraged to remain in Maribyrnong but at the same time it is encouraged to adopt best practice and more environmentally friendly processes.

I understand and appreciate the basis of paragraph (4) of Ms Hartland's motion. I do believe and understand that council is examining the issue of buffer zones, and everyone encourages it to do that without necessarily ending once and for all the west's ability to generate employment for its residents in its warehousing and manufacturing industries.

In conclusion, the government does not oppose Ms Hartland's motion. A number of the issues that have been raised by the residents have been addressed by the emergency services. A number of other matters are the subject of the debriefing being carried out by the emergency services, the Environment Protection Authority and WorkSafe. Residents and the community will be provided with the results of the debriefing once the process is concluded.

The government is serious about a community information warning system and has a predisposition and a preference for a national holistic approach, but certainly Ms Hartland's suggestions will be taken on board. A number of the planning issues raised in the motion are within the purview of the Maribyrnong City Council, and it is investigating some elements of the land use to ensure that it complies with the scheme in regard to its buffer zone.

The government is grateful and welcoming of the community feedback, and also for the manner in which the emergency services have very dutifully, sympathetically and empathetically dealt with the residents' concerns. We eagerly await the results of the debriefing that has been carried out. We do not want to pre-empt the debriefing, but we certainly will not be opposing Ms Hartland's motion.

**Mr FINN** (Western Metropolitan) — I rise today to support the motion moved by Ms Hartland. Running the risk of causing Ms Hartland some central chest pain, I commend her on this particular motion and her actions in the time after the terrible fire back in December. Ms Hartland has covered a fair number of the details of the fire, so for the sake of the house and in the interests of time I will not go over that space again, but I will say that one can only imagine the horror experienced by people who were caught up in such an incident. One can only imagine how we would all feel if we were living or working near where such an incident had occurred. As someone who lives not far from the Tullamarine toxic waste dump, that is

something I hope I never find out, but I must admit it is something that has crossed my mind from time to time.

This motion is a very good one, because what it says in a nutshell is that the government owes people potentially in such a situation the very basics of protection. I listened to Mr Pakula and I heard him go on in great detail about what the government was going to do and what it might do and what it was probably going to do, and a whole range of possibilities, but the only thing that we really need to know from the government, and the only thing we really need to know from Mr Pakula, is this: will there be a cover-up? The people of the west are sick of cover-ups. We do not want any more cover-ups. We want to know what happened, because only by knowing what happened can we prevent it from happening again. So if Mr Pakula or any member of the government can come into this house and tell us that, or if Mr Pakula wants to come to the western suburbs, that would be handy from time to time as well.

**Mrs Peulich** — It might take him a long time.

**Mr FINN** — It would take him a long time, Mrs Peulich. All we are seeking — all I am seeking, anyway — is a guarantee that there will be no cover-up. We are sick of those; we do not want any more.

The only real concern I have with this particular motion is that it calls for action from the Environment Protection Authority. I have some great concerns about the effectiveness of the EPA as an organisation. Having had some experience with it over the years I believe it is not quite on a par with VicRoads, but it is getting there. There are many people in the west of Melbourne who would back my view that the EPA is far from delivering on what it should be providing not just for the people of the west but for the people of Victoria. It is a bit late to redraft the motion now, I know, but it might be worth calling for a full inquiry into the operation of the EPA to find out what it is not doing, in the hope that we might be able to one day actually get it to do it.

This motion is particularly important for the people of Melbourne's west. Heavy industry is an important part of the western suburbs. It has provided employment for generations and, without that heavy industry, a very large part of the prosperity of the people of the west of Melbourne would be compromised. But unfortunately it also brings risks; it also brings dangers.

Those who live in close proximity to potentially dangerous industries, particularly those industries involving chemicals, need peace of mind. Many of

them are desperate for peace of mind. They live with a constant threat of an incident such as the one we saw in Tottenham. It is hardly a way of life that anyone wants, but for many in the west it is their way of life. It is not good enough, and they deserve better.

As Ms Hartland intimated, this would not be tolerated in the leafy suburbs of the east of Melbourne or indeed the bayside suburbs down south. Mr Pakula might be able to tell us a little bit more about that. Perhaps what we may get to at some stage is a list of dangerous chemicals throughout the west, or throughout Melbourne for that matter, but more importantly where they are, so that people can make an informed decision. It is too late when you have spent your life savings buying a home to then find out that what you have got living down the road may kill you. It would be nice to find out what is down the road or across the street before you fork out your hard-earned to buy a home to live in, perhaps for the rest of your life. Sadly, after almost nine years of government, after knowing the dangers, after knowing the problems, having seen what happened at Coode Island — —

**Mr Lenders** interjected.

**Mr FINN** — Mr Lenders knows only too well, or perhaps he does not, that the Tullamarine toxic waste dump was going to close back in 2001, and if he wants to speak to the former Premier about what happened in Werribee, he will know that I did not support the dump at Werribee. It did not make me the most popular bloke on the block at the time, I can assure you, and that can be verified by any number of people if Mr Lenders would care to make inquiries.

But after almost nine years in government with all the dangers that we are aware of, what has the Labor government done? It has done what it is good at. It has done nothing. It has done nothing for the people of the west with this threat that they live with on a daily basis. It is typical, oh so typical, of how this government treats the people of the west. It ignores the west. It will use the west — —

**Mr Vogels** interjected.

**Mr FINN** — Take it for granted, as Mr Vogels says. The government will take the west for granted at every opportunity, and will use the people of the west, as we have seen time and time again. It will abuse the people of the west, as we have seen time and time again. But try and get some action from this government to actually help the people of the west, to provide protection for the people of the west in this particular

instance, for example, and you will not get anything from this government.

It was only after the possibility of a leak, for example, from the Tullamarine toxic waste dump that action was taken to close the place, and we still do not know for how long it will remain closed. That is still way up in the air.

**Mr Pakula** — Do you have an off button?

**Mr FINN** — I am sure Mr Pakula would have pressed it by now if I had. Still in this particular instance there are 200 million litres of volatile toxic chemicals sitting opposite the Melbourne Airport within sight of residential homes. This will come as a surprise to many members of the government.

**Mr Pakula** interjected.

**Mr FINN** — It may even come as a surprise to Mr Pakula, but it comes as no surprise to me and I am sure it does not surprise Ms Hartland, that the west of Melbourne is occupied by real people, people who want the best for their families. They should not be subjected to constantly living in fear. The west of Melbourne does matter. I will say that for the benefit of government members again: the west of Melbourne does matter. We are sick to death of the out-of-sight, out-of-mind attitude of the Bracks and Brumby governments. The problems of the west are just not on their agenda.

This motion calls for the most basic of necessities in many parts of the west, and an emergency telephone alerting system is a must. In such an emergency situation, information saves lives. To be in a situation where a toxic cloud engulfs your neighbourhood and you have no idea what is going on, much less what to do, is dangerous in the extreme. That can cost lives.

Even though I heard Mr Pakula say earlier that the government will not oppose the motion, he did not really give an indication that the government was going to act on it either. But I am hoping, perhaps hope beyond hope — perhaps pushing a very unfortunate substance up a very steep incline — that the government will act on this motion, because an emergency telephone alerting system is a must. This information may well save lives in the future — the lives of my constituents, Ms Hartland's constituents and Mr Pakula's constituents. We are talking about a very serious and important matter. I once again commend Ms Hartland for bringing this matter before the Victorian Parliament. This motion deserves the support of the house.

**Mr HALL** (Eastern Victoria) — It appears that the motion moved by the Greens this morning will attract unanimous support around the chamber, because I add the support of The Nationals to that of the Labor Party and the Liberal Party. It should get the support of all members of the chamber. I too start by congratulating Ms Hartland on bringing this motion before the chamber, and I commend her for the work she has done in response to this incident. I will go into that in a little more detail in a couple of minutes.

Unlike the previous speakers in this debate, I do not represent the Western Metropolitan Region, but the others who have spoken before me do, and they better understand the issues associated with the incident that occurred in December 2007. Alas, I represent an electorate which is well used to responding to emergency situations. I say 'alas' because the Eastern Victoria Region has been the subject of some severe bushfire, flooding and like incidents in recent years. I can therefore fully sympathise with and understand the people who represent the Western Metropolitan Region in expressing the needs of the community in terms of future responses to incidents such as the chlorine emergency incident that occurred on 22 December 2007.

The government needs to prepare an adequate response plan in advance, and the motion moved by Ms Hartland seeks to put in place measures that will enable better responses to such incidents in the future and to learn from the mistakes of the past. I enjoyed the informative contributions to the debate by Ms Hartland and the other members who represent the area, but particularly that of Ms Hartland, who went into some detail to outline the incident and the subsequent events resulting from it. I also commend Ms Hartland for the constructive suggestions she made both in the motion and in her comments during the course of the debate. It is more than reasonable to make these requests of the government to respond in the way this motion indicates that it should respond.

I refer particularly to the call upon the government to provide an emergency telephone alerting system. I know that during emergency events in Gippsland the local ABC radio was a very helpful instrument in getting alerts out to people. Country people are also fairly resourceful and often rely on their own telephone emergency alerting system by way of a locally constructed telephone tree through which in advance people are designated to ring their neighbours and warn them of the advance of flood or bushfire.

Obviously in a densely populated area it is more difficult to achieve that by way of cooperation amongst

local people, and therefore a properly functioning emergency telephone alerting system such as that described by Ms Hartland in her contribution to debate this morning is an appropriate system to establish. I would want that sort of system to be established more broadly than just for those abutting industrial zones in Victoria. If we can implement it for one section of Victoria, we can probably introduce it for all of Victoria. The emergency telephone alerting system proposed in this motion is an admirable concept, and we should all look to see whether we can introduce it broadly across Victoria.

This has been a most constructive use of opposition business time this morning. It is a motion about an incident that has impacted severely on the people of Tottenham, and my best wishes go out to those people. I hope their suffering because of this incident does not endure for a long period. I know that at least their suffering will not be in vain if, as an outcome of this motion and the various reviews that have been undertaken by both Ms Hartland and the various emergency departments, it is possible to ensure that future incidents, if they do occur, are at least better managed.

I conclude by again congratulating Ms Hartland on moving this motion, and I reiterate the support of The Nationals.

**Motion agreed to.**

## HOUSING: AFFORDABILITY

**Mr GUY** (Northern Metropolitan) — I move:

That this house notes the repeated failure of the Brumby and Bracks Labor governments to combat the crisis in housing affordability including —

- (1) the adherence to the discredited Melbourne 2030 document;
- (2) the failure to acknowledge and respond to Melbourne's unplanned population explosion;
- (3) the failure to make more developable land available in urban growth areas over the last seven years;
- (4) the reduction in funding strategies designed to combat housing affordability in the 2007–08 budget;
- (5) misleading Victorians by claiming that 90 000 blocks of land will instantly be made available for development which will make land prices immediately cheaper;
- (6) the failure to build or plan new infrastructure, particularly water infrastructure, to accommodate future land release; and

- (7) the lack of a corresponding plan for rural and regional Victoria, in particular a detailed plan for decentralisation to assist Melbourne to maintain its livability.

The Melbourne 2030 policy, as we know, has received significant attention over the last week and significant attention has been paid to its long-term viability as the government's key planning strategy and planning policy for Melbourne as we go ahead into the 21st century. It is important to note from the outset that this government is trying to 'Sydneyfy' Melbourne. Labor is trying to turn Melbourne into Sydney. Labor is seeking to sacrifice our livability for the sake of Melbourne being the largest city in Australia. Labor is seeking to make Melbourne a high-density city with a population of close to 5 million, with limited increases in infrastructure across the metropolitan area. I say to the government that that is dangerous. It is a policy that is going to challenge Melbourne's position as Australia's most livable capital city and a policy that the vast majority of Melburnians would oppose if they knew what the extent of 2030 means for Melbourne in the long term.

As I said, the government's 2030 plan sets from the outset a number of key measures in its attempt to 'Sydneyfy' Melbourne, its attempt to build our population recklessly in many ways to a level that is the equivalent of Sydney, the Central Coast and Newcastle combined. By 2030 we will see — and it is within the lifetime of most of us — a population of more than 5 million people living around the Port Phillip Bay basin with limited increases in infrastructure in that area. The government wants to see places like Frankston, Ringwood and Box Hill turned into Parramatta, Chatswood and Sutherland, areas that are nowadays high-density metropolitan activity centres within the city of Sydney.

Most people will say, 'That's fine. We need greater density within the urban area; we need infill in our urban footprint'. I agree to an extent. We certainly do need infill in our urban footprint, but if you look to the north from the Sydney Tower it is difficult to miss Chatswood. It has 35-storey buildings in its downtown area. Is that what we want for Ringwood?

**Mr Finn** — Or Mitcham?

**Mr GUY** — Or Mitcham. If you look to the west, you can see Parramatta, which has 40-storey towers in its central activities area. Is that what we want for Ringwood? Is that what we want for Frankston? Recently the New South Wales state government increased the height limits in Parramatta to around 220 metres. That is the height to the roof of 120 Collins Street, which is a 52-storey building just down the road

from Parliament House. That is what 2030 is saying; it wants to build Melbourne into a city which has a number of central activities areas that have their own central business districts (CBDs). I say again that the vast majority of Melburnians would be horrified to know that 2030 aims to have an extra 25 per cent more people catching metropolitan peak-hour rail services every morning by the year 2020 — —

**Mr Finn** — Where are they going to put them?

**Mr GUY** — Exactly. We will come to that. I have no idea where they are going to be put. Just imagine an extra 25 per cent more cars on the road during peak hour. If we are going to increase the density of our city, it must be done in a staged fashion, it must be done properly, it must be done in a managed fashion, it must be done over a set period of time and it must be done while we are looking at population statistics that are accurate, that are reflective of the changes occurring in the city and that actually bear some resemblance to what is occurring on a day-to-day basis. Unfortunately 2030 has done none of that, and it is leading to massive problems across the metropolitan area.

It is confounding. The government's angst and panic is clear from its announcements last week that supposedly 90 000 blocks, which I might add are already zoned within the urban growth boundary, will be coming on stream in one great hit. This is what we have got to — panic. The 2030 document is a dog of a policy. It is failing. In my view it is the biggest dog in a long list of Labor Party failures. If we go back to the 1980s and think about Sydney as the Emerald City, air conditioning was the best thing that could have happened to Sydney. It suddenly became a city that was livable. Despite the humidity, people moved there.

**Ms Mikakos** — And now they are moving here, because Melbourne is so great.

**Mr GUY** — The Wran Labor government had a grand plan to consolidate Sydney into a great high-density city that would have small activity areas like the central business district around the city.

**Ms Mikakos** — They are packing up and coming to Melbourne.

**Mr GUY** — Ms Mikakos, who is the Parliamentary Secretary for Planning, interjects and says that is why they are all coming here. Precisely; that is the point. Why would we want to follow the planning model that has ruined Sydney and adopt it for Melbourne, so in 20 years time we could all say, 'Sydney has been ruined, we'll go to Melbourne; Melbourne has been ruined, we'll go to Adelaide' — and what do we do

next? If the Wran government policies were a proven failure in the 1980s and were rejected by their own Labor Premier, Bob Carr, in the 1990s, why is this suddenly the model for the government today in Victoria of what we must do to Melbourne?

The government's adherence to 2030 is somewhat puzzling. The initial plan for this document was to turn the two-thirds suburban sprawl, one-third infill into two-thirds urban infill, one-third urban sprawl. It has failed, and it has failed massively, simply because you cannot put people in the middle of the city in high-rise residential blocks, expecting them to pay three-quarters of a million dollars, for example, to live at level 17 in Mitcham, when they can spend \$200 000 less, go to the outer suburbs, have a better quality of life and have a block of land. Yet this is the logic that possessed the government when it sat down and drafted 2030. It was the same logic that said people will ditch their car and go for a bike. It was the same logic that said, 'We will create apartment blocks above railway stations. We will not increase the rail service but will fill up with passengers at the end of the line. We will provide no corresponding increase in infrastructure, and people are going to ditch their cars'. The logic in that is also the logic that says the earth is flat. People were never going to do this, and of course they have not.

The policy is failing. The two-thirds, one-third split has remained what it has always been; two-thirds growth has occurred in the outer suburban area and one-third in the existing urban infrastructure. Of course it is not hard to realise what you will do to land prices when you lock a great big boundary around the city, as 2030 has done.

The people in this chamber — Mr Thornley, for example, who talks about economics and has a very good understanding of it — will know what you have — —

**Mr D. Davis** — I wouldn't go that far.

**Mr GUY** — Maybe Mr Davis is right. He has a better understanding than many others on that side, but it is certainly not perfect.

**Mr O'Donohue** — That's not saying much.

**Mr GUY** — It is not saying much. The reality is that when you have strong demand for a product but you restrict its sale and restrict its number as a commodity, of course you are going to force the price up. The government runs around saying, 'My God, housing unaffordability has come out of nowhere to swamp us. We don't know where this started from'. If you limit supply but increase population and increase demand, of

course you will jack the price up. This is economics 101, which is lost on the party opposite.

Since 2030 came into effect we have seen the direct impact of lot supply on the average price. I want to quote some very interesting figures from the Urban Development Institute of Australia's consultation paper on the state of the land. What they show is that since Melbourne 2030 came into effect the supply of lots in the outer Melbourne area has fallen from 20 000 to 10 400. In 2003, 20 000 blocks were on the market for development in the outer suburban area.

In 2006–07 the estimated number was 10 400, so we have 48 per cent fewer blocks available for building in the outer suburbs of Melbourne at a time when there is a population boom. Correspondingly, what has happened to prices? The nominal value of an average block in 2003 was \$118 000; in 2006–07 it is \$145 000, up 23 per cent. That is not difficult to understand. Anyone with half a brain or an understanding of economics would know that if you limit the supply and increase the population this is what is going to happen to the price. The government came into this chamber and into the other chamber and made announcements last week, flabbergasted that prices have gone through the roof and that people cannot afford to buy a house. That is the direct impact of 2030, according to the Urban Development Institute of Australia.

The rising cost of house and land packages should also be taken into account. What is the cost of a house and land package in real terms? In 1993 it was \$171 000 in Melbourne; in 2006 it was \$329 000 in real terms, a rise from the 1990s. Who is the restriction on land hurting? Who is suffering the most from the failure of 2030 and its failed policies? Is it people who live in the inner city? We always talk about the price of land, the price of apartments and the price of inner city properties going through the roof, but let us have a look at what, again, SGS Economics says about who is in fact hurting the most. Where have prices gone up the most in the period from 1996 to 2006? I refer to median metropolitan house prices by distance from the central business district. Five kilometres from the CBD the average price went from \$230 000 to \$646 000, a 180 per cent increase; 25 kilometres out of the city in places like Eltham and Ringwood it went from \$157 000 up to \$335 000, a 113 per cent increase; but 40 kilometres-plus — and now we are talking about places like Narre Warren, Pakenham and up towards Sunbury — it has gone from \$111 000 up to \$318 000, a 185 per cent increase.

Everything is relative. Purchasing power for people who can afford to buy properties in those areas is also

relative, so a 185 per cent increase for people having to buy in the outer areas of Melbourne is something that is certainly going to hurt. It is going to hurt people immensely. It is going to place the option of buying a home — and the ability for people to buy their first home in a country that is meant to provide the great Australian dream for all — way out of their reach.

I talked before about population, and I want to talk further about this. What we have is the state government running around saying, 'We want Melbourne to be the biggest city in Australia in population'. I would lay London to a brick that if we went down Bourke Street and asked the vast majority of Melburnians, 'Do you want Melbourne to be the biggest city in Australia in population? Do you think it is going to help Melbourne's livability, help our standard of living and help the way this city operates in terms of congestion by being the largest city in Australia in population?', the vast majority of them would say no.

*Honourable members interjecting.*

**Mr GUY** — Members opposite have this amazing view that it is all or nothing; that we must be the biggest city in Australia or we are somehow at zero growth.

*Honourable members interjecting.*

**Mr GUY** — The people who come into this chamber and preach the word 'sustainable' now walk into the chamber and say, 'It is the biggest city in Australia or it is nothing'. They preach sustainability and now say, 'But we have to be the biggest. We have to aim for 70 000 a year or nothing'. I simply say to them that according to their logic — —

**Mr Thornley** interjected.

**Ms Mikakos** interjected.

**Mr Lenders** interjected.

**Mr GUY** — According to the logic of Mr Thornley, Ms Mikakos and Mr Lenders, Shanghai and Beijing should be the greatest cities in the world to live in. Let us all move to Calcutta; let us all move to New York City, because they must be far more livable cities than Melbourne. Aiming for unsustainable population growth when you are not building corresponding infrastructure is not healthy for a city's livability, but that is what the Labor government is trying to do.

Let us have a look at what the Labor government based Melbourne 2030 on. It based it on *Victoria in Future 2004* and population projections for 2001–51. We are

looking at population data that says that Melbourne's projected population growth in 2006 would be 40 009; in fact it was 50 245. In 2007 the projected number was 39 711; in fact it was 62 000-plus. My point is that, if Melbourne 2030 is based on population figures that are utterly, totally and thoroughly incorrect, how can we rely on what is in the rest of the document? How can we rely on the document's accuracy? How can we rely on what the document forecasts for livability for this city, for public open space for this city, for transport requirements for this city, for water requirements for this city?

**Mr Finn** — We can't.

**Mr GUY** — Mr Finn is absolutely right — we can't — because Melbourne 2030 never aimed for Melbourne to be the biggest city in Australia. The government's own policy never aimed for Melbourne to be the biggest city in Australia, yet that is what we are heading towards. The government still says that this is the policy to lead us there, even though it is 40 per cent inaccurate in its population data.

**Mr O'Donohue** — Disgraceful.

**Mr GUY** — Absolutely disgraceful. Melbourne 2030 is based on population data, and everything in that population data is incorrect. It is now acknowledged by the government to be incorrect.

What about *Meeting Our Transport Challenges*? Does this mean that document is also inaccurate? Are our water supply figures, produced by this government on 2030 population data, accurate? Are health services figures and projections into the future accurate? Are the proposed locations of future schools and government services accurate? If Melbourne 2030 is 40 per cent inaccurate, I put to the government that the rest of its policy and population projections for services are also inaccurate.

**Mr Lenders** — So do you support immigration?

**Mr GUY** — Absolutely, thoroughly, Mr Lenders. Mr Lenders is in his own flat-earth society on the Labor Party benches on this debate so I understand if he cannot work that out.

I want to make it known that when the Liberal Party has come into this chamber since the last election and talked about population growth — and I remind the chamber about what was said on 19 July 2007 during questions without notice, when I asked the Minister for Planning:

With the latest census figures predicting probable steady population growth for Melbourne until 2030, I ask: does the minister still stand by his Melbourne 2030 growth prediction, which is for a population slowdown and which is inconsistent with recent Australian Bureau of Statistics data?

Mr Madden walked into the chamber and said:

It is fairly obvious that the proposition being put to me about Melbourne 2030 ... is that the opposition is sceptical about it.

It was 40 per cent inaccurate, and we were sceptical about it last year! He went on to say:

They might even be, dare I say it, a little bit cynical about these matters.

Should we be surprised? Six months later the government walks into this chamber and says, 'Oh by the way, folks, it is 40 per cent inaccurate'. Mr Madden went on — and this is in July last year:

Not only that, if Mr Guy understood Melbourne 2030, if he read the document and looked at the census figures, he would appreciate that our allowance for land supply on the outer fringe allows for 25 years of broadacre residential land available for new housing across Melbourne.

We have the Growth Areas Authority.

He walked into the chamber seven months ago, stood by Melbourne 2030 and said it was all fine and there was no problem with the population data, despite the fact that in June last year there was population data for Melbourne coming in at 57 000 per year raw growth. This is nearly 30 per cent higher than predicted by Melbourne 2030, yet he was still walking into this chamber six months ago adhering to the growth figures contained in that document.

That is the problem with the government. It has not listened.

**Mr Finn** — It never does; it never listens.

**Mr GUY** — Absolutely, Mr Finn, it never listens.

We have talked about Melbourne 2030, its urban growth boundary and the fundamentals of the policy, which the government has defended in this chamber and staked its political cap on. We are seeing a boom in Melbourne's population at a time when we are restricting land supply. It is important to note land sales again. Point 3 of the motion talks about the failure to provide more land. Let us have a look at how much land has been provided. In Melbourne in March 2004, 1088 blocks were sold in the outer suburban area; in June 2004 it was 1026; September 2004, 935; and December 2004, 912 — there is a bit of a pattern emerging there. We will jump a couple of years to September 2006, when it was 871; December 2006,

725; March 2007, 641; June 2007, 401 — there is a bit of a pattern emerging. The pattern of course is the restriction in land supply in the areas where we are trying to grow the city, the areas where the Premier last week acted, saying that everything they had based this document on is actually a sham: 'Don't tell anyone; it is all off. You now have got 90 000 — —

**Mr Barber** — He has accepted the Liberal Party policy, has he?

**Mr GUY** — What he has accepted, Mr Barber, is that his documentation is flawed, that his policy is a dog and that in fact he has a policy based on nothing with a minister who has a fundamentally limited idea as to what his own population growth statistics say. The government is still adhering to a policy that is indeed a dog.

Let us have a look at land supply and some comments about it. Members do not need to take my word for land supply and affordability; let us take the word of Heavy Kevvy. We will have to refer to Kevin Rudd.

**Mrs Peulich** — One step forward, two steps back.

**Mr GUY** — Indeed, Mrs Peulich.

**Mr D. Davis** — Carer Kevin!

**Mr GUY** — Carer Kevin, the man who cares for carers, went to the last election in November 2007 saying the following under the heading 'Reasons for declining affordability':

Housing affordability depends on a range of key factors, including: conditions in the housing market; government taxation and planning policies ...

...

Increased competition and favourable lending conditions ... helped lower the cost of finance, increasing the purchasing power of both existing and first home buyers. This has fuelled significant housing demand, and with less responsive supply, has ultimately driven up real house prices to historically high levels across the country.

That is what the Liberal Party has said for seven years: you are underestimating demand and you do not have enough supply in growth areas. Here it is in Kevin Rudd's policy:

Excessive land release is an unsatisfactory approach to addressing Australia's housing affordability challenge.

Is this a comment on John Brumby's policy last week? John Brumby says 90 000 lots, but Kevin Rudd says excessive land release is an unsatisfactory approach to reducing Australia's housing affordability challenge.

Who is right? Is Kevin Rudd right or is John Brumby right?

**Mr Finn** — They could both be wrong.

**Mr GUY** — They are indeed both wrong, Mr Finn. They are indeed both grossly inaccurate.

We have a government that has restricted land release, that has gone for Melbourne to be the biggest city in the country — —

**Ms Mikakos** interjected.

**Mr GUY** — We will come to interest rates, Ms Mikakos, because it is funny that Labor Party members have forgotten to talk about interest rates over the last four months. They have been missing in action over the interest rate issue over the last four months — funny about that!

We have a clear housing affordability problem in Melbourne, and indeed all over Victoria, but predominantly in Melbourne. People cannot get into houses; they cannot buy a first home or afford to buy a block of land. What does this government do about it? In the last budget, 2007–08, the government reduced funding for that area in the then Department of Sustainability and Environment's budget which looks at planning, urban design and housing affordability. It went from \$73.9 million to \$71.5 million. In the Public Accounts and Estimates Committee hearing when this was raised with the Minister for Planning he said it was an accounting error.

**Mr Finn** — He is a fair dinkum dill; he really is.

**Mr GUY** — Mr Finn may be right. It is not good enough that we have in fact reduced funding from \$73.9 million in 2006–07 to \$71.5 million in 2007–08 at a time when housing affordability is at its lowest level ever for Melbourne. The Minister for Planning said it was an accounting error. The Housing Industry Association says the housing affordability index is down to around 105; in March 2001 it was 162. It has fallen by almost 50 per cent in that time.

**Ms Mikakos** — We can thank Peter Costello for that.

**Mr GUY** — I will pick up Ms Mikakos's interjection. She has given me a lot of ammunition, and I appreciate it. If you look at the time when Melbourne 2030 came in — and I wish I could incorporate this document, but I will not — you see there is a free fall in the level of housing affordability for Melburnians according to the Housing Industry Association.

I will just quickly turn to the government's announcement last week.

They have run out and misled Victorians.

**Mrs Peulich** — Yet again.

**Mr GUY** — I have a copy of a draft press release from the Labor Party. It is headed, 'New zone to boost housing in XXXX council' — it must be somewhere in Queensland. I quote:

The establishment of a new ... UGZ ... will fast-track rezoning land for homes in Melbourne's growth areas, including XXXX council.

**An honourable member** interjected.

**Mr GUY** — We will come to the government cheat sheets. The document continues:

... the plan would accelerate development of more than 90 000 ... blocks by rezoning farmland ...

It must be farmland owned by Stockland, rather than farmland, because I do not see many people farming land in the urban growth boundary out in Mernda, in South Morang or towards Pakenham. In fact all I see is land that is held by developers, just waiting for the right time to make it available. The government walks in here and misleads Victorians by saying, 'We will release the lot. It is all out — 90 000 blocks of land'. It is like a guy at the Royal Melbourne Show with a wand and a large top hat knocking on the top of Mr Brumby saying, 'Hey presto! I have 90 000 blocks for you'. He does not have any, unless he panics and picks up the phone to VicUrban, the government developer that owns 16 per cent of land around the city, and says, 'I am telling you to release the blocks now'. Or maybe Minister Madden might do so, but he probably does not have the number in his teledex. Or maybe the Growth Areas Authority might wake up out of its slumber and say, 'We had better do this too'.

The land is not owned by the government; it is owned by private developers. The government has no say in when it is released. The land will be released when private developers see fit to do so. It will not be released at a time of the Premier's choosing, as he has run around town saying. It will be released at a time of the choosing of Stockland, Sunland, Mirvac or other companies, because they own the land and this is not a communist country. This is a country where, if you own the land, it is your choice when that land will be made available. That is what happens when you have private ownership. Maybe the Premier, John Brumby, forgot that last week when he made his announcement.

I turn to part 6 of the motion, which looks at infrastructure.

**Mrs Peulich** — What infrastructure?

**Mr GUY** — Mrs Peulich, you are again right. You have been right quite a number of times today. We are talking about infrastructure — infrastructure that this government says is coming on stream to assist people living in growth areas, people living in inner middle Melbourne suburbs or people looking to buy in regional areas like Geelong and some parts of West Gippsland that are now within commuting distance of Melbourne.

I quickly turn to rail infrastructure. We need to bear in mind that this is a time when the government is saying, 'We want to be bigger than Sydney'. Add Sydney's population of 4.2 million to Newcastle's 500 000 to make 4.7 million, then add the Central Coast's population of 200 000, and we have the population of Melbourne in 2030, living around the Port Phillip Bay basin.

The Melbourne metropolitan area has more than 300 level crossings.

**Mrs Peulich** interjected.

**Mr GUY** — I think they have eliminated two, Mrs Peulich. The Labor Party says its goal is for Melbourne to be bigger than Sydney, so let us compare Melbourne and Sydney. Of Sydney's population, 20 per cent say they want to leave because the place is a dump, and now the Labor Party is saying, 'Good idea — let's make Melbourne Sydney'. Let us have a look at Melbourne versus Sydney in infrastructure. Melbourne has 300 level crossings; Sydney has 7 — not 17, not 70, but 7. I go through more level crossings on my way home from Parliament to Preston than exist in the entirety of the Sydney rail network. Yet the Labor Party says it will turn Melbourne into Sydney without any major corresponding infrastructure improvements.

Melbourne has single-track rail lines on its metropolitan system. They have been there for many years, and I do not blame the government for their existence. However, the government says we will be bigger than Sydney, so we need infrastructure to cope. Are we going to duplicate the Greensborough line out to Eltham? Are we going to duplicate the line between Rosanna and Heidelberg? Are we going to eliminate some of the double-track sections and put in a third track in some of the middle suburban areas where they are needed, where there will be extra population? There is nothing.

Let us look through the government's *Meeting Our Transport Challenges* document and see when some of

these projects are due, because this is important. If we are going to be the biggest city in Australia, we will need corresponding infrastructure.

Yesterday Minister Madden, the Minister for Planning, came into the chamber and gloated about Aurora, which is a failure of a development. It was meant to be all third-piped, but it is not. It was going to be one of the shining examples of sustainability in the biggest city in Australia. If you look at the City of Whittlesea's plans, you see a great plan for a railway coming from Lalor railway station, through Epping North, through Aurora and eventually connecting up with Donnybrook. This area is a growth zone in the northern suburbs. The minister comes in and talks about the sustainability of Aurora and about meeting our transport challenges. Where is the railway line? It is gone. It is like the minister, the government and the government's population data; they are missing in action, they are not here. There is no train line to Aurora.

**Mr D. Davis** interjected.

**Mr GUY** — Like a dead parrot, indeed. What about the railway line right next to the promised Epping–South Morang line? The Epping–South Morang railway line was promised by the Labor Party in 1999. It is now scheduled to commence in the term 2016–21. It was promised in 1999, so it is an infrastructure promise that will be fulfilled, at best, 17 years after it was made. This railway extension has to go only 3 kilometres, but this is what the government has planned for infrastructure in growth areas in the biggest city in Australia.

What about the Cranbourne–Cranbourne East line? Melbourne will be the biggest city in Australia, but what will the government provide the residents of Cranbourne East? That line is another promise made by the Labor Party in 1999, as well as in 2002. It does not exist.

**Mr Barber** interjected.

**Mr GUY** — Unfortunately, Mr Barber, the Labor Party does not seem to have any transport plans for Doncaster. There is no tram link, no Doncaster rail — there is nothing. I think it was after Joan Kirner sold the land off that the Labor Party scrapped that from its long-term agenda.

**Mr Barber** — What about Rowville?

**Mr GUY** — There is nothing for Rowville. The government talks about sustainability, but when it comes to walking the talk about sustainability, providing people with options not to drive the 1 kilometre on 1 litre of petrol to get 1 litre of milk, as

the minister says, the reality is it is not providing the infrastructure to do that.

I simply say to the government, as I have said before, that if you walk down Bourke Street and ask people if they want to be part of the biggest city in Australia, they might say yes, but they will also say, 'So long as you fix our roads, so long as you fix our rail and so long as you match it with a corresponding increase in services'. But according to the Meeting Our Transport Challenges strategy — and I take it that it is still current despite its projections being 40 per cent inaccurate — there are no infrastructure increases for outer urban areas or for middle urban areas before 2017.

The Labor Party is also missing in action when it comes to much of the road infrastructure necessary, particularly in the northern suburbs. I note that a brochure issued by the member for Yan Yean in the other place, Danielle Green, lists one of the government's achievements as being the Craigieburn bypass. That was an interesting announcement, because it was \$306 million promised, signed, sealed and delivered by the former federal government, but a former transport minister in the other place, Mr Batchelor, turned up and had a drive in a back-ender to dig the first sod and the Labor Party took the credit for it. What about the Deer Park bypass? I wonder where the initiative came from for that bypass? That is right; that would be the former federal coalition government. Was the Pakenham bypass an initiative of the Brumby Labor government? No, it was an initiative of the former federal coalition government, which had to drag this government kicking and screaming to the table. This is a vital piece of infrastructure for one of Victoria's best regions, Gippsland, and this government had to be dragged to the table kicking and screaming to complete it.

In Melbourne today our dams are around 35 per cent full. Sydney's dams are filled to around 60 per cent. But according to the government that will all change when we take water from north of the Great Dividing Range and bring it to Melbourne so we can flush our lavatories in the biggest city in Australia. The biggest city in Australia will require northern Victoria's water because under the Labor Party, which has now had eight years to achieve something — not to begin, but to do something — nothing has occurred. This is what we are going to have to deal with when we are the biggest city in Australia. It should be no surprise that we are having to take water from north of the Divide because it has to come from somewhere; it is certainly not coming from the sky. It appears that the Labor Party has not thought it through.

The seventh point of my motion relates to decentralisation. Last week we heard an announcement by the Premier relating to 90 000 blocks of land for Melbourne. The one place in Victoria that seems to be accommodating a lot of Melbourne's growth pressures, but which seems to have missed out, is Geelong. The urban development program report, issued on the day the Premier made his announcement, talks specifically about Geelong and the clear problems facing the Greater Geelong region and the looming problems facing that city — Victoria's second largest city and Australia's 12th largest city — because for the last eight years the government has done nothing about dealing with land supply problems and pressures on that city. Now what we have is an announcement of a proposal that will supposedly free up 90 000 lots of land around Melbourne, but there is nothing for Geelong, which is just 70 kilometres down the road. It is okay to leave the people of Greater Geelong in the lurch, and for those people to be left with the same problems that saw the population pressures that have ruined Melbourne's livability and affordability. We will transfer those problems down the road to Geelong. If the government were serious, it would have announced a program last week which reflected the population policies of the time as they are now, and which would have taken Gippsland, Geelong and some of our regional centres certainly far more seriously than it did.

I want to turn very quickly to some material that I just happened to find — —

**Mrs Peulich** — Under your door.

**Mr GUY** — Not under my door, Mrs Peulich, but it is material from the government. It contains questions and answers about the government's announcement last week. I think it is worthwhile to read a few of the questions and answers to enlighten both the people in this chamber and Victorians about the government's spin. The first question asks:

Doesn't the 2007 UDP annual report show land supply is now at critically low levels?

The government's answer — its spin — is:

Land supply is not at critically low levels.

It says that land supply is not at critically low levels. Let us have a look at what the urban development program report says about land supply. It says the supply of zoned and unzoned land in 2006 was supposedly 25 years to 26 years. In 2007 it was supposedly 15 years to 16 years. In one year our estimated supply had fallen by 10 years on the current population growth. It had fallen by 10 years, and the

government now says, 'No, everything is fine. It is not at critically low levels because we have 15 years left'. In the previous 12 months it fell by 10 years, and yet the government says, 'No, it is all fine'.

A year ago the government claimed to have a 25-year supply of land. The question is: was this forecast wrong? The Minister for Planning came into this chamber in July last year and *Hansard* shows that he said:

... our allowance for land supply on the outer fringe allows for 25 years supply of broadacre residential ...

Clearly it does not; clearly that was wrong. Melbourne is growing at a rate of upward of 1200 people a week. South-east Queensland is growing at a rate of 1300 people a week. Does the urban land supply shortage not mean that the urban growth boundary will have to be moved yet again? I say 'yet again' because when it was introduced the UGB was meant to be in place for keeps. It has been moved and moved, and now the present document says that it is going to have to be moved yet again. The government says:

While the urban growth boundary may need to be modified in future ...

It says 'may need to be modified'. Either the government really believes in a flat earth or it should face reality, because the current boundary for urban growth is clearly inaccurate when it comes to 2030.

I want to turn to migration. Unfortunately the Treasurer, Mr Lenders, has left the chamber. The document asks:

Why is the state government accepting record levels of migration into Melbourne if our land supply can't keep up with demand?

I have a few points to make about that. It is good to see the government agrees that its land supply cannot keep up with demand, but why is it accepting record levels of migration into Melbourne if our land supply cannot keep up? The state government's spin on the first line is:

Overseas migration levels are controlled by the federal government.

There is always someone else to blame! The government says, 'It is not us. It must be the federal government's fault. It is not our fault'. Too bad we have a document called *Beyond Five Million — The Victorian Government's Population Policy*, which promotes Melbourne and Victorian population growth at all costs. But now it is not this government's fault; it is the fault of the federal government. I simply say to the Minister for Planning and to the Treasurer, the

Leader of the Government, 'Why don't you pick up the phone to the Prime Minister Kevin Rudd and tell him we are under massive pressure in Victoria?'. They should ask, 'Can you do something about this?'. Have they done that?

**Mrs Peulich** — Cooperative federalism.

**Mr GUY** — Has cooperative federalism worked at all? Clearly it has not, because now we have the state Labor government in the first line of an answer to a question saying:

Overseas migration levels are controlled by the federal government.

Government members asked for it, but they cannot deal with it and someone else is to blame. That is always the way. The next question asks:

Is migration to Victoria not only decreasing land supply —

the government is getting stuck into migrants in this document; it is incredible —

but also leading to overcrowding of public transport, congestion of roads and rising house prices?

My God! All those people. It is those migrants coming to Victoria. How dare they want to use public transport! How dare they expect the government to supply a decent rail system and decent roads and to fulfil a promise to build the South Morang railway line and a third track to Dandenong — how dare they! The government is blaming migration. I could go on and on because this is quite useful. It is very interesting to see the language of the government. The document ends with the question:

What effect will interest rates have?

As I said earlier in response to an interjection from Ms Mikakos, it is funny how all through 2007 the government talked about the problem of interest rates and who was to blame. It was all interest rates. It was not the land price, it was not the constriction of supply and it was not the excessive demand, which we cannot cope with — it was the interest rates! The government said it was just the interest component of the cost that was all that was to blame for the decline in housing affordability. It is funny that we have not talked about that since.

According to the Growth Areas Authority we should thank the government because it has been estimated that there will be a mean reduction from the cost of development of up to \$14 000 a block — \$14 000 says the government's own material. Well, all of us in this chamber will be looking for that \$14 000 saving that

average Victorians and Melburnians are set to gain from the state government from this announcement. Because if land prices in Aurora, Officer, Pakenham, Mernda, South Morang and Lorimer are not \$14 000 less, then I think it is fair to say that the comments made by myself and Mr O'Donohue that the GAA is an abject failure may indeed be correct. We will come back to that — maybe next year, in 12 months time, I suspect.

I just want to conclude by saying in relation to Melbourne 2030 that it is important to note who is actually suffering from this failed policy — that is, who is suffering from the government's inaction, who is suffering from the malaise and ignorance and arrogance of this dog of a government policy. They are not people living in nice suburbs, people living in established areas of Melbourne, but people trying to get a start in the housing market on the edge of town, in places like Mernda, in my electorate, South Morang and Mill Park Lakes. They are people trying to get a start in life, first home buyers who can least afford to struggle — and I have not even touched on government taxation. I suspect Mrs Peulich will. They are new families, people in outer urban estates, people who are not close to railway infrastructure — infrastructure promised faithfully by this government and not delivered.

All the facts show that Melbourne 2030 has been an absolute dog of a policy, a failure of a policy from moment one. And from moment one the Liberal Party was there saying, 'This will not work. Your population statistics are out, your expectations are wrong, and you have not consulted widely enough'. Sure enough, everything we said about this policy is indeed coming to pass. Not 1, not 10, not 20, but hundreds of community groups across Melbourne are coming together to oppose this policy. Their common target is this policy.

Land prices in Melbourne are rising; they are not slowing down. Housing starts in Melbourne are falling; they are not going up. Our population is continuing to rise. I expect that next week Australian Bureau of Statistics figures will show the rise at still greater than 50 000, which is greater than the 20 per cent forecast in Melbourne 2030. Housing affordability is in free fall and as a result it is absolutely certain that Melbourne 2030 will not last this calendar year.

I will just conclude by urging all members in this chamber to do first home buyers, second home buyers and people in regional Victoria, outer suburban Victoria and metropolitan Melbourne a favour and vote for this motion, reject this policy and put the first nail in the coffin of Melbourne 2030.

**Ms MIKAKOS** (Northern Metropolitan) — I am very pleased to be able to contribute to this debate. I want to indicate at the outset that the government will be opposing this motion. I was listening very intently to the shadow spokesperson for planning, who spoke for just over 45 minutes. During the course of that 45 minutes I did not hear one word of what the Liberal Party's policies or ideas are for planning or housing affordability in this state. I guess I should not be surprised about that at all, because we know that on the other side of the chamber they have a policy void.

It is interesting that we have before the house a motion about housing affordability and that Mr Guy said he was going to talk about interest rates. I was waiting for 45 minutes but I do not think Mr Guy ever managed to actually come back to the issue of interest rates. At the moment we are of course experiencing the parting gift of John Howard and Peter Costello. We have had numerous interest rate rises during the course of the Howard-Costello government and during the last few months, caused by the underlying inflation which is a result of the Howard and Costello government's failure to address issues such as skills and infrastructure during the course of their years in government. This is acknowledged by every single media commentator in this country. They recognise that the new Rudd government has not even handed down its first budget and yet we have had inflationary pressures causing interest rate rises and putting undue stress on Victorian families and families around the country.

We on this side of the house have a lot to say of course about housing affordability and planning issues. I particularly want to acknowledge the fact that the new Premier, John Brumby, has in fact identified these issues as his top priority. Melbourne 2030 is a 30-year strategy for managing growth. We are ensuring that planning across the state is done by choice and not by chance. We believe that the principles of Melbourne 2030 are sound. They are about making sure that we protect our green spaces and that we focus new housing in designated activity centres and growth corridors. Melbourne 2030 is a plan to protect what we love most about Melbourne while tackling the challenges of population growth. We did not hear a single idea from the other side about how we tackle those challenges, with mixed messages from Mr Guy as to whether he supports immigration — —

**Mr Guy** — That is just untrue! That is ridiculous!

**Ms MIKAKOS** — Certainly, Mr Guy, you came up with absolutely no idea as to whether — —

**Mr Guy** — It is completely ridiculous! It is defamatory and completely ridiculous!

**Ms MIKAKOS** — You came up with no ideas as to how we tackle the growing population in Victoria. The reason people are coming to Victoria is that they recognise that this is a state full of employment and other opportunities. We have a terrific capital city and wonderful regional cities, towns and communities. People are voting with their feet to come to Melbourne.

Mr Guy spoke a lot about Sydney. We know that housing prices in Sydney are higher than in Melbourne. As at the March quarter of 2007 the median house price in Sydney was \$480 000, whereas in Melbourne it was \$340 000. Clearly people have a financial reason to come to Victoria not only because of the cheaper housing in Melbourne — we know that housing in regional Victoria is even cheaper — but because of the strong economic growth and employment opportunities they can find in this state.

We believe that the principles of Melbourne 2030 should not be compromised depending on which part of the property cycle we are in, on whether Mr Guy or the Liberal Party wants to make an issue of this or on whether growth is occurring faster or slower than expected. They certainly should not be compromised by political whim. Our plan is based on sound policy. That is why we are committed to the fundamental policy principles of Melbourne 2030. By contrast, the Liberal-Nationals coalition has no plan to manage our growth into the future. It wants to remove the urban growth boundary and let developers rip into our precious green wedges. It will use political whim to dictate the direction in which it takes the city's future growth. We know that its ad hoc decisions in the absence of any plan will mean that Melbourne's precious green wedges will be ripped up for development and that the Liberal-Nationals coalition would sell Melbourne's soul for the sake of lining developers' pockets.

It is no secret. Twice in the past 12 months Kim Wells, the member for Scoresby in the other place, has admitted that the Liberals want to do away with certainty in the planning system by scrapping the urban growth boundary. I point out that in his speech on the appropriation bill that he delivered to the other house on 3 May last year he called for ending the Melbourne 2030 limits on land release for residential development. At a Public Accounts and Estimates Committee hearing last year he did not deny his threat to dismantle the boundaries. Yet the Leader of the Opposition in this house was interjecting earlier that the Liberal Party does not have a policy to abolish the urban growth

boundary. There are certainly a lot of mixed messages and confusion on the opposition side, as is usually the case when it comes to planning and its commitment to protecting our green wedges in this state. We know that unplanned growth would destroy everything that we believe makes Melbourne unique and livable.

As it is a 30-year strategy, it has always been recognised that Melbourne 2030 should be regularly reviewed so that its implementation remains relevant and effective. That is why we are undertaking the first five-yearly audit of Melbourne 2030 at the moment. We need to take into account emerging trends, census data and statistics. It seems to be news to Mr Guy that there is a census every four years and that they give all governments an opportunity to take into consideration population growth and other relevant data. It takes time for policy to translate into on-the-ground developments. It was never anticipated that it could suddenly change new housing and development projects that have been in the pipeline for many years. What is on the ground now reflects both the start of Melbourne 2030 policy implementation and the period before that.

In the short time that we have had Melbourne 2030 we have had the ability to influence the way we manage growth and change it. We know that it has enabled a significant amount of development. For example, since Melbourne 2030 was introduced the Bracks government and then the Brumby government have implemented the urban growth boundary to protect our green wedge areas from inappropriate development and to ensure development does not occur in an ad hoc manner. We have also overseen the creation of the Growth Areas Authority, which works in close partnership with councils, government agencies and developers to improve management of growth on Melbourne's fringes. The Growth Areas Authority also advises on the adequacy of land supply and the sequencing of land release, and it seeks to reduce the time frames and processes involved in creating new communities. We have also introduced new zones to protect green wedges, and we have instigated development of management plans for each green wedge area.

We have seen significant investment in public transport infrastructure resulting in things like the electrification of the St Albans to Watergardens and Broadmeadows to Craigieburn lines, extensions of tram routes to Vermont South, Box Hill and Docklands, and the delivery of new and improved bus routes and SmartBus services in a range of municipalities.

We have also focused investment in planning and capital works in transit city centres. As an example,

\$290 million has been committed to revitalising central Dandenong, with projects including VicUrban's Metro Village 3175 residential development, which will provide around 1000 new dwellings. The project has seen acquisition of land to facilitate consolidating sites for redevelopment and to create a pedestrian connection between Dandenong railway station and the city centre. We have directed growth to activity centres and to our five growth corridors. We have instigated our five-point priority plan to make policy stronger, and we have streamlined the planning system. For the past five years we have been implementing our policy for managing growth in a sustainable and responsible manner. Our Melbourne 2030 policy ensures that the things that we love about Melbourne are protected whilst we accommodate growth.

By contrast, members of the Liberal-Nationals coalition oppose everything. Even opposition members admit that they do not know what they stand for. They do not have a plan to meet the challenges facing Victoria, because they do not do the hard work. The Brumby government has a plan, and it is delivering on that plan to manage our growth into the future in a sustainable and responsible way.

The 2006 census is good news for Victoria, because it reinforces the importance of Melbourne 2030 as one of the Brumby government's key strategies for managing change. The census results confirm that Melbourne is growing strongly. In fact the census shows higher growth trends for both Melbourne and regional Victoria than before the last census. The high population growth rates in Victoria are driven by a strong economy, rising real incomes and reduced unemployment. While interest rates have been rising in recent years, they are still at relatively low levels.

Our population growth is indicative of just how attractive Victoria is as a place to live, work and raise a family. While Melbourne 2030 estimated an additional 620 000 new households by 2031, the exact timing obviously will vary according to the changing annual rate of growth. The focus of Melbourne 2030 is on managing growth over the long term, but its objectives remain as relevant, regardless of whether Melbourne reaches its population level in 2031 or 2026. Melbourne 2030 is a balanced strategy to manage growth, providing more choices for people to live in new suburbs or in established areas of the city.

As I said earlier, we heard a lot from the opposition about the issue of immigration. It is quite clear that the Rudd government is planning for further immigration to Australia. That is the result of the acute skills shortage we face at the moment all around the country,

which is putting pressure on wage levels and on underlying inflation. I would have thought that the Liberal-Nationals coalition would have been welcoming more overseas migrants to this state, because it is one way of redressing this skills shortage and making sure that we can continue to sustain strong economic growth in this state. Yet Mr Guy has not indicated any approach that the coalition has in terms of how we house those people once they have arrived here and have become contributors to our growing economy. The plans and announcements that were made last week by the Premier indicate that on this side of the house the government has a plan for the future. We are a party that is committed to planning for the future, unlike the Liberal-Nationals coalition, which has a let-it-rip approach to planning. The coalition would allow the urban growth boundary to disappear and allow people to live wherever they like without having the required infrastructure and protecting our all-important green wedges.

The Brumby government has a number of initiatives under way to make sure that we make land available in a timely way, particularly in our growth areas. We have a process for monitoring land supply, which is called the urban development program. As I said earlier, we also have the Growth Areas Authority that can properly coordinate the delivery of land in our growth areas. I need to remind the house that this state is seeing record numbers of building approvals through our system, and development is occurring on the ground. Of course this is being developed by a strong and robust building industry, but we have some shortages in some skill areas, and that is why overseas immigration is so important. Last year the September quarter building permit figures saw residential development activity soar 77.3 per cent above the figure for the same quarter in 2006 to a total of \$530 million. Actual building approvals were up at least 2 per cent in the 2006-07 year from the previous year. We recognise that the development industry does not operate in a vacuum. It operates in a robust property market, and the strength of the number of building approvals means that there must be more land available somewhere to be developed.

The Brumby government has overseen the creation of the new Growth Areas Authority, which is charged with advising the government on land supply and demand and the better coordination of development in these areas. The GAA has been ensuring that we have the building blocks of sustainable communities, both infrastructure and services, and that these are coordinated with new housing planned in our growth areas.

One of the first achievements of the GAA is the release of the precinct structure planning guidelines. Precinct structure plans are effectively the master plans for new communities. The plans ensure that new development is well serviced and integrated, and they set objectives for housing yields and for choice and affordability. The plans provide for dwelling densities in line with government strategies and for reliable public transport, activity centres and services. They also ensure that communities have better access to transport, jobs, shops, open space, recreational facilities and all the other things that strong communities require. Eight of these precinct structure plans have been fast-tracked by the GAA, two of which have already been approved, and another 20 are currently under preparation.

The GAA has also worked with councils, developers and other government agencies to speed up the supply of new housing across the five growth areas, with 600 new residential housing allotments coming on the market in those areas during 2008. The authority also will accelerate eight years of housing supply in the Casey-Cardinia growth area, one of the fastest growing areas in Australia, and it will free up land for new places of employment which will generate tens of thousands of new jobs close to where people live. The GAA has also been working to meet the government's employment growth objective by accelerating the development of a new modern employment zone in Merrifield, which will generate 17 000 jobs in new manufacturing operations, corporate headquarters and smaller enterprises. The GAA has also brought forward by up to a year development plans for Robinsons Road, where a new 400-hectare employment precinct will be located by the Deer Park bypass. The GAA has also accelerated the development of a government school in the Greenvale Lake precinct structure plan by working closely with a number of government agencies to secure site-specific amendments, and it will help to arrange for transitional provisions in Cardinia to allow for the early adoption of school proposals there.

**The PRESIDENT** — Order! I interrupt the business of the house to allow the official photograph to be taken. We will then have question time.

**Business interrupted pursuant to sessional orders.**

## QUESTIONS WITHOUT NOTICE

### Water: desalination plant

**Mr D. DAVIS** (Southern Metropolitan) — My question is to the Minister for Environment and Climate Change. Will the minister provide the house with an

assurance that no government department or authority, including his Department of Sustainability and Environment, has been involved in any underhand push polling conducted by Labor Party pollster Auspoll to soften up the residents of Kilcunda and Wonthaggi ahead of the construction of the government's gigantic coastal desalination plant?

**Mr JENNINGS** (Minister for Environment and Climate Change) — I thank Mr Davis for his question and his concern about the ongoing issue in relation to the proposed desalination plant and the exciting proposal for Wonthaggi, as well as the current processes being undertaken to embark upon an EES (environment effects statement) process and the evaluation of the project. I hope he joins all members of this chamber and all members of the community in hoping people are well informed about the potential benefits to the Victorian community through the creation of a desalination plant and the proper examination of the costs and benefits of such a proposal — both in relation to the financial costs and also the potential environmental costs and the actions that may be required to mitigate any adverse effects.

In the spirit of saying that we hope we have a well-informed community — a community that is well armed with the facts — I think it is appropriate that there should be an understanding of where the hopes and aspirations of community members are as well as the knowledge base through which they may be wanting to add to their armoury in relation to being activists within their local community and being informed citizens participating in the democratic processes. There is a whole range of reasons why the government may be interested in finding out the level of understanding and appreciation of the breadth of those issues, and if that is at the heart of why some research may be being undertaken within that community, then I think all members of this chamber and all members of the community would comprehend the important need to make sure that we understand where the community's aspirations are.

Mr Davis has made an accusation in relation to the research material. He may be well versed in practices that fall into the category of push polling; he may be well informed about various methods that may be applied in the name of market research whose primary and sole purpose is to skew public opinion to achieve certain political outcomes. That is not market research I would be supportive of. It is not market research I believe the government I am part of undertakes in its research program, and we would not undertake such a form of market research. I categorically reject the proposition that this government or any agency that

works on behalf of this government would engage in such an activity. That is not to distance ourselves from legitimate research that may be undertaken on community aspirations or community views that the government may seek to support or information deficits it may seek to remedy over time, but I categorically reject the proposition that push polling is a method endorsed by this government.

*Supplementary question*

**Mr D. DAVIS** (Southern Metropolitan) — I am more concerned now, after that answer, because the minister failed to rule out involvement of his department. I ask the minister what checks are in place to ensure that polling undertaken by Auspoll at the expense of government or a government tenderer, and therefore indirectly at government expense, is not made available to the Labor Party by Auspoll, its sibling CPR Communications and Public Relations or a tenderer for the desalination plant?

**Mr JENNINGS** (Minister for Environment and Climate Change) — I know that Mr Davis thinks he is in the world of intrigue and counterespionage and political argy-bargy, but this is bit beyond the realms of political reality. In terms of the probity and consideration of the appropriate research that is undertaken and the communications plans carried out by the government, regular reporting by the Auditor-General takes place. There is a whole variety of processes by which this government is accountable for its communications activity. They cover research, communications plans and advertising. We are accountable to the Public Accounts and Estimates Committee and we are accountable to the Auditor-General.

We expect the highest standards of probity and consideration in these matters and the highest standards of professionalism within the communications undertaken on behalf of this government. I reject the implied criticism — in fact the direct criticism of Mr Davis if it is coming in a supplementary question — and the proposition that the government is acting inappropriately. I totally reject that.

**Economy: performance**

**Mr ELASMAR** (Northern Metropolitan) — My question is to the Treasurer, John Lenders. How is Victoria performing in a dual national economy?

**Mr LENDERS** (Treasurer) — I thank Mr Elasmар for his question on how Victoria is performing in what is now a dual national economy, where we have

resource states that are cruising on the returns of strong trade in resources with China and India and the rest of the economy, which does not have that bonus of the resource revenue coming in.

Mr Elasmар asked how Victoria is performing on that. Probably the most objective analyst of that would be the Australian Bureau of Statistics. I am always pleased to talk about ABS statistics in this house. I welcomed a question yesterday from Mr Eideh, and I welcome the one from Mr Elasmар today. Last week the ABS released the state final demand figures for Australia and of course for Victoria. The state final demand figures show that the Victorian economy grew by 5.2 per cent last year. Talking about 5.2 per cent economic growth: what does it mean? To some it can be just a whole lot of statistics. That is not what we are talking about here, because it is how it affects real people in the state of Victoria that I and this government are interested in. What 5.2 per cent state final demand means is that, despite the turbulence of a volatile international equity market — and Mr Elasmар well knows what that does to superannuation funds and what it does to the concerns of his constituents — despite the pressures of rising interest rates, despite the pressures of a growing dollar on manufacturing and despite the effects of drought, the Victorian economy continues to grow.

It is robust because it is diversified. We have challenges we face, but what this means is that within Victoria, as opposed to the rest of the country, we are seeing some concrete results of this strong economy. For example, everybody in this house and the community has great concerns about first home buyers because of the issue of housing affordability.

People are finding it tough to buy their first homes. There is nobody in this house who would dispute that. But what we see when we measure Victoria's household finance which is not refinancing, which is a standard Australian Bureau of Statistics (ABS) term, is that last year 32.1 per cent of homes in that category being bought in Victoria are being bought by first home buyers, whereas in the rest of the country it is 26.8 per cent. What that means is that one in three of those purchases is made by a Victorian, whereas for the country as a whole it is one-quarter.

**Mrs Peulich** — They cannot afford to pay the stamp duty, that is what it means.

**Mr LENDERS** — I could go on at great length about dwelling investment, I could go on at great length about household consumption and I could go on at great length about a range of areas, but I will not, because I believe in succinct answers to questions.

What I will say is that this government's policy of targeting first home buyers for particular relief on the issue that Mrs Peulich interjected on, this government's policy of quadrupling the infrastructure spend from less than the \$1 billion it inherited when it was elected to government in 1999 to \$4 billion now, this government's policy of targeted service delivery and targeted infrastructure expenditure is delivering results. We need to remain focused on this. We are going through turbulent economic times across the country, but I can assure Mr Elasmar that these ABS figures show that this state remains a great place to live, work and raise a family.

### **Hepburn: spa redevelopment**

**Ms LOVELL** (Northern Victoria) — My question is for the Minister for Environment and Climate Change. I refer to the Department of Sustainability and Environment's handling of the tender process for the lease to operate the Hepburn Mineral Springs Reserve bathhouse, which was first advertised on 9 May 2007, later aborted and re-advertised on 1 August 2007, and I ask: can the minister please advise the house why the first tender process was botched?

**Mr JENNINGS** (Minister for Environment and Climate Change) — I congratulate Ms Lovell for a nice try to assert blame in my direction, because in fact the final leasing arrangements over this site require sign-off from my department and me, so at the end of the day we will definitely be having a role within this redevelopment.

There are a number of ministers in this chamber who might also have an interest in that redevelopment, and in fact it is a responsibility shared. In her attempt to get to the heart of the overriding process, Ms Lovell probably has not asked the right minister, but she has asked someone who is concerned about it and has been keeping a close eye on the wellbeing of this matter.

The most recent advice I have received is that the local government in question has considered the matter as recently as last week. It is responsible for signing off on the preferred tender arrangements and for providing me with the information and the recommendation that is required for me to sign off on the leasing arrangements. I understand that information will be furnished to me shortly, although it has not arrived at this present time.

### *Supplementary question*

**Ms LOVELL** (Northern Victoria) — It was promised that the bathhouse would be open by last weekend, which is a time line that was very important

to the local community where a number of businesses are currently for sale. I therefore ask: as the minister responsible for the land, has the minister been informed that the much-revised June completion date will be met? If this is not met, what contingencies does the minister have in place to fully utilise this important asset of Parks Victoria?

**Mr Atkinson** — There should be an inquiry by Dianne Hadden.

**Mr JENNINGS** (Minister for Environment and Climate Change) — In fact the quality of that interjection almost means that I should sit down and leave it — enough said! But I will resist that temptation because Ms Lovell's question does require an answer.

I am informed that the project is intended to and expectations are that it will meet a June timetable; that is as I am informed. Ms Lovell is quite right to indicate that I, as the minister who is responsible for the land and the leasing arrangements, have a vital interest to make sure that I can do whatever I can to expeditiously deal with the advice and material that comes to me. She has that undertaking from me.

I am happy to work in a collaborative environment with ministers in this chamber and in the other place — those who may have a direct line of responsibility for this project — and to work in a timely way to satisfy the community's expectation and to satisfy the time line that is part of the member's supplementary question.

### **Melbourne Convention Centre: benefits**

**Mr TEE** (Eastern Metropolitan) — My question is to the Minister for Major Projects. Can the minister inform the house how the construction of the new Melbourne Convention Centre will strengthen Victorian industry?

**Hon. T. C. THEOPHANOUS** (Minister for Major Projects) — I thank the member for his question. I have indicated to the house before how the Brumby government has planned a massive expansion in infrastructure capital spending for the state. It is something of the order of three times — more than 300 per cent — the amount that was being spent under the previous Kennett government.

That additional infrastructure spend is designed to create a legacy for Victorians, and that will include a legacy in the sciences, in our cultural facilities and infrastructure and in our sporting infrastructure as well as our transport infrastructure. That legacy will be something that we will hand down to our children, but beyond that I want to focus today on how these major

projects also do something else that is very important. They help to create jobs, and in the case of the convention centre, 1400 jobs are created one way or another, either directly or indirectly, in that construction.

It is not just about the jobs that are being created, but the types of jobs and the innovations that are being generated as a result of these government initiatives. Today I want to mention three contracts which are part of the convention centre and which are worth \$15 million, and they relate to the seating arrangements. People who have been down to the convention centre will know that there are some innovative solutions being proposed in relation to flexible seating capacity at that centre which will be in many respects a world first.

The contracts were given to three Australian companies from Victoria. One is the Cheltenham-based Metaltec, which will supply the structural and mechanical elements of the seating system; another is the Wantirna South-based Camatic Seating, which will supply the seating for 5600 people; and the third is the Williamstown-based Control IT, which will supply the electrical and electronic control systems.

These three firms are important companies which have led the way in developing new and innovative ways to manage the seating at the convention centre. Metaltec, for instance, manages large and complex projects in a diverse range of industries, including aerospace, defence, automotive, food and packaging, and mining. It is these kinds of companies that we should be promoting and supporting in Victoria, and I am pleased to say that we are doing that through our major projects profile. Camatic is now the largest manufacturer of theatre and stadium seats in Australia. It supplied the seating for the Atlanta Olympic Games and the refurbishment of the Pasadena Rose Bowl. It is an international company. Control IT specialises in electrical engineering, information technology and electrical installation, and recent projects have involved Toyota, the Australian military and CSL. These are three Victorian companies that are showing how finding a smarter way to do things creates jobs in our state. I refer back to what the Treasurer said about the dual economy and how Victoria is going ahead because we are doing things in a smarter way and showing our ability to find new solutions.

I want to mention one other company in this project, which relates to the roofing. The roofing on the combined exhibition and convention facility is being supplied by a Bendigo company called Ortech Industries. I am sure the Greens would support this company, because Ortech turns wheat and rice straw

into durable Durra building construction panels, which are a sustainable and innovative product that is making an impact worldwide and helping to create local jobs right here in Victoria. It is another example of how we in this state have been able to use the intelligence of our people to create new jobs and a future, while at the same time building important major infrastructure projects going forward.

### **Budget update: mid-year report 2007–08**

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) — My question is to the Treasurer. In the mid-year financial update the government claims to have invested \$1.7 billion in infrastructure over the six months to December 2007. Will the Treasurer provide the house with a breakdown of the type and value of projects included in that figure?

**Mr LENDERS** (Treasurer) — I will. It is budget information paper 1, the update which comes out some time after the budget, and it will be tabled in both Houses of Parliament early in the next financial year. But for Mr Rich-Phillips's edification, as he said, some \$1.7 billion in infrastructure is mentioned in the mid-year update. Again, this is one of five updates this government does. We are more open, transparent and accountable than any other government in the history of this state. This is but the third of our financial reports for this financial year. What Mr Rich-Phillips will see is \$1.7 billion of the approximately \$4 billion invested in infrastructure in this financial year. As he well knows, being a member of the Public Accounts and Estimates Committee, most infrastructure expenditure is skewed to the second part of the financial year, whereas income tends to be skewed to the first part, so Mr Rich-Phillips can certainly see the result of this government's investment in infrastructure.

If he had but looked at last year's budget, he would have seen investment in 131 schools — being either new schools, rebuilt schools or modernised schools. Of course that figure of 131 schools in one year is one-third of the number that were closed by the previous government. He would also have seen, if he were but to have looked, a massive investment in hospital infrastructure. This government has increased expenditure on hospital capital works by something of the order of 90 per cent — this is our investment in health — since its commencement.

He would also have noticed that the infrastructure to support the 1400 new police officers employed by this government is significantly in place. That includes rebuilding police stations in many rural communities in this state, let alone the other support infrastructure

required. In infrastructure he would also note the regional fast rail expenditure by this government, a project which was scoffed at by those opposite but which is now delivering improved rail services to Ballarat, Bendigo, Geelong and the Latrobe Valley. He would also have noticed the big investment in roads spread right across the state — one-third country, one-third suburban and one-third city — unlike the days of the previous government, when about one-sixth of road funding was spent on rural areas.

Mr Rich-Phillips will notice these projects, but I will be delighted to give him an autographed copy when the report is tabled in Parliament during the next financial year.

*Supplementary question*

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) — I am amazed that the Treasurer can publish a headline figure of \$1.7 billion and not list a single project that it encompasses, so I ask: will the Treasurer confirm that what the government calls infrastructure is in fact all property, plant and equipment purchases, including things like office furniture, filing cabinets and photocopiers?

**Mr LENDERS** (Treasurer) — What I can confirm for Mr Rich-Phillips is that our budget papers get the tick-off from the Auditor-General, who tests our budget papers. Mr Rich-Phillips laughs. He was not in this Parliament when the Auditor-General was gutted by those opposite. The Auditor-General runs our budget against the generally accepted accounting practices under the Australian equivalents to the International Financial Reporting Standards, which he well knows as a member of the Public Accounts and Estimates Committee verifies that what we report is at a standard that stacks up against the accounting profession. If Mr Rich-Phillips has any issues with how we define infrastructure, I suggest that as a member of the Public Accounts and Estimates Committee he take up the issue with the Auditor-General, who answers through that committee to the Parliament.

What I will say to Mr Rich-Phillips is that the figures speak for themselves. We have seen investment in infrastructure in this state increase from less than \$1 billion in the last sad year of a Stockdale budget to \$4 billion in the last Brumby budget. That is not just numbers, as I said in response to the question from Mr Elasmarr earlier — that is, as I said in response to the substantive question, 131 schools in the last budget, that is country hospitals, that is regional rail services, that is new rolling stock on rail and that is investment in projects like the convention centre Mr Theophanous

referred to. Even if it goes to country police stations or cattle underpasses, which my friend Philip Davis gets very excited about whenever I mention them, these are all items that add to the growth of this state.

Unless we invest in human capital, unless we invest in the ability of our people to get good and decent jobs and perform in a workforce and unless we invest in targeted infrastructure this state will not go forward. We will continue to invest to give young Victorians, and all Victorians, opportunities for jobs, because that is a critical ingredient in making Victoria an even better place to live, to work and to raise a family.

**Economy: performance**

**Ms DARVENIZA** (Northern Victoria) — My question is to the Treasurer, and I ask: can he inform the house of how the Brumby Labor government is ensuring that the Victorian economy is able to deal with the challenges for the future and make sure that Victoria is the best place to live, work and raise a family?

**Mr LENDERS** (Treasurer) — I thank Ms Darveniza for her question and her interest in Victoria's being well positioned to go into the future, particularly as a member representing Northern Victoria Region and knowing the importance of a strong plan to take the state forward.

To do that we need to have strong financial fundamentals in place to enable it to happen. Late last week I had the privilege of releasing the mid-year budget update, one line of which Mr Rich-Phillips referred to. What I was delighted to be able to report is that, despite the pressures of stock market volatility, population growth, prolonged droughts, climate change, inflation and a high Australian dollar, the Victorian budget remains well positioned to deal with these important challenges that the state faces, especially the challenges of targeted service delivery and targeted infrastructure growth, so that we can play our part in the national reform agenda and assist with improving our human capital and skilling people for jobs so they can participate in our future.

As part of that budget update I was able to report that we are on track for an \$842 million annual budget surplus. The figures show that there was a larger surplus than that for the first half year — \$1.17 billion — but that is a common feature of state budgets. With our infrastructure expenditure, and using Mr Rich-Phillips's example, \$1.7 billion spent in the first half of the year out of a \$4 billion infrastructure spend is quite common, because infrastructure

payments tend to be included towards the end of the financial year. What we can see is that we are well positioned to work through this, but it is important that we have a strong financial base. It is also very important that we move forward.

*Honourable members interjecting.*

**Mr LENDERS** — I take up the interjections of Mr Guy and Mrs Peulich about surpluses. If we are talking about how we build the infrastructure to rebuild country Victoria and build a food bowl, we need to talk about the \$600 million government contribution to the largest water infrastructure project in the history of this state. We are seeking to harvest some of the 600 gegalitres of water lost through evaporation in the food bowl every year, and that requires investment. We need to have a strong budget process to deal with that.

**Mrs Peulich** interjected.

**Mr LENDERS** — Mrs Peulich chants a whole series of projects she would like to have money spent on, but I would say to Mrs Peulich that the Victorian government is focusing on delivering projects that matter.

Let us get back to the food bowl as an example. By water savings alone in the food bowl we can give 75 gegalitres of extra water to irrigators, 75 gegalitres of extra water can be returned to rivers and 75 gegalitres of extra water will be available for domestic consumption. We will do that by investment. The opposition constantly calls for information on what we do with budget surpluses. Economics 101 is that \$800 million out of a budget surplus this year is \$800 million towards next year's investment in water, in hospitals, in schools, in roads and in other areas.

In response to Ms Darveniza's question, we have a strong financial base. It is one that we will need to watch very closely as we go through difficult, uncharted times, particularly with the pressures from the United States and other global movements. We do know that whatever surplus the Victorian government has had, it has invested it back into infrastructure.

After the annual financial report the Premier announced that we were spending \$600 million of the surplus towards the food bowl and \$300 million towards rolling stock on metropolitan rail services. We will continue to invest our surpluses in infrastructure. That is what is required for the growth of the state. That is what is required to manage that growth. That is what the governor of the Reserve Bank thinks the state should be spending its money on. This is all part of a plan to assist Victoria in moving forward to make it an even better

place for our children to live, to work and to raise a family.

### **Firearms: licensing**

**Mr KOCH** (Western Victoria) — I direct my question without notice to the Treasurer, John Lenders. Does the Brumby government continue to stand by its election promise of not increasing fees, especially licensing fees, to a level greater than the consumer price index?

**Mr LENDERS** (Treasurer) — I answer with a simple yes, because as Treasurer I need to sign off annually on setting the indexation of fees and charges. I will categorically say that the government will stick to the consumer price index (CPI) for those figures. We make an estimate of what the CPI is, and we will reflect the changes with that. I cannot give a categorical answer — and I hope Mr Koch has not got his press release already out there and is hatching his supplementary question to say that I am not ruling something out — because individual ministers can put up cases as to why an individual fee or charge should be at a higher rate than the annual indexation figure. Sometimes cases are made for fees or charges to go up simply because a service is required to be delivered.

I use this as an example, although it does not come under the Treasurer's fees and charges because it is a separate determination from the Essential Services Commission. The government has clearly enunciated that water prices will need to go up at a greater rate than that, because we all acknowledge that we need to invest in water infrastructure to deal with climate change. But as a general rule, unless an exceptional case is made by a minister, or in this case through the Essential Services Commission, the government indexes fees and charges in line with the anticipated CPI.

### *Supplementary question*

**Mr KOCH** (Western Victoria) — I note the Treasurer's answer and therefore ask: given that licensed category A and B longarm and general category handgun dealers face an increase in fees of 647 per cent, or in dollar terms seeing the current three-year licence fee of \$965 rising to \$7209, does the Treasurer acknowledge that these exorbitant fee increases by the Department of Justice on licensed firearm dealers are not fair or reasonable and will hit rural communities hard?

**Mr LENDERS** (Treasurer) — The issue that Mr Koch raises is fundamentally an issue for my colleague in the other house the Minister for Police and

Emergency Services, who is represented in this house by my colleague the Minister for Planning.

*Honourable members interjecting.*

**Mr LENDERS** — In response to the general nature of Mr Koch's comment — and it goes back to my answer to the fundamental question — this community will make decisions on some of these areas, and I am not commenting on it specifically but in a general way. As Mr Koch well knows, after Port Arthur the federal Liberal-National party coalition made some very tough decisions, which all state governments followed, to toughen the laws on handguns. I am not responding to Mr Koch's specific question on this. I am putting it into the context that exceptions are made to the standardised consumer price increases on a number of occasions for good policy reasons. The specific question Mr Koch raises I will take on notice on behalf of my colleague the Minister for Planning for him to pass on to the Minister for Police and Emergency Services in the other place.

I make the point that on some of these issues bipartisan decisions are made, as they were on gun laws when this state government followed the national government. There are always exceptions, but I will take the supplementary question from Mr Koch on notice for the Minister for Police and Emergency Services in the other place.

**Information and communications technology: regional and rural projects**

**Ms PULFORD** (Western Victoria) — My question is to the Minister for Information and Communication Technology. I note the minister announced last week that a \$2.1 million fund will be made available to work with local businesses to implement ICT (information and communications technology) projects across Victoria. Can the minister inform the house how this announcement will benefit ICT projects in regional Victoria?

**Hon. T. C. THEOPHANOUS** (Minister for Information and Communication Technology) — I thank the member for her question. I was pleased to be able to announce last week that the government is making \$2.1 million available to assist in what we call bridging the digital divide. As many members here would know, there is an issue about the availability of communications technology in regional Victoria. Of course that technology is crucial for the delivery of a range of other services in regional Victoria, including health services, and access to a variety of government services, so I was very pleased to be able to announce

this \$2.1 million. We will be expending this money in conjunction with the Municipal Association of Victoria. Indeed part of the funds will be used to appoint a Municipal Association of Victoria broadband project officer, who will assist in identifying projects within the 49 councils that cover regional Victoria as to the types of projects that should be delivered with this particular fund.

I might say that the delivery of broadband services into regional Victoria is a high priority for the government. Members would be aware that we acted before any other state government in seeking to get broadband access into schools, including schools in regional Victoria, in order that students who are being taught in our regional schools would have access to the same kinds of internet-related research capabilities and services that students in metropolitan regions have. Quite a lot of fibre was laid by the government in relation to that, mainly along railway tracks, and that allowed us then to facilitate access to government schools in regional Victoria.

This program will build on what we have done already because we recognise that regional Victoria needs to have access to these kinds of programs. I might say that the total expenditure by the Bracks and Brumby governments in relation to this area has been nearly \$100 million in support to health, education and environmental ICT projects throughout Victoria. This is something we take very seriously. It is part of seeking to deliver equity for people living in remote regions. It is almost more important that people who live in remote locations are able to have access to fast internet services in order that they are able to develop a business or for health care or environmental purposes than people in metropolitan areas.

A number of these projects have been referred to by me in the house in the past. I am looking forward to working with the MAV to ensure that under this program a range of suitable projects are delivered to those 49 councils in regional Victoria and the people living in regional Victoria.

**Emergency services: south-western Victoria helicopter**

**Mr KAVANAGH** (Western Victoria) — My question is for the Minister for Planning, representing the Minister for Police and Emergency Services in the other place, and relates to a rescue helicopter for western Victoria. On Thursday, 28 February, representatives of the south-west, led by Dominique Fowler and Keith Meerbach, came to the steps of Parliament. They provided evidence that a rescue

helicopter is needed in the south-west more than 400 times a year. They also movingly and powerfully recounted experiences of illnesses and injuries being exacerbated by delays due to the lack of a dedicated emergency helicopter service. Will the government now reconsider its position and take action to ensure that western Victoria does not remain the only region of the state which does not have its own rescue helicopter service?

**Hon. J. M. MADDEN** (Minister for Planning) — I welcome Mr Kavanagh's question. I also welcome his interest in this matter. It is no doubt an issue of great concern for locals in the south-western region. I have extended family who live down in that part of the world, and I know how enthusiastic they are for the opportunity to have the government consider the prospect of a rescue helicopter in that region. I am very mindful of the needs of the community down Warrnambool way in particular. I know Mr Vogels is from that neck of the woods and probably knows some of my family, in the mix of things.

In relation to Mr Kavanagh's question, I know it is a matter of great concern, which was reflected in the turnout on the steps of Parliament some weeks ago. For those individuals in the group to travel so far to make that point to the government makes it something that is worthy of recognition. No doubt the Minister for Police and Emergency Services has that in mind. It is very much a pertinent matter for him. I am happy to refer that to him for further examination and to give him the opportunity to respond to Mr Kavanagh personally in relation to that matter.

**Commonwealth-state relations: funding**

**Ms MIKAKOS** (Northern Metropolitan) — My question is to the Treasurer, John Lenders. Last week saw the announcement by the Commonwealth Grants Commission of GST grants and specific purpose payments to the states. I ask: how is the Brumby Labor government continuing to ensure that Victorians get their fair share?

**Mr LENDERS** (Treasurer) — I thank Ms Mikakos for her question and her interest in Victoria's share of payments under the formula of the Commonwealth Grants Commission. The grants commission has been described to me previously as moving so slowly that it makes plate tectonics look reckless. Perhaps that is a bit unfair, but the grants commission has operated slowly.

What we have seen for many years is that Victoria has been a net loser in revenue raised by the commonwealth from states and how that revenue

comes back. As an example, when the GST was introduced, 82 cents in the dollar of the money raised in the state came back to Victoria. The new grants commission formula, released last week, has increased that amount to 92 cents in the dollar.

**Mrs Peulich** interjected.

**Mr LENDERS** — I would hope Mrs Peulich takes this issue seriously, because what we are seeing — —

*Honourable members interjecting.*

**Mr D. Davis** interjected.

**Mr LENDERS** — David Davis says 'short-changed by 8 cents'. That 8 cents that Mr Davis so flippantly says we were short-changed by comes to \$1 billion. When you are talking about a trillion dollar economy the size of Australia, and you are talking about 8 cents per dollar for a state that makes up 24.8 per cent of the economy, you are talking about \$1 billion. Mr Guy, with his filing cabinet obsession, and Mr Davis, with his 8-cent obsession, should actually focus on what this means to real Victorians.

If GST revenue and specific purpose payments were distributed to this state in proportion to its population, in this year alone we could, out of the \$1.7 billion extra from the two, build or modernise 500 schools — like that! Ms Mikakos knows this is a serious matter; that is why she asked the question. We could also put on — now! — 40 six-carriage trains with that sort of money. They are but two examples of what we could do if we had equitable funding.

The grants commission is heading in the right direction in reducing the subsidy that Victoria has paid to other states. We no longer have the obscenity of Victoria subsidising Queensland and Western Australia, those resource-rich states. However, on the issue of specific purpose payments — that is, grants made to states through health-care agreements, various infrastructure programs and the like — there is still an extraordinary discrepancy. In Australia today, Western Australia, which is a resource economy that up to a few months ago had double-digit growth figures — growth figures the size of a Chinese province — gets more money from specific purpose payments to deal with infrastructure than Victoria, which has the lowest per head of population.

**Mr Guy** interjected.

**Mr LENDERS** — Taking up Mr Guy's interjection, I will be meeting with the federal Treasurer tomorrow and on Friday and with other state and territory

treasurers tomorrow to go through how we can have an equitable redistribution of specific purpose payments to deal with the needs of the state of Victoria.

The grants commission operates on formulas that are very old. Specific purpose payments are distributed according to a formula that, inequitably, means that a resource state like Western Australia is getting more per head of population to assist with infrastructure than Victoria. These issues will be addressed in discussions between the jurisdictions. To put it back into context, even with these improved arrangements whereby Victoria gets back 92 cents in the dollar of GST revenue, each Victorian — each member of the chamber and person in the gallery — is paying \$190 per head per year to subsidise other states.

We believe in an equitable distribution. We are pleased that it is moving in the right direction. There is a lot more to be done. With this extra money we can build more schools, we can deliver more services — we can do the important things that will make Victoria an even better place to live, work and raise a family.

## QUESTIONS ON NOTICE

### Answers

**Mr LENDERS** (Treasurer) — There is an answer to question on notice 1602.

## HOUSING: AFFORDABILITY

### Debate resumed.

**Ms MIKAKOS** (Northern Metropolitan) — As I was saying before we were interrupted by the taking of the David Davis and Wendy Lovell memorial photograph, each year the annual urban development program report determines Melbourne's land supply projections by taking into account the many factors that influence this, such as demand for housing given Melbourne's anticipated population.

The urban development program (UDP) is an important initiative of Melbourne 2030. I should point out that during the years of the Liberal-National coalition no planning went into land supply in a similar way to the planning the government has been undertaking. This knowledge allows us to take measured steps to address any shortfalls in residential or industrial land.

Importantly, the urban development program allows us to rigorously plan the rollout of important physical infrastructure such as power, water and sewerage;

community infrastructure such as schools, child-care and aged facilities; and of course important environmental infrastructure such as our open space network, including bike paths and trails. The urban development program places us in a good position in comparison to other states and other cities so that we can monitor land availability, make that knowledge public and work to ensure that we have sufficient and adequate stocks of land provided for development in the future.

The 2007 UDP annual report uses recently released census population data and immigration information, taking into account commonwealth government projections, to analyse demand for residential land. I noted earlier that the Rudd government has indicated to us that it anticipates that overseas migration will now rise to 200 000 people per annum to address the acute skills shortage we have in a number of areas. We are also taking into account the more than 1200 people who arrive in Melbourne every week from other states. They are attracted to Victoria by our cheaper housing and our strong economic growth, which is providing employment opportunities. Based on these projections the 2007 report has found there is 15 to 16 years future land supply for Melbourne's growth areas and 7 to 8 years supply of zoned land inside the urban growth boundary.

The Victorian government also has some strong strategies in place to address housing affordability for home buyers, renters and people relying on public housing. This ranges from cutting stamp duty to extending the first home bonus until 30 June next year. I want to talk about some of these in particular, because I note that Mr Guy's motion talks about budget initiatives. He did not really go into the issue in his contribution, but I think it is important to record that since coming to office the Bracks and Brumby Labor governments have introduced tax cuts worth over \$4.5 billion. We have had an outstanding tax reform agenda, moving from having the second highest number of taxes to having the second lowest number of taxes of any state. We have removed the taxes relevant to the intergovernmental agreement on the introduction of the GST faster than any other state, and we now have the second lowest number of taxes of any state.

Dealing with land, we have slashed the top rate of land tax from 5 per cent to just 2.5 per cent, we have increased the threshold from \$85 000 to \$225 000 and we have made significant cuts to the middle rates. In the important area of stamp duty, we have cut the stamp duty rate for homes priced between \$115 000 and \$500 000 purchased as the principal place of residence, saving the buyer of a median-priced home \$2850,

which is an 11.5 per cent cut in stamp duty. I will touch quickly on the issue of the budget and taxation to say that Victoria was the first state to abolish stamp duty on mortgages, and it is the only state to provide an off-the-plan concession. The Brumby government introduced a \$5000 bonus for home buyers buying a new home. This program has been extended to 30 June 2009.

When we talk about housing affordability it is also important to talk about public housing. This is something I am particularly proud of, because I represent a very disadvantaged community. We have a lot of people in public housing in the northern suburbs. I am proud that the 2007–08 budget delivered a record \$510 million to improve housing affordability through the direct provision of social housing and investment in homelessness assistance. This is the largest one-off commitment ever made by a state government to social housing beyond the obligations under the commonwealth-state housing agreement. The Prime Minister, Kevin Rudd, has indicated that the issue of homelessness is very high on his priority list, and I look forward to the commonwealth government finally making a bigger contribution to public housing.

Also on the issue of housing affordability I note in relation to our public housing commitments that we are building almost 4000 new dwellings and funding 1550 new affordable houses and an extra 800 public housing dwellings over the next four years. This boost is, of course, in response to the completely inadequate contribution made by the former federal Howard-Costello government to public housing over the past few years.

Coming to the issue of the release of the 90 000 lots which was announced by the Premier last week, I regard this as a very welcome announcement. Over the coming weeks the Minister for Planning and the Growth Area Authority will consult with growth area councils regarding the urban growth zone that has been announced. The new urban growth zone will fast-track the development of what is currently farming land, opening up more than 90 000 blocks of land for residential use. It is the first step in a suite of new and improved planning processes that will be developed by the Minister for Planning, the Growth Area Authority and relevant councils. The aim of the improvements is to get zoned land to the market quicker and at less cost to the buyer. Of course, if there are savings in terms of the delay developers face in getting land to the market, that will also provide savings to the home buyer. We estimate that on a conservative basis people will save \$10 000 per lot. That is something which will be greatly welcomed by first home buyers in this state.

The precinct structure plans will remain an integral part of the process, but the creation of the urban growth zone means that the process can now be undertaken without unnecessary planning duplication. Under the new system, strategic planning will be done right the first time. Under the enhanced role for the precinct structure plan landowners and the community will be given an early opportunity to comment on the proposed developments and given access to clearer documentation. This is a significant reform that will provide time savings and ensure we have the best possible environmental outcomes for our state.

In contrast we heard absolutely nothing during Mr Guy's contribution about what the Liberal Party plans to do in this area. We know that it has a very dubious commitment to the urban growth boundary. Basically it favours a let-it-rip approach that would mean we would subdivide land at the expense of community building, at the expense of the environment and in the absence of any strategic planning. The Brumby government relies on good strategic planning, derived through Melbourne 2030 and the various other initiatives I have outlined, to deliver new housing solutions in growth areas. Strategic planning through the precinct structure plans is vital to ensuring an efficient planning system.

I note that Mr Guy's motion also talks about infrastructure. I know my colleagues on the government side will talk about this in greater detail, but I cannot let the issue of the South Morang rail line — which Mr Guy raised — go without some response. I think it is important that we acknowledge that a \$52 million project to remove the bottleneck between Clifton Hill and Westgarth stations by building a second railway track there is now under way. This is an important initiative for my electorate. It is going to be the first step in allowing further improvements to be made on that rail line. We have also improved rail services on the Epping line, with two new morning off-peak services and one post-evening-peak service introduced in September of last year.

#### **Sitting suspended 1.00 p.m. until 2.03 p.m.**

**Mr BARBER** (Northern Metropolitan) — The motion before the house addresses housing affordability but unfortunately leaves out the other half of the problem, which is transport affordability. Not only do these two items come close to being equal costs in many household budgets, but they are so interrelated that it would be a mistake to try to speak about or put forward policies on housing affordability without referring to the transport problem.

I recommend that members look up the *Transport Demand Information Atlas for Victoria 2008* in which Australian Bureau of Statistics housing expenditure data is presented, noting that transport costs for a typical household — these are global averages for different types of households — are up to around \$140, while housing costs, incorporating the interest component of a Melbourne mortgage, are up to around \$144. Of course it is the interest component which represents true expenditure; any repayments of principal are effectively going into savings or investment. These are weekly figures. So at least broadly, as a group Melburnians are now paying almost as much on transport as they are on their rent or on interest on their mortgages. And of course these costs interact. Most people get to choose, to some extent where they live, and people are smart. They think about where they are going to work when they look for a place to live, and they think about where they are going to live when they look for a job. They make the best choice they can, albeit that it may not be the best one and may not even be a good one. But that choice is largely given to them by decisions that we as policy-makers make.

When we talk about Melbourne's most affordable suburbs we are talking about Melton, where the median mortgaged house price is around \$199 000 and about Werribee, Broadmeadows, Meadow Heights, Cranbourne, Craigieburn, St Albans, Hoppers Crossing, Pakenham and Carrum Downs. When we realise that those are the most housing-affordable suburbs in Melbourne, we also have to understand that they have some of the worst public transport in Melbourne. Therefore the transport bill for people who live in those houses is likely to be higher than the rent or interest payments. For example, in the municipality of Melton, approximately 6 per cent of people travelled to work by public transport, according to the last census. In Werribee, in the municipality of Wyndham, it was 7.2 per cent; in Broadmeadows, in the Hume council area, it was 6.2 per cent; and in Pakenham, out in the municipality of the Shire of Cardinia, the figure for people who used public transport to get to work was about 3.3 per cent. I think that is probably a fairly good measure of the quality, availability and suitability of public transport out in that area. Our most affordable suburbs have terrible public transport.

Let us look at the other side: what are our least affordable suburbs? In Toorak the median house price is \$2.7 million; in Brighton it is \$1.7 million; and in Canterbury it is \$1.4 million. In Toorak, in the municipality of Stonnington, approximately 25 per cent of people used public transport to get to work, compared to poor old Melton with 6 per cent or

Pakenham with 3.3 per cent. In Brighton, which is in the Bayside municipality, 12 per cent of residents used public transport to get to work. In Canterbury, in the municipality of Boroondara, it was 19 per cent. In Elwood, where the median house price is just a tad over \$1 million, 26 per cent of people used public transport to get to work.

Public transport used to be for poor and working class people. What has happened is that the rich people have booted them out of those suburbs, and they now have great public transport. Owning one, two, three or four cars is no longer a sign of wealth and status, as it was when I was a kid; it is just an absolute necessity and an increasing burden on those who have moved to the outer suburbs in search of an affordable house. That is the conundrum we face when we talk about housing affordability in Melbourne: we cannot talk about it without talking about transport affordability.

If members doubt those global averages in the document I referred to, the Department of Infrastructure's *Transport Demand Information Atlas for Victoria 2008*, they should just look at the Royal Automobile Club of Victoria's website and its list of the full running costs of a typical car for a week. The full cost of a Toyota Camry is \$193 per week, fuel actually being a small part of that. If you want to get into a smaller car, a Holden Astra costs \$158 per week.

There is a further point we need to understand about why there is an interaction between transport and housing affordability. Professor Peter Newman talks about households having a travel budget. It is not a financial budget but a time budget — time is pretty important to many of us these days. He refers to a phenomenon called the Marchetti constant, which is that the travel time budget more or less in every city in the world and going back through history has been about an hour a day — that is, half an hour each way. There would be people here who would travel more than half an hour a day, but there would also be people like me who travel less.

For example, when Melbourne was first settled and Fitzroy became the first suburb, Melbourne was still a walking city. The distance between Fitzroy and Melbourne was how far you could walk in half an hour. Once trams were brought into the picture, suburbs such as Preston started to develop, from the turn of the century until the 1920s. Those trams would take you about half an hour to get to the city. With the advent of more modern trains, suburbs extended out to Box Hill and so forth. At that point of course we had moved from being a walking city inside a tram city inside a

train city to becoming a car city. That is where many of our problems started.

Whichever type of city you live in, cities tend to get to a certain size, hit their Marchetti constant travel constraint and then start to become dysfunctional. I would say that is exactly where Melbourne is at this point. Also measured alongside this change is the proportion of a city's economic wealth that starts going into supporting the business of getting around. Getting around is not in itself a productive activity. There are few people who simply just drive around all day for fun. Extended travel times are really a loss to the economy. In some Australian cities we are investing close to 16 or 17 per cent of our wealth into the transport system. We are in effect working an extra day a week to pay for the fact that we are spending a lot of money getting to and from work. When congestion is added to that and we end up working more hours to stay ahead, you can see how quickly a city could decline. We are right at that tipping point now. The policy decisions that we make are therefore incredibly important.

We need to note, however, that Melbourne is still a centralised city. There is a liberal use of the phrase 'urban sprawl' to talk about where people live. Certainly residential land use in the suburbs is spreading — it has spread very widely in the case of Melbourne — but with respect to jobs and activities we are still highly centralised. We have one big centre, the Melbourne central business district (CBD), and a good proportion of the remaining jobs are in a number of other medium-sized centres which are now stuck in suburbia in the middle of parts of the eastern suburbs.

While the data I am going to quote refers only to jobs, the activities that we are participating in usually correlate closely with those jobs. If you are going to get a haircut, there will be a job for a hairdresser and then there will be the service which you are after. It is also true for education and any other shopping or educational activity you might like to participate in. Twenty per cent of all jobs in Melbourne are in the area covered by the Melbourne City Council — that is, the CBD plus Southbank and the areas north. One-third of all jobs are in the Melbourne municipality or its neighbours — that is, Port Phillip, Yarra, Stonnington and Maribyrnong. Close to half of all jobs in Melbourne are in the municipalities that more or less represent the zone 1 travel card. Half our jobs are in centrally based municipalities that represent about 20 per cent of the city's extent. We are highly centralised there. There is another large group of jobs around the Kingston, Knox and Greater Dandenong municipalities — you could call that a city within a

city — and there are some more based in smaller centres.

Again I turn to the Department of Infrastructure's *Transport Demand Information Atlas for Victoria 2008*. A finding in the atlas may slightly contradict what I have just been saying, but it is important: that is, around 25 per cent to one-third of all people live and work in the same local government area. In fact if you look at who works in the local government area in which they live or the one next door, you see the figure goes up to between 50 per cent and two-thirds, depending on the area. If the challenge is merely about getting people to jobs or activities, then clearly we are still a highly centralised city and the existing transport network, which is based on that city centre, should be highly effective. For many others it is as simple as getting to work from one side of their local government area to the other. You would think that Melbourne's existing public transport network and the addition of local transport — effectively buses getting you around within the local government area — would be something we could achieve, but it is clear that we do not have a high level of public transport usage across Melbourne.

For those who work in the CBD public transport usage is about 50 per cent, with quite a few people walking. If you move out to North Carlton or Southbank, that figure falls to about 25 per cent. In the inner ring area — the area covered by a zone 1 Metcard — it can be near single figures, or around 10 per cent. Something is not working. We have a fantastic network of public transport, but it seems that we have a very poor service. Despite most people working in the area where all the public transport is going, most people are not using public transport. We certainly need to revisit how the service is run and how it competes or fails to compete with the motor car.

Of course part of the answer is the travel times. I suppose it would be fairly predictable to say that people will use the fastest mode of transport. In Europe it is typical for public transport to operate at point-to-point speeds of around 39 kilometres an hour, while the traffic itself is travelling at around 34 kilometres an hour. This comes from Professor Peter Newman's research. He quotes data showing that in Sydney public transport travels at an average of 32 kilometres an hour while the traffic travels at about 37 kilometres an hour. Quite simply, people make rational decisions to use the fastest mode, and if we are serious about public transport, then we are also serious about competing with the car and reversing that differential. Notably, however, we have had some pretty significant recent success, with more than 50 million extra trips a year

flooding over to public transport due to the price of petrol, which I think is due to increase further.

The issue of urban density popped up for a while in the earlier debate. I waited and waited to learn something new, but it did not come. What I have learned in the last little while is that apparently the Labor Party thinks that Adelaide is a backwater, and this morning I learned that the Liberals think Sydney is a dump. If we are simply to throw insults at various other cities and somehow work out from that what the alternative is, I do not think we are going to get there.

You have got to love cities if you want to talk about improving them. You cannot see cities as the root of all evil, the inner city as Melbourne's Sydney and the outer suburbs as Melbourne's Adelaide or whatever, because we do have elements of those cities within our city. For sure, cities are about choice, but they are about sustainability as well, and we need to define what that means.

On the issue of density, most members would have seen an article on the front page of the *Age* yesterday. It says that London, which has twice the density of Melbourne and approximately the same area, has a much better performance on energy consumption for transport needs than we do here in Melbourne. Okay, but London has twice the density of Copenhagen, yet Copenhagen has the same petrol consumption per capita as London. And guess what? We have the same density as Copenhagen, yet that city has one-third the petrol consumption that we do. By the way, Copenhagen, Melbourne and New York all have approximately the same urban density, but New York's petrol consumption per capita is 50 per cent higher than that of most Australian cities. Density might be important, but it is not the key. Los Angeles has the same density as Melbourne.

**Mr Guy** — No, it is denser than Melbourne.

**Mr BARBER** — According to the data I have seen and Professor Newman's work Los Angeles has the same density as Melbourne, but twice the fuel consumption, so let us not get bogged down talking about density as if the only way out of this is to dramatically overhaul the density of Melbourne. Clearly other cities with the same density are a lot better at running their public transport than we are.

Another argument has been put forward. The Institute of Public Affairs threw out a little piece in the *Sunday Age*. The institute did not work too hard at it, because it is working in support of the tunnel. Members will know the tunnel I am talking about.

**Mrs Peulich** — Which tunnel?

**Mr BARBER** — The tunnel from the end of the Eastern Freeway into the city. Everybody is in on the gag. I know that a \$5 million Eddington report is being done, but it is going to recommend a tunnel. We know that. That is why every group you can name — from the Victorian Employers Chamber of Commerce and the Institute of Public Affairs to the Royal Automobile Club of Victoria — has been out there barracking for it for the last six months. It has been a steady drip-feed. It has been, 'We have a congestion problem'. As if we need to be told we have a congestion problem! We would not have known that! Every driver knows we have a congestion problem. In fact every non-driver who has used a car in the last 12 months to try and go somewhere where they might have gone a few years ago is even more surprised at the level of congestion and how quickly it has built up. There is this standard drumbeat they have got going, and then — ta-dah! — the solution is a tunnel.

One of the arguments that Mr Institute of Public Affairs — I have forgotten his name — put forward was that only a tiny fraction of the trips that we make in Melbourne could ever be moved over to public transport, because public transport does not go where we want to go. He did not say what the fraction was or attempt to elaborate his argument any further than that. I have already indicated that certainly not a tiny fraction but the major part of our jobs and activities is to be found in and around the original centre of Melbourne. What if you live in an outer suburban area, right out on the urban fringe, where job dispersion and house dispersion are all over the place? What we really need is a grid network of roads and cars to take us point to point in every direction that we want to go. That is how it works out there in Urban Sprawl Land, isn't it? No, it is not. We only have to go back to the Department of Infrastructure's transport atlas and have a look at some of the charts relating to the city of Wyndham to see that in Wyndham 37 per cent of all trips to work occurred within the city of Wyndham, so for more than one-third of the workers the first step is how to get across town and their local government area.

**Mrs Peulich** interjected.

**Mr BARBER** — It is from the census, so it is based on the house in which you normally reside and where you travel to work on census day. In Wyndham more than a third of people actually do their work trip within Wyndham. You would think that a good network of local buses going to the shops, the university, the schools and all those other places around there would be pretty effective in getting all those people to work

using public transport. But only 8.2 per cent of those trips were carried out on public transport. Okay, you say, but they are out in Wyndham; they probably work somewhere out along the Western Ring Road or down in Geelong or so forth.

Let us look at the top destinations for people travelling from Wyndham to another municipality to work. The highest proportion, 12 per cent, went to Hobsons Bay — in other words, they went up the railway line further in towards the city. The next biggest group, 10 per cent — and this is only those who drove — were headed for the local government area of Melbourne; 6 per cent were headed to Maribyrnong, up the way a bit; 8 per cent went to Brimbank, and admittedly it would be quite difficult for that group to travel by public transport; 4.6 per cent of them went to Port Phillip; and 2.2 per cent went to Yarra. They are all destinations that are reasonably well served by the public transport network: into the city and a short trip out again on a tram. Only 3 per cent were going up to Hume. So I do not think there will be a lot of customers among the residents of Wyndham for Mr Brumby's — or Sir Rod Eddington's — north-south tunnel that is meant to get people across the top of Melbourne so they can bypass the city and get across to somewhere in the eastern suburbs. Most of the residents of Wyndham work in their own local government area or go to CBD, city-based destinations or destinations in municipalities that are immediate neighbours of Melbourne.

How about Casey? That is even further out. Wyndham is, in distance anyway, relatively close to Melbourne. In fact in Casey it is a very similar picture. A similar proportion of people work within the local government area. Another third work in Dandenong — not surprisingly, because it is a big urban centre and there are a lot of jobs there. It is a mini city of its own, with warehousing and so forth around it. Given that it is just down the road, you would think there would be a public transport system that would serve it. In fact only 8 per cent of trips were on public transport. The raw number of people who commuted from Casey to Greater Dandenong was 404, but when it comes to the motor car we find that approximately one-third of the trips were to Greater Dandenong. You would not think it would be an incredible logistical exercise to get people from the municipality of Casey over to Dandenong, where it is pretty obvious all the jobs are. Doing that would scoop up more than 50 per cent of all workers.

We still live in a highly centralised city with respect to jobs. Admittedly people are choosing to live further out, but it is not an impossible situation. There is nothing about our urban density that is too different from better performing cities, yet people continue to use their cars,

and this increasing car use and the congestion that results is being used as part of a drumbeat to build another dirty, big, private tunnel.

Tim Pallas, the Minister for Roads and Ports in another place, was out there spruiking it the other day. To show us what a regular guy he is, he said, 'Look, I commute across the West Gate every day, so I understand your pain. I feel your pain'. But hang on. He lives in Williamstown, and the Williamstown line train gets him into the city to his office in Exhibition Street at Department of Infrastructure headquarters in under 30 minutes. It could go a lot faster than that. In fact, according to a trainspotter website that I looked up, the safe speed on the Williamstown line is about 85 kilometres an hour, but if you measure the length of track and then divide that by the travel time, you find that the train travels at an average of about 35 kilometres an hour. It is not going anywhere near its technical or safe speed. It is not exceeding any speed limits there. It crosses three level crossings just before it comes into Footscray, which is certainly going to slow things down.

The Williamstown train runs every 20 minutes in morning peak, as does the Upfield line service. The trains on the Glen Waverley line run every 9 minutes. The services on most of our suburban train lines run about every 10 minutes in morning peak, but not on the Upfield line and not on the Williamstown line. Clearly the car is still faster for Mr Pallas than the train. He is just another one of those rational commuters who chooses the fastest mechanism. I have not been out there and timed it. I am going to do it one of these mornings. I am going to take a taxi out there and race the 8.30 Williamstown train to Mr Pallas's office and see how quickly he gets there. I think what he means by congestion is that it is still faster than the train but not as fast as it used to be. Why not fix up that train service first? That would be pretty cheap, I would have thought: run a few more trains.

**Ms Mikakos** interjected.

**Mr BARBER** — I am sorry, Jenny, what did you say?

**The PRESIDENT** — Order! Mr Barber knows full well my rulings on this, and they include members on their feet as well. Given the fact that he is still making his contribution, he ought to accept this as being a gentle warning.

**Mr BARBER** — Thank you, President, and a warning to all of us.

**The PRESIDENT** — Order! If Mr Barber wants to have a little tête-à-tête with me, that is fine. He can do it here or he can do it outside in my office, but he should be warned.

**Mr BARBER** — What we have in Melbourne is an inner city that used to be the hole in the doughnut and everybody was worried about how it would empty out, but it is booming. We have got people moving out into the middle suburbs, which do not feel so middle any more. Places like Glen Waverley, where I grew up, were effectively the end of the suburbs at that time but are now looking like attractive middle suburbs for those who choose the balance between excellent public transport, in the case of the Glen Waverley line, and a kind of leafy and suburban ambience.

Then there is the outer fringe, which came up yesterday in one of the planning minister's contributions, when he was singing the praises of VicUrban. I will quote what he said about Aurora North, which is the northernmost bit of suburbia in my electorate:

It will be the most sustainable development of its size in the country when complete.

The most sustainable — he was putting it out there. He was making a fairly big claim about Aurora in defence of his government's record and especially of VicUrban, which is his particular responsibility. So I thought: if that is the most sustainable suburb of its size in the country — because, as he told us, it has various water-saving features, which I have already achieved in my own backyard — what about the transport performance? What am I facing if I go and live out there? I did some quick comparisons using the Australian Bureau of Statistics census for car ownership. Comparing Aurora, which is in the Epping North postcode, with Reservoir, a suburb and a half down the road, I found that in Epping North currently 14 per cent of households run three or more cars.

*Honourable members interjecting.*

**Mr BARBER** — Listen, you want to get the numbers. In Epping North, 14 per cent of households have three or more cars, and 7 per cent of households have four or more cars. Compare that to Reservoir, just down the road where the tramline reaches and where the train runs, and you find car ownership is half that.

The people living in Aurora North are thinking, 'How blessed are we? We are the biggest greenies in the world and we live in the most sustainable development of its size in the country, according to the Minister for Planning', but when it comes to those high levels of car dependency, they are basically twice as badly off as the

people in Reservoir. It makes Reservoir look pretty good. I know a lot of people who are moving to Reservoir.

There was going to be a train line to Aurora North. I got this information off the VicUrban website advertising the Aurora North development. It said it would have:

... all homes approximately 400 metres from a bus stop and the majority of residents within 800 metres of retail centres and train station ...

That was how Aurora North government-owned developer, VicUrban, was advertising it: 'Come and live in our suburb. The majority of residents will be within 800 metres of a train station'. That was the middle of 2006.

Shortly after that, *Meeting Our Transport Challenges* came out, but there was no sign that a railway line was to be built there at any time this side of 2021. This information disappeared from Aurora's website. It turns out that there will be a public transport corridor, not a train. It was going to be a train and now it is a public transport corridor.

If we just think about it and go back to Professor Peter Newman's half-hour travel budget, we know that at the moment you can get from Epping station to the city in just a little bit over half an hour, which is pretty good. I have a cousin who does it every day. I have another friend who comes down every day, but he does not call it the Epping line, he calls it something that rhymes with Epping — but he is still living within the transport constraint. An extension to that train line going off to South Morang and into the Aurora development — we are talking about only two or three stops here — could get you there in another 5 or 10 minutes, but instead what we have is a series of buses which add 20 minutes to that journey.

Clearly, those sorts of policies are important. Those everyday executive decisions of the Bracks government, like taking away the train line it promised for Aurora North — and those extensions look pretty small on a map of Melbourne's suburban train lines; they are so small they almost disappear off the map — are important because 60 000 people will be living out there in the next few years.

Ms Hartland, from her conversations with residents out her way, gave me a number of notes that really bring to life what it is like to live in Caroline Springs. Caroline Springs is a pretty well-known suburb, and I suppose it is iconic of the outer suburbs. A gentleman whose parents built out there in 1998 — in fact they built one of the first 100 homes in the area — tells us that it has

taken eight years to get bus shelters to use when it is raining. They have got the bus, but they were not told there would not be a bus shelter to go with it. This gentleman drives to Albion station, which is on the Sydenham line and is the point where the overlap between zone 1 and zone 2 occurs, so the fare is a bit cheaper. He says that by the time the train gets to Albion it is full and there is standing room only. You need to run up and down the platform trying different doors to find somewhere to get onto the train. That is not as it hits the inner city, that is at the zone 1 and 2 changeover station out there in the burbs.

It took seven years for the community to get a library. That was achieved, as is usual, with the hard work of local councillors. There is also a lack of transport on Sundays, and there is a retirement village out there. There is a no. 215 bus to Highpoint which runs on Sundays; the service stops at 4.00 p.m. or 5.00 p.m. on a Sunday, but it goes to 9.00 p.m. on a weekday, which is good. The no. 216 bus to the city takes about 1½ hours because it goes through all the other suburbs along the way. You would be better off getting the V/Line train. What would be even better would be to extend the electrified train line a couple of stops up to Caroline Springs. We are not asking for spa pools here; we are asking for basic infrastructure.

The government's business model is to collect all the stamp duty now and put it in its skyrocket, and in 7, 8, 9 or 10 years from now start providing basic services to those people. I suppose we will end up with a fairly healthy budget surplus if it is done that way. We will always be 10 years ahead of the action, but it will be bad luck for the people and for whichever government is in place 10 years from now if the good times end and the surging stamp duties and the surging property industry are not still providing that money.

There are two lanes on every main road out there. The government gets the road part of it right, but when the road goes past the local school, it is chaotic at pick-up time because it did not allow for parking and there are cars double-parked. This is a phenomenon in the city of Yarra where we had real problems at a particular school with which Ms Mikakos might be familiar, but it is surprising to hear that out there in the outer suburbs, where apparently they have large areas of land available, they are still having the exact same problems due to poor planning.

Sometimes residents are fighting for five years to get bus shelters, as in one of the villages in Caroline Springs where they have just got two of them. Before that people were standing not on the footpath but in gravel and mud on the side of the road. There are no

bus shelters in Burnside. The only ones there were put in at the expense of the local council. I understand Darebin City Council is considering getting into the bus shelter business because the government cannot provide the most basic of civilised infrastructure.

There are a few restaurants out there, but nowhere particularly family friendly. By the way, you cannot get a drink out there without going to a pokies venue. Overall the figures show that the smaller proportion of Melbourne hotels actually have pokies. You can go to a lot of pubs in the inner city that do not have pokies, but not out in Caroline Springs, apparently.

Professor Garnaut released a report yesterday about this very topic. He is supposed to be telling the ALP what its policy on greenhouse emissions will be. Originally we were waiting for Professor Garnaut's report so that the Labor Party could determine what its policy and its targets would be, but now we are told that Professor Garnaut's work is a useful reference document. We actually have plenty of those already. He notes that for the whole of Australia — and the picture in Victoria is no different:

Fuel use in transport is a substantial source of greenhouse gas emissions, accounting for 14 per cent of Australia's emissions in 2005, and is growing rapidly with a projected increase of 67 per cent over 1990 levels by 2020.

...

Emissions from cars account for 54 per cent of Australia's total domestic transport emissions, and are projected to increase by 40 per cent between 1990 and 2020.

That brings us back to Mr Guy's motion, which talks about simply that part of Melbourne 2030 that relates to housing affordability. The extent to which I understood if he was making any policy pronouncements in that earlier discussion was that he wants to release more land. As I have pointed out, without addressing also the transport side of the household budget, releasing more land in and of itself does not do anything. The Greens propose an alternative, and unfortunately I have to inform Mr Guy that our amendment deletes his entire motion. I move:

Omit all the words after 'That this house notes the' and insert 'Melbourne 2030 plan has led to a form of unsustainable growth and that to achieve economic, social and environmental sustainability, a metropolitan strategy must be based on —

- (1) zero net emissions of greenhouse gases;
- (2) self-sufficiency in water;
- (3) public transport, with no more freeways; and

- (4) protection and recovery of all of Melbourne's land, freshwater and marine ecosystems.'

I sit here and listen to Labor and Liberal members in furious agreement on their planning policies, with only the smallest tinkering around the edges. I want to suggest a different approach. If we understand what the destination is — and the recommendations that we have put in our amendment talk about where we are going to end up — then it is a lot easier to understand what the journey is.

**Hon. T. C. Theophanous** — Is there such a thing as a redneck Green?

**Mr BARBER** — Zero net emissions will blow Mr Theophanous's mind! They are messing around with different targets at the moment. Some people have talked about a cut of between 25 and 40 per cent to emissions by 2020. Labor's official policy is a 60 per cent cut by 2050, but you have to remember that that is over year 2000 levels, not 1990 levels. It is a little bit of a swiftie, a little bit of a switcheroo, because a 60 per cent cut over 2000 levels is really about the same as a 53 per cent cut over 1990 levels. Mr Theophanous and his gang rely on the fact that the jourmos do not want to write that last little bit. When everybody else is reported as talking about targets of 20 per cent and 45 per cent, Labor is reported as talking about 60 per cent when in reality it is 53 per cent, and that is because journalists cannot be bothered writing in brackets 'over 2000 levels'.

The point is that if you believe the impacts of climate change that we are already experiencing are unacceptable and that they are going to get a lot worse, then you have to realise that the day we get to zero net emissions the climate will not start to repair itself; it will not go back to what we were used to. That is our new climate. With that level of parts per million of CO<sub>2</sub> in the atmosphere we are going to be living under whatever conditions we end up under. We do not know. We can roughly predict the parts per million concentration of CO<sub>2</sub>. We believe we know what impact that will have on global warming. The climatic effects are potentially dramatic.

The government kind of gets this, so its response is to come in here and sprinkle around the word 'sustainability' a few times. It is not ecologically sustainable to keep increasing emissions the way they have been increasing under the life of this government. It is not economically sustainable to keep sending people further and further and further out and making them pay more and more and more to provide their own private transport. It is not particularly socially sustainable to make people get up to get to work before

7.00 a.m. just because you cannot plan to buy a few more trains. The quote from Mr Brumby was that this new early-bird, free public transport ticket would be a great thing for families because it would save families money. Goodbye to seeing your kids in the morning — and under this kind of treadmill economy you will probably be home fairly late in the evening!

Self-sufficiency in water is not hard to imagine, but the mayor of boomtown just wants to keep it growing and growing and getting those receipts through his stamp duty collections, so the simplest thing, it appears to him, is to just bolt a desalination plant onto the side of this tax machine. It is entirely possible to see how Melbourne could be self-sufficient in water: from its roofs, from the collection of stormwater, from recycling. Those numbers add up and they added up fairly well in the government's pre-election water policy document. Those opposing the desalination plant took those same numbers, put them on a chart and demonstrated pretty clearly that this desalination plant is overengineered, to say the least. But what did the Minister for Water in the other place say in response to their statement? He said that doing nothing is not an option. Who said it was? In fact there are many alternatives. So let us have an environment effects statement (EES) which actually examines alternatives to the project. The government's guidelines say that is what an EES should do, but when it is the government's own project, it does not want to look at alternatives.

I think I covered public transport with no more freeways fairly well. I think that at the moment both Labor and the Liberals accept something like business as usual. There can be no more business as usual. The sorts of constraints that I talked about, both global and local, mean you can forget all about business as usual. You cannot come in here, throw the word 'sustainability' around a few more times and then go out and use the predict-and-provide model: we predict that if we keep going like this, traffic will build up; therefore we provide a freeway for that traffic. You have to actually want to be in government and take on the responsibility of government. Members of this place seem to be having an existential crisis. They all want to be in power, but nobody wants to be in government. They do not want to do the things that governments used to do, like build bus shelters.

The protection and recovery of all Melbourne's land, freshwater and marine ecosystems is important. It is an essential marker that any metropolitan strategy — perhaps one that the Greens would put forward — would kick off from. I have not heard anybody around here say lately that it would be a good idea if we sent a

few more species into extinction, but that is exactly what we are doing. Melbourne in particular has some of the most endangered ecosystems on the planet.

That is the Greens' amendment to Mr Guy's motion. I do not know that Labor and the Liberals are quite ready for that kind of thinking at the moment, but they were not exactly ready for the problem they are now debating. For that reason, I hope I get some more support for the amendment.

**Mrs PEULICH** (South Eastern Metropolitan) — What a lucky girl I am to follow Mr Barber, whom I generally find very informative! Dare I say that I listened with great interest to the first two-thirds of his contribution, which focused heavily on the challenges of transportation in this very heavily congested city of ours. He made a great contribution in that regard, and I thought the most important point he made was the need to balance growth and provide transport, in particular fixed transport such as electrified rail or trains, in order to make housing affordable. He rightly pointed out that the suburbs that are the most affordable or the cheapest are those that have the worst transport. But boy, did he blow me out of the water with his amendment — totally!

As I said, I have a high regard for Mr Barber, but he actually did not mention the central concept of this motion, which is the issue of housing affordability; that was just a side issue. He really derailed that very important debating issue that has been the focus of much media coverage, certainly in the letters to the editor and in the articles we read in the *Age* and in the *Herald Sun*, and which was the cornerstone of the last federal election. It is my view that the increasing costs of living and housing were one of the central reasons why there was a change of government. The cost of petrol has certainly been a very significant contributor to that, as has the deteriorating state of family finances. Many families have clocked up full credit cards in paying ordinary household bills. This is exacerbated by interest rate increases, so there is the cost of mortgage repayments — —

**The PRESIDENT** — Order! Unfortunately I have to interrupt. I should have informed Mrs Peulich before she commenced her contribution — and following speakers — that debate now is on the motion as moved by Mr Guy and the amendment moved by Mr Barber. The member to continue.

**Mrs PEULICH** — Thank you, President. I was certainly approaching the debate with that in mind.

The cost of food — especially vegetables — has been exacerbated by the drought and a number of other compounding factors. This has been counterbalanced at the same time by a very strong campaign run by the unions against WorkChoices. Families are under pressure from the increasing cost of living. They are thinking, 'The only thing between me and my family going down the gurgler is my job'. The unions very successfully made people feel a little less certain, a little less confident about their jobs, so they felt that all other things being equal — and Mr Rudd, whom I consider to be a fake, made people comfortable enough to feel that there was nothing economically at stake with a change of government — perhaps this was the way to go. I think that will be a change people will regret very dramatically.

Mr Barber then moves this all-encompassing motion, the debate around which we have not had, about how to create a Garden of Eden. I would like to live in a Garden of Eden, but we do not. I would like to commend Mr Matthew Guy for bringing forward the motion on housing affordability, a topic on which I have spoken on several occasions.

**Hon. T. C. Theophanous** — Totally unpredictable.

**Mrs PEULICH** — He has been persistent, he has been determined, he knows what is a hot issue out there in the hearts and minds of Victorians, and I agree with him. I commend all members who have got behind the motion as a way of trying to force the hands of government members in addressing the issues over which they have been putting their heads in the sand for eight years, and in my view presided over the most monumental and biggest failure in housing policy I have ever seen.

We only have to look at the cost of rent. Rents are sky-high, to the extent where people are having to bid for rental properties. The provision of public housing for the most vulnerable in our community has actually declined under this Labor government. In addition to that we have the escalating costs of housing. Where are people meant to go? This brings to mind Maslow's old hierarchy of need — no doubt all of us have looked at this over time — which says at the bottom that the highest order need, as opposed to self-actualisation at the top end, is the need for food and shelter. I was disappointed, therefore, that Mr Barber decided to focus on the Garden of Eden rather than on one of the most important needs facing human beings, and that is the need for shelter and housing. That is not to say I disagree with everything he says; I think many of those topics deserve debate in their own right. They are not irrelevant, but they are not central to the topic before us

at the moment because he has successfully derailed the very important topic of housing affordability. For that I do not believe Victorians will thank Mr Barber.

Mr Barber also said that you have got to love cities if you want to improve them.

**Mr Guy** interjected.

**Mrs PEULICH** — It is not cities that I love, it is people. I want to improve their lives and make it easier for them to undertake their varied roles.

**Hon. T. C. Theophanous** interjected.

**Mrs PEULICH** — Cities are fine. One cosmopolitan city can be much like any other, and Melbourne is prettier than most. But it is the people within the city that make the city. Dare I say that I want to be a part of a party that makes a significant contribution, be it in opposition or in government. I want to be part of a party that resolves some of these common problems for which we are taxed very heavily and for which we have seen very little return as a result of eight years of lethargy and inaction by the Bracks and Brumby Labor governments.

Before moving on to make my central point I would like to rebut a couple of further points raised by Mr Barber. He implied that we could all get rid of the evil car and use public transport. I would love a tram track at the end of my street in Dingley, but guess what, when my car broke down yesterday after I had finished here quite late having been in my office doing some work, there was only one way I could get home, and that was to take a taxi. I took a taxi and it cost me \$60 to get home. Somebody could say to me that I could have caught the train. The closest station to my house is 6 kilometres away. Perhaps I am not a dainty, feminine female but nonetheless as a female I am concerned about travelling on public transport at night.

The Greens and anyone else who espouses the view that you can get rid of cars — you do not need roads or to connect arterial flows or tunnels, and you do not need to fix up the West Gate Bridge — ignore the fact that public transport is fine if you work from 9 to 5 and if you just go from one destination to another. During the course of the day I may go to numerous destinations, many of which are not served by public transport. My son is now an adult, but I went back to work when he was six weeks old. There is no way I could have been a user of the train system. I needed to pick up my son from child care — in this instance in the early years that was provided by my parents. I needed to do the shopping and to lug around a whole range of things for the various roles that I fulfilled. Let

me say to anyone who actually thinks you can do away with roads that you cannot, and one of the reasons is what women have to do. I am not saying exclusively women, because there are men who do that too. There needs to be a balanced and integrated government policy that facilitates the opportunities for people to achieve their needs. The obligation of government is to provide the physical capital works for them to be able to function and fulfil all their roles.

Moving on to the most important point, living, working and raising a family in Victoria is all the more difficult as a result of the complex and compounded policy failures under this particular government. It is a result of a range of policy failures under the Bracks and Brumby Labor governments. Every time government members use that phrase it makes my hair stand on end, because it is such a fraud. First and foremost, I have mentioned the concerns in relation to the lowest rental vacancy rate in years — I understand it is about 1.3 per cent. The Labor Party claims that the former federal Treasurer, Peter Costello, and the former Prime Minister, John Howard, failed to protect Australians from increasing interest rates. Now that the ALP has its hands on the levers of power, we look forward to it being able to stop the climb of interest rates.

Regarding planning and Melbourne 2030, in the lead-up to the 2002 state election I was a member in the other place. I ran very hard on this issue. Basically what my community then was telling me was that it did not want the amenity of its neighbourhood crammed and jammed with cars and overflowing with people lining all sides of the street. Congestion and degradation of the environment is the by-product of a misguided planning policy. Now, eight years down the track, the failure is even greater. If the government were genuine in trying to make Melbourne 2030 work and increasing the density of housing, it would have provided adequate funding, for example, to get rid of level crossings and improve the infrastructure of business activity centres.

By increasing the density of housing, you are going to get more pedestrian and vehicular movement across railway lines. The government has not got rid of level crossings; as Mr Guy rightly pointed out, it has improved something like two railway crossings in eight years of government. Victorians do not expect all level crossings to be eliminated in a short span of time but they expect to see a policy and a schedule which might commit the government to fixing up — I do not know — half a dozen or perhaps 10 or 24 over its term of government. At least there should be a schedule of works which addresses the biggest problems and moves down to those that are of least concern. This

government has made no attempt whatsoever, and it is a huge failing.

One of its greatest failures was its deliberate attempt to control land supply. Mr Guy spent some time talking about who is hurt most by this. I think he addressed that very well. Those who are hurt most by it are the people who cannot afford to buy a house. We will talk about stamp duty and how much that impacts on people at a time in their lives when they can least afford it. When first home buyers are buying a house, they have to fork out many more thousands of dollars in stamp duty rather than being able to spend it on perhaps doing up their kitchen. They may be purchasing a run-down house or buying a new car that they need because they are living in a growth corridor or a suburb such as Carrum Downs or Cranbourne.

**Mr Barber** interjected.

**Mrs PEULICH** — Because there is no public transport, correct! But no, the government mercilessly and without any concern whatsoever for Victorians has been gorging itself on the tax revenue derived from property taxes. Property taxes now constitute nearly 40 per cent of all government revenue. It is rubbing its hands with glee. When you restrict the supply of land, the cost of land increases dramatically. I have spoken at length on the factors contributing to the increasing cost of house and land packages and to housing in general.

There was another question that Mr Guy did not answer, although I kept interjecting hoping he would pick it up. He asked who is the most hurt. I would like to reverse that question and ask who benefits most. That is the question I would like this government to answer: who benefits most from the artificial restriction of land availability? I am concerned about the cosy relationships between government ministers and a shrinking number of property developers who can get changes to urban boundaries through the backdoor, the use of lobbyists who are close to government in particular to affect local government decisions, and the role played by Progressive Business in capitalising financially for the benefit of the Labor Party and funding its own election campaign. Not only is there a need to answer the question of who is the most hurt, there needs to be an exposé of who benefits the most. Let me say I have very serious concerns that in actual fact this will continue.

I will try to expedite my contribution to the debate because I know there are other people who want to speak.

**Hon. T. C. Theophanous** — You have created greenhouse gases by keeping the lights on.

**Mrs PEULICH** — Thank you for the interjection, Minister, but dare I say you are probably creating greenhouse gases by merely sitting there on that chair pretending to be useful.

**The PRESIDENT** — Order!

**Mrs PEULICH** — I was provoked, President. If you had protected me, perhaps I would not have had to retaliate.

**The PRESIDENT** — Order! Is Mrs Peulich casting aspersions on the Chair?

**Mrs PEULICH** — No, and I do not want to have it out with you in your office, either.

The median house prices tell the story. The figures released by the Real Estate Institute of Victoria for the last quarter show that the single largest increase in the median price of a Melbourne house occurs in many of the suburbs that I represent. It has doubled in seven years. In the March quarter of 2000 the median price was \$242 128. In December 2007, whilst Melbourne had a 37 per cent increase in the median cost of houses, the city of Casey — which includes Narre Warren South, Berwick, Cranbourne and Hampton Park — has had very significant increases, with Narre Warren South at 41 per cent and Berwick at 34 per cent.

In the middle suburbs that Mr Barber referred to, the median house price in the city of Kingston, represented by the Assembly members for Mordialloc and Carrum, has increased significantly. The median price in Parkdale increased by 69 per cent; in Mordialloc it increased by 51 per cent; in Dingley Village, which is where I live, it increased by 33 per cent; and in Aspendale it increased by 30 per cent. These are astronomical housing price increases. Even in the city of Frankston — Seaford, Frankston North and Carrum Downs — we have had increases in excess of 30 per cent. In the city of Monash, former home to Mr Barber, the median house price in Mount Waverley has increased by 76 per cent, in Glen Waverley it increased by 61 per cent and in Mulgrave it increased by 60 per cent.

These are phenomenal increases that the government has basically ignored. It has ignored the plight of ordinary families who have suffered as a result of not being able to buy their own homes. It has even avoided aiding the payment of stamp duty to assist with downsizing. On the one hand you have the government policy that older

people ought to downsize while they still can in pursuit of the ageing in place strategy, but — —

**Hon. T. C. Theophanous** — Mr Barber does not want people to buy their own homes.

**Mrs PEULICH** — I did make the point that I felt that Mr Barber's point ignored the central issue of this motion, which is housing affordability, but what I am trying to point out here is that Mr Theophanous's government's policies work against its stated objectives — they are counterproductive. There is no synergy and no consistency in the government's policies. The government has lost its way. Unfortunately the ministers appear to be very tired, to be coming to the end of their term and losing their zest, creativity and most importantly their empathy with Victorians.

The saddest thing is the enormous amount of money that has been gathered through land tax and stamp duty and the failure to invest in infrastructure. I commend Mr Guy for the inclusion of that part of the motion, in particular as a member representing the South Eastern Metropolitan region, which has some of the highest growth in Melbourne. Mr Guy has spoken about some of those failures. Given the increasing size of our metropolis and population, Mr Guy was absolutely spot on in showing that Melbourne 2030 was at least 40 per cent incorrect. It was based on an assumption that is incorrect, and therefore anything else based on that assumption urgently needs to be reviewed.

The increase in population has placed an enormous stress on existing services, be they schools or hospitals. I was reading through the *Age* and I saw a very large article with this headline: 'Hospital strain: 18 000 more patients than forecast'. There are a number of articles about the failure to provide adequate water infrastructure. The government has failed on harvesting or recycling water and therefore maximising the availability of potable water for drinking. It has failed to do anything about Gunnamatta, about the Carrum treatment plant or the desalination plant. There will not be an additional drop of water before 2011.

**An honourable member** — A litany of failure.

**Mrs PEULICH** — It is a litany of failure — of multiple policy failures. The government has failed to provide the necessary services and it has failed to address the increased need for water and infrastructure.

My other point is one that Mr Barber may be sympathetic to — the loss of green space in existing suburbs.

**Mr Guy** — Open space.

**Mrs PEULICH** — Open space. The predecessor council to the City of Kingston, the City of Moorabbin, had a chain-of-parks concept as a way of connecting open space from Dandenong right down to Moorabbin. Not an additional dollar has been set aside by the government to realise that plan. A huge opportunity has been lost. A special report in the *Age* recently, entitled 'Lungs of city smothered under concrete', written by Reid Sexton and Tom Reilly, addresses this theme very well.

There are a whole range of issues as a consequence of the failed Melbourne 2030 policy. Another headline reads 'Pump up public transport to lift profits: business'. I represent an area with a lot of businesses — I think the Moorabbin, Braeside and Dandenong areas have about 20 per cent of Australia's manufacturing. People are losing a lot of time travelling on heavily congested roads. As an indication of the problem, I live 26 kilometres from this place and it is not unusual for me to take 1½ to 2 hours to get here. It is a travesty. It is okay for me, since in many cases time may not be critical for me, but it makes things very hard for mums trying to get their kids to school, people trying to get to work or businesses trying to make a dollar. This government has failed to put in place the infrastructure for the future.

Now we have this release of 90 000 blocks of land. As Mr Guy has made it abundantly clear, these are not new blocks of land — it is existing land — and the government will not be in the position to control when it is released. Of course the developers are not going to release all of that land at the same time because they would get a deflated price. They will dribble it out to make sure they get a maximum return on their investment. This is just another public relations stunt, which of course the Brumby government is very good at. There are solutions — —

**Ms Mikakos** — There are solutions!

**Mrs PEULICH** — There are solutions, but before I get on to them, state taxes have increased massively under Labor. Land tax has gone from \$378 million in 1998–99 to almost \$1 billion in 2006–07, an increase of almost 150 per cent. As a result self-funded retirees, who are not necessarily living extravagant lives, are having to sell property to pay huge land tax bills, which means additional rental property comes off the market. Over the same period total Victorian government expenditure has leapt from \$19.6 billion to a massive \$35 billion. Today we heard the Treasurer talking about an increase in investment in infrastructure.

Mr Rich-Phillips rightly quizzed him on his definition, given that it includes things like filing cabinets, which is of great concern to me. The Treasurer boasted about how commitments to capital works and infrastructure have increased under the Labor government, but so has the budget — from \$19 billion to \$34 billion. Let me say I thought that was a point the Treasurer overlooked conveniently.

I will not recite chapter and verse the travesty of justice in terms of the stamp duty that Victorians are paying vis-a-vis other states, but just to use one example: Doveton in my area is not a particularly rich area. A property in Hibiscus Court had a sale price of \$199 000 a few weekends ago, which attracted a Victorian stamp duty bill of \$6760. If the property had been purchased in Queensland the stamp duty would have been \$1990. That is \$5000 more — —

**Ms Mikakos** — That is because we subsidise Queensland.

**Mrs PEULICH** — Come on! You have got to get your lines of argument consistent! More than 50 families move into the city of Casey every week, and each week the state government receives \$600 000 in stamp duty from those new home owners. In addition it is imposing a development levy of \$8000 for each property. Here we are talking about a housing affordability crisis, and this government is still raking in the dough. I urge it to take off that levy, because an extra \$8000 in a development levy is absolutely ruthless and cruel, and to be quite honest it is absolute crookery. The families do not get the infrastructure, but the government is ripping off their funds.

A perfect example of that is the additional levy that people have had to pay for the Lynbrook railway station — \$500 per household. The money went into a kitty under the control of the local council but under the jurisdiction of the state government. When the Lynbrook estate was developed it was divided by the railway track. The developer failed to make sure the estate was connected. The government pillaged the fund that was set aside for the development of the station in order to fix up the deficiencies. The state government has got to lift its game. It has got to build the stations it promised, which promises it was elected on. In fact the great deceit is practised on electors in Labor's heartland, and I think it is the absolute pits. Cranbourne, Berwick and Narre Warren were recently identified as being among the top 10 suburbs where first home buyers purchase their homes. Clearly they are the most hard hit by the government's policies. I will not recount the stamp duty increases; I have done that in the past. I will not talk about the land tax, which

is absolute highway robbery. I will not talk about the land release. But let me say that in terms of public transport many people in the growth corridors in the South Eastern Metropolitan Region have two options: either CityLink and the Monash Freeway or the unreliable Pakenham line trains — and let me say that neither is a good option. There are so many roads that need to be fixed. Country roads are carrying city volumes of traffic. They need to be fixed; they need to be made safer. The government needs to invest the money.

There was an all-party inquiry into positive planning for ageing which said that new communities, new estates, should not be developed without the appropriate infrastructure. The government was a signatory to that; it was supported by both parties. The government has ignored it, and as a result it has failed the community.

I am sure most members received a book called *Beyond Reach — A Workforce Housing Crisis in the Making*. It was put out by the Property Council, which no doubt is regarded as a major capitalist lobby group. It put forward three possible solutions including an improvement in development assessments. There is no doubt that the planning system needs reform. It does not necessarily need centralisation, and I think the government is going down that track, but it needs to be reformed. The council also suggests that the government needs to ensure adequate land supply to meet demand, and most importantly, there needs to be fairer funding for infrastructure. The government has the solutions in its hands. It is well funded; it has the money. It boasted of a surplus. It has failed to deliver policies that deliver affordable housing. It has let down Victorian families, and Victoria is certainly not a better place in which to live, to work and to raise a family.

**Mr DRUM** (Northern Victoria) — I would like to congratulate Mr Guy on bringing this motion before the house. It addresses some very important issues that affect all Victorians, not just those who live either in inner Melbourne or on the outskirts of Melbourne, where a lot of the debate has moved in the last week or so.

I also want to commend Mr Barber for moving his amendment. I can speak positively to the first paragraph, which sets out the target of zero net emissions of greenhouse gases. That is a laudable cause. I can also speak positively about paragraph (2), which relates to self-sufficiency in water. That should be at the forefront of every planning authority's thinking. Paragraphs (3) and (4) of Mr Barber's amendment contain some issues that we will not be able to support. I listened carefully to Mr Barber. He

brings to this house a view that has merit in large part. Unfortunately in my view building a future suburb with no freeways is simply unworkable. The recovery and protection of freshwater and marine ecosystems is laudable and possibly quite do-able, but the extremism of paragraph (3) means The Nationals are unable to support his amendment.

Since Premier Brumby assumed the reins, it seems that Labor now has an unholy obsession to make Melbourne bigger and bigger. I think this obsession will come back to haunt the government; it will come back to bite the Victorian Labor government. The centralist policies are aimed at bringing people to Melbourne willy-nilly, without providing adequate infrastructure. If left to follow existing trends, we are likely to re-create all the mistakes that were made by the earlier inhabitants of both Melbourne and Sydney, where the streets seem to run into each other. Those of us who have lived in Sydney and have tried to navigate around that city know that it is an absolute nightmare because of the way it was put together without adequate planning. If we keep building and building and tacking on additional suburbs, we are going to create similar bottlenecks. The areas in question are out to the west of Melbourne. If it is not already an unsustainable bottleneck as people try to get into work every morning, then I do not know what is. To purposely make that problem worse is extremely irresponsible. It is a plan for the future that is seriously lacking in vision.

I think the announcements that were made last week in relation to the 90 000 new blocks of land that are going to be made available for Victorians were misleading. In effect the government was saying, 'Let's flood the market with a brand-new area of land that was previously not to be made available for housing'. That was certainly the way it was portrayed in the media — that we were making a range of farmers extremely rich overnight by suddenly taking this rural land and turning it into residential housing blocks. As we have since found out, that simply was not the case. What the government did was take land that was already within the urban boundaries and simply put its arm around those parcels of land, effectively making the statement that it is going to expedite the transition of the land into housing blocks. It is somewhat mischievous of the government to say that it has now created an additional 90 000 blocks.

By putting its moniker on these blocks that have already been identified for future residential housing the government may very well flood the market, if it gets its way. It may very well create residential blocks at a lower price than they currently are, but as some of the previous speakers have pointed out, these blocks of

land still belong to private developers; these blocks of land will be placed on the market at a time that is going to provide the optimum return to those developers. It is not going to be done at the whim of the government — of this government or any government — although this government would like to think that is going to happen. That is not going to be the case. It would only be if the government actually had financial control of that land that it could get that outcome.

We have already heard about the inaccuracies surrounding Melbourne 2030, and the way this government continues to use that inaccurate document as a blueprint for the way forward certainly is a real worry as we look to see how it is planning for the future. What is clearly missing from this government's policies is amenities being developed in regional infrastructure. We need to take a bit of a different view from this, and certainly

The Nationals take a different view. The Nationals are looking at why we would be set on this path of making Melbourne bigger than Sydney. Where is the attraction in that? All the overseas data that we have looked at tells you that once a city gets into that 4 million to 5 million population bracket it is beset with a whole range of problems. These cities have trouble delivering adequate health care because of the difficulty of getting around them. Certainly transport is the biggest problem — public transport and also private transport systems. Once cities reach that critical mass of 4 million to 5 million suddenly they are beset by service delivery problems, the problems of how to get the services out, no matter whether those services are gas, power or water — all the services that people need as a matter of course. There is also an exponential growth in crime and law and order issues once a city reaches that critical mass of 4 million to 5 million people.

There is a whole range of reasons why we need to be taking a cold shower and having a really good look at what we are doing, as opposed to just saying, 'Let's open up this land here now and bring the people in'. We should be looking at all of Victoria and saying, 'What do we need to do to grow the whole region as well? What do we need to do to grow the cities?'. Why could a place like Swan Hill, for instance, not grow from its current population of 15 000 or 20 000 to 40 000 or 50 000 people in the future? Unless we get natural gas connected to Swan Hill it just will not happen. We need natural gas both for industry and for the residences of that city. We clearly need to put the infrastructure in place to make that city on the Murray River, which enjoys beautiful weather, more attractive for both industry and future residents.

We need to invest in our health system. We have a system which has hidden waiting lists right throughout regional Victoria, with people wanting elective surgery being put on a waiting list before they can actually get on the official waiting list. Again these problems are besetting regional Victorians. It is something that we are just going to have to face up to and acknowledge.

Public transport throughout regional Victoria is effectively non-existent — with the exception of a fast rail project which this government uses as a flagship, but the services of which are questionable at best because of the problems experienced once the services hit Melbourne. If you have ever had to try to time your arrival in Melbourne to a meeting with set time lines, you will know that it is very difficult simply because you do not know the time lines you are going to experience once you reach the crawl of the Melbourne metropolitan rail transport system. It is a mess, and we know that the blown-out \$1.3 billion fast rail program certainly left a lot of areas with a system that is no faster than it was previously.

There has been an inability on the part of this government to acknowledge that we need more water storage throughout the regions. There have been stormwater proposals put before this government, but it has responded without any degree of enthusiasm because it does not want to go down the path of stormwater harvesting. Again, these are the types of programs that are likely to let these cities become totally self-sufficient in water resourcing. Yet we have a government that has, effectively, one policy — desalination near the sea. The only other policy it has is to take water from the irrigators in the north of the state; to effectively build Melbourne on the back of water that has historically been used for the irrigators of the north, and in the future would have been used to grow those regions — that is what we are talking about with the north-south pipeline: we are talking about water savings that could have been used to grow that area. The water that was going to be saved is now going to be brought back into Melbourne, rather than being used to further grow the potential of northern Victoria.

There are huge issues in relation to freight services. The state of the rail freight system is leaving many primary producers as well as the manufacturing sector in northern Victoria with no choice other than to use the road transport system. Then there is what has happened to the road system. Many councils, because of cost-shifting policies, are now in a position where they cannot maintain the road system. Therefore, it gets worse from one aspect to the next. We end up with some of shires in effect putting in place a 300-year rotating road maintenance program. The roads that get

fixed today will not be fixed again for another 300 years because of the funding levels with which they are expected to operate their road networks. It is a very serious issue.

This government refuses to look at the possibility of a differential payroll tax. I do not see why we would not be trying to encourage companies and businesses to relocate and establish themselves in regional areas. It works in other jurisdictions around the world, but again this government does not want to know about that. In effect it is just hoping, through an advertising campaign, to 'Make it happen in provincial Victoria'. It is just hoping people are going to get up and move to regional centres without doing the hard work and creating a genuine vision for how it would like to see Victoria look.

As I say, the 'Make it happen in provincial Victoria' campaign is in fact a good campaign, but it is just nowhere near enough on its own. The government is running a program under which, if the campaign happens to entice anybody to get interested enough to look at the website, they will find it has four or five jobs advertised. Historically that has been the case with the 'Make it happen in provincial Victoria' website. It is hardly the sort of true encouragement that a government would be putting in place to get people to move into regional Victoria to effectively slow down the unholy growth of Melbourne.

We have already spoken about what some of the areas need. Just quickly, as I have said, for Swan Hill to develop, it needs natural gas. For a place like Wangaratta to grow bigger and more prosperous, it needs security of water. It is serviced by little Lake Buffalo. With a program that could be put in place, land that has already been purchased by previous state governments could turn little Lake Buffalo into Big Buffalo and multiply its capacity 40 times over. This would give Wangaratta the security of water it needs without upsetting any of the environmentalists.

Geelong has been aching for a bypass for some 10 to 20 years. Traralgon needs a bypass — again it has been getting absolutely nowhere. The minister was on his feet talking about it only this week. Shepparton is going to become a victim of water security issues if we are going to continue to take water out of the north. Echuca is always beset by transport costs. That area along the river is quite promising. Places like Yarrawonga on the river have growth around 7 per cent. People have to ask, 'Why would a place like Yarrawonga grow at such a phenomenal rate?'. It is based around water. People are prepared to move and retire in Yarrawonga with its fantastic amenities, world-class golf courses, fantastic

weather and an abundance of water, it would seem. Those places in regional Victoria are certainly experiencing phenomenal growth.

We need to build on the tourism aspects. Members who are involved in the tourism inquiry being conducted by the Rural and Regional Committee would have heard the stories about state government departments and regulations hampering the growth of tourism in this state. Horticulture and agriculture have not been taken advantage of. In order to grow the whole of the state in a manner that is going to ease the burden and ease the pressure that we seem to be seeing building up around Victoria we need to look at the overseas experience. We need to think about whether we want Melbourne to grow to become the biggest city in Australia and then continue to get bigger and bigger or whether we want to grow the whole of the state in a manner that means we have mini-cities around Victoria. If we were to have regional cities right around the state with populations of 400 000 or 500 000, doubling and tripling some of our rural cities, maybe that would be a far better look for this great state of Victoria.

**Ms PULFORD** (Western Victoria) — I rise to speak on Mr Guy's motion and indicate, as Ms Mikakos did earlier, that the government will be opposing the motion. The government will also be opposing Mr Barber's amendment, on which I would like to make a couple of comments. The objectives of zero net emissions of greenhouse gases, self-sufficiency in water, public transport with no more freeways, and protection and recovery of all Melbourne's land, freshwater and marine ecosystems are wonderful sentiments from Mr Barber's utopia, but in government in Victoria we need to balance these sentiments with some notions of reality.

**Mr Guy** — The earth is not flat!

**Ms PULFORD** — That is right. Consideration has to be given to balancing these lovely, lofty ideas with the need to deliver services, the need to promote jobs growth and the need to do all these things in a sustainable way.

Mr Barber spoke at length on this motion. At no point did he make any comments about the Greens' plans to address population growth. As a political party, the Greens pride themselves on their sympathy for refugees and the plight of people who would like to come and live in Victoria. I do wonder if what the Greens are on about is zero population growth. If not, I challenge Mr Barber to say so. Mr Barber does not like high-density living, and he does not like urban growth in our growth corridors. It does not make much sense to

me that you could put all those things together and still have population growth, so I challenge him to articulate where he really stands on the question of population growth.

Mr Guy spoke at length earlier today, but he, too, did not articulate at any point the Liberal Party's plan in this area. He said nothing. He had no plan, no policy and no ideas. The closest thing to a position we have heard coming from the Liberal-Nationals coalition on this issue is about scrapping the urban growth boundary and letting development run willy-nilly.

The government has responded to the question of housing affordability, which is a very real issue affecting the people we all represent in this place. But we have responded to new information on population and the increased pressure on housing affordability caused by population growth and, of course, increases in interest rates. Planning plays a critical role in maintaining land supply and housing diversity. It is essential to have a good, robust planning system that does not obstruct or delay good and appropriate development. Housing affordability is an issue driven in considerable part by the strong economic growth that Australia has experienced over many years. While in Victoria we have demonstrated that the planning system can be used to influence affordability, it is certainly not the one and only solution to the issue of housing affordability.

The government has established the Growth Areas Authority to guide sustainable development in our growth areas. The work being done includes growth area precinct structure plans, which provide for diverse housing types and sizes and increased efficiency and cost-effectiveness to maximise opportunities for good living standards and affordable living. The work that is being done in this area has resulted in new protocols to fast-track amendments, including the rezoning of land and removal of redundant requirements. The Department of Planning and Community Development and the Office of Housing have developed a set of indicators that provide a detailed analysis of affordability for both home purchasers and for renters. This analysis will assist the government to identify areas and groups where price increases and income levels are leading to declining affordability in Melbourne and in regional Victoria. We are responding to these issues, and we will continue to monitor and respond to them.

The government has identified as a planning priority the need for cooperation with councils in peri-urban regions to deal with land use planning and growth management issues in towns on the outskirts of

Melbourne. Some of these municipalities are undergoing significant change. Growth has been fuelled by the sea change and tree change dream, and some communities are under enormous pressure to manage this growth and to assist in the work needed for this development to occur while at the same time maintaining the wonderful quality of life that people are moving to these places in search of.

The Department of Planning and Community Development has been involved in a number of strategic projects that support council planning in this area. These include the rural land use planning program and the ongoing development of the Ballarat and Bendigo regional sustainable settlement corridor strategies to help manage these big population shifts. Research projects are also under way, and the Department of Primary Industries is undertaking research into changes in rural social landscapes. The Department of Sustainability and Environment, through the Victorian Local Sustainability Accord, has awarded grants to councils in these peri-urban areas to help improve the management of environmental issues and to help identify environmentally sustainable solutions.

The Peri Urban Group of Rural Councils is a group of six municipalities, including three from within my electorate — that is, Surf Coast, Moorabool and Macedon Ranges. The other three are Mitchell, Murrindindi and Bass Coast shires. This group is working with the department, and its members have had an opportunity to meet with the minister to work through the challenges that they face in maintaining their unique character in the face of great demand from people who want to live in their communities.

In my electorate, in Geelong, the government has provided \$200 000 from the regional town development plans program to the City of Greater Geelong to accelerate the rezoning of the land at Armstrong Creek and to assist with that development proceeding as quickly and as effectively as it can. That followed a recommendation in the 2006 urban development program annual report to increase the supply of zoned land within the Geelong area. In my electorate several areas are experiencing enormous growth, and the Greater Geelong area is one that is working hard to manage those significant challenges.

VicUrban is also working in rural areas. It is funded under the government's blueprint for continued growth in regional Victoria. VicUrban's provincial unit delivers strategic residential projects and continues to provide advice on how and where innovative residential developments can occur in our regions and in our regional centres.

The sustainable growth corridor strategies is another area I mentioned earlier, and shows government working hand in glove with local communities to assist in development and managing growth so that housing can be made available. Obviously the impacts of housing price increases will be managed as well as possible. In Geelong the corridor issues are being explored as part of the G21 project, which involves the municipalities of Greater Geelong, Queenscliffe, Golden Plains, Surf Coast and Colac Otway. This planning also involves other stakeholders in those communities, including regional businesses and relevant community groups. Similarly the corridor councils of the city of Ballarat and the shires of Golden Plains, Hepburn, Moorabool and Pyrenees, in conjunction with transport providers and regional water authorities, are developing strategies along similar lines that will enable growth to occur in those areas in the way that we would want it to happen.

I now turn to point 4 of Mr Guy's motion, which refers to the reduction in funding strategies designed to combat housing affordability in the 2007–08 budget. I wonder if Mr Guy was given a different batch of figures to the ones I was given. I am not sure how he can make that assertion at all.

On the question of stamp duty, the state government has cut stamp duty for home buyers and extended the first home bonus from January 2007. If I recall correctly, I believe that that bill was the very first one I voted on in this place after the 2006 state election. There was a 1 per cent cut for properties valued between \$115 000 and \$400 000, and a flat cut of \$2850 for properties priced between \$400 000 and \$500 000. For a median-priced property, which is \$485 000, this will save a homebuyer 11.5 per cent in stamp duty. The first home bonus has also been extended for another two years until 30 June next year, and in addition there is that \$5000 bonus for first home buyers purchasing a new property.

The 2007–08 budget is the one that delivered a record \$510 million to improve housing affordability.

**An honourable member** interjected.

**Ms PULFORD** — That budget was referred to in the motion. That budget provided the largest one-off commitment ever made by a state government to social housing, well beyond our obligations under commonwealth-state housing agreement. It is a significant and meaningful response to housing affordability for those Victorians who are most vulnerable.

This additional investment, in addition to other state and commonwealth funding, means there is a total budget of \$1.4 billion for investment in social and public housing over the next four years to provide almost 4000 new dwellings. This funding can be broken down into a couple of components, including \$200 million to improve and boost the supply of public housing by providing for 800 new and redeveloped homes; and \$300 million to increase social housing supply. Overall this new funding commitment is expected to deliver more than 2000 new and redeveloped social housing properties across Victoria.

This is obviously in stark contrast to the former Howard coalition government which since the mid-1990s cut \$1 billion from the commonwealth-state housing agreement, at a cost to Victoria of over 5000 social housing units. So we certainly know the Liberals' record on this.

The other point I would like to focus on is point (6), the failure to build or plan new infrastructure to accommodate future land release. I always really like it when the Liberals and The Nationals come into this place and want to talk about infrastructure investment because I represent an electorate in regional Victoria, and we know that their record on regional Victoria when they were last in government was just disgraceful: they voted together on 1150 votes and services were decimated. The then Premier was referring to regional Victoria as the toenails of the state. It concerns me greatly that we have returned to the dark and gloomy times of the Liberals and The Nationals being in coalition.

I respond in part also to Mr Barber's comments about transport by reminding members of the government's \$10.5 billion plan in *Meeting Our Transport Challenges*. This plan very much supports Melbourne 2030 and includes a \$2 billion investment for rail network and service improvements, \$1.4 billion for cross-town public transport, \$1.8 billion for new trains and trams and improved services, \$1.3 billion for better road connections to Melbourne's growing suburbs — we know what Mr Barber thinks of that — and \$690 million for major upgrades to regional roads.

**Ms Lovell** — On a point of order, Acting President, I was wondering if there is a standing order that says the minister in charge needs to be awake?

**The ACTING PRESIDENT (Mr Finn)** — Order! That is a frivolous point of order.

**Ms PULFORD** — I do understand that when we are talking about infrastructure and investment in transport

in regional Victoria that could be very upsetting to a member of the Liberal-Nationals coalition who represents a country seat. If she is uncomfortable now, I shudder to think how uncomfortable the people in regional Victoria would be if the coalition were given another opportunity to wreak havoc on the regions like they did prior to 1999.

Another part of *Meeting Our Transport Challenges* is \$510 million for better public transport in regional Victoria. Regional passenger rail is a fantastic achievement of this government. We inherited an almighty mess created by the coalition's privatisation of passenger rail. We brought V/Line back into public ownership and took responsibility for the service, we reopened train lines that the Liberal and National parties had closed, and we have returned passenger rail services to Nhill. In fact, at about this time last year I was very pleased to be on the first train that stopped at Nhill in many years and declare the station open. It was a wonderful day and many people turned out to receive the good news.

The last time the Liberal-National coalition was in government — and I am sure this is seared in all our memories — they shut 6 passenger train lines and 26 stations in regional Victoria.

**Mr Vogels** interjected.

**Ms PULFORD** — Yes, Mr Vogels, you are very courageous to try to defend the legacy of the former Liberal-National government in regional rail. That is a very courageous thing!

We rebuilt the Ballarat, Bendigo, Geelong and Traralgon lines as part of the regional fast rail project. As part of regional fast rail, we invested \$750 million. We rebuilt the crumbling infrastructure and added 400 services a week. We now have late trains on Friday nights so that people can come to the footy in Melbourne and get home, and we have delivered 40 new V/Locity trains.

*Honourable members interjecting.*

**The ACTING PRESIDENT (Mr Finn)** — Order!

**Ms PULFORD** — It is a very sensitive issue for members opposite, I can see. We have set a new benchmark for comfort in regional rail travel. Yesterday I travelled to Melbourne for the sitting week in one of those new V/Locity trains. It is a wonderful service. Patronage is up and fares are down, yet members opposite are furiously trying to defend those 1150 votes together to make Melbourne stop at the red maps.

Twenty-two intermediate carriages have been ordered, and the first of them is expected to be delivered in the middle of this year.

**Mr Vogels** — On a point of order, Acting President, I fail to see what the train to Warrnambool or south-west Victoria has to do with housing affordability in the growth areas of Melbourne.

**The ACTING PRESIDENT (Mr Finn)** — Order! The reasoned amendment moved by Mr Barber covers an area far wider than the original motion, and on that basis I rule that there is no point of order.

**Ms PULFORD** — Fares are down by 20 per cent and patronage is up. There are ongoing improvements, including a second station for Ballarat, which will be known as Wendouree station. We have also invested a great deal to improve rail safety, and we have improved safety at 202 level crossings. The coalition obviously did not see this as much of a priority when it was in government, and in seven years it upgraded only 20 of them. Upgrades include the grade separation of the rail crossing at Cliff Street in Portland. Pedestrian safety has also been improved, with 34 regional crossings having been upgraded. We know that the coalition talks about rail services and rail safety when it is in opposition, but we know that its form in government just puts it to shame. Just recently our government upgraded the Queen Street level crossing in Nhill, which is a half a million dollar investment. This crossing is now protected by boom gates and is much safer for residents of Nhill.

While we are talking about infrastructure and enabling growth and sustainable living to go on in regional Victoria I have to say a couple of things about the rail freight shemozzle that the opposition when in government presided over. It is universally agreed that the privatisation of rail freight was a spectacular disaster. It was a failed experiment driven by ideology and no commitment to regional Victoria.

We have shown our commitment, though, by buying back the track from Pacific National. We are investing \$73 million in the Mildura line upgrade, and we have now shown our commitment to regional freight operators through our recently announced support package and the domestic grain rail access charge reduction that was announced last year. We have got infinitely better form in regional Victoria than members opposite in terms of infrastructure, so with those few remarks, I urge members to reject Mr Guy's motion and also Mr Barber's amendments.

**Mr KAVANAGH** (Western Victoria) — In spite of a slight easing of the cost of housing in Melbourne over the last couple of months, the city is in a housing affordability crisis. Much of the debate today has been about the cost of buying houses; however, what is also extremely important in this respect is the cost of renting houses. As Mrs Peulich mentioned, over the last several months in Melbourne auctions have developed during open inspections held for rental purposes.

I am told it is quite common in parts of Melbourne that 30 people will attend an open inspection for a rental property and that one of the prospective tenants may say, 'They are asking for \$300, what if I give you \$320?'. The agent is then approached by other people who may say, 'We will give you \$320', but he will say, 'We have already been offered \$320, but if you offered \$350 you would probably have a good chance', and so it goes on, and rents are getting quite out of control.

This is a very disappointing thing in Australia, which has had a wonderful tradition — that ordinary people with families have been able to buy a home, to put a roof over their children's heads — but unfortunately that is disappearing before our eyes. It is happening not only in Melbourne: unfortunately it is worse in a lot of places in the rest of Australia. Not only does Melbourne probably have lower cost accommodation than Sydney, as you would expect, given that Sydney is a bigger city and that there are strong limitations on its growth, but prices in Brisbane, Perth and even Canberra are now on average even higher than in Melbourne.

It seems to me that a lot of the housing affordability crisis is possibly not the result of state government actions but of commonwealth government actions, which are extremely generous to investors. In contrast the state governments punish people for investing in residential property. It is surprising that the motion does not refer to stamp duty. Now approximately \$20 000 has to be found by first home buyers just to pay the taxes before they even scrape up the deposit to buy a home. There is no mention either of the development tax introduced in late 2005 which, it was said at the time, would add approximately \$5000 to \$10 000 to the cost of a new home in Melbourne.

As I have suggested before in this chamber, it might be fruitful for us to consider changing our stamp duty system to charge sellers of properties the stamp duty rather than the buyers. Sellers almost always have a large capital gain from which to pay stamp duty and often sellers are at a point of time in life where money is not as scarce as when they were first home buyers.

The motion refers to the population explosion, which seems to me to be an exaggeration. While Melbourne's population is increasing, the increase in numbers could hardly be called an explosion. Part of the problem with home affordability in my opinion relates to family break-ups. Every time a couple divorces and a family breaks up, that increases the demand for housing. Rather than a family living in one large house, the situation is that two smaller houses are required. A net increase in the housing stock is required, so there is a net increase in the demand for housing and therefore a net increase in the price of accommodation.

I was pleased to see that the motion refers to decentralisation, which is a policy at the heart of the Democratic Labor Party. I recall during the late 1960s and early 1970s — the days of 'Hamer makes it happen' and the Albury-Wodonga schemes — and Victoria was genuinely decentralising at that time, under strong encouragement from the DLP. It seems to me that if that policy had been continued at that time, today we would have maybe 2.5 million people in Melbourne, and another 1 million of the people who are now in Melbourne would have been spread throughout the rest of Victoria. That would have had the effect of reducing house prices, decreasing the alienation that a lot of people obviously feel from their environment — an alienation that leads to crime, for example, and perhaps even to drug abuse.

Although I have some reservations about this motion I will vote for it because to do otherwise might seem to be an endorsement of the housing crisis we are in, or might be seen as not caring about it. Indeed it is something that I think we should care very much about. I intend to vote against the Greens' amendment, because although public transport is indeed relevant to housing affordability, in my opinion the other points that are included are really not on the point of housing affordability but on other broader agenda matters.

I will vote for the motion and against the amendment.

**Mr O'DONOHUE** (Eastern Victoria) — Let me say at the outset that I am very pleased that the Minister for Planning is now the minister on duty in the chamber, and I hope he listens carefully to the contributions made to this debate.

If one were to listen to the members of the government, one would be misled into believing that we live in an ideal society here in Victoria, where there are some issues, but those issues have been dealt with and there are no problems. The reality is very different. I commend Mr Guy for moving this motion, because housing affordability and the way this government has

mismanaged the delivery of housing stock and the delivery of housing that is affordable for the average Victorian are the main reasons why we are in this housing crisis.

Let us be under no misunderstanding as to whose responsibility this is. Ms Mikakos spoke about rising interest rates under the previous federal government and said that inflation due to the Howard government's underinvestment in infrastructure and skills was the cause of higher interest rates. She conveniently forgot to mention that state governments are primarily responsible for the delivery of roads and the management of ports and other key pieces of infrastructure. She conveniently forgot to mention that we have a skills crisis in Victoria, I would assert, largely because of the negligent actions of a former Premier, Joan Kirner, who closed technical schools, and now 20 years later we are dealing with the consequences of that closure. We have electricians, bricklayers and others who are in their fifties, and there is not a generation coming behind them, which is a great tragedy and a great disappointment.

Let me also say at the outset that I will be opposing the amendment proposed by Mr Barber. Whilst we all aspire to better public transport and more sustainability, to use the words of Mr Barber's amendment, what he is saying is unrealistic. I also picked up on some of the comments made by Ms Pulford. She spoke at length about the achievements of the government but conveniently forgot to mention that the state government promised in 1999 to bring back the South Gippsland railway service but still has not done so. The consequences of that are significant. The consequences of inaction and indecision are affecting the towns of Leongatha and Korumburra and their ability to grow over railway land. They are affecting VicRoads in its planning for the Koo Wee Rup bypass, because VicRoads does not know whether the railway line will be coming back. The state government really must make a decision about whether it is going to honour its 1999 commitment or whether it is going to walk away from it. One way or the other, it needs to make a decision.

Ms Pulford also spoke at length about the fantastic, as she described it, trains to Geelong, Ballarat, Bendigo and Traralgon. I wish to quote from an email I received in January from a constituent who lives in Garfield and is a user of the Traralgon train. He said:

I wonder if you can help? I am originally from London, where transport is a constant headache; however, we are talking many millions of people being transported every day. What's gone wrong here?

I guess my question is threefold.

1. Why is the V/Line service continually falling below minimum standards on the Gippsland line?

His email continues:

This is a First World country with a Third World train system.

Unfortunately that really sums up the situation.

**Mrs Peulich** — And a fourth-rate minister.

**Mr O'DONOHUE** — Indeed. As Mr Kavanagh said, the concept of owning your own home, the concept of buying a house with a partner, a wife or husband or by yourself and living the Australian dream, as it has often been called, is something that has been great for Australian, and Victorian, society for generations. Sadly under the mismanagement of this government that dream is now only a dream. It is becoming more and more difficult for the average Australian and the average Victorian to aspire to owning a home. That is a very sad indictment of this government.

Perhaps what is most amazing about this is the complete lack of proper planning for Victoria's population growth. Mr Guy spoke about this at length, but I think it is worth quoting from a couple of the government's own documents. The *Melbourne 2030 Annual Community Update* put out by Minister Madden in July 2007 says:

The 2006 UDP annual report shows an overall 25 years broad-hectare residential land supply across Melbourne's growth areas.

And it gives the access point. There was 25 years of land available according to the minister as at July last year. The government's 2007 UDP (urban development program) annual report also says:

While detailed population projections will not be available until later in 2008, preliminary dwelling demand projections in the UDP 2007 annual report indicate there is enough residential land in Melbourne's growth areas to meet the government's commitment to 15 years of total supply.

So from two of the government's documents last year you would be forgiven for believing that everything is fine and going smoothly. Then on 4 March there was an announcement by the Premier, who said at the UDIA (Urban Development Institute of Australia) conference that the state government would accelerate the development of more than 90 000 blocks of land by rezoning farmland. In a media release the Premier is quoted as saying:

The reforms I am announcing today will cut the time it takes to prepare land for development by more than 12 months.

...

New growth forecast by the Department of Treasury and Finance and the Department of Planning and Community Development show Victoria's population will hit 6.2 million in 2020, rather than 2030 — and that Melbourne's population will increase by 1 million a decade earlier than predicted.

Is that not an absolute disgrace! Only six years after the announcement of Melbourne 2030 the government is announcing that its population growth projections for 2030 will actually be achieved in 2020. Perhaps the document should have its name changed from '2030' to '2020'. The question I have is: what will happen on 1 January 2021? The UGB (urban growth boundary) was supposed to be a line that would be there in perpetuity. The original statement by the government was that it would be a fixed growth boundary around Melbourne, and infill and consolidation would provide the stock and land for future growth.

Subsequent to 2002 the government changed its position about sticking to the UGB until 2030 and said that it may be changed at other times, depending on growth. Now we have the position where the UGB, which was fixed in 2002 in perpetuity and was then changed to be permanent until 2030, will now be filled by 2020 because of the government's inability to properly forecast population growth. It is an indictment of the government, and the consequence is an ever-soaring land price.

Ultimately when you strip back all the arguments made here today and analyse why house prices have increased so much, and particularly why in globo land prices have increased so much, you find it is a very simple supply and demand equation. Demand has gone up and supply has been restricted.

Mr Guy spoke in his contribution about the number of lots coming onto the market. He spoke of the reduction in the number of lots being delivered to the market. In a period of high population growth it is just inconceivable that land release would be reduced. I quote from an article in the *Age* of 10 February which talks about a Mr Greg Zuccala. The article says:

Greg Zuccala's family has been building houses in Melbourne for more than 50 years. Lately the building has slowed, but not because of any fall in demand; the trouble is, they have run out of available land.

The land set aside for new homes is caught up in red tape and they are unable to start building.

The article reports Mr Zuccala as saying:

I am not a land developer but a builder who relies on land availability to sell to our clients and so that affects us ...

The planning process can be cumbersome and slow and it can sometimes take years to rezone or get permits for land — and I think that is one of the major issues confronting developers today.

Mr Zuccala goes on to talk about the Aurora development, which Mr Guy and Mr Barber spoke about and on which the minister in question time yesterday waxed lyrical about what a fantastic development it is. Mr Zuccala is reported as saying that Aurora had:

... substantial delays and we could probably have three or four times the amount of sales we have if it wasn't for the constraint on land.

Even the state government's development arm, VicUrban, which is responsible for its signature projects, is unable to deliver stock to the market.

Several times a week I drive along the old Princes Freeway and past a sign that has been there for years. It says, 'Coming soon — a new VicUrban development'. Coming soon! There is a new 700-lot subdivision adjacent to the Delfin subdivision on which work has started. Delfin has built a new community at Lakeside that now houses in excess of 3000 people, but there is still nothing happening at the VicUrban site at Officer.

I previously raised with the Minister for Education in the other place the need for a new secondary college in the growth corridor. She responded that she was working with VicUrban to deliver a new site at Officer. If that is the only developer the government is willing to work with, the residents of communities in the growth corridor will be waiting a long time for a new secondary college at Officer.

The government's announcement that it is supposedly providing an additional 90 000 lots does not address the underlying issues that stop supply coming to market. Creating a new zone — the urban growth zone — does not in and of itself deliver land to market. For land to be delivered to market a developer or owner must have a planning permit to commence construction. Before a planning permit can be granted a structure plan must be completed, and a structure plan requires resources. Not one lousy additional dollar has been provided by the Premier with this announcement to accelerate structure plans. Without the completion of a structure plan by local councils, no new land will be delivered to market ahead of any other anticipated time line. This announcement is a furphy. It is misleading to members of our community who are looking to this government

to do something to make housing more affordable, to deliver new stock so that they can get into the market.

It was interesting to hear the minister's response to this. In an article on page 13 of the *Herald Sun* of 7 March the minister, when questioned about population growth and congestion, said that the government was prepared to deal with urban and population growth after he announced a \$300 million, 600-resident Docklands development.

He is reported as saying that this development is an important attribute in alleviating congestion, because the more people we can bring into the city centre or to the Docklands precinct, the more we can take pressure off the outer areas. Does the minister honestly believe that by putting another 600 people in Docklands he is going to take pressure off our freeways when we have 1000 people a week or more moving to Melbourne?

Whilst I am on the subject of Docklands, it is a pity that Ms Pulford was not honest when giving her critique of the previous government because all of us here know, and the community understands, that Docklands was and still is a fantastic development. It was a generational project embarked upon by the Kennett government. It had many critics at the start, but over time we are realising just what a great precinct has been created at Docklands and at Southbank. When the Minister for Planning makes those sorts of comments he should really thank the previous government for creating the framework and macro-environment for development to take place at Docklands.

**Mr Guy** — The framework was opposed by the Labor Party at the time.

**Mr O'DONOHUE** — As Mr Guy said, it was opposed by the Labor Party at the time.

Of course population growth is to be welcomed. The issue is not population growth, it is the inability to deliver infrastructure. Mr Guy has spoken many times about the 3 kilometres needed to extend the South Morang railway line. Mrs Peulich has spoken on numerous occasions about the need for the Cranbourne East railway station and line to be extended, as promised in 1999. She has also spoken about the need for a railway station at Lynbrook, and I have spoken here previously about the need for a railway station at Lakeside.

Minister Madden, with the member for Gembrook in the other place, announced a new 700-lot estate only late last year. That estate is within a few hundred metres of the land set aside for the railway station at Lakeside. When the minister was in the area for his photo

opportunity while officially launching the new subdivision, which the state government has had very little to do with, it was a great disappointment that he did not also announce funding for and the commencement of the construction of a new railway station at Lakeside. But alas, he did not.

The Pakenham line is one of the worst performing lines. From 2006 to 2007 the Pakenham line had the highest percentage increase of cancelled trains. Train cancellations rose 147 per cent from 188 to 466 — an indictment on the government's ability to manage the Pakenham train line. The Pakenham train line services one of the fastest growing regions of Melbourne — Narre Warren, Officer, Beaconsfield, Berwick and Pakenham itself.

More broadly the population growth we are experiencing is putting enormous strain on water, power and other resource requirements. The Treasurer today referred to the additional funding the state government is putting into health. That additional funding is of very little benefit to the people of Phillip Island where one of the first actions of the new Rudd government, in concert with the Brumby government, was to close the Warley Hospital. The people of Phillip Island have had a hospital for over 80 years. It closed at the end of January, and it was a very sad day for the island. The island is a tourist attraction and tens of thousands of people are attracted to it, particularly for events like the MotoGP. Without a hospital those people are in serious danger if they have an accident and are injured. They cannot rely on an accident and emergency service in Wonthaggi because there are too few doctors there to man the accident and emergency service. They would have to travel either to Traralgon, Dandenong or Berwick. The government should be ashamed of its performance in dealing with the peri-urban areas of Melbourne, to pick up a reference from Ms Pulford.

I am glad that Mr Guy's motion has also addressed the issue of housing affordability and a plan for housing affordability in rural and regional Victoria. The issue of housing affordability does not just affect urban Melbourne, but it also significantly affects rural and regional Victoria. There is a lack of land in many of our major rural areas and a lack of proper infrastructure for people who wish to live in rural and regional areas. My earlier reference to the gentleman from Bunyip and his experiences in trying to commute to Melbourne adequately demonstrates the frustrations of many people who make a lifestyle change and the problems they have in staying connected to where the jobs are. As we all know, most of the jobs are in the Melbourne metropolitan area.

I would like to comment on the effect of the population growth on Melbourne and its impact on our green spaces and open space. Members of the select committee looking into the sale or alienation of public land by the state government have heard from many groups throughout regional Victoria and from metropolitan Melbourne. The groups we hear from in metropolitan Melbourne almost all comment on the degradation of open space, the increased demands and pressures on our open space and a lack of proper planning at a strategic level by the state government in managing our open spaces for future generations.

In summary, I must live in a parallel universe. If you listen to the government members, you would think we live in a paradise where there is record infrastructure spending and where money spent equals results. Sadly money spent does not equal results. I can tell government members that for those of us who regularly use the Monash Freeway and the Mornington Peninsula Freeway, the commute is getting longer and the peak is getting longer.

**Mr Koch** interjected.

**Mr O'DONOHUE** — I say to Mr Koch that you get a very good look at it.

**Mrs Peulich** — Where's the Mornington Peninsula Freeway extension?

**Mr O'DONOHUE** — That is a very good question too. The congestion is increasing. Due to the congestion on our trains pretty soon we will need people like they have in Japan who push people into the carriages so that doors can close. I congratulate Mr Guy on bringing forward this excellent motion.

**Ms DARVENIZA** (Northern Victoria) — I am pleased to rise to make a contribution to this debate. I speak against the motion that has been brought to the chamber by Mr Guy and against the amendment that has been put forward by Mr Barber. I never cease to be amazed by some of the motions the opposition brings to this house on Wednesdays. This one is no different to so many others; it criticises the work the government has been doing, in this case the work we have been doing to address the increasing population and the growth we are experiencing not only here in Melbourne but right across Victoria, including our rural towns and our regional cities.

The increase in population is very new and has been seen only in the last eight years with the change of government from the conservative Liberal-National Party coalition to the Bracks and Brumby governments. During the previous years of the coalition we saw

people leaving Melbourne in droves. People were being actively recruited as they were being retrenched here from a whole range of public sector positions, including in our hospitals, schools and public service. Everyone was moving to Queensland, the population of which was growing at a rapid rate. Why was it growing? It was because Victorians were heading north. Our rural and regional cities were shrinking and our rural towns were dying because we had a government that did not care about rural and regional Victoria.

It was a coalition government. The former National Party, which purports to stand up for regional Victoria, actually sold it right down the drain. It did not do a thing to save the schools and hospitals that were closed in regional Victoria, to stop the closure of rail services or the privatisation of freight rail services. It let rural and regional Victoria down in a really bad way, as did the Liberal Party, and it will do it again. The Nationals and the Liberal Party are holding hands again. We know what they delivered last time they were in government, and we know what they would deliver if they ever get back into government again.

I will focus my contribution on rural and regional Victoria, but the thing that really stands out to me in the contributions that have been made by The Nationals, the Liberals and the Greens is that they do not have a plan at all. They have said nothing about what they would do about an increased population. They have brought forward no ideas and no plans about how they would improve infrastructure. We know how The Nationals and the Liberal Party treated infrastructure when they were in government previously — they did nothing. They abandoned schools, hospitals, roads and rail services. They did not put any spending into vital infrastructure projects. We started at a very low base indeed some eight years ago when we came into government.

I cannot support Mr Barber's amendment. Mr Barber's contribution basically gave us the timetable for the passenger rail service for the Williamstown line into the city. Having lived in Williamstown and Newport for many years, I am very familiar with the rail service there. I am sure that, like me, the house was bored to snorts by his contribution regarding the timetable. As for the motion he has put up, it is so pie in the sky, so fairies at the bottom of the garden, that it does not deserve any support whatsoever from anyone in the chamber.

I will pick up on a few things that have been raised by previous speakers. The first matter I take up was raised by Mr O'Donohue. He criticised VicUrban, saying that it was not doing much at all except for putting up a few

signs saying that a development was coming that never came. I want to let members know of a couple of VicUrban projects in my electorate of Northern Victoria. They have been very successful, as is all the work that VicUrban does. In rural areas VicUrban is funded under the state government's blueprint for continued growth in provincial Victoria. VicUrban's provincial unit delivers strategic residential projects and will provide advice on where and how commercially advantageous and innovative residential developments may proceed in the regions.

As I said, I have a couple of examples of developments VicUrban has completed. One is Tower Hill in Swan Hill. This issue was raised not only by Mr O'Donohue but also by Mr Drum. Mr Drum posed the question, 'What do we need to do to grow the regions?'. He does not need to look very far to answer that question, because the regions are growing at a very rapid rate. A range of strategies introduced by the Brumby and Bracks governments has resulted in that growth, and VicUrban — and the projects and work it has done — has been very much part of that. I think Mr Drum even mentioned Swan Hill in his contribution. For those who are not familiar with it, Tower Hill — which has a landmark water tower as its centrepiece — is Swan Hill's largest new residential community. It offers a wide range of housing options, from detached homes to apartment living and stylish townhouses overlooking parkland. It is very close to town, so it is very convenient to the shops, schools and medical facilities nearby.

Another VicUrban project I want to mention is a bit closer to my home — Parkside, in Shepparton. VicUrban has worked strategically to look at where and how it is commercially advantageous to put in place residential development, and it has looked at innovative ways to do it. Parkside offers affordable new homes in an established neighbourhood, just 3 kilometres north of the Shepparton central business district. It is right on the edge of town. It is very close to the local secondary college and primary school. It is an ideal family location. It was launched in May 2007, and the first stage release at Parkside offers up to 44 new residential housing lots to both builders and private purchasers looking to build a home close to town. So Mr O'Donohue's statement that VicUrban does nothing but put up signs is absolutely untrue.

There is much more that the government is doing to address some of the issues around Victoria's growth. Let us look at some of the statistics. Between June 2005 and June 2006 regional Victoria's population increased by 15 484 persons, or 1.13 per cent. In the five years to June 2006 Victoria's regional population grew by

0.75 per cent, so we are seeing significant growth in regional Victoria. The states with the highest regional population growth over the five years were Queensland and Western Australia reflecting the positive demographic impact of the resources boom which has seen a lot of people moving to those two states.

Housing has been talked about by a number of contributors from both sides of the house. When you have increased population you need to house people where there is the infrastructure they need, including schools, hospitals, transport and roads. Building data has shown some really significant increases in building approvals. Based on the Building Commission's data the value of regional building approvals reached \$4.1 billion in 2007, more than double the level in 1999 — double the building approvals from 1999 to 2007.

In the year to January employment in country Victoria increased by 28 728 persons, or a 4.3 per cent increase. That is the second highest growth behind Western Australia, which is experiencing a resources boom. It is higher than the national country growth rate of approximately 3.3 per cent. We have population growing in rural and regional Victoria; we have jobs growing in rural and regional Victoria; we have building approvals growing in rural and regional Victoria. We have population; we have jobs; we have housing and we have infrastructure. I am not saying that there are not challenges that the government has to address in meeting the population issue, but we have growth and we are attracting people to rural and regional areas.

From the quarter to the end of October 1999 to the quarter to the end of January 2008 employment in country Victoria has increased by 135 582 persons whilst the unemployment rate has fallen by 2.5 percentage points. We can see there is population growth — and not just population growth in Melbourne and outer Melbourne; we are also attracting people to come back to or to settle into a new way of life — a tree change, or a sea change if they are coming to the sea; but in northern Victoria they are coming for a tree change. Why are people coming back to Melbourne and back to rural and regional Victoria? It is because we have been spending on infrastructure, and it is because we have been increasing investment opportunities in rural and regional Victoria. We have been encouraging businesses to grow and expand, and we have been encouraging new investors to come and settle in rural and regional Victoria. Where we have skills shortages we have been encouraging professionals to come not only from cities across

Australia but also to come from overseas to settle directly in rural and regional areas.

Affordable housing was mentioned by Mr Kavanagh, and I just want to pick up on some of the points he made about affordable housing and about the Brumby Labor government's attitude to it. The Victorian government has some very strong strategies in place to address housing affordability for home buyers, for renters and for people who rely on public housing. We are particularly proud of the work we have been doing and the money we have been putting into establishing new public housing and improving the fabric of existing public housing. How have we done this? What are these strategies and how have we been addressing the issue of housing affordability? They range from cutting stamp duty to the extension of the first home bonus until 30 June next year. In addition to leading the way on initiatives for entry-level buyers, I am very proud of our investment in social and public housing, which has set a real benchmark for the whole nation. We are committed to the largest single investment that has ever been made by a state government in social and public housing.

I want to talk a little about the release of the 90 000 lots and making land cheaper, because again Mr Kavanagh and others mentioned that in their contributions. Over the coming weeks the Minister for Planning and the Growth Area Authority will consult with growth area councils regarding the urban growth zones. These new urban growth zones will fast-track the development of what is currently farming land, opening up more than 90 000 blocks of land for residential use. The urban growth zone is really the first step in a suite of new and improved planning processes that will be developed by the Minister for Planning, the Growth Area Authority and relevant councils. The aim of those improvements will be to get land, once it has been zoned residential, to the market more quickly and at less cost — less cost to the developer; and ultimately to the purchaser. Our government relies very much on strategic planning to deliver the best possible housing solutions in our growth areas, whether that is in our metropolitan areas or whether it is in the outer metropolitan areas — or whether in fact it is in our rural and regional areas.

The need for infrastructure has been mentioned by a number of previous speakers. I want to talk a bit about it, but only briefly. These debates give us an opportunity to look at what the opposition is putting up, and really the opposition is putting up nothing. It has no plans and no way forward. It simply criticises the government. There is no recognition for the work that has been done by the government, and certainly there are no policies. There is a policy vacuum, whether you

are looking at the Liberal Party, The Nationals or the Greens, as to how they think we should go forward and how they would manage the planning issues. They have taken the opportunity to bang on about the lack of infrastructure. I cannot help myself; I have to take the opportunity to compare and contrast how the coalition acts in relation to infrastructure when it is in government and how we have acted and responded to infrastructure while we have been in government.

I just want to run through a few things. As long as I live and breathe and have an opportunity to stand up in this place and make a contribution, I will keep reminding you and reminding everybody in Victoria of just how badly you governed when you had the opportunity. Not only that, we know that this would be just what we would get more of if ever you were re-elected to government.

**The ACTING PRESIDENT (Mr Finn)** — Order! I ask Ms Darveniza to direct her comments through the Chair.

**Ms DARVENIZA** — We know from comments that have been made by opposition members in the other place — I think by Mr Wells, the member for Scoresby in the other place, and Ms Mikakos went into some detail about the contributions that Mr Wells has made in relation to planning — that they are simply going to tear up all of the planning processes that have been put in place by our government. They are going to do away with the green wedges, they are going to do away with the planning process. They want to move to some ad hoc arrangement. They are on the record about this, and there is also their record in government.

Let us have a look at what opposition members did with passenger rail services. They shut 6 passenger lines and they closed 26 railway stations. That is what they did with passenger services when they were in government. What have the Bracks and Brumby Labor governments done? We have rebuilt the Bendigo–Echuca line. We have also rebuilt the Ballarat, Bendigo, Geelong, and Traralgon lines. We have cleaned up the mess that was left by the opposition when it was in government in relation to rail freight. It was universally agreed that the privatisation of our rail freight tracks was a disaster for Victoria. It does not matter who you speak to — whether you talk to regional councils, the Victorian Farmers Federation, the grain groups — they will all tell you that this was a failed experiment in privatisation. And who did it? Those people on the other side, those in the opposition, did it when they were in government. We have shown, as a government, our commitment to rail freight by buying back the tracks from Pacific National, and we are showing again

that we are governing for all Victorians when we provide services to all of Victoria.

Ms Pulford went through a range of the services that we have put in place or increased. We have invested \$73 million in the Mildura line upgrade, and we have also shown a commitment to regional freight operators through the support package that was announced just yesterday and the domestic grain rail access charge reduction that we announced last year.

I could talk more about the availability of public transport. In terms of bus services, we have made an enormous commitment and we have delivered a whole range of new services to remote areas as well as to major regional centres. I will briefly mention a couple of those in my region. There are 40 new services a week in the residential growth areas of Mildura. There are 55 extra services a week to towns along the Kerang–Bendigo route. There is a new tailored transport bus link between Warracknabeal and Horsham. The number of services between Swan Hill and Sea Lake and between Donald and Horsham has been increased. There is a new Yarrawonga town service, with 58 services a week — and Mr Drum talked about Yarrawonga and the number of people making a tree change and heading off to Yarrawonga because of the lifestyle that it has to offer. There is a twice-weekly service connecting Mortlake, Bushfield and Warracknabeal; there are extra services each week connecting the towns of Whitfield, Oxley and Millewa.

Then there are the bus interchanges and bus stops that are being upgraded. These are benefiting towns in my electorate, like Shepparton, Seymour and Wangaratta. There is the work that we have been doing on providing safety for schoolchildren travelling on specially provided bus services and on the rural bus safety program. There are 147 improved school bus interchanges; new roadworks; signage; bus shelters; and safety barriers. Over 700 roadside school bus stops have been upgraded with safety improvements. Work has been done on road shoulders and on the widening and gravelled standing areas. That is just a handful of public transport infrastructure improvements that have been made in a couple of areas in my region.

You have to look at the work we have done in improving our hospital services and our school services. Of course that was the biggest announcement in our last budget. We have made the most significant investment in the physical infrastructure — such as the schools and the transport services I have mentioned — that is needed to support new communities. The Victorian Schools Plan provides for the biggest ever investment in schools infrastructure in the state, and it

will see every Victorian government school rebuilt, renovated or extended by 2017. I will not go on about the schools that are part of that project and the sorts of things that are happening in my region.

There are things that are happening in public transport, schools and in health. We have more nurses. We saw the former Liberal-National coalition cut 3500 nurses. What has the Brumby Labor government delivered? There have been 8000 new nursing positions. Mr Drum mentioned in his contribution the number of patients that are treated. Between 1992 and 1999 under the former Liberal-National party government a million patients a year were treated; 1.3 million patients are being treated now.

What did we see under the coalition government in relation to teachers and school staff? We saw 9000 teaching positions being cut. What have we seen under the Brumby Labor government? We have seen 7300 new teachers. Under the Liberal-National party government the average primary school class size was 25.4 students; under the Labor government it is 22.3. What about year 12 completion rates? They were 82 per cent under the Liberal-National coalition government; under the Brumby Labor government they are 85 per cent. In the dark days of Kennett 250 900 jobs were created. Under the Brumby Labor government 411 600 new jobs were created. Regional jobs have gone from 41 000 under the Liberal-National coalition to 128 500 under the Brumby Labor government.

For Mr Guy to come in here with a motion such as he has that criticises the government for a lack of infrastructure just shows that he really does not understand the work that has been done, particularly from the very low base after the damage that was done by his party when it was in government in coalition with The Nationals, particularly to rural and regional Victoria. This motion is not worthy of support by anybody in this chamber. I certainly do not support either it or the amendments put up by the Greens.

**Mrs PETROVICH** (Northern Victoria) — I rise to speak in support of Mr Guy's motion and also touch on some of the amendments that were moved by Mr Barber for the Greens. I would also like to highlight the failure of the Bracks and now the Brumby government, which has done little to assist Victorians in their quest for affordable housing.

Firstly, I believe the Premier's announcement last week relating to land releases was quite misleading to Victorians. He claimed that 90 000 blocks of land will instantly be made available, easing the housing

availability crisis in Victoria. This is clearly not correct. There has been no change in the urban growth boundary. This land has been there all along. No new land is being made available, in spite of all the hoopla and media coverage. I can see no immediate wins for the people who are in desperate need of having houses made available to them.

In fact there are no real immediate wins even for the developers. I think there was a story on the front page of the *Herald Sun* which showed a lottery-type win for some of the landowners in these areas. This land was already included in the urban growth boundary, and there has been no change to that. I think the difficulty surrounding the hoopla and spin of this announcement means that homebuyers in the market really are in the hands of developers. I do not think that anything has changed. These blocks of land will be released when the appropriate permits have been achieved and it is commercially advantageous for the developer to do so. What we fail to realise is that the market will rule, and the government has no direct control over the time frames or economic decisions of those developers. The government will release that land when there is the greatest capital gain. There is no lotto win for developers, and there is no win for those seeking an ease to the housing crisis in Victoria. I think we will have to wait and see if there is anything in the short term and whether there is any more availability of cheaper land for these aspirational homeowners.

In 2003 I was the mayor of the Macedon Ranges shire when Minister Thwaites announced his vision for greater regional growth. I was caught on the hop one morning as this was announced, I think, on the 7.30 a.m. news on the ABC. I actually wondered out loud where the water and the jobs and infrastructure was going to come from. I can remember the response from Mr Thwaites related to the great panacea which would be the fast rail on the Bendigo line. That was supposed to enable people living in Bendigo to commute to Melbourne from Bendigo. It was a great vision, I would have to say. I think it would be fabulous if we truly had a fast train. The thing that struck me at the time was: what time in the morning would these people actually have to rise to go to their employment in Melbourne? As it turns out it is 4.30 a.m. or 5.00 a.m. I know there are probably one or two people who now live in Bendigo and work in the metropolitan area, and they are up with the birds. They are getting home well after 7 o'clock at night. We talk about sustainability and lifestyle, but I do not think that is particularly desirable for community wellbeing.

At the time, Macedon Ranges shire was battling with probably 400 contentious applications a month. We had

seen successive Labor ministers fiddling at the edges of a planning scheme that was in strife. We saw Minister Delahunty and then Minister Hulls and then Minister Thwaites, and now we have Minister Madden, who I believe failed to understand some of the principles at stake, particularly in areas such as the Macedon Ranges. One-size-fits-all planning schemes are never going to work. If you look at some of the residential issues in Macedon Ranges, you see that under state planning policies people can have blocks down to 300 square metres.

I do not think that fits with the vibes of communities, townships and villages such as those in Macedon Ranges. I do not think people move to those areas to live on very small blocks. I can understand high-density living and a variety of block sizes in areas in the suburbs and the centre of Melbourne, but I do not think that is entirely desirable in areas such as Macedon Ranges. The other thing is that we certainly do not have the same green wedge protections that were provided to the Dandenongs and similar areas of significance.

It was interesting to look at the process of the rural land reviews that have gone on in various areas and the complexity of some of the issues surrounding that process. Of course councils and, I believe, communities are of a mind to protect significant agricultural areas, but just because land is in the bush does not mean it is highly productive. We have a bit of an issue when we hold extensive community consultations, conduct a rural review and introduce — with the stroke of a pen, as Minister Madden has done — a new suite of zones which contrasts with the work done with communities, particularly those of Macedon Ranges.

One of the highlights that should be considered is the proof of agriculture purpose being the trigger for a residence on land under 100 acres. One of the last council meetings before my retirement from the Macedon Ranges council highlighted the complexity and the mess that state planning policy is in.

Increasingly planning schemes are becoming too complex for individual councillors, who are, after all, members of the community who want to represent their communities well but probably now need a planning degree to wade their way through such processes.

We also have an issue when we look at the officers' reports coming through. Clearly they are very much afraid of making decisions, especially in the affirmative, and are relying very heavily on the Victorian Civil and Administrative Tribunal to arbitrate these decisions and perhaps be the decision-makers. On the particular night I am talking about three applications were before us, all involving agricultural land under

100 acres. There was a very famous case involving a Mr Puican, who wanted to extend his property to grow a few more vegies and have a few more cows. He wanted to live there with his family. His application was knocked back. The second application was from an organic wine grower, and that application was approved. The third application was from a couple from Clarkefield, who had allowed their application for a dwelling on their property to lapse. They were also knocked back. These instances highlight the difficulties surrounding members of the community when they are pursuing their dream of living a rural life.

A Fair Go group was formed, and if Minister Madden believes planning is working in country Victoria I would urge him to attend one of its public meetings. So far four meetings have been held in Macedon Ranges, one in Hepburn and another in Mitchell shire. Attendance at these meetings has ranged from 200 to 400 people. The main area of discontent is the government's lack of understanding of true protection of agricultural land through weed and pest eradication and the fact that not everyone will want to consolidate their lot with the farm next door. The other consideration is that every sheep, cow, alpaca, flower and vegetable or bale of hay grown and cut contributes to agriculture in the state of Victoria. We need to understand that 100 acres does not make a farm, but it does contribute to agriculture.

In the Legislative Assembly electorate of Seymour infrastructure issues such as the Kilmore–Wallan bypass and adequate town water supplies for places like Broadford are real issues — Broadford is currently trucking its water in. There are also problems with schools. There are difficulties with the completion of Wallan Secondary College and some funding issues relating to Seymour Technical High School. Hospitals in the Seymour electorate and throughout the Northern Victoria Region need additional funding to make sure they keep up with the burgeoning growth in those areas.

The answer I would have liked to have received from this government is that, with the opening up of these additional tracts of land, studies were being undertaken to establish the needs of these growing communities. What are the infrastructure requirements? From the experience of satellite communities such as Melton, we know that if infrastructure is not in place, then there are significant social and community wellbeing issues when these satellite communities explode without such matters being considered.

Another matter that causes me concern is where this puts all the other projects in areas which are battling for airtime now. Are they going to be further duckshoved

down the list when we need to provide additional resources and services in these new areas? We cannot build and develop these areas without them.

We know that this government struggles to deliver any project on time and on budget, but how will it project-manage the increasing list of competing interests? Communities will not be bought off forever. Water infrastructure is an area in which I am left to wonder what sustainable principles are being applied by this government. Today we heard some of Mr Barber's and the Greens' ideas about sustainability and what will be put in place in these new communities. Will there be a requirement for rainwater tanks? There is in the country, because it is a necessity if you are not on town water. Will there be collection and recycling of stormwater or perhaps new dams built? The inconsistency in the approach to water restrictions astounds me. Melbourne is on 3a water restrictions, the 52 towns in the Goulburn Valley are on stage 1 restrictions and Broadford, Colbinabbin, Heathcote Junction, Kilmore and Wandong are on stage 4 restrictions.

Worse than that, it was stated at a meeting in Yea some time ago that this government's wacky plan to take water from the north through the north-south pipeline, was only conceived last April and that it eventuated as a result of lack of planning and consideration of Melbourne's additional water needs. I heard today that Melbourne's water storages are down to 35 per cent of capacity. Without the pipeline, Melbourne is in trouble. The vision for Melbourne 2030 has been blown out of the water, and we have heard that Melbourne is growing faster than predicted. Now we are looking at an additional million people by 2010 rather than 2030.

With no sustainable solutions for Melbourne the quick fix is to take water from the north. This is the same water which grows 80 per cent of the fresh produce consumed by Melbourne. This shuffling of deckchairs is no solution for Melbourne or northern Victoria. If we destroy one area, it will impact on the other. I do not think any of this is going to assist in the provision of cheaper or more affordable housing. Affordable housing is a huge issue for first home buyers and for the community in general, but so is a government with a capacity to plan for growth and infrastructure and the services that are required for healthy, happy and sustainable communities. I commend Mr Guy's motion to the house.

**Mr SCHEFFER** (Eastern Victoria) — I am pleased to make a brief contribution to the debate on Mr Guy's motion. It is a motion I will not be supporting, and I will not be supporting the amendment that has been put

by the Greens. I reject absolutely that the Victorian government has failed to fulfil its obligations to the Victorian public on housing and urban planning. The government's planning framework, Melbourne 2030, has not been discredited by anything that I have heard in the chamber today and during the course of this debate.

Devising an urban planning framework as comprehensive as Melbourne 2030 inevitably generates public debate, and that is a good thing in a democracy, but the public debate around aspects of the components and implementation strategies of Melbourne 2030 is very different from a wholesale rejection of the enterprise, and it is very different from a wholesale rejection of even having a framework at all.

Melbourne 2030 is based on some simple realities. Firstly, the footprint of Melbourne cannot continue to expand for the next 30 or 40 years. Secondly, the population of the city will grow dramatically over the next 30 or 40 years. Thirdly, the number of people living in single dwellings is falling, so that the number of households will continue to grow at a faster rate than the population. Fourthly, the city needs an overarching planning framework to manage all aspects of sustainable urban living. Melbourne 2030 is the government's long-term planning framework to understand and to manage these realities. This is a hugely complex exercise, and it intersects with almost every other policy area. It intersects with services such as housing, transport, health delivery and education. It intersects with schools and tertiary institutions, information and communications technologies, policing and public security, community building, water availability, business and industry development, climate change and environmental planning.

The government is committed to making Melbourne into a compact, livable and sustainable city. This is the central objective of Melbourne 2030. The urban growth boundary focuses redevelopment in urban renewal in the inner city suburbs and it focuses new developments in the designated growth areas. While the urban growth boundary may need to be modified in future to increase the gross supply of land in the growth areas, the government looks at the supply of residential land dwellings across the whole metropolitan area and, in doing so, monitors and promotes residential development in existing urban areas.

The government will also continue to reform planning processes to ensure that we are well placed to respond to this growth. For example, streamlining initiatives in growth areas will better manage growth in the urban

growth boundary, including speeding up some 90 000 approvals.

The results of the Melbourne 2030 audit will be pivotal to informing our medium to long-term plan for the way we manage growth in a sustainable way in growth areas and existing urban areas and in strategic locations which are redevelopment sites in close proximity to public transport connections. In the short term the government is already moving to introduce new streamlining measures and, within the next three months, these will facilitate quicker rezoning of broad-hectare land into residential allotments.

The government is also continuing to facilitate renewal and higher density development in established areas, particularly where there is good access to public transport. While we need to implement such measures to address what is happening now, we also need to ensure that we are not pre-empting the Melbourne 2030 audit which will inform the government's medium to long-term approach. It has been asserted that land supply is now at critically low levels, but this clearly is not the case. The government has made a commitment to maintaining adequate land levels at 15 years supply, and that is what the urban development program 2007 annual report shows for Melbourne's growth areas. This 15-year level exceeds the usual business planning cycle for many firms, including the development industry. It allows for sufficient stock to maintain healthy competition and it is an adequate time frame for infrastructure and service suppliers to plan for the future.

The 2007 urban development program annual report projections are different to the projections in the 2006 report. The urban development program determines Melbourne's land supply projections by taking into account a whole range of factors that influence supply, such as housing demand in relation to anticipated population growth. The 2007 report uses recently released population census data and immigration information, taking into account commonwealth development projections to analyse the demand for residential land. Based on this, the 2007 report found that there was a 15 to 16-year future land supply in Melbourne. So those figures can be relied upon.

A good deal has been said in the debate about Melbourne's population growth. Victoria and Melbourne are currently experiencing strong economic growth, and this is a result of population growth. More people are coming to live in Australia and more people are choosing to make Melbourne their home because, frankly, it is an attractive place to live. There have been an additional 35 000 new jobs created in the CBD in the

last five years. Melbourne 2030 is one of the government's key strategies for managing this growth in a sustainable way, which is why the outcome of the Melbourne 2030 audit will inform the way we plan for growth in the long term to allow Melbourne to remain the way it is in terms of its livability.

While Melbourne 2030 estimated an additional 620 000 new households by 2031, the exact timing will obviously vary according to the changes in the annual rate of growth. Most recent census figures show that growth trends for Melbourne and regional Victoria are higher than they were in the previous census. Melbourne's 2030 focus is on managing growth over the long term and its objectives remain as relevant regardless of whether Melbourne reaches this population level in 2031, 2035 or 2026. It is a balanced strategy to management growth and urban development, and it is broadly in line with the expectations of Melbourne 2030 over the first five years of the plan. So I reject the motion that has been put by the opposition and also the amendment by the Greens.

**Mr FINN** (Western Metropolitan) — There is a great Australian dream and one would hope that there will remain a great Australian dream for all of us — for our children, our grandchildren and indeed beyond that. That dream comprises owning one's own home and having a family to put in that home. Both are threatened by the current situation of home affordability as we see it. There is a choice being forced on couples in this state. That choice is whether to have a home or to have a family. Many couples are in the situation where they must decide if they can afford to have their own home or indeed afford to have children.

It is a tragic situation for many people, and there are many couples in the western suburbs of Melbourne who are faced constantly with that very sad decision. It is the biggest issue in many people's lives.

The trouble is that this government has no idea of the very real pain that these home affordability pressures are causing. In many instances it is leading to divorce and the resultant deep distress. That is why the latest con by the Brumby government was so cruel. Instead of addressing real problems facing people in the suburbs, Labor opted for a cruel and miserable stunt. As Mr Guy pointed out, the Brumby announcement was as empty as the Premier's suit, but it got what it wanted. It got what the Premier set out to achieve: it got the front page of the *Herald Sun*. That is all this government is interested in — its publicity.

**Mr Dalla-Riva** interjected.

**Mr FINN** — Spin, as Mr Dalla-Riva says. That is the question of the day as far as the government and the Premier are concerned — not ‘Do I solve problems?’, not ‘Do I make life better or easier for the people of Victoria?’, but ‘How am I going to look on the telly tonight?’; ‘How am I going to look in the paper tomorrow?’. That is the big question. That is the burning question in the minds of members of this government, and it is a tragedy for the people of Victoria.

It leads one to ask if Labor really cares about home affordability and home ownership at all. We all know that there are large sections of the Labor Party, or should I say ‘pardy’, that do not believe in private ownership. The Soviet Union may be gone, but socialism still beats strong within the bosom of the Victorian ALP. A typical example is stamp duty. Here we have a tax on private ownership. The government takes it and gives nothing back. That is what we get from the Victorian Labor government.

The 2030 policy has to be seen for what it is. It is a dud — one of the truly great failures of any government in recent years. I congratulate Mr Guy on the motion that he has brought before this house today and the speech that he made in introducing this motion. The same, however, I am sad to say, cannot be said for some others who have spoken in this debate.

**Ms Mikakos** interjected.

**Mr FINN** — I must mention Ms Mikakos at this point because Ms Mikakos tried to rewrite history, as so many people in the Labor Party always try to do. They are not big on the truth. They are not big on bringing back the reality of what we have all lived through. They are insistent on rewriting history as we know it. Ms Mikakos tried to tell us what a dreadful government the Howard government had been to homeowners and to those seeking to buy their own homes.

There were record low interest rates under the Howard and Costello government, yet this was the blow that Ms Mikakos was trying to tell us stung so many homeowners. If only we could get the same sorts of blows every day under the Rudd government. I personally would not wait.

However, we can with certainty recollect one piece of history where home affordability was way beyond the reach of anybody — well most, anyway. Who could ever forget when Paul Keating ran the Australian economy? He was the great hero of the Australian Labor movement. In fact I understand there are two heroes of the Labor Party; there is Paul Keating and

Gough Whitlam, who were the two worst prime ministers this country has ever seen, and Labor has elevated them to the position of hero worship.

**Mr Dalla-Riva** — Saints!

**Mr FINN** — As Mr Dalla-Riva has said, they are the saints. I am sure there are little statues of Gough and Paul in every Labor MP's home. But who could ever forget what Paul Keating did to the homeowners and indeed the business owners of this country? Who could ever forget the 17 per cent interest rate? And that was just on homes, which is the lowest of the interest rates?

**An honourable member** — Twenty-two!

**Mr FINN** — It was 22 per cent in many instances, as is pointed out, and who could ever forget that? Who could ever forget that that was done very deliberately by a man who said, ‘This is the recession we had to have’. This from a man who took over the economy of this country and forced this nation into recession. He deliberately forced people out of their homes, he forced people out of their businesses, he forced people — and I know this to be a fact — in some instances to commit suicide. That is the sort of man the Labor Party puts up as some sort of hero. If that is Labor's definition of heroism, it can have it, and I am very tempted to tell it where it can put it, but that would be most unparliamentary.

I move on to the subject of infrastructure. I know that time is limited in this debate, and we have been going on for quite some time now. As much as the minister may like to hear me, I feel constrained to restrain myself, in fact, in the time I spend contributing to this debate. The subject of infrastructure was brought up by both the motion moved by Mr Guy and the amendment moved by Mr Barber. I notice in his amendment that Mr Barber particularly mentions public transport. This is a fairly big issue. It is a huge issue, particularly in my electorate of Western Metropolitan Region, because it is an area of Melbourne which has been substantially neglected by this government and which continues to be substantially neglected by the Brumby government.

You would have to be joking if you were looking for public transport at places like Caroline Springs or Tarneit. It barely exists in those areas, and yet the government reaches into the pockets of the residents of the new estates — they were once estates, they are now suburbs — and drags out millions and millions of dollars in stamp duty, and that is not returned to them in public transport infrastructure, that is for sure. There is precious little public transport to service the needs of

these new and growing communities in places like Caroline Springs and Tarneit.

Even in those areas where we have what could be described as traditional and reasonable public transport — places like maybe Footscray, Essendon or Werribee — if one tries to get on a train, one would hope, as Mr O'Donohue said earlier, that there would be a large Japanese man to come up behind you and give you a shove, because the trains are packed like cattle cars. That is how people feel as they make their way into the city. They feel like cattle — —

**Mr Koch** — Oxen!

**Mr FINN** — Oxen indeed, as Mr Koch said, although I had not thought of oxen. However, people are crammed into these rail cars. As I have said to this house before, if we were to treat animals by crowding them in the way that people are crowded into these trains — —

**Mr Vogels** — Herded!

**Mr FINN** — 'Herded' is a great word from Mr Vogels. If we were to treat animals in the same way, the Royal Society for the Prevention of Cruelty to Animals would prosecute us — there are no two ways about that. But here we have a situation where the government allows people in the western suburbs — and I know it is not confined to the west, but it is certainly the case in the western suburbs — to be pushed into trains and shunted into Melbourne for work, football, or whatever it may be.

I can give you a classic example of that. I am a regular commuter from the Sunshine railway station, which at times can be an experience in itself. Even during non-peak hours these trains are packed.

**Mr Guy** — You must see the member for Derrimut from the other place, Telmo Languiller, on those trains, or Mr Pakula.

**Mr FINN** — I have spent most of my time in Sunshine since being elected. I have seen neither of those gentlemen, Mr Languiller nor Mr Pakula, within the vicinity of the suburbs of which you speak, but I can tell you that the trains that I travel on are packed in a disgraceful manner. The Watergardens line is notorious for its overcrowding. By the time the train gets to Sunshine, it is impossible to get a seat. In fact, if I were to ever get a seat on a train at Sunshine which is heading into the city, I would immediately upon alighting race off and get a Tattslotto ticket, because I would know that that was my lucky day. It is a disgrace that this government has allowed the public transport

system in this state to degenerate to the extent that it has.

The public transport component of Mr Barber's amendment I can quite happily agree to, but then he goes just a little bit further, as the Greens are known to do from time to time, and emphasises 'no more freeways'. I have to say to the house, as somebody who uses his car quite a bit — and there are a good many people in the west who use their cars quite a bit, because quite frankly we have no choice; we have no other option — the prospect of no more freeways absolutely horrified me. As I have pointed out in this house so many times that I cannot begin to imagine, we desperately need an upgrade of the West Gate Freeway. We desperately need an upgrade of the West Gate crossing, a second crossing over the Yarra River at the West Gate Bridge.

Anybody who has travelled on the West Gate Bridge will know that during peak hour the traffic on it can be banked back for up to 20 kilometres. We are talking about banking up from the base of the bridge right back to beyond Laverton and sometimes halfway to Geelong. How could anybody be expected to put up with that on a daily basis? How could anybody expect to be able to plan their day when they do not have a clue as to how long it will take them to get to work? That is what people in places like Werribee face every day.

The Calder Highway faces the same sort of situation. As a matter of priority — and I am sure Mr Guy will agree with me here — we must finish the Metropolitan Ring Road. Never in all your born days would you have seen another major road where you are sailing along — if it is not peak hour, in which case you are crawling along — and suddenly you come to a dead end, and it tells you to go to Greensborough.

I do not think that is an efficient way to run a road system — not that I expect this government will do anything about it, but it certainly should be on the agenda. We need the east and west of Melbourne to be linked by a road — there are no two ways about that in my mind. It is an absolute must for the future viability of Melbourne that the Eastern Freeway and CityLink join, whether it be under the Carlton cemetery or wherever.

**Mrs Peulich** — They could do a bit of branch recruitment in the process.

**Mr FINN** — I am sure there would be a few people in the Labor Party out my way who would be happy to

do some branch recruiting as they dig under the Carlton cemetery.

I support this motion. It is an extremely important motion for the future of this state. Unfortunately I am not disposed to support the amendment moved by Mr Barber. But as a result of this motion, the amendment and the debate in the house today we hope that one day very soon the Brumby government will get fair dinkum about home affordability in this state and fair dinkum about looking after the people of Victoria.

**Mr HALL** (Eastern Victoria) — I want to make a short contribution to this debate. I do not want to let the opportunity pass to comment on a planning motion, because planning is certainly a red-hot issue both in metropolitan and country Victoria. When people come and talk to me about their concerns, two main issues are most prominent. They relate, firstly, to the general issue of water, and I would say that the issue of planning rates a pretty close second in terms of the frequency with which it is raised with me as a member of Parliament representing Eastern Victoria Region. The motion before us is essentially a planning motion. Although it talks about housing affordability, it also talks about Melbourne 2030, the planning document for Melbourne, and a lot of the debate relates to planning for land and for infrastructure and service provision. I want to comment on a few aspects of the debate to date and aspects of the motion moved by Mr Guy. I will conclude with some quick comments about the amendment that Mr Barber has moved.

Firstly, I want to comment on the issue that has essentially been the catalyst for this motion, and that is the announcement of some planning changes by the government last week in a media release of 4 March headed 'A new zone to boost housing in growth areas'. It is a pretty interesting press release to read through. What the government is doing is not what we read in the newspapers — that is, creating 90 000 new blocks for residential developments. What it is actually doing is just fast-tracking some areas within the urban growth boundary to bring online or make available more building blocks for people who want to undertake residential developments.

Some of the points made by previous speakers are fairly relevant to this debate in that, although the government claims it is making available 90 000 new residential blocks in the urban growth boundary, the vast majority of that land is owned by private developers. The government cannot give us any guarantee on the timing of the release of those 90 000 blocks, because it does not even own them and has no direct control over the

people who will ultimately put those blocks on the market.

I agree with the sentiments expressed in one of the clauses of Mr Guy's motion about the Victorian government misleading Victorians on this issue, because there is no guarantee of the immediate release of 90 000 building blocks, and there is no guarantee that these building blocks are going to be \$10 000 cheaper per allotment. Even if they were going to be cheaper, how could you measure the influence to make those blocks cheaper? How could you separate the various aspects that go into determining the value of land? For example, interest rates affect the value of land, service availability affects the value of land and the availability of land affects prices as well. How can you possibly separate those components, and how can you make the claim that because of this initiative of the government, building blocks in outer suburban areas are going to be \$10 000 cheaper? I think the government has been misleading in its press coverage of this measure.

I want to make some brief comments on infrastructure planning. Although I heard government members in this debate today say that we have done a great deal for both Melbourne and regional Victoria in terms of infrastructure planning, I do not see any evidence of that. Public transport has been commented on by many speakers in the course of this debate as being in a state of chaos, and it is. I would say that that chaos is not confined to the Met system but also applies to transport systems that run into country Victoria. Some of the disruptions that have occurred on the Gippsland V/Line service over the last six months, for example, have been appalling, and people have tended not to use that service because of the constant disruptions and unreliability of the service. We do not see any evidence of major improvements this government has been undertaking in public transport. As many people have commented, we still have traffic jams in and out of the city morning and night, and that certainly impacts on the people I represent.

I see no serious effort by this government to use recycled water in the great city of Melbourne. Precious little has been done in that regard, and that is something that I have been pursuing for some time now and intend to pursue in the future with a private members bill that I hope shortly to introduce to this Parliament.

Further in terms of infrastructure planning, I see deficiencies in service planning as well. I use as an example the lack of police numbers that we have servicing country Victoria, and I know that a lack of police numbers affects policing operations in

Melbourne as well. When I raised this matter last night on the adjournment I was told that I had nothing to whinge about because this government had put an extra 1400 police positions around Victoria. The question 'Where are they?' came by way of interjection, and that is a very valid question indeed, because in every municipality that I represent there are unfilled positions in police stations, and consequently people are not receiving the level of policing services that they would reasonably expect. Yet this government dismissed this as being trivial. I was told I was being political last night and that I had nothing to worry about because there are 1400 extra police on the beat. They are not in the areas that I represent. In relation to service planning as well as infrastructure planning this government has not got the planning functions right.

I also want to make a comment in respect of the final component of Mr Guy's motion regarding decentralisation. What I was most critical of in the announcement by the Premier and the government last week is that it was completely ignorant of the needs of country Victoria. It made no reference to any schemes or commitments to improve housing affordability in country Victoria. The government made no commitments towards looking at planning issues in country Victoria. It made no commitment to give to country Victorians the same as it claimed it was delivering to Melburnians, which is a \$10 000 price reduction in a block of land for Melburnians. There was nothing for people who live outside Melbourne, and that is blatantly discriminatory.

When I raised this issue by way of a question without notice yesterday, I pointed out the precedent the government set in respect of the Traralgon bypass. Its decision only a matter of months ago — in January of this year — in effect put an end to a 3000-lot residential subdivision proposed in the Morwell-Traralgon bypass area. The response of real estate agents to that decision was that it would increase the price of building blocks in the Morwell-Traralgon area by \$10 000 per allotment because there is only a three or four-year supply of building blocks in that municipality compared with the government's claim in its announcement last week that there was eight or nine years minimum supply in Melbourne. Consequently the government's decision in respect of the Morwell-Traralgon corridor increased the price of building blocks by \$10 000, which is completely converse to what the government claims is happening in Melbourne. That is discriminatory; that is not governing for all of Victoria; that is just simply looking after your own backyard. That is simply not good enough.

Finally, I refer to the issue of the amendment moved by Mr Barber. I must say that when I looked at the amendment I was surprised to see that it was allowed to be put. To me it is more of a separate motion than an amendment to the motion itself, because it encompasses a whole range of different issues and gives a totally different emphasis to the motion moved by Mr Guy. Consequently I was surprised that that amendment was allowed to be put.

I do not support the amendments moved by Mr Barber because essentially they concentrate on a metropolitan strategy. While I have no problems at all in debating in this Parliament a metropolitan strategy, it ignores the needs of a lot of the people I represent, and some of the issues that have been canvassed in Mr Guy's motion are completely ignored in this amendment proposed by Mr Barber. To my mind it is a completely different motion. It is a debate for another day. Mr Guy's motion is a very sensible one. It addresses the issues. We have heard a lot of speakers comment on some very important planning-related issues and some infrastructure and service planning-related issues. This Parliament deserves this debate, and those who have contributed to it have done a great job.

I want to indicate my support for Mr Guy's motion. It is a timely one, because Victorians have been misled about this issue. This government needs to be far more serious, competent and thorough in its planning processes and the ways in which it proposes to address housing affordability, because what is on the table at the moment does nothing at all to make housing more affordable for any Victorians.

**Mrs KRONBERG** (Eastern Metropolitan) — I rise to support in the most fulsome manner possible Mr Guy's highly commendable and important motion because it highlights the government's characteristic short-term approach of dealing with challenges in fits and starts. As far as the government's slavish adherence to the 2030 strategy is concerned, and in spite of all the evidence — wave after wave of public outcry against its excesses — it is still wedged in a corner about this issue and is being combative and defensive about it. It has every right to be defensive and uncomfortable about it. Bring on the 2030 audit; that is what I say, and I am sure that the government will eat a little bit of humble pie if that is a legitimate offering both to the Parliament and to the people who want to adjudicate on the excesses of this 2030 strategy.

I would like to remind the government of the pressures that people face. In the electorate of Eltham, for instance, people in the district of St Helena have been overwhelmed by the excesses of the Victorian Civil and

Administrative Tribunal (VCAT) in overriding the Nillumbik Shire Council's planning rulings and regulations by foisting upon it 51 tilt-slab, two and three-storey townhouses which are crammed onto 2 hectares amongst a normal suburban environment. Couple this with the fact that VCAT is turning a blind eye to the fact that 0.25 hectares of the area to be built on is a contaminated site — but that is a story for another day. The people of St Helena feel really let down in a material way, and I have to say that is an example of just how far out of whack this government is.

If we want another example we only have to look at what is happening to the character of a road and to the integrity of the green wedge in a very sensitive area, and I refer to the excesses in Rockliffe Street, Eltham. For the residents of Rockliffe Street the Pitt Street boundary denotes the edge of the Eltham town centre. Then you move into an area with unsealed roads, natural verges, gentle winding lanes and heavily treed allotments, a precinct that is also of great historical significance. It is now blighted by the excesses of 2030. There are multiple dwellings packed onto allotments built boundary to boundary, and everybody has turned a blind eye to the clear felling of remnant native vegetation that was meant to remain, in spite of instructions, to maintain the integrity of this native vegetation. Some houses in the area are built of mud bricks, and I feel that this is symbolic of those people and their communion with the environment in which they live. People want to be simpatico with the environment they live in. We are reaching a tipping point in places like Eltham, and it is a disgrace. The government decision-makers should open their eyes. This is a hell of a blight to pass on to future generations.

During the mid-1990s I had the opportunity, in a professional sense, to steer a number of organisations both in this country and internationally through a 25-year horizon, and there is quite a bit of 2020 activity even in this state that I was involved in.

One of the principal things that we taught people to think about in developing a 25-year strategy for what you wanted to take into the future with you was the simple fact that you did not respond to trends, you did not react to trends; you were a trendmaker. I challenge the government: what has it actually done in terms of a population policy? What is it doing through the aegis of COAG (Council of Australian Governments) to develop a national population policy? It is in the mode of reacting. It is at the helm, but it is not doing anything in spite of all the warnings about the impact on the environment of climate change. It has no idea of how it is going to deliver baseload power in the future. It has

no idea of how it is going to accommodate the further 1.4 million people. It responds to trends instead of being a trendmaker. That is disgraceful.

I would like to emphasise that one of the ticking time bombs in terms of infrastructure in Melbourne in particular is the fact that there is very little investment in water mains and pipes and other works that have been there for over 100 years. When I was working with local government bodies 15 years ago, they were worrying about their drainage systems imploding. We already know that 10 per cent of water piped to domestic consumers is lost; it is regarded as non-billable water. What is that? That is a leak; it is seepage. What are we doing about the water mains in this state?

When we look at affordable housing in a general sense, I say this government does not understand what Matthew Guy talked about. He referred to it as economics 101. The government does not understand the principles, the gears and the levers of the supply-and-demand equation. It has skewed the marketplace in this state with its nonsensical urban growth boundary. It is positively salivating at the prospect of the yield of that obscene level of stamp duty. It cannot help itself — snouts and trotters in the trough! It is gorging and indulging itself on stamp duty. It is a disgrace. Just last night I was speaking to a property management professional who was aghast at the fact that people who can no longer afford to buy a home because of the way the government has skewed the marketplace are queuing to rent properties. Let me explain what a queue at a rental property looked like last Saturday: 152 people turned up wanting to rent a rental property in Ringwood in my electorate. Do members know how much pain and stress it causes those 152 people to go into a bidding system? Do members know that rental properties are actually being auctioned at the moment?

I ask government ministers, when they sit down with their federal government counterparts through whatever conferencing and COAG agreements the government has in place, to make sure that the federal government never tampers with the concept of negative gearing for investment in rental properties. We will be living in tents. I am old enough to remember what public housing looked like in Royal Park at the end of World War II. I remember what Camp Pell looked like. I remember very vividly what public housing looked like when people were living in Nissan huts. That is what we are looking down the barrel of here in this state. People will be living in tents. We will have more homelessness. We will have people living in cars. We will have ghettos around every caravan park. The

government should wake up to itself and not be charmed by Rudd and his phoney agendas, because he is clearly out of his depth. So is Wayne Swan.

*Honourable members interjecting.*

**Mrs KRONBERG** — What a turkey! Wayne who?

I just want to say something on behalf of the councils in this state. They are stressed, disappointed and infuriated. The planning guidelines are constantly trammelled upon and overridden. They feel the whole process is being operated by people wearing jackboots.

As far as I am concerned, the Greens' amendment is a really novel approach, I suppose, but it is unrealistic. Regarding the concept of not having freeways, we would all like to live in an ideal world, but when they put forward such extremist propositions the Greens do themselves no service whatsoever.

It is really important to look at some of the travesties of infrastructure planning that we have experienced in this state. In the east we have the EastLink freeway slated to be launched in the middle of this year. Members should think of this when they travel down the Eastern Freeway — the traffic builds up now somewhere between Bulleen Road and the Chandler Highway by around about 8.00 a.m. When you bring on all the traffic that flows from Frankston, where will it end up? It will be in a tasty little T-intersection at Hoddle Street. We are waiting in breathless thrall for the delivery of the Eddington report. We can predict that there is some inevitability that the government will finally look to providing relief for the end of that freeway system. There will be two freeway systems, there will be the Monash car park and the Eastern Freeway car park running for 40 kilometres, with traffic at a standstill, and then there will be the so-called Western Ring Road that people live in sheer terror of because the trucks are totally out of control.

We hope there is going to be some positive relief, but what about a sense of timing? The timing is absolutely tragic and pathetic. How could you be so far out of sync? It is just amazing. It is like putting a plug in your bathroom sink and turning both taps on and walking away. What are you going to do with the water? It is the same with the traffic. That is the image I would like to leave members with.

Light rail systems were promised for places like Doncaster, but that has not happened. In 1980 I bought land in East Doncaster to enable my children to travel to school. The land that would have allowed for the light rail to connect to the Eastern Freeway was sold by the Cain and Kirner governments. They squandered an

opportunity, and this government is perpetuating that mindset.

Look at the rail problems we have, particularly on the Belgrave and Lilydale lines. I do not know if members realise this, but the timetables for that train service have not been reviewed since the time of the Kennett government. Hello, what is the reason for that? There is a very good reason — the level crossing pressure. If you put more trains on the line you will have to have the boom gates down against Springvale Road more often, hence further chaos — chaos 24 hours a day, 7 days a week — at that intersection, which is the busiest intersection in the state. The government would probably need to build a two-tiered Springvale Road to cope with the traffic.

In commending the points Mr Guy has made, I have to say that it is clearly this government's intention to build a kind of fortress around Melbourne, to turn Melbourne into a city-state. That would be at the expense of investment in the infrastructure of rural and regional Victoria. I think it is part of an overall political strategy. The government has probably given up on investing in infrastructure in rural and regional Victoria, because it understands that the game is lost. As people turn to support the coalition, what is the point of spending in the area? We see that those areas are ignored and choked off. It is a disgrace.

This whole issue upsets me greatly. I cannot bear the thought that this beautiful city, which was once the world's most livable city, is slipping into rapid decline — and I think that decline will accelerate. It breaks my heart. As a fifth-generation Melburnian, I ask the government to wake up before it is too late. I highly commend every aspect of Mr Guy's motion.

**The DEPUTY PRESIDENT** — Order! I understand that concludes the debate and that no other members wish to contribute to the debate. In that case I call on Mr Guy to exercise his right of reply.

**Mr GUY** (Northern Metropolitan) — I want to thank you, Deputy President, and thank everyone for their contributions to this debate, which has been lengthy and passionate. Many members on both my side and the government side have made very passionate speeches. Some even made speeches in defence of what I believe is the indefensible — that is, Melbourne 2030. Certainly on my side of the chamber the speeches were in support of my motion, which outlines that Melbourne 2030 is a policy that is doing major damage to housing affordability. In fact it is the key cause of the housing affordability crisis in Melbourne at the moment. It is hurting first home

buyers. It is hurting the people who can least afford it. It is hurting new families, people in outer urban estates, people who are not close to infrastructure. It is hurting people on the edge of our city who are just trying to get a start in life.

I remind all members that in voting on this motion we are voting to endorse or not to endorse a policy that is inflicting massive pain upon the people who can least afford it. All the statistics I presented in my own speech — and those a number of people on my side presented in their speeches — show that Melbourne 2030 is a dog of a policy. It is a failed policy. Land prices are rising. The government's population statistics are 40 per cent out — way out — and that has not been factored into Melbourne 2030. Housing starts are falling. Affordability in Melbourne is now in free fall, and this is a major result of Melbourne 2030. In closing, I simply say that Melbourne 2030 will not last the year, nor should it.

**The DEPUTY PRESIDENT** — Order! The question before the house is that the amendment moved by Mr Barber be agreed to.

**House divided on amendment:**

*Ayes, 3*

Barber, Mr  
Hartland, Ms (*Teller*)  
Pennicuk, Ms (*Teller*)

*Noes, 35*

Atkinson, Mr	Lovell, Ms
Coote, Mrs	Madden, Mr
Dalla-Riva, Mr	Mikakos, Ms
Darveniza, Ms	O'Donohue, Mr
Davis, Mr D.	Pakula, Mr
Davis, Mr P.	Petrovich, Mrs
Drum, Mr	Peulich, Mrs
Eideh, Mr	Pulford, Ms
Elasmar, Mr	Rich-Phillips, Mr
Finn, Mr	Scheffer, Mr ( <i>Teller</i> )
Guy, Mr	Somyurek, Mr
Hall, Mr	Tee, Mr
Jennings, Mr	Theophanous, Mr
Kavanagh, Mr	Thornley, Mr
Koch, Mr	Tierney, Ms
Kronberg, Mrs	Viney, Mr
Leane, Mr	Vogels, Mr ( <i>Teller</i> )
Lenders, Mr	

**Amendment negated.**

**House divided on motion:**

*Ayes, 17*

Atkinson, Mr	Kavanagh, Mr
Coote, Mrs	Koch, Mr
Dalla-Riva, Mr	Kronberg, Mrs
Davis, Mr D.	Lovell, Ms
Davis, Mr P.	O'Donohue, Mr

Drum, Mr	Petrovich, Mrs
Finn, Mr ( <i>Teller</i> )	Peulich, Mrs ( <i>Teller</i> )
Guy, Mr	Rich-Phillips, Mr
Hall, Mr	

*Noes, 17*

Darveniza, Ms	Pulford, Ms
Eideh, Mr	Scheffer, Mr
Elasmar, Mr	Somyurek, Mr
Jennings, Mr	Tee, Mr
Leane, Mr	Theophanous, Mr
Lenders, Mr	Thornley, Mr
Madden, Mr	Tierney, Ms
Mikakos, Ms ( <i>Teller</i> )	Viney, Mr ( <i>Teller</i> )
Pakula, Mr	

*Pair*

Vogels, Mr	Broad, Ms
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**Motion negated.**

**BUSINESS OF THE HOUSE**

**Budget speech 2008–09**

**The DEPUTY PRESIDENT** — Order! I have a message from the Legislative Assembly:

The Legislative Assembly informs the Legislative Council that under section 52 of the Constitution Act 1975, approval has been granted for John Lenders, MLC, Treasurer, to attend the Legislative Assembly on Tuesday, 6 May 2008, for the purpose of giving a speech in relation to the Victorian state budget 2008–09.

**CRIMES AMENDMENT (CHILD HOMICIDE) BILL**

*Second reading*

**Debate resumed from 7 February; motion of Hon. T. C. THEOPHANOUS (Minister for Industry and Trade).**

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) — I am pleased to rise to speak this afternoon on the Crimes Amendment (Child Homicide) Bill, and to place on record that the Liberal Party will not oppose this legislation brought forward by the government.

Few crimes occur in our society that generate as much concern and disdain as the killing of a child. It is with regret that increasingly over the last decade we have seen a number of children killed, often at the hands of someone close to them — a parent or a de facto parent, people that in ordinary family relationships they would expect to be able to trust, people that we as a community would expect to give them care and to

nurture them. It has been a matter of concern in our community that not only have we seen care not being given in those relationships, but children have come to harm in those relationships. There have been many well-documented cases, including the Valerio case and more recently Cody's case and the case in Gippsland, which have generated great concern in the community and coverage in the media. These are dealing with matters at the very heart of what we as a community expect with regard to the care and raising of children, and circumstances where those expectations have not been met.

In response to those concerns and the cases that emerged earlier this year the government indicated that it would do something. What the Premier — at that stage the new Premier, Mr Brumby — said it would do was introduce a new crime of child homicide. When that announcement was made there was great expectation in the community that the government and the Parliament would send a message to the community that child homicide, the killing of a child, was unacceptable and that it would be separated out as a special class of criminal act which the Parliament and the community would recognise as being particularly heinous, and which would consequently attract an appropriate penalty.

It is therefore disappointing that the bill that comes before the house today with a title that includes the words 'child homicide' does not, in the view of the Liberal Party, achieve that aim. It is a very short bill and essentially it relabels the offence of manslaughter as child homicide where the victim of that offence is a child under the age of six. What would traditionally have been a prosecution for manslaughter will, as a consequence of this bill and the amendment that it makes to the Crimes Act, be considered a case of child homicide where the victim was under the age of six. The penalty that will apply for a crime of child homicide has been set at a maximum of 20 years, which is the same as applies for the current crime of manslaughter.

The Liberal Party is disappointed that this legislation has not made a distinction between the two offences. Effectively the only difference between the offences of manslaughter and child homicide is the age of the victim. It was our expectation and the community's expectation when this bill was first proposed in the middle of last year that a message would be sent by the government and by this Parliament that we regarded child homicide as the most serious of offences and that it would attract a commensurate penalty, and that that penalty would exceed the one which currently exists for manslaughter, which is the offence that many

perpetrators of this crime have previously been charged with. In many instances where children have died in the circumstances I described earlier it has been the practice that the perpetrators were charged with manslaughter, which attracted the maximum penalty of 20 years, and it was our view and the community's view that the new offence of child homicide should have a commensurately higher penalty as a reflection of the seriousness of the nature of the offence.

We are disappointed that in effect this new offence will merely mirror the existing offence of manslaughter. One of the reasons advanced by the government for making the distinction in the name of the offence between manslaughter and child homicide where the victim is under six was the belief — so it stated in the argument it put forward publicly — that this will release the courts from the sentencing precedents on manslaughter offences. The Liberal Party would like to believe that is true, that it will give courts a new opportunity to set sentences without having to be bound by the precedents of manslaughter. However, in saying that and acknowledging the government's public statements to that effect, we also acknowledge that the second-reading speech by the Attorney-General makes the point that this offence will track, or parallel, the offence of manslaughter, and therefore those precedents will be relevant.

It is hard for us on this side of the house to determine what in practical effect the new offence of child homicide will mean when it tracks so closely — other than through the age of the victim — the existing offence of manslaughter. While we see and support the intent of having this offence and recognising the seriousness of this crime, it would appear that in the way this bill introduces the offence of child homicide it is merely replicating what already exists with manslaughter, and we are not convinced that that will result in any different handling of these cases when they come to court.

The bill makes a couple of other changes to the Crimes Act. One is to increase the penalty from 5 years to 10 years for the offence of negligently causing serious injury and, rather topically at the moment, it splits the current offence of dangerous driving causing death or serious injury into two separate offences — one of dangerous driving causing death, which will carry a new penalty of 10 years, and one of dangerous driving causing serious injury, which will carry a penalty equivalent to the current five years for the existing combined offence.

That change is welcomed by the community. This week we have seen a notable case involving this offence,

which has generated a great deal of anguish for the community in Mildura. I am sure the parties affected in that instance in Mildura would take some comfort from the knowledge that this provision in the bill will expand the range of options that would be available for an offence such as the one that occurred in Mildura. The Liberal Party welcomes that aspect of the bill, and I am sure that the community will also welcome it.

It is also disappointing that one of the matters not canvassed by this bill is the recognition of the role of the community with respect to the care of the child. This bill is targeted at —

**The DEPUTY PRESIDENT** — Order! I might just interrupt the debate at this stage. Mr Rich-Phillips has made reference to a case that is currently before the courts and where penalties are to be decided. I appreciate that his remarks were fairly circumspect, and frankly they need to be, given the matter is still before the court. However, for the sake of the house and for other speakers, I think it is important that we clarify the position and ensure that the debate does not have any adverse consequences in regard to matters before the court.

There is, as members would be aware, a sub judice rule in relation to criminal matters. The sub judice convention is a restriction on debate which the house imposes on itself where there is a danger of prejudicing proceedings before a court. The purpose of the rule, particularly where criminal matters are concerned, is to protect individuals appearing before courts and from having their cases prejudged through publicity. In relation to criminal matters, the Council has adopted the practice of the House of Commons, outlined on page 437 of May's *Parliamentary Practice*, 23rd edition, which can be summarised as follows:

Cases in which proceedings are active in courts shall not be referred to in any motion, debate or question. Criminal proceedings are active when a charge has been made or a summons to appear has been issued. Criminal proceedings cease to be active when they are concluded by verdict and sentence or discontinuance.

As I said, I understand that Mr Rich-Phillips's remarks were circumspect; nevertheless, there was a reference to a case in Mildura. That matter is still before the court awaiting sentence. I would advise members that no further reference to that case should be made in this debate.

**Mr RICH-PHILLIPS** — Thank you for your guidance in that regard, Deputy President. I note your ruling and the fact that a verdict has been determined in that matter. The point I was making is that this bill is narrow in its application insofar as the offence it

creates, which is child homicide, relates to a perpetrator, a person who harms a child resulting in that child's death, and the usual tests that apply to manslaughter would apply for the child homicide offence.

To go back a step, many of the offences the bill is addressed at are offences that occur within a home setting. It is regrettable that that is the case. It is regrettable that these children often die at the hands of the people in whose care they are entrusted. The setting in which these crimes often occur is unique in that sense. Therefore, it is certainly our view and the community's view that a certain responsibility must also be shared by other adults living in those households where such events occur.

The United Kingdom has recently considered a proposition that other adult members of households where these crimes take place should also share responsibility when these crimes occur. It is a view that this side of the house shares. There should be some responsibility on other family members living in the same household where children are subject to these types of crimes which lead to their death. It is disappointing that the government did not use the opportunity provided by this bill to address those wider concerns in the community about family responsibility for the wellbeing of the child that is at risk in these settings.

While the intent of the bill is supported by the community, the fact that it has not gone further to extend that responsibility, and the fact that it will not create a genuinely new offence of child homicide other than that which parallels manslaughter, is a matter of regret. It is a bill the Liberal Party does not oppose, but it is a bill that we believe could have gone a lot further in sending a message to the community that these offences are not acceptable, and in sending a message to the community that we believe there is a broader family responsibility to ensure that these crimes are not perpetrated.

**The DEPUTY PRESIDENT** — Order! It has also been brought to my attention that the case that gave rise to the government legislation was in response to a particular incident which has been to the courts. I am now advised that in fact that matter is subject to appeal. Therefore, during further debate on this matter I would ask members to take into account the fact that I see that case as also being subject to the same sub judice direction that I gave earlier.

**Sitting suspended 6.30 p.m. until 8.03 p.m.**

**Ms PENNICUIK** (Southern Metropolitan) — The Crimes Amendment (Child Homicide) does three major things. Firstly, it creates a new offence of child homicide. Secondly, it increases the maximum penalty for dangerous driving causing death from 5 years imprisonment to 10 years imprisonment, but leaves the penalty for dangerous driving causing serious injury intact. I suppose the Greens are prepared to accept this, but what defines a ‘serious injury’? Some injuries are so serious that they affect people profoundly for the rest of their lives. There is an argument that the seriousness of the injury needs to be looked at. Thirdly, the bill also increases the penalty for negligently causing serious injury from 5 years imprisonment to 10 years imprisonment. I wonder why this bill is called the Crimes Amendment (Child Homicide) Bill when it actually deals with three things, not just child homicide. I have often wondered about the titles of government bills.

I turn to that part of the bill that refers to child homicide. Obviously the homicide of a child is always a distressing and tragic event. I refer to a report by the Australian Institute of Criminology which was released in 1996. It was released over 10 years ago, but it seems to be the only recent, comprehensive report in Australia on the issue of child homicide. The report is called *Children as Victims of Homicide*, and it explains:

Homicides involving children have been referred to as ‘sentinel’ events in society ... that is, no matter how few there may be in absolute numbers, each one engenders such a degree of public outrage that each attains a special significance. Public expressions of concern have confirmed the need to examine more closely the character of child homicide in Australia.

That is what this report does, and I will be referring to it again in my contribution to the debate, because it has some interesting — if not harrowing, tragic and distressing — figures in it.

According to the second-reading speech the creation of the new offence of child homicide was the result of a number of recent cases. It says that the government considers that in some situations the current penalties for manslaughter involving children and for negligently causing serious injury are too low and can fail to reflect the gravity of the harm that has been caused. The minister said this bill would encourage courts to increase sentences. He said it is important that sentences are appropriate and it is also important to understand the complex reasons why a person, frequently a parent, may harm a child and to establish strategies to prevent these tragic cases.

While the Greens would agree with all that, I am not sure that I am convinced that sentences are not appropriate or that we do not understand the complex reasons why a person, frequently a parent, may harm a child. Certainly I would be surprised if a judge in such a case were not to consider very seriously and very thoughtfully what the complex reasons might be and were not also to consider very seriously what an appropriate sentence might be. We also agree that we need to establish strategies to prevent these tragic cases from occurring. In this area the focus must always be on prevention. These are serious issues which require a lot of thought, and I have given them a lot of thought. I have read the articles about the cases, and I have read the information that the parliamentary library provided on this issue — and I thank its staff for their work, which has been very helpful.

What is noticeable is that there are valid reasons for and against the creation of the offence of child homicide. There are advocates for it and critics of it. These valid points of view have made it difficult to come to a definitive decision as to whether the creation of this new offence is an improvement to our justice system. For example, advocates for the creation of the offence include the Australian Childhood Foundation and victims groups. The Australian Childhood Foundation sent me a letter with a brochure attached. The brochure says:

Clearly, the current approach to sentencing required major changes. Adults who seriously hurt or kill children should be held accountable for what they have done.

It also says that crimes against children, because they are smaller and more vulnerable and need us to stand up for them, should be treated more seriously. The brochure states that commentators like Neil Mitchell on 3AW — and he certainly has mentioned many of the cases quite a lot — and academics such as Professor Chris Goddard, the director of the National Research Centre for the Prevention of Child Abuse, have argued that the proposed law would need to be different. It also says:

The new law should assume that adults who deliberately and repeatedly abuse children know that their violence could result in a child’s death. It should assume that adults who kill children have made a choice to act in the way that they did. It should assume that the community holds precious the life of all children. It should assume that the rights of children should be promoted even in their death.

The Australian Childhood Foundation has advocated for the law. On the other hand, there are groups that have criticised the legislation, including the Victorian Criminal Justice Coalition, the Victorian Criminal Bar Association and the Law Institute of Victoria. For

example, the law institute has written to us saying it believes the proposed offence is being introduced in response to the intense media action attracted by a small number of high-profile cases. The institute acknowledges the community concern about the penalties imposed, but also notes that these cases are complex and many of them show individuals and families under enormous strain. Many of the offenders have mental health issues, drug and alcohol addictions, poor coping, parenting or financial skills or a combination of the above. The law institute goes on to say that judges have the opportunity to fully consider all the circumstances in the cases before them and make sentencing decisions accordingly. The complexity of these decisions is not easily distilled into newspaper headlines. The law institute also called for increased funding for comprehensive early intervention and support programs for families at risk, which we mentioned before, and it submits that a purely legal response to this issue will have minimal impact on the incidence of children being killed and that a broader preventive approach should be examined.

I return to the Australian Institute of Criminology report, and it is interesting to note that in its study of children as victims of child homicide, which was released in 1996, the institute looked at certain years, which I cannot find here now. In the years where the institute studied a number of cases of child homicide, it is interesting to note that in 86 cases or 70 per cent, child homicides were perpetrated by a parent or de facto parent, another family member or another known person — that is, a friend or carer, et cetera; 2 per cent by another family member, most probably a sibling, and 14 per cent by another known person. It is interesting that child homicide by a stranger made up only 4 per cent of cases. I would assume that those cases probably do not even fall into this debate because they would probably be charged with murder.

It is interesting here, too, that in the report the institute talked about the factors. The clearest factor in terms of being a victim is age. Sixteen of the 32 victims were less than six months old, and the risk is great for those very young children. It also said the youth of the offender is a salient feature; the overrepresentation of non-biological fathers is especially notable; and the predominant conditions of their lives were instability and poverty. The report said that much abuse is a consequence of ignorance of reasonable child-rearing practices and reasonable expectations of children's behaviour, and that parents need to be educated in alternatives to hitting their children. This is especially the case for infants, obviously where physical discipline is completely inappropriate. I do not know if members have read this report but it is a very interesting report

into this issue and the complex conditions that can lie behind child homicide.

The Law Institute of Victoria also mentioned that we need better strategies for prevention, and I agree with that. I had a look into that issue. For example, the Victorian Council of Social Services (VCOSS) in its budget submission points out that continued underfunding of family support services, particularly early intervention support, remains one of the key factors undermining improved outcomes for vulnerable children, young people and families. Toxic stress arising from poverty, abuse and neglect, maternal depression and substance abuse needs to be addressed directly at the early stages to prevent damage to children.

VCOSS says that the new Child First model will have significant potential to improve outcomes for vulnerable children and families but that not all vulnerable families are eligible for it, and there is a lack of proper resourcing of collaborations and partnering. I raise this because to me the most important thing that we should be focusing on is preventing the violence against children that results in their injury or death, so where we have an organisation like VCOSS pointing out that there are still shortcomings and gaps in early intervention and support for families who are in trouble and children who are therefore in trouble, that is where we should be focusing our attention.

VCOSS recommends on page 9 of its submission that the government could better promote the safety and development of vulnerable children by increasing investment in both early intervention and secondary family support services, particularly in rural and regional areas. That is an area where we need to improve so that we can prevent the very subject that we are referring to here.

The law institute also made the point that the government is conducting a wholesale review of the Crimes Act as part of its commitments under the justice statement, and it is its view that the change to the law in relation to child homicide would have been more appropriately dealt with as part of this wider review. The law institute says there is no urgency to the change that justifies this particular offence being considered separately, and that including child homicide in the broader review would present an opportunity to look at this area of law more comprehensively and to consider other potential reforms. I think that is a valid point as well.

Also in our briefing with the department I asked whether there was any other jurisdiction that had

introduced this offence. Certainly there is no jurisdiction in Australia, and I was not informed that there was a jurisdiction elsewhere that had introduced this offence. I also asked who had been consulted, and it seemed that it was a very limited consultation, so in terms of putting forward the statement that some groups in the community are advocating for this changed offence while others are saying that there may be better ways to deal with it, the sort of minimal consultation that has taken place and the fact that there is no other model to point to give validity to what the law institute is saying.

The key argument that the government has put forward — and this is stated in the second-reading speech — is that it will ensure that judges take into account the age and vulnerability of the victim as an aggravating circumstance. As I said before, I would be surprised if this is not already the case. Having read some of the judgements in these cases, I know that the judges have taken into account all the complex and aggravating circumstances that surround the cases where a child has been killed, as well as extenuating circumstances in any case.

I make these comments to point out that this is a very serious and difficult issue. I am not sure whether this will result in an improvement in the justice system. Perhaps it would have been prudent of the government — because there is no precedent elsewhere that the department could point me to in terms of this offence, and since the government has introduced trials in other justice bills before the Parliament just this week — to do the same in this case, or at least to wait for the full review of the Crimes Act, as the law institute suggested, to make sure that we have got the situation right in terms of this difficult and distressing social issue.

**Mr HALL** (Eastern Victoria) — Prior to the dinner break the Deputy President gave advice to all members participating in this debate that they not comment on cases which still have some currency before the Victorian courts. That is sound advice. The minister, in his second-reading speech, made some reference to a particular case that was the catalyst for at least one of the significant changes to the Crimes Act that we are debating tonight. Subsequent to those comments from the minister the case has been appealed. My comments will be of a general nature and will not be specific. I will not refer to any matters currently before the Victorian courts. Consequently, some of the comments I was going to make will have to be put in the bottom drawer and will not be made tonight. Perhaps I will get an opportunity to speak about those matters at another time.

The Nationals do not oppose the legislation. The general direction of the changes is welcomed. We are not completely satisfied they will achieve everything the government wants to achieve, but we are not prepared to stand in the government's way in its attempt to bring about what it desires with this legislation. Essentially the legislation amends the Crimes Act in three main areas. The most prominent area is the creation of a new offence of child homicide. One needs to look at the government's argument about why it has introduced this new category of crime, which is essentially a subset of the manslaughter charges people can be charged with now. Within the framework for manslaughter there will be a new offence called child homicide which will attract the same maximum penalty as manslaughter charges, that being 20 years.

In the second-reading speech the minister gave the government's reasons for the introduction of this new offence. In setting out its argument it commented on the cases where children under the age of six years have been killed over the last decade or so. The lowest sentence over that period was 5 years and 6 months, and the longest sentence was for a period of 10 years. Even that longer sentence had a 7-year parole period. One would look at that and think that generally those sentences seem to be on the light side. The government has therefore argued, as set out in the second-reading speech, that the creation of this new offence of child homicide aims to encourage the courts to impose sentences that are closer to the maximum term than the current sentences for manslaughter. While I support the principle and I think we should be doing everything we can to encourage the courts to impose sentences that are more reflective of community views, I am not sure that the creation of the offence of child homicide will achieve that objective. There are better ways of encouraging the courts to set stronger sentences for crimes which in our view need to be punished more severely.

I refer to a long-held position of The Nationals with respect to what we term standard minimum sentencing or standard non-parole sentencing where the Parliament would give the judiciary some guidance as to what the minimum sentences should be as well as having a maximum sentence in some cases. We have always advocated the position that setting a minimum sentence that better reflects community expectation will assist the judiciary or the jury to give more credence to what we believe is the community expectation.

We have always said that if there were exceptional circumstances the sentencing body, a jury or a judge, should be able to validate the reasons for differing from

that minimum standard sentencing. If it is that the government wishes to achieve greater sentences for this new crime of child homicide, we believe a better way of doing it would be to move to a system, as New South Wales currently has, of standard minimum sentencing.

I was going to reflect on some issues that were covered in the weekend newspapers, but, as I said before, the advice of the Deputy President deters me from doing so at this point in time.

I turn now to the other two areas of the bill. The bill will provide for an increase in the maximum penalty for the offence of negligently causing serious injury. That arises from a recommendation from the Sentencing Advisory Council which suggested that the maximum penalty for the offence of negligently causing serious injury could be increased from its present level of 5 years to 10 years imprisonment. Most of these offences involve people using motor vehicles. We support this particular component of the amendments.

The third main area of the bill splits the offence of dangerous driving causing death or serious injury into separate offences with different maximum penalties. The penalty for the offence of dangerous driving causing death will increase from 5 years to a maximum of 10 years. The maximum penalty for the offence of dangerous driving causing serious injury will remain at 5 years. Frequently people have come to me and suggested that the sentences for those particular crimes are not sufficient to deter people from acting in the way they have, but nevertheless, as I said before, the better way we as a Parliament can give that direction to the judiciary is by the introduction of standard minimum sentencing. As far as it goes we welcome that increase in the maximum penalty for dangerous driving causing death from 5 years to 10 years.

As I am not able to comment on particular cases, I am happy to say that I hope the government's objectives for the legislation are reached. We are not overly confident that that will be so, particularly with the new category of child homicide, but nevertheless we believe we should be giving guidance to the courts in respect of the appropriate penalties for those areas. If the legislation goes some way towards that, it is welcomed. We are prepared to give the legislation a chance and will not be standing in its way this evening.

**Ms MIKAKOS** (Northern Metropolitan) — I rise to speak in support of the Crimes Amendment (Child Homicide) Bill 2007. I believe that a society is judged by how well it protects the vulnerable members of its society, and children are among our most vulnerable members. It is with great distress that I speak on this

bill and I certainly wish that Parliament had no need to debate and pass the legislation that we are debating here tonight. Like Mr Hall, I too will respect the ruling made by the Chair prior to the dinner break that there are matters that are sub judice. Given that those matters are still before the courts I will not specifically refer to those particular cases.

I am sure that all members of Parliament, when reading of particular instances where young children have been the victims of homicide, have been greatly distressed about the brutality and the manner in which those children died. For that reason I categorically reject Ms Pennicuik's call, which has also been expressed by some members of the legal profession, that we delay the passage of this bill and consider this issue in the broader context. It would be a great injustice and disappointment to the community if we were to delay any further the debate tonight and the passage of this important piece of legislation. I assure Ms Pennicuik that the government has in fact consulted about this legislation through the Criminal Law — Justice Statement Advisory Group, which includes members of the legal profession, prosecutors, police and the courts.

The bill seeks to reflect community opinion. It is important that the values and expectations of the community are reflected in the sentences that are imposed by the courts and set as maximum sentences through the Parliament. The bill respects the separation of powers between the legislature and the judiciary. We do not seek to direct the judiciary to impose higher sentences, but because there are no precedent sentences relating to the new offence of child homicide, the judiciary will have an opportunity to consider the seriousness of such offences and to develop appropriate sentences in the future. It is therefore the expectation of the government that the establishment of the new offence of child homicide where the victim is less than six years of age will in fact lead to lengthier sentences being imposed by the courts in future. The bill has singled out children under the age of six years because they are the silent victims. They are the children, particularly in the case of infants, who are unable to speak for themselves. They are at the greatest level of vulnerability and deserve to be specially protected by our community. This legislation, although I wish it would, cannot completely stamp out the occurrence of such tragic cases in the future.

It is important that this legislation operate in the context of a strong child protection system and that it operate in the context of appropriate follow-up by police and other authorities. Recently I watched a very interesting SBS *Insight* program. It talked about the issue of children at risk and noted how levels of child protection reporting

had increased around the country. It particularly contrasted New South Wales and Victoria. New South Wales has experienced phenomenal increases in reporting, whereas Victoria's increases have been at a more modest rate.

The explanation that was given on that program by people who were in the child protection system is that Victoria has introduced very good preventive strategies and measures. Programs have been established that seek to identify and assist dysfunctional families where young children may well be at risk. If we are to prevent tragic cases of child homicide from occurring in the future, it is in this area that needs most emphasis to ensure that children at risk can be identified through the mandatory reporting system by doctors, teachers, child-care workers and others who are working with those children and also that support can be offered to the families as early as possible.

The bill also deals with a couple of other matters, and I now turn to those. They relate to the increase in the maximum penalty to be imposed for the offence of negligently causing serious injury. I note in this respect that in November 2007 the Sentencing Advisory Council concluded a report that made a recommendation for the maximum penalty for this offence to be increased from 5 years to 10 years imprisonment.

No doubt we all know that motor vehicle collisions in particular cause a huge amount of carnage in our community. Thankfully the road toll has been steadily declining over the years, but unfortunately it still remains at very high levels particularly amongst young drivers. I personally know of two families who have lost their young boys at very young ages as a result of reckless driving. I know the pain and distress that their deaths caused to their families, their friends and the people who knew them in the community.

The high rate of motor vehicle collisions amongst young people does not always, however, result in death. There are many cases where a person is seriously injured and becomes a quadriplegic, a paraplegic or has other serious, lifelong injuries. The increase in the sentence for those convicted of negligently causing serious injury is a reflection of the seriousness with which the community views these cases and is really a response to community expectations and values.

The final change in the bill is the splitting of the offence of dangerous driving causing death or serious injury into two offences. The penalty for the offence of dangerous driving causing death will be increased from 5 years to 10 years, whereas the maximum for the

offence of dangerous driving causing serious injury will remain at 5 years. This is again in response to community concern about motor vehicle accidents which cause death or serious injury and is again in accordance with community expectations and values.

I am very grateful that the other parties have indicated they are not opposing this legislation. It is important that we remember the victims who have died tragic deaths, particularly young children who have been the victims of child homicide. In their memory we support the passage of this bill.

**Mrs PETROVICH** (Northern Victoria) — Sadly I rise today to speak on the Crimes Amendment (Child Homicide) Bill. It is a too common occurrence that the most innocent and vulnerable members of our community are put at risk, often in their own homes, in an environment which should be one of care and love. It is all the more frightening because injuries which are sometimes fatal are sustained at the hands of their own parent, guardian or a parent's de facto partner.

A case which is currently on appeal before the courts has highlighted in the worst of circumstances the plight of some young children in our community and probably prompted the drafting of this legislation. I had hoped that the shocking and untimely death of the little boy who prompted this case would result in effective action to reduce the likelihood of other children having to endure this type of treatment.

As the wife of a now retired police officer and as a mother I have lived, through my husband and his colleagues, the grief and suffering of these poor little children who no-one responded to in time. A case that springs to my mind is the case of little Daniel Valerio in 1990, which led to the mandatory reporting of child abuse in 1993. At around the same time in my husband's career a 10-year-old boy was murdered in Melton in 1995, and his case is deeply burned in my memory. The little boy was playing with his toys in front of the television while his mum was getting ready for work. There was an intruder in the house, and the little boy was murdered with a tomahawk. The sentencing in this case was the first to be televised. My husband and his colleagues were the first criminal investigation bureau members on the scene. They caught the murderer coming out the front door and had to deal with the distress of the mother and the family and discovering that the little boy had been murdered as he played. The murderer's name was Nathan Avent, and as I said, the sentencing was the first of its type to be televised in Victoria. The little boy was unknown to his murderer, and there seemed to be no real motivation

for the crime. It has always stayed with me how easily the life of innocent children can be taken away.

The Liberal Party does not oppose this bill or any initiative which improves the way we manage these crimes, which are usually perpetrated on children under 6 years of age. I do, however, have concerns which arise from the fact that there is no change in the definition of the offence and no change in the maximum penalty, as the central provision in the bill takes the existing offence of manslaughter and gives it the new name of child homicide where a child who is under 6 years of age is involved.

At nearly the same time as the Daniel Valerio case the life of a little boy, Luke Letts, was taken from him. The reason I raise this case is that the child had sustained terrible injuries at the hands of his mum's de facto over a lengthy period and had lived in an abusive home. I know the effect that this horrific act had on a young police constable and his colleague who attended the scene, both of whom were fathers of young children. It is always horrendous to see young, innocent life cut short, but even more so when there is knowledge post the event that the suffering of the child has been ongoing and unnecessary. The reason I raise this is that I do not think the bill goes quite far enough with respect to horrific child abuse. This is an opportunity lost.

First of all, the new offence can only apply if the accused is either not prosecuted for or not convicted of a charge of murder. The new offence may even result in a lesser charge in some circumstances of child homicide when a conviction for murder may have been achieved. Secondly, the new offence does nothing to deal with the responsibility of others who have care of, may have shared a home with, or knew or ought to have known, or at least had some sense of what was happening to that child. Thirdly, there has been a too long delay since the Attorney-General's response to the Victorian Law Reform Commission's recommended changes in December 2005 in introducing interim intervention orders which would assist the many victims of family violence each year.

We continue to have children at risk who live in dysfunctional families and are in need of protection as a matter of urgency before tragedies occur. The bill sets out a minimum penalty of 10 years instead of 5 years for negligently causing injury. It splits the current offence of dangerous driving causing death and serious injury and sets a maximum penalty of 10 years instead of 5 years for dangerous driving causing death.

We need to examine how the law in relation to murder and manslaughter operates currently, with particular

reference to the mental elements of murder and manslaughter. The mental element, which is referred to as mens rea, for murder is constituted by the defendant acting with either the intention to kill or the intention to inflict grievous bodily harm. Mens rea for murder can be satisfied if there is recklessness as to whether death or serious bodily injury would result.

It is not something that is satisfied by foresight of death or grievous bodily harm as a mere possibility.

When we look at manslaughter we see that it can be constituted in two ways: firstly, when death results from a dangerous and unlawful act; and secondly, when death results from criminal negligence. It goes without saying that, if the offender has an established conduct that has resulted in a child's death and the mental element has been established, the offender should be prosecuted for murder.

I, along with the Liberal Party, support this bill. We will support anything that endeavours to offer protection to our young children, who deserve safety, love and protection in a modern Victorian society. I do feel, however, that this bill simply creates a new offence that carries the same maximum penalty as the existing manslaughter offence. We still have not addressed the issue of family members or others who know that child abuse is going on and do nothing to protect the child or stop the abuse from continuing. What steps have been taken to further identify these children at risk and how best to provide an opportunity for other family members, often the partner of the abuser, to leave the abusive relationship? Assistance is often too far away and too difficult to access.

There is a lot more to be done to identify and prevent family violence, and in some cases there seems to be an intergenerational propensity that means this behaviour continues for a long time. It certainly creates scars that last a lifetime, and until we address the cause we have no way of protecting the most vulnerable members of our community.

**Mr ELASMAR** (Northern Metropolitan) — I rise to speak on and support the Crimes Amendment (Child Homicide) Bill. Too often we have read in the newspapers or switched on the nightly news to hear that yet again a child has been killed in a traffic accident caused by a drunken driver, or even worse to some, a disaffected parent. Our community is sick and tired of our judicial system giving what they consider to be light sentences. But as we all know, the courts can only apply sentences which are prescribed by law. True, there is a degree of latitude, but this bill will create a new offence of child homicide.

As it now stands, the law does not take into account the age of the child at the time of its unlawful death. This amending bill incorporates the common-law provisions of manslaughter but also specifies that the child victim must have been six years of age or younger. It seeks to substantially alter what is now the current situation. To every parent or to any compassionate person in our community it is totally unacceptable that a child killer is not able to be punished to the full extent of the law, because this crime has to be the cruellest betrayal of an innocent child.

Parents who murder their own children for revenge against their estranged partners or drunken drivers who kill small children through their own stupidity and selfishness cannot expect to walk away from the court with a manslaughter conviction. They must pay the price for ending a young life, and this bill gives our judges the ability to make that happen.

There are many different situations in which child homicide occurs, and I have not attempted to detail every scenario. This bill is intended to be a deterrent. Unfortunately I do not have a solution that will end child homicide in our community, but what I can do is wholeheartedly support legislation that attempts to make people think twice before they act and think about the consequences and the legal penalties they will incur.

I say to fellow members of this house that if we give our judiciary the appropriate tools to do the job we may help to save a child's life, and that is worth voting for. I commend the bill to the house.

**Mr PAKULA** (Western Metropolitan) — I rise to briefly add my support to this bill. It is a bill which everyone in this Parliament, and indeed the community generally, should welcome. The community is disturbed when any person is killed. When that person is a vulnerable person, as a community we are horrified; when it is a defenceless, innocent child, the community is sickened, saddened and above all angry.

This bill has been necessitated by a series of incidents that occurred over the course of the decade in which children aged mainly between three weeks and three years were killed. In all of those circumstances the perpetrator was the parent or step-parent of the child concerned, and as a result of the existing law in most cases the average sentence handed down was between seven and nine years. I think I can speak for the vast majority of the community when I say that the community does not believe that sort of sentence is enough in those circumstances, and in my view the community is right about that.

Everybody who has been a parent knows how it feels to get angry at a child. Children can be very frustrating creatures. Some parents even smack their children, but civilised adults leave it there. People always told me before I became a parent that when you become a parent you start to think differently about these things. Those parents were right. I think we all do once we have children of our own. When I look into the eyes of my own children and I see their absolute innocence; the adoration they feel for the adults who raise them; their dependence; and most importantly, the trust they put in you, it puts me at a loss to understand how anyone can harm a child, certainly to the point where they cause that child's death. Even when the violence which is inflicted on children falls short of killing, their innocence is stripped from them. The betrayal of trust that that action causes in their minds is something that stays with them for their entire lives. I agree with Mrs Petrovich on that point. When the violence kills a child, it is simply the most appalling and tragic thing that can possibly happen.

It is important to note that this bill has no impact where the offence is murder, where the killing is intentional. Murder is murder and it remains so. But where in the past defendants have been able to argue that the killing was, for instance, unintentional, and as a consequence have argued the charge down to manslaughter, the effect of this bill, as previous speakers have indicated, is that that defence will no longer be available to them. Arguing down to manslaughter will no longer be available and instead in circumstances that would otherwise be manslaughter the defendant would be guilty of child homicide. That carries the far more appropriate penalty of up to 20 years. That is intended as a signal to the courts that the community has an expectation which is that the courts should treat the age and vulnerability of child victims of violence as an aggravating circumstance in these sorts of incidents. Consequently, the courts ought to impose sentences that are much closer to the maximum than has been the experience over the past decade.

As Ms Mikakos and other contributors to the debate have pointed out, the bill doubles the maximum term of imprisonment for negligently causing serious injury from 5 to 10 years. I think that matter has been covered adequately and I do not propose to add any further comments to that.

In summing up, this bill is both responsible and responsive. It is responsive to the desire of the community to treat these offences more seriously than they have been treated in the past. It is incumbent on all of us to recognise that children are entirely dependent on adults for love and protection, and in return for that

they give us their trust. I think the community demands that more serious penalties should apply to those who in an irreversible way breach the trust that children place in us as adults. In that regard I think that community sentiment is absolutely spot on and I commend the bill to the house.

**Ms DARVENIZA** (Northern Victoria) — I rise to make a very brief contribution to the debate. Most of the elements of the bill have been adequately covered by speakers from both sides of the chamber. It is a very good bill that looks to protecting the most vulnerable in the community — our children. It has been implemented after and informed by consultation with the police, the Department of Human Services and VicRoads. That consultative process has built on aspects that were raised particularly by Mrs Petrovich in her contribution to the debate. There needs to be greater recognition of when a child is at risk so that appropriate intervention can occur in a more timely way and therefore prevent either more injury or even the death of a child.

The Premier announced in August 2007 that the government would be introducing legislation to deal specifically with the killing of children. That is what this bill does. It also builds on the Access to Justice policy that we have taken to the community, and implements the expectations of the community. Other speakers have talked in some detail about how there has been a series of deaths of children which have been very traumatic, disturbing and distressing. Mrs Petrovich made a contribution to the debate as someone who had been dealing with people close to her who had been dealing with these kinds of situations. I could really appreciate the impact it has had on her life and how she has carried that with her. I can imagine the impact it has had on her husband's life and other people who were involved in such traumatic incidents.

As I have already said, the Premier announced that there would be an offence that would fit into the manslaughter-related groups of offences with a maximum penalty of 20 years imprisonment. The new offence of child homicide recognises the vulnerability of the victim, being a child. It aims to encourage the courts to impose sentences that are closer to the maximum terms. Manslaughter carries a 20-year term. We want to encourage the courts so they will impose the maximum terms.

The offence recognises the age and vulnerability of victims who have been killed, in most cases by a family member or somebody close to the family. And as has already been pointed out, the bill deals with a range of issues to do with dangerous driving causing death. The

community expects us to deal harshly with those who perpetrate crimes against vulnerable children. The bill does that. It implements the undertakings of the Premier that we would introduce a bill to ensure that people would be more appropriately and more severely dealt with than they have been in the past. The bill is a very good one. It deserves the support of all members of the chamber. I wish it a speedy passage.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Hon. T. C. THEOPHANOUS** (Minister for Industry and Trade) — By leave, I move:

That the bill be now read a third time.

In so doing I thank the many members who made what were obviously heartfelt contributions to the debate.

**Motion agreed to.**

**Read third time.**

## CONSUMER CREDIT (VICTORIA) AND OTHER ACTS AMENDMENT BILL

*Second reading*

**Debate resumed from 28 February; motion of Hon. J. M. MADDEN (Minister for Planning).**

**Mr GUY** (Northern Metropolitan) — I rise to make a contribution to the debate on the Consumer Credit (Victoria) and Other Acts Amendment Bill 2007. In doing so I note that the Liberal Party will not be opposing the bill. Indeed we believe there are a number of sensible and broadly supported aspects of the bill. They are quite useful and will improve consumer credit and financial literacy issues in Victoria.

The purpose of the bill is to amend the Consumer Credit (Victoria) Act 1995 and other acts, and to repeal the Credit Reporting Act 1978 following the enactment of selected provisions of the Fair Trading Act 1999. The main provisions of the bill implement a number of the recommendations of the report of the consumer credit review that was conducted by the then newish MP, James Merlino, the member for Monbulk in the other place, by amending a number of consumer acts.

The amendments will require that credit providers belong to an external dispute resolution scheme; allow the director of Consumer Affairs Victoria to bring

proceedings under the consumer credit code in a court rather than the Victorian Civil and Administrative Tribunal; enact certain provisions of the Credit Reporting Act 1978 in the Fair Trading Act 1999 and repeal the Credit Reporting Act; amend the Residential Tenancies Act 1997 to add residential protections to certain protracted leases — so-called rent-to-buy contracts — on a prospective basis; and update the Sale of Land Act 1962 regarding terms of contracts and other minor amendments. The bill also implements some housekeeping amendments to the Subdivision Act 1988, the Business Licensing Authority Act 1998 and the Transfer of Land Act 1958, which are necessary following implementation of the Owners Corporation Act 2006. So the ‘and other acts’ in the name of the bill is not wrong — quite a few acts come into it from the outset.

I will not talk for a long time but will quickly touch on a number of issues. As we all know, credit is an ever-increasing feature of the lives of many Victorians. I guess it is fair to say it is a concerning increase, as people in more difficult economic times, which it appears we are heading towards, appear to use credit for day-to-day expenses rather than one-off expenses. They use it for what should be recurrent or ongoing expenses such as rent, mortgage payments or a range of other things. Credit is obviously becoming vastly more fluid in Australian society, and it is certainly being used a lot more by Victorians. Indeed in the 12 months to December 2007 there were over 132 million purchases on credit and charge accounts in Australia conducted involving 13.9 million of those accounts. It is quite astounding: there are only 21 million people in Australia, and there are 13.9 million credit accounts. Australians had \$42.7 billion outstanding on credit and charge cards as at December 2007, which is the highest level on record. Australians are spending more on credit and credit cards than they ever have before.

This is quite concerning in one way. It means that people have to pay that money back. Credit is, as its name suggests, on credit. It is not money for jam; it needs to be paid back, and that is something that people need to keep in mind.

The December 2007 figure of \$42.9 billion outstanding on credit and charge cards is a 9.5 per cent increase over the previous 12 months. It is astounding that there has been nearly 10 per cent growth in the amount of money that Australians have put on their credit cards in that period.

As we all know, the forms of credit that are available nowadays are many and varied. It is not simply a matter of Bankcard. I may not be the oldest member of this

chamber — I am actually not the youngest either — but I do remember times in this country when that little Bankcard symbol was a symbol for the only form of credit you would find. Apart from paying cash or paying by cheque, using a Bankcard was the only way to pay. It was brand new and unique and was seen to be the way of the future. Nowadays credit cards, such as Visa, MasterCard or Amex, are not the only forms of credit around; there is credit everywhere. There are credit cards for department stores and there are credit cards for electrical stores; there is a whole range of groups which can do credit. There are credit unions, there are petrol outlets that allow you to have a credit account — there is credit everywhere. It is understandable, where credit is so easy to come by, that there is a temptation for some people to use credit cards and unfortunately not be as responsible with those cards as they should be.

When buying a product credit is usually offered to a purchaser. If you are getting into white goods or electrical goods, all those types of material, usually credit is offered by a store not just for a one-off purchase but to buy more products and place them on your store credit — for example, if you put it on the account with the store, you can have a payback system over a number of years and you can add more products and pay less interest. There is a whole range of obviously attractive options which a significant number of people in Australian society decide to take up. Unfortunately, though, as I said before, people need to remember — and I am sure a lot of people are not remembering to the extent that they should — that this all needs to be paid back, and it needs to be paid back in a prompt and timely manner. You can walk into white goods stores and be offered credit at a very easy rate and at a rate which seems very attractive. Many people I know, many of my own friends, have taken up the offers of some of these stores, where they have been able to purchase almost every electrical appliance they could possibly put in the house — in fact I am not sure they are ever going to use some of them — but it is all on a credit account, or loan account, and it needs to be paid back. People need to keep that in mind.

The key to assisting people when they start to use credit is of course financial literacy. I used to work for the Australian Securities and Investment Commission (ASIC), and I know that financial literacy is very important in a modern-day society. As credit becomes easier, as money becomes easier to obtain, financial literacy becomes exceptionally important, and access to good financial education and good financial advice is very important. The Financial Literacy Foundation performs this role as well as ASIC. Banks obviously are obliged to and do engage in financial literacy, trying to

educate their own consumers in terms of making them more au fait with the literature they need to read before they go and purchase products and use up their accounts. People need to be protected against unscrupulous traders. Having said that, it is incumbent upon people to be sensible when they are using credit accounts, but they certainly do need that level of protection.

I will just make some quick points on the bill. As I said, it implements those recommendations which are relevant to Victoria which were made by the 2005 parliamentary review into consumer credit which was chaired by the member for Monbulk in the other place, Mr Merlino, in the report that was presented to the government last year.

Clause 3 of the bill provides the director of Consumer Affairs with the ability to commence actions on behalf of all consumers in proceedings under the consumer code. The director will be able to choose the court level at which the proceedings will be heard instead of it being confined just to the Victorian Civil and Administrative Tribunal, and this is quite useful, where there is a public interest of course. This is a good thing; it clarifies points of law relevant to the court in which they apply.

Clause 4 inserts into the bill the definition of EDR, which stands for external dispute resolution scheme. It brings it into line with the national system, and I think members will agree that bringing these kinds of laws into line with the national system makes a lot of sense.

Clause 6 introduces a new section 12A into the act, which requires all credit providers to subscribe to a dispute resolution scheme. It is a low-cost means of dealing with small disputes between consumers and credit agencies. It is supported widely by the industry. The resolution is binding on the credit company but not the consumer. Clause 6 also inserts section 12B into the act, which sets about preventing some people from operating a credit business within the state — for example, those who are insolvent are generally not the types of people who should be able to hold a licence to give others money — and that is very important.

Part 3 amends the Credit (Administration) Act 1984 and covers extra powers given to the director of Consumer Affairs Victoria, and it gives the director the power to conduct targeted compliance monitoring and compliance advice programs. As I said before, that is very important.

The bill repeals the Credit Reporting Act and under part 4 places a number of measures from the Credit

Reporting Act under the Fair Trading Act. Issues involving credit reporting are now covered at the federal level through the Privacy Act, so much of the old act becomes obsolete. This bill makes provisions to deal with that.

Part 5 amends section 6 of the Rental Tenancies Act 1997. Consumers who enter into rent-to-buy schemes will have the same protection as rental tenants under the Rental Tenancies Act 1997. The Real Estate Institute of Victoria and the Law Institute of Victoria have expressed concerns that they were not appropriately consulted about this aspect of the bill, but I think that it is important to note the broader context of the bill. While they do have some concerns, the bill in general makes some positive changes.

As I said from the start, the Liberal Party does not oppose the bill. The amendments are a relatively light touch and they follow an extensive review and consultation process. They are not necessarily going to add to the regulatory burden of the cost of credit providers. They provide consumers with some level of additional protection and there is certainly no use in standing in the way of that. In fact I think it is incumbent on all of us to promote that.

As I said from the outset, we do not oppose the bill. It is interesting we are talking about credit today. Earlier in question time the Treasurer was talking about debt and credit. Maybe the state government, rather than max out its own credit cards — it has taken our debt levels from \$4 billion to \$14 billion — should have a look at some of the provisions in this bill and some of the commentary relating to this bill. When we are talking about ‘going too far into debt’, it is not just a consumer issue but also a government issue. Aside from that perhaps rather cheeky end to my contribution to the debate on the bill, the Liberal Party does not oppose it and in fact wishes the bill a speedy passage through the house.

**Mr BARBER** (Northern Metropolitan) — The Greens will be supporting this bill. We have undertaken some consultations with community groups which assist people who are having problems with credit. Those same groups of course regularly take an interest in law reform. The chief executive officers of the Consumer Action Law Centre, Catriona Lowe and Carolina Bond, sent us a letter, which states:

Consumer Action strongly supports the proposed bill. We are of the view that much reform to consumer credit regulation is required in Victoria and nationally to ensure the laws adequately protect consumers. This bill goes part way to address some of the issues we see arise in our casework practice. With the slow pace of reform on credit laws

nationally (under the Uniform Consumer Credit Code), however, this bill is really playing catch-up.

By 'catch-up' I presume they mean catching up with the never-ending inventiveness of unscrupulous or unethical lenders trying to get around the provisions that are put in place for them. They went on to say:

We also support the amendments to the Fair Trading Act to allow for challenges to consumer credit report listings. However, we are concerned that consumers would be required to go to the Magistrates Court to enforce their rights. As with other consumer issues, we believe it should be at VCAT, which is obviously a cheaper and less formal jurisdiction.

That would be something for the government to monitor.

The Consumer Action Law Centre is supporting most of the provisions of the bill, and it particularly supports the collection of additional data about lenders, such as probity requirements; the proposal that credit providers are to be members of an approved external dispute resolution scheme; the application of the Residential Tenancies Act's so-called rent-to-buy contracts; clearer regulation of vendor terms in the Sale of Land Act; and improved powers for the director to institute proceedings on behalf of consumers.

With those few brief comments, I am happy to say we will be supporting the bill.

**Mr SCHEFFER** (Eastern Victoria) — I speak in support of the Consumer Credit (Victoria) and Other Acts Amendment Bill 2007. This bill amends six acts so as to ensure that low-income households in particular have access to affordable credit while at the same time ensuring that predatory finance practices that target vulnerable and disadvantaged Victorians are prevented. The bill originates from commitments the government made in *A Fairer Victoria* to undertake a review of credit laws and to take on board the changes to legislation that the review might recommend.

The bill amends the Sale of Land Act to simplify and clarify the protections contained in that act for people who buy their homes through vendor terms contracts. It amends the Residential Tenancies Act so that people who are buying their homes through rent-to-buy arrangements are covered in the same way as other residential tenants — so they will be protected against unreasonable rent increases, so they will have the right to have the premises that they are renting repaired and so they can have limits placed on owners entering the property that they are renting. The amendments also provide access to dispute resolution at VCAT (Victorian Civil and Administrative Tribunal) to

individuals who are buying their homes through a rent-to-buy arrangement.

The bill provides for the repeal of the Credit Reporting Act. The reason for this is that the Commonwealth Privacy Act already covers most of the provisions that relate to credit reporting. However, the consumer's right to take action in the Magistrates Court to compel a credit reporting agency to correct errors in a credit report will be preserved in the Fair Trading Act, because this path is not available to consumers under the Commonwealth Privacy Act.

The bill will strengthen the powers of the director of consumer affairs to enforce credit providers to comply with credit law and regulation. The director will now under these amendments be able to take legal action to defend consumers in all proceedings under the credit code and some proceedings against finance brokers under the Consumer Credit (Victoria) Act to recover unlawful fees. The director will be given the power to decide whether or not to take legal action in the courts or at VCAT if he believes that such an action is in the public interest. This flexibility will allow the director to decide, on the basis of the particulars of a given situation, to choose the most appropriate forum in which to hear a case in the public interest.

The bill also removes the current exemption that is provided to pawnbrokers under the Consumer Credit (Victoria) Act. The exemption contained in the act is intended to apply to pawnbrokers when they provide credit that falls outside the consumer credit code, but the code already provides such an exemption, so the provision in that act is unnecessary and the bill repeals it.

The bill updates the register of credit providers. Under the Consumer Credit (Victoria) Act as it now stands, all credit providers must be registered and supply basic information about their businesses to the Business Licensing Authority. Currently the only information they need to provide is their name and trading address. There is no up-front fee and no continual annual fee. Under the Consumer Credit (Victoria) Act, the director of consumer affairs has extensive investigatory powers and can act to make sure that registered providers comply with the law.

The 2006 consumer credit review that was conducted by James Merlino recommended enhancing the credit provider registration scheme in Victoria so that credit providers are required to report further information about their business to the Business Licensing Authority at the time of registration and that that information should be updated in annual statements.

Credit providers will be eligible for registration under the updated arrangements if they satisfy the criteria set out in clause 6 of the bill. That ensures that they do not have conflicts of interest and have not been involved in practices such as fraud, dishonesty, violence or drug trafficking.

The review recommended, and the government supported, the view that the information collected by the Business Licensing Authority should include details of the products and services that the provider offers, its use of finance brokers and information about alternative dispute resolution schemes that the provider belongs to. The government agreed with the review recommendations that the name and the contact details of the registered provider, as well as alternative dispute resolution schemes to which the provider belongs, should be publicly available online. But the government did not agree that all the information on credit providers held by the Business Licensing Authority, as set out in clause 11 of the bill, should be disclosed online to the general public.

Clause 6 of the bill requires a registered credit provider to be a member of an approved external dispute resolution scheme.

Clause 11 states that the purpose of the register is to enable members of the public to access information about credit providers and to contain details of the external scheme that the credit provider is a member of.

The register of credit providers enables the director to keep the providers informed of legislative and regulatory changes, to monitor their compliance and to assist in conducting community education campaigns. Overall I think the updated register of credit providers will strengthen compliance and better inform those sections of the public that are especially vulnerable to predatory lending practices. By that I mean the elderly, the young and those on low incomes. Under the updated register consumers will be helped to obtain accurate information about credit providers.

As members will know, the amendments contained in this bill are the result of an extensive consultation that began back in May 2005 with the announcement of the review of consumer credit. At the time, Marsha Thomson, the then Minister for Consumer Affairs, said that the government was determined to protect vulnerable and disadvantaged consumers from the exploitative and irresponsible practices in the credit industry. The review — which was conducted by James Merlino, the member for Monbulk in another place — released an issues paper in 2005 that drew attention to the context in which the inquiry was being held. That

context has been outlined previously, but clearly the credit market has undergone huge changes. It is a continuous change process from the days when credit was rationed to the current environment where credit is retailed.

The issues paper pointed to the increasingly national and international dimensions of the credit market and the emergence of non-bank lenders. The paper refers to the changed ways in which consumers source credit and the emergence of new finance companies — for example, fringe lenders and microlenders. The astronomical growth of credit card and charge card schemes also constitutes the provision of credit or borrowing. Credit is also sold in retail stores to buy whitegoods and electrical equipment, for example. As the issues paper points out, many Australians are using home equity to borrow for discretionary purposes for holidays, home renovations and school fees.

In this context there are many opportunities for unscrupulous operators to exploit unwary consumers, and there is an important role here for the state to make sure that it has very clear laws and regulations that protect vulnerable and disadvantaged consumers. A soundly based legal and regulatory regime at a time of rapid growth in the credit sector also benefits the industry itself in ensuring that the development of appropriate operational standards helps build consumer confidence, which in turn assists business operators. I think this is good legislation, and I commend the bill to the house.

**Mrs KRONBERG** (Eastern Metropolitan) — I will start by saying that the Consumer Credit (Victoria) and Other Acts Amendment Bill is welcome in that it implements recommendations that were presented as part of an extensive consumer credit review. It is a relief to see these measures being brought to bear and brought to this Parliament, because there have been so many excesses and so many people have suffered through the predatory behaviour of credit providers.

I take up Mr Scheffer's point about people eating into the equity of their properties to pay for a whole lot of things that are quite unnecessary. People are succumbing to clever marketing ploys and are finding themselves bereft of their nest eggs in life. It is a very alarming trend. So, too, is the cavalier behaviour of the banking system, which mass mails out credit cards to people. I think that they are being so indiscriminate that not only under-age users of credit have been approached and offered credit by banks, but people's dogs and cats have been offered credit, so it certainly is unbridled behaviour.

I think of whitegoods suppliers, who offer with alacrity 24 or 36 months of interest-free propositions to people. People buy essential whitegoods when they are setting up home, then they literally drop into the abyss and are sucked into a vortex of high-interest regimes when that interest-free period is over. Of course this brings a lot of suffering and distress and provides the same sort of pressure that I imagine problem gambling does when people find themselves ramping up increasing debts.

Whilst we have seen interest rates go down because of the skill and the commitment of the Howard government in the housing finance area, we have not seen an adjustment within the credit provision area by any measure whatsoever. Those interest rates are still up in the stratosphere and credit is still enticingly available to people, and so many of them readily succumb to it. It is good that these measures have been brought to bear, and it is also good to see that people will have ready access to information. I only hope that this adds to the financial literacy of the general populace so that we avoid all of the pain and suffering that we have seen manifest and ramping up in recent years.

Getting down to some specific elements, we note that the bill requires credit providers to belong to external dispute resolution schemes, which is welcome. It also gives the director of Consumer Affairs Victoria the ability to bring proceedings under the consumer credit code to a court rather than VCAT (the Victorian Civil and Administrative Tribunal). From my perspective, anything that diverts matters from VCAT is welcomed. There would be an opportunity to utilise some of the mechanisms that the government is examining at the moment in the domain of alternative dispute resolution, which augurs well and is a positive direction.

The bill also amends the Residential Tenancies Act 1997 to give residential protections to leases that are described as protracted. I understand the technical term for leases of people moving from a rental situation to a purchase situation as holders of a lease are known as rent-to-buy contracts. I am no specialist in this area, but I understand that that term is correctly applied in this instance.

Whilst the amendments in general are like a nip and a tuck here and there, they follow on from an extensive review process. It is a relief to see that the bill will not add particularly to the regulatory burden or the cost regimes to credit providers themselves. Because the bill provides this essential additional level of protection to consumers, I will not be opposing it.

**Mr THORNLEY** (Southern Metropolitan) — I rise in support of the Consumer Credit (Victoria) and Other Acts Amendment Bill 2007. The provision of credit can be one of the most liberating forces and one of the most damaging forces in society. One has only to look at the extraordinary results of the Grameen Bank and the recent awarding of the Nobel peace prize to Mr Muhammad Yunus to see that credit, when done well, can provide vulnerable people in the most difficult parts of our world with a liberating opportunity to extend their circumstances and improve their lives.

By the same token, tragically, we have seen many examples of credit being a noose around people's necks, of predatory lenders and loansharks and others taking advantage of people in a very vulnerable situation and causing enormous further distress, so it is difficult to think of an area that is more obviously worthy of thoughtful regulation than the provision of credit so that the benefits of appropriate credit provision are widely available to those who most need it, but so that the dangers of inappropriate credit provision are limited or, where possible, prevented.

In the field of consumer protection generally, credit is one of the most obvious opportunities to ensure that we protect vulnerable consumers because, almost by definition, most people who are borrowing money are in a somewhat vulnerable position. That is why they need to borrow the money. So it is a field that, of necessity, requires vigilant scrutiny from those public officials among all of us who are elected to provide that type of scrutiny on behalf of the communities that we serve.

I know from semi-personal experience and observation, because once many years ago my wife headed the Financial Counsellors Association of Victoria — indeed I think the member for Bellarine in the other place also headed that organisation, as it was then called; it now has other names — what has happened in the consumer credit market for a very long time and a range of the disappointing and genuinely dangerous activities that some of the predatory lenders have provided. I have raised in this house the activities of a company called Amazing Loans, which, unfortunately, continues to undertake activities which I think are outrageous and predatory and may require further scrutiny from this government at another time.

This bill — and others have gone through the provisions in some depth — provides a range of further protections that are a very important part of that scheme. The first is to ensure that there is a clear register of who is actually in the business so we know who they are and their customers can know who they

are, and we can ensure that unscrupulous operators can be prevented from entering the business or those who are borderline can be appropriately scrutinised and we would be aware of their activities. So that initial register is the fundamental baseline for information to ensure that the industry operates fairly — and similarly, the requirement for all providers to be parties to the capacity for an external dispute resolution scheme. Given the very nature of elements of this part of the credit market, there is a higher than usual likelihood that there will be a dispute between the customer and the provider, and access to a simple, fair and low-cost dispute resolution scheme is absolutely critical, and awareness of the availability of that scheme is also absolutely critical. This legislation both provides for the availability of that scheme and includes provisions to ensure that the customers are more likely to be aware of and have easy access to the contact details and other mechanics so they can access that scheme when and if they need it.

It also further provides for additional targeted compliance in education programs, again seeking to ensure that customers are fully aware of the consequences of their decisions in entering into a credit contract and fully aware of the remedies and solutions that may be available to them if that gets them into a place they did not want or intend to end up in. There is no shortage of a requirement for, as other speakers have mentioned, additional efforts to support the development of greater financial literacy among the population, and particularly among many vulnerable sections of the population who are customers of many of these credit providers.

The seemingly invisible nature of the cost of capital is something that many people do not intuitively find easy to grasp, but unfortunately the financial engineers that run some of these unscrupulous lending operations find it very easy to grasp the difference — ‘the spread’, as they call it in the trade — between the cost of the funds to them and the effective cost of the funds to the customers they lend the funds to.

As others speakers have noted, the explosion of credit provision, in many cases a liberating force for individuals, the community and the economy, has also had fringe elements to it that have been deeply destructive. I remember when my wife and I first went to get a home mortgage, the bank told us that you could not get a mortgage where the repayments were more than 30 per cent of your gross income. We are now in a situation where the average mortgage is more than 30 per cent of people’s gross income. That is how much additional credit availability — and therefore potential

credit stress — is out there, which highlights the importance of this type of legislation.

This legislation has all of the hallmarks of government playing the important and vital role of market designer. It is not our job to participate in this market; it is our job to make sure that a fair game is played by all, by altering the rules to ensure that a good game is played. In this case we are doing it by some regulation of entry and exit into the market through the registration scheme, regulation against the abuse of market power by dominant participants, and regulation that looks at better information flows within the market, so all of the classic elements of good market design are embodied in this legislation. It is, as I said at the beginning, part of ensuring that the liberating force of effective and appropriate credit is available to people by limiting and minimising further the dangers of inappropriate and predatory lending. I commend the bill to the house.

**Ms TIERNEY** (Western Victoria) — I rise to speak in support of the Consumer Credit (Victoria) and Other Acts Amendment Bill. As long as there has been trade, whether it has involved money or goods, there has been borrowing and there has been lending, but unfortunately, as with most systems, people have profited from other people’s misfortunes and have preyed on the disadvantaged.

These are key points that previous speakers have homed in on. Many of us have grown up with TV reports and news reports, whether in tabloid newspapers or on our television sets with the nightly news, and of course with current affairs programs. It is almost a 101 recipe for how to grab banner headlines. Unfortunately, there are numerous stories. Journalists do not necessarily need to hunt down stories of families and individuals who have been caught by those who have been wanting to profit from their misfortune.

It has been an absolute commitment of this government — the Brumby government as well as the Bracks government — and it was contained in the 2005 document *A Fairer Victoria*. In that document it was a social policy statement that was to bring about a fairer Victoria, and this is one of the hallmarks of that policy statement. It was a commitment that the government was to review the credit laws to determine the best ways of facilitating the provision of affordable credit to low-income households and to prevent predatory finance practices that target the most disadvantaged households.

In 2005 the then Minister for Consumer Affairs, Marsha Thomson, announced the review. It was a review that looked at consumer credit laws for the first

time in a real sense for 10 years. When Minister Thomson announced that review, she specifically said:

Those Victorians who are least able to afford exorbitant interest rates and excessive fees and charges are too often the very ones who have to resort to 'fringe' lenders such as payday lenders and vendor financiers.

As we have heard, the review commenced in May 2005. The final report was in 2006, and the government's response to the final report was September 2006. The review was headed up by the member for Monbulk in the other place, the now Minister for Sport, Recreation and Youth Affairs. At the time he was provided with fairly comprehensive terms of reference from the then Minister for Consumer Affairs, Ms Thomson, which were not just placed in newspapers but also formed part of the media release.

At the beginning journalists and media outlets were educated about the extensive nature of this review. Beyond the issues paper which has already been mentioned, there was a range of community consultations. There were rounds of consultations with key stakeholders, finance organisations and community organisations. Opportunities were given to ordinary members of the public to give their views. Public forums were held in Geelong on 4 July 2005, in Sunshine on 7 July, Mildura on 12 July, Ballarat on 18 July, Latrobe Valley on 25 July and Dandenong on 28 July. It was not a paper exercise by any means. There was widespread consultation that engaged a whole range of community members and community organisations on this very important issue.

There were four key elements arising from the review. The first was that all credit providers would be required to become members of an external dispute resolution scheme. It was not just the core players in the industry but also the fringe players, and often we find it is the fringe players who are the — —

**Mr Thornley** interjected.

**Ms TIERNEY** — As Mr Thornley said, grub is the appropriate adjective to use in these sort of situations.

The registration scheme will allow Consumer Affairs Victoria to conduct more targeted compliance and enforcement operations to ensure that riskier credit providers, such as payday lenders, are acting honestly and fairly, so it goes back to the very heart of the announcement that the then Minister, Marsha Thomson, made clear to the media.

Thirdly, consumers who enter into rent-to-buy contracts will be given greater protection with the arrangements being brought under the Residential Tenancies Act

1997. This means protection against unfair rent increases, improved repair rights, controls on landlord inspections and access to dispute resolution through the Victorian Civil and Administrative Tribunal.

The director of Consumer Affairs Victoria will be given the power to initiate and defend actions on behalf of consumers in all single proceedings under the Consumer Credit Code. These elements clearly speak for themselves. I wish the bill a speedy passage through the house. I commend the bill to the house.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Mr JENNINGS** (Minister for Environment and Climate Change) — By leave, I move:

That the bill be now read a third time.

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

**Motion agreed to.**

**Read third time.**

## ADJOURNMENT

**Mr JENNINGS** (Minister for Environment and Climate Change) — I move:

That the house do now adjourn.

### **Torquay and Lorne caravan parks: redevelopment**

**Ms LOVELL** (Northern Victoria) — My adjournment matter is for the Minister for Environment and Climate Change, who is at the table. I refer to changes proposed to be made to the Torquay and Lorne caravan parks. I have been contacted by constituents who are long-term annual permit-holders at the Torquay caravan park who have advised me of the level of concern these plans have raised among annual and seasonal permit-holders in the park. The proposed changes have been put forward by the Great Ocean Road foreshore committee and involve some very worthwhile improvements to infrastructure and facilities in the parks, but the changes that are causing concern are the reduction in the number of annual and seasonal sites and the relocation of many permit-holders to other areas of the parks.

There are also major concerns about the proposed increase in the number of cabins and the impact that will have on the existing sites within the parks. According to the Great Ocean Road Coast Committee's website, the proposed changes will result in the loss of 35 sites in Torquay and 45 sites in Lorne. In addition many other sites will be shifted into new zones within the parks or will be unavailable as a result of new cabins, roads and other infrastructure.

Permit-holders, many of whom have been camping at the current sites for in excess of 25 years, are concerned about the impact these changes will have on the community feel of the parks and the friendships among the permit-holders. Torquay permit-holders are also upset because they were forced to relocate several years ago to make way for the Torquay common, and this will be the second relocation for many. Most permanent permit-holders have invested significant amounts in building aluminium annexes and also installing flyovers to protect their vans. All of this is very expensive to move. Business and tourism operators in the area are concerned about the impact the loss of sites will have on the community, both in attracting tourists and also in providing low-cost accommodation to the casual workforce needed at peak tourist times. More than 270 submissions have been lodged — approximately 200 from Torquay and 70 from Lorne — expressing concern about this proposal.

The action that I seek from the minister is to intervene to ensure that the current number of sites are maintained at both parks and that seasonal and permanent permit-holders will be able to maintain their current sites within the parks. The minister has an opportunity to stand up for the many Australian families who for generations have enjoyed their family holidays, together with their friends, at the Torquay and Lorne caravan parks and to protect a much-loved piece of Australian culture — a low-cost family holiday at a beachside caravan park.

### **Medical scientists: enterprise bargaining agreement**

**Ms PENNICUIK** (Southern Metropolitan) — My matter is addressed to the Minister for Health in the other place, Daniel Andrews. Medical scientists have been engaged in enterprise bargaining agreement (EBA) negotiations with the state government for over nine months. A new EBA should have been concluded by September 2007. The issues raised in this dispute warrant examination and illustrate a need for the government to consider a more equitable approach to its negotiations. With inflation predicted to rise to 3.9 per cent during 2008, a 3.25 per cent pay increase is

clearly inadequate. Beyond this, the government requires that any additional pay increases are directly offset by productivity increases. As is the case with nurses, teachers and other public servants, increased productivity often translates to reduced services or standards. This is also true for medical scientists. It is a fundamental flaw in the model and was abandoned in the nurses EBA.

When I spoke recently about the teachers pay case I highlighted the disparity between Victorian teachers and teachers in other states. This is equally true for the medical scientists, and the comparative figures for New South Wales amply demonstrate my point. A first-year medical scientist in Victoria is paid 16 per cent less than they would be in New South Wales; for a first-year dietitian the difference is 18.5 per cent; and for a second-year psychologist the gap is 25.3 per cent. Not one medical scientist classification in Victoria is less than 10 per cent behind the rate in New South Wales. Clinical psychologists with six years training commence on \$58 000 in Victoria; in New South Wales it is \$69 700. After five years our Victorian psychologists have progressed to \$65 300 — less than the starting rate in New South Wales — while north of the border the top of the range is \$85 000.

The Medical Scientists Association of Victoria (MSAV) submitted a log of claims with the Victorian Hospitals Industrial Association on 24 June 2007, with negotiations commencing in late July 2007. Negotiations were delayed between August and November, allegedly due to the need to conclude the Australian Nursing Federation EBA negotiations. Due to the delay, the MSAV was forced to take industrial action in the first two weeks of February, which precipitated the recommencement of negotiations. However, the government then applied to suspend the bargaining period, which effectively prevented any industrial action because it would disrupt services essential to patient care.

Medical scientists are seeking at least the equivalent level of pay increase that has been agreed by this government for division 1 registered nurses in Victoria. My request of the minister is to immediately intervene to reach an equitable agreement with the MSAV that ensures an equivalent level of pay increase to the level that has been agreed for division 1 registered nurses and that this pay increase be backdated to October 2007. I also ask the minister to provide the union with a statement of the government's intentions regarding wage parity with other states and the long overdue restructuring of the medical scientists' classifications and pay rates.

### Buses: eastern suburbs

**Mr LEANE** (Eastern Metropolitan) — My adjournment matter is for the attention of the Minister for Public Transport in the other place, Lynne Kosky. The action I seek is further improvements to the bus services in the Eastern Metropolitan Region. I say ‘further improvements’ to the bus services in my electorate because the recent introduction of the operation of SmartBus routes in dedicated lanes and the advanced technology they use along Stud and Wellington roads has been a great addition to the public transport in the area, especially SmartBus route 900, which runs down Wellington Road achieving travel times at peak hours between Rowville and Huntingdale station of under half an hour. That has been a great improvement for public transport patrons living in the Rowville area who commute to town daily for work and study. Some of the advanced technology that is being used is —

**The PRESIDENT** — Order! I remind the member and the house that this is not an opportunity to debate matters, even though it is called an adjournment debate. Members should just deal with the facts and ask for the attention of the relevant minister.

**Mr LEANE** — Thank you, President. I just thought that a number of opposition members actually say negative things about the government before they ask for an action, and I am taking this opportunity to say something positive.

**The PRESIDENT** — Order! The member should continue with his adjournment matter.

**Mr LEANE** — In saying that, the action I seek today as future improvements to the bus services in the Eastern Metropolitan Region are particularly increases in the frequency of services and the length of hours of operation. Young people I have spoken to have told me that they would have increased opportunity to achieve a lot more in their day if they could catch a bus at a later time of the day.

I also ask the minister for more bus services on weekends, particularly on Sundays. Some elderly people in the electorate I represent have told me that they rely on the bus services to get around to catch up with family and friends, and extra bus services on the weekend would make this an easier prospect for them. I look forward to the minister’s response.

### Sewerage: septic tanks

**Mr HALL** (Eastern Victoria) — Tonight I wish to raise a matter for the attention of the Minister for

Environment and Climate Change, and it concerns septic tank management in Victoria. I am sure the minister would be well aware of the Auditor-General’s 2006 report entitled *Protecting Our Environment and Community from Failing Septic Tanks*, and I am sure he would also be well aware of the number of recommendations that report made covering backlog planning and prioritisation, legislative reform, and reporting and monitoring. The minister would also be familiar with his own government’s *Our Water Our Future* policy action plan and the funding that it dedicated within that program, in part to address issues relating to septic tank management across Victoria.

Further to that, the minister is probably aware of the formation of several councils into a local government domestic wastewater special interest group. That organisation now comprises some 28 councils covering in excess of 200 000 septic tanks in Victoria, which is about 80 per cent of the total number. The organisation made funding applications for several demonstration projects last year but they were unsuccessful. It has now come to my attention through the special interest group that four municipalities, being the Shire of Yarra Ranges, the City of Greater Shepparton, the Shire of Moira and the Shire of Murrindindi, have made a joint application for a compliance management demonstration project. This project will go a long way towards meeting many of the recommendations made by the Auditor-General and will develop a model that can be picked up by councils right across Victoria. The application is for funding of the order of \$460 000 and is currently with the Department of Sustainability and Environment.

My request to the minister tonight is that he acquaint himself with this application and do all he can to support the proposed project, given that on-site wastewater management is an important environmental and public health issue and that, according to the Auditor-General, we can do it better.

### Energy: low-emission technology

**Mr EIDEH** (Western Metropolitan) — I wish to raise a matter for the Minister for Energy and Resources in the other place. I call upon the minister to take action to promote the development of carbon capture and storage technology here in Victoria. Governments around the world are beginning to respond to this challenge and are providing significant support for a range of low-emission technologies, including carbon capture and storage.

Carbon capture and storage has the potential to deliver deep cuts in greenhouse gas emissions and has been

recognised around the world as one of the key technologies that will deliver the required greenhouse gas reductions. These activities and those under way in other parts of the world, such as the United States, are being followed closely by developing countries such as India and China, where greenhouse gas emissions are growing rapidly. Ignoring climate change will lead to avoidable impacts on our economy, but addressing it through technology and innovation has the potential to deliver many benefits to Victoria.

I therefore call upon the minister to promote the development of carbon capture and storage technology as part of the Brumby government's plan to reduce greenhouse gas emissions by 60 per cent by 2050, and I ask the minister to provide me with material that can be distributed in my electorate to inform constituents about how best to reduce their carbon footprint.

### **Anglesea: riverbank facilities**

**Mr KOCH** (Western Victoria) — My matter is for the Minister for Regional and Rural Development in the other place and concerns funding provided to construct tourist facilities on the Anglesea riverbank. In June 2006 the then Minister for State and Regional Development in the other place, John Brumby, approved a grant of \$250 000 under the Small Towns Development Fund for the purposes of developing tourist facilities as part of stage 1 of the Anglesea riverbank master plan.

Concern has now been raised with my office about the funding submission prepared by the Surf Coast shire, which objectors believe misrepresented the express wishes of ratepayers regarding the construction of a tourist shelter and public toilets for buses travelling to the Twelve Apostles. The submission implied that a comprehensive consultation process resulted in the community expressing its wish for, and giving its approval to, the construction of a large building measuring 19 metres long, 13 metres wide and 4.8 metres high, along with associated works.

The consultation process simply involved a survey sent to 2595 ratepayers, which resulted in 840 responses that did not clearly indicate support for the construction of any major tourist facility on the riverbank. Instead the local community wanted to enhance the site by establishing more shade trees while retaining views to the river mouth, with a prohibition of further development.

As there are other locations in Anglesea for the proposed visitor information centre, tourist toilets and bus parking, ratepayers wanted any facilities

constructed on the riverbank to be non-intrusive. However, local ratepayers believe their views were ignored and deliberately misrepresented by the council. Ratepayers had not been properly informed about the extent of the project and had not been given a formal opportunity to object to the details of the building construction or its associated works. In fact ratepayers believe they have been treated very badly, and they are angry that their views have been ignored.

Many well-considered letters, emails and petitions have been sent to Surf Coast shire councillors expressing the views of ratepayers and suggesting alternative locations for the proposed facilities. With the exception of reducing the building height to 4.5 metres and relocating 4 of the 11 toilets, council has continued to ignore community concerns about the proposed project. This is a serious matter, and a review of the funding application should be immediately instigated before construction or associated works commence on stage 1 of the Anglesea riverbank master plan.

The action I seek is for the minister to urgently intervene and instigate an inquiry on the basis that the submission for a grant under the Small Towns Development Fund was a misrepresentation of the Anglesea community's views.

**The PRESIDENT** — Order! I remind the house that the guidelines for the adjournment state:

Members may not read speeches but may refer to detailed notes when referring to local issues or places and people or when referring to complex matters such as statistics or figures.

It is also worth mentioning that as a result of recent events during the adjournment I am applying the rules as they are, and I will apply them even-handedly and strictly.

### **Planning: Seymour development**

**Mr DRUM** (Northern Victoria) — My adjournment issue is for the Minister for Planning, Mr Madden. About 20 months ago in Seymour a chap by the name of Peter Loughnan purchased a derelict building on a large block of land in Emily Street and was given permission to demolish the house in order to build a \$5 million, 200-seat auditorium, conference centre, hotel and accommodation complex on the banks of the Goulburn River at Seymour. He sought permission to build this vision on the edge of the river and thought he would have the opportunity to maximise the potential of that magnificent asset.

Unfortunately the local Goulburn Broken Catchment Management Authority deemed that the proposed new complex would be built over part of a floodway, encroaching about 8 metres onto the flood plain. After research Mr Loughnan found out that the flood plain was declared long before Lake Eildon was dammed. Now, many years later, and after Lake Eildon has had its dam wall raised, we have a CMA (catchment management authority) banning a \$5 million development because of a prehistoric flood plain level.

Mr Loughnan has even offered to raise the level of his building a metre higher than any flood has ever reached in that area of the Goulburn River at Seymour, but he has been unable to get his development through the CMA. Yet, in the same town of Seymour, the new police station encroaches on the same flood plain, and a hospital is to be built on that same flood plain.

If this is not resolved, Mr Loughnan is simply going to sell the land and walk away, Seymour will lose the potential asset and Mr Loughnan will lose the opportunity to develop it. I call on the minister to immediately involve himself personally in this issue, to personally view the site, inspect and review the flood levels against the flood levels of 1975 and 1994, and give Seymour and Mr Loughnan a chance to build what would become an iconic tourism facility.

### **Local government: councillor remuneration**

**Ms HARTLAND** (Western Metropolitan) — My adjournment matter is for the Minister for Local Government in the other place. As a former councillor of Maribyrnong City Council I can certainly empathise with the overworked and underpaid councillors across the state who are campaigning for fair and equitable remuneration. To be an effective councillor you have to do at least 15 to 30 hours a week on top of your paid work. Sixty per cent of councillors do that amount of work, and 30 per cent do somewhere between 31 hours and 50 hours of councillor duties per week.

A Victorian Local Governance Association publication states:

One of the central principles of democratic governance is that the opportunity to undertake a representative role is open to all citizens. The current payment system acts as a barrier to access and equity in representation, and can therefore be said to undermine the basis of democracy.

The current composition of councils is not representative of the make-up of the communities they are elected to represent. ... Although women now comprise 29 per cent of Victorian councillors, this is significantly less than their representation in the community.

Most councillors are male, and most are over the age of 46. More councillors are self-employed or white collar professionals. Hardly any tradespeople or other society stalwarts are councillors, and most councillors earn between \$52 000 and \$80 000 per year in their paid employment. I have nothing but praise for people on high incomes who take on lowly paid or volunteer work as councillors, but nevertheless the current token remuneration means that our councils do not reflect our community. Members of the community and sitting councillors are currently deciding whether they will run in this year's council elections. Can they afford to be a councillor and not earn an income, or can they afford the personal impact of doing paid work on top of their hours as a councillor?

The action that I seek of Minister Wynne is to raise councillor remuneration and to do it soon so that it is not too late to inform the decision of people deciding how or whether they will run in the council elections in November.

### **Police: Orbost**

**Mr P. DAVIS** (Eastern Victoria) — I raise a matter for the attention of the Minister for Police and Emergency Services in the other place relating to a crisis in police numbers at Orbost. Like my colleague Peter Hall, I have received representations from the Orbost community concerning this challenge, which turns on the decision to sell the police house in Orbost. It is 1 of 45 around the state that the government is dispensing with and highlights a far deeper problem in East Gippsland in regard to policing.

Having an adequate police presence in Orbost is essential because of its distant location. It is high risk by virtue of its nature, with a long stretch of isolated coast on one side, the alps on the other and forest industries that attract organised protests. Police there cover the best part of 200 kilometres of highway through steep, forested country, and they are nearly an hour from the nearest major police station at Bairnsdale.

The present situation is desperate. At full strength Orbost has a senior sergeant, a sergeant and seven operational officers. One of the officers is on extended leave, and by the end of the month four of the officer positions will be vacant, leaving just two operational officers. The Orbost traffic operations group should have four officers but is down to only two. There is virtually no rental housing in the town, as illustrated by the fact that officers presently live up to 75 kilometres away at Lakes Entrance and Bruthen.

The police employment agreement used to provide incentives for officers to seek positions in distant centres such as Orbost, but these have been traded off. The only incentive left is one house that is to be sold, and I assure the minister that the local police are upset, and so is the Orbost community. Not only do we have a specific problem in Orbost, but this reflects a bigger statewide problem in regard to small country towns. Traditionally officers and their families have been part of these communities. They have lived in the towns and been involved in the community and have been available, in effect, 24 hours a day to accept the responsibility of their office. The problem now is that we are hollowing out our small country towns.

I submit to the minister and the government that in the present rationalisation Orbost requires special treatment, not only to retain the police house but also to restore the local force to its full strength. I therefore request the minister to instigate action to ensure that these events are brought about so that Orbost and far East Gippsland are properly secure for the safety of the community and the travelling public.

**The PRESIDENT** — Order! I raise not so much a concern but a query. I am not clear in my own mind whether or not the location of housing for police is the direct responsibility of the Minister for Police and Emergency Services in the other place, but it may well be. On that basis I will allow the adjournment matter, but I will be interested in the response.

**Mr P. DAVIS** — President, could I — —

**The PRESIDENT** — Order! Mr Davis has got his win.

**Mr P. DAVIS** — I know, but I just make the point that at the end of the day the police are accountable to the government through the minister for police, regardless of whatever policy the government has at the time. What the community believes is that there is no such thing as the separation of powers in regard to the police.

**The PRESIDENT** — Order! We will not debate the matter.

### Neighbourhood houses: funding

**Mr BARBER** (Northern Metropolitan) — My adjournment matter is for the attention of the Minister for Local Government in the other place, who is also the Minister for Housing. I recently received a submission from the Association of Neighbourhood Houses and Learning Centres in relation to the 2008–09 budget in which it argues that:

Continuing the investment in neighbourhood houses and learning centres through the neighbourhood house coordination program over the next three years will play a central role in reducing disadvantage and enhancing the long-term social and economic development of communities across Victoria.

It is to the credit of the government that it has continued to put considerable funds into neighbourhood houses over the last few years. The minister would be quite familiar with this fact because at the time that I was a councillor with the City of Yarra he was the local member, and still is, and was part of the efforts to put sustainability back into neighbourhood house funding. In the government's recent *A Fairer Victoria* statement, published in May 2007, it provided a further \$5 million to:

... enable neighbourhood houses to upgrade, redevelop, co-locate; to provide information and communication technology and to purchase essential infrastructure.

My adjournment request to the minister is that, if he has not already done so, he read the budget submission made by the Association of Neighbourhood Houses and Learning Centres and make strong representations within his government for the provision of the additional funding that has been requested.

### Albert Park college: site

**Mrs COOTE** (Southern Metropolitan) — My adjournment matter this evening is for the Minister for Education in the other place, and it concerns the former Albert Park Secondary College. I would like to quote at the outset of my contribution from an article in the *Caulfield Glen Eira Leader* and the *Port Phillip Leader* of 25 February this year. The article says:

Soil contamination is being blamed for delaying the start of construction for the new Albert Park college, despite the state government knowing about the presence of toxins for six months.

...

Parents say it is 'disgraceful' there is still no state school in Port Phillip and are demanding to know why they are being neglected.

I make the comment that this secondary college was closed with great fanfare. It was to be reopened very shortly as the only secondary college in the area. The closest secondary college to Albert Park is at Elwood, which is quite a considerable way for children to have to travel. But my concern tonight is about contamination — how long the contamination has been there and its extent. I am very concerned that the health and safety of students past and present has been

affected. I am concerned that people could have health issues that will cause major problems.

The health of Port Phillip residents is being jeopardised. I ask the government to investigate this as a matter of urgency. The action I am seeking is for the Minister for Education to ensure that adequate medical and psychological assistance is given to all former Albert Park college staff and students when the full extent of site contamination is known.

### **Freeways: noise barriers**

**Mr O'DONOHUE** (Eastern Victoria) — My matter this evening is for the Minister for Roads and Ports in the other place. It concerns the provision of adequate noise protection along the Monash and Princes freeways. I have been contacted by several different constituents and groups over the last 12 months concerning noise protection along freeways. With the opening of the new Pakenham bypass, residents in the Pine Hill Grove area in Pakenham have heard a great deal more noise. Residents in Brookvale Close in Beaconsfield have been waiting for the erection of noise protection barriers since 2002. Despite many representations to the state Labor members, nothing has happened. This is causing a great deal of stress to those residents. It means they cannot sleep well at night. With the increase in traffic flows following the opening of the Pakenham bypass, the situation is getting worse and worse.

The action I seek from the minister is to meet with these local residents in Beaconsfield and Pakenham and to stand in their backyards and listen to the noise they have to put up with. I ask the minister to commit to the construction of the required noise barriers so that residents of both Beaconsfield and Pakenham can have the quiet enjoyment of their homes to which they are entitled. I also ask him more broadly to commit to a policy that deals with the numerous locations throughout Victoria where noise protection is urgently required.

### **Firearms: licensing**

**Mr DALLA-RIVA** (Eastern Metropolitan) — My adjournment matter is for the Minister for Police and Emergency Services in the other place. It relates to the state government's proposal to massively increase firearm licence fees. On the figures I have been provided with, the fee increases for gun dealers will go up by 647 per cent from the current \$965 to \$7208. Junior licence-holders will be hit with a fee increase from \$39 to \$94. Pistol sporting and target shooters will have their fees almost doubled from \$148 to \$293.

These are amazing increases, given that the state Labor government is already getting windfalls from GST, land tax, stamp duty and gambling, to name just some. Fees are meant to closely match the cost of administering licences, but a fee increase of this magnitude is a bit hard to believe. It sends the message to the firearm community that the administration of the department is inefficient. One is left to wonder what the real motivation behind these fee increases is.

The 647 per cent fee hike on gun dealer licences will make Victorian fees the most expensive in the country, easily trumping South Australia, whose fees were previously the most expensive at \$5700. As a comparison, New South Wales dealers are only charged \$500 and in Queensland the fee is \$143. If these fee hikes apply, then it is estimated that 80 per cent of firearm dealers will be driven to the wall and as a result there may be the potential for the loss of jobs. It also means that in order to recoup the cost of the rise in dealership fees there will be an increase in firearm prices, and this will hurt many in the community, especially the farming community. If there are closures of rural gun dealerships, farmers will be forced to travel much further to get their firearms. I believe these fee increases are poorly thought out and do not take into account the fact that many small dealers operate part time.

**The PRESIDENT** — Order! The member should just raise the matter, not debate it.

**Mr DALLA-RIVA** — Driving up the fees is going to have an impact on sporting shooters and the like. I therefore ask the Minister for Police and Emergency Services to ensure his department delivers further efficiencies in the firearm licensing area so that fee increases of the magnitude I have outlined are severely curtailed.

### **Water safety: review**

**Mrs PEULICH** (South Eastern Metropolitan) — I raise a matter for the Minister for Police and Emergency Services in the other place, as the head of the lead agency for water safety, although there are implications for other ministers and agencies including the ministers for environment and climate change, sport, recreation and youth affairs, education and local government.

It is in relation to the very good job that is done by lifeguards, especially during peak times and in particular at very popular beaches. They do an outstanding job, but as a result of the increase in demand on their time and services they are in many

instances unable to patrol our beaches after hours or during the holidays, which are often the busiest times. These issues were highlighted across my region in particular when a 50-year-old man who could not swim nearly drowned near Edithvale Beach on 5 January, only a few days after the very sad death of an 11-year-old girl who drowned on New Year's Day. Lifeguards also rescued five people trapped in a rip nearby on New Year's Day. A number of local lifesaving clubs have been doing a great job and are to be commended.

But of course deaths and tragedies also occur in inland waters, as happened with Bob Nkondogoro. This 12-year-old boy, who emigrated to Australia from Africa, came to a tragic end at the Dandenong Creek at Doveton only a few days ago, on Sunday night. He disappeared in the murky waters and was not found alive. That tragedy may not have been prevented by a lifeguard, but we can certainly review water safety messages and water education for parents, make sure that children learn to swim and ensure that people, particularly recent arrivals, understand the dangers of waters, be they inland or on our beaches.

Since the amalgamation of Surf Life Saving Victoria and the Victorian branch of the Royal Life Saving Society of Australia I understand there have been some improvements and perhaps even reductions in the number of deaths. There has been an increase in the number of rescues — for example, in Aspendale there were something like three rescues, in Bonbeach there were six and in Carrum there were two. Lifesavers have done a very good job, but they are underresourced. Equipment costs a lot of money. They are looking at ways of getting paid lifesaving for those extended hours.

I call on the Minister for Police and Emergency Services to initiate a review of all for water safety strategies and make sure that all the relevant agencies have a role in the review.

### **Goulburn Valley Water: restrictions**

**Mrs PETROVICH** (Northern Victoria) — My adjournment matter is for the Minister for Water in the other place. While the city-centric government is patting itself on the back because Melbourne has managed to save some water, it has totally neglected the towns less than an hour up the Hume Highway that have remained on stage 4 water restrictions. While 52 townships serviced by Goulburn Valley Water are now on stage 1 restrictions — 5 towns are on stage 4. These towns are Broadford, Clonbinane, Heathcote Junction, Kilmore and Wandong. Yet just a little bit

further north in Tallarook restrictions have all but been lifted. This means householders can water their lawns and gardens between 6.00 a.m. and 8.00 a.m. and 7.00 p.m. and 9.00 p.m. on alternate days. They can use an automatic watering system between midnight and 4.00 a.m. on alternate days. They can use a hand-held hose with a trigger nozzle any time — they can use them to wash their car or boat; and their spa or swimming pool can be topped up using a hand-held hose.

Contrast this with the situation of the people of Broadford, just 13 kilometres south, supplied by the same water authority. These residents cannot water their gardens or lawns and cannot clean their car, boat or any other vehicle. They can, however, top up their spa or pool — with water from a bucket!

It does not make sense that the government is proposing to take water and pipe it to Melbourne, when there are still towns serviced by the Goulburn catchment area on much stricter water restrictions than the city. The action I seek is that Minister Holding and this government ease the stage 4 water restrictions in Broadford, Clonbinane, Heathcote Junction, Kilmore and Wandong to bring them into line with the other areas serviced by Goulburn Valley Water.

### **Roads: Frankston bypass**

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) — I wish to raise a matter for the attention of the Minister for Roads and Ports in the other place. It relates to the need for the proposed Frankston bypass to be constructed in my electorate at Frankston. As members in the south-east would know, the intersection at the end of the Frankston Freeway and Cranbourne Road is a major bottleneck in the Frankston area. It causes enormous traffic congestion in morning and evening peak hours. With EastLink planned to open some time this year — and it is apparently ahead of schedule — the suggestion is that it will deliver a further 10 000 vehicles a day onto the Frankston Freeway and in turn onto that intersection, further exacerbating the problem there. It is thus imperative that the Frankston bypass construction commence as a matter of urgency.

In its election platform in 2006, the government committed \$5 million to an environment effects statement for a proposed Frankston freeway route, which I understand is now being considered, with a report to come back later in 2008. What I am seeking from the minister is that he ensure that a financial commitment to construction is contained in the 2008–09 budget, so that that project can commence construction in the 2009

calendar year, and the negative effects on the Frankston community of the EastLink opening can be minimised.

### **Community health centres: tax ruling**

**Mr D. DAVIS** (Southern Metropolitan) — My adjournment matter is for the attention of the Minister for Health in the other place. It concerns the financial status of community health centres and, in particular, the Central Bayside Community Health Services in my electorate.

By way of background, the Australian Tax Office has decided to revoke the charitable status of the Central Bayside Community Health Services, and it has adopted this policy in regard to a number of other community health services in Victoria. Again by way of background and for the benefit of the minister and the house, Victoria has a unique model of service delivery for community health centres. In other states the community health centres are much more closely aligned with hospitals and large institutions; in Victoria the community health centres operate more independently and have much greater community input. In many cases they raise significant funds and resources in the community to ensure not only that they deliver the appropriate services for their community but also that this is done partially independently of government.

Of course, policy arrangements mean that there is coordination between a whole range of health services and hospitals across the state. I know that the minister himself is knowledgeable about this, being a former minister for community services. He has great knowledge in this area and knows it is a longstanding issue.

There are several aspects to this — not only the impact on dental services and other health professions but also on groups like the Central Bayside Community Health Services, which faces a massive shortfall of \$381 000 — either that, or there will be a shortfall in the pay it gives to employees.

There are a number of ways that this could be dealt with. One is by ensuring that Victoria's case is put very strongly to the Rudd government, which has in its power some mechanisms to deal with it. That is a step that the minister could take. He could, as a fallback position, make up the shortfall in the event that the Rudd government does not assist Victorian health services and centres. Another possibility is that the minister could talk to his state health colleague and the Treasurer, and between them come up with an arrangement that meets the Australian Taxation Office's requirements in terms of the structure of

community health services, which, as I understand it, is in part a legislative issue that has developed with the structure of legislation in Victoria by which community health centres and services are governed.

The action that I request from the Minister for Health is a very specific one. It is to take those steps that are required to ensure that our important community health centres are not disadvantaged. That can occur in several ways: lobbying his federal colleagues, making up the shortfall, or changing state legislation.

### **Responses**

**Mr JENNINGS** (Minister for Environment and Climate Change) — Thank you, President, for your consideration in providing me with the opportunity to respond to the range of matters that has been raised on the adjournment tonight. It is my intention, as has become the form of ministers in this place, to try and discharge a number of these items expeditiously but appropriately, and then appropriately refer on the others for further consideration and responses from ministers. Although I will be making attempts to discharge matters, this will not prevent some of my ministerial colleagues from pursuing these matters and following up with members if they so see fit.

The matters which I think warrant discharging, that I could actually discharge tonight, are, firstly, Ms Pennicuik's matter for the Minister for Health in the other place, in which she provided him with advice about the way in which he could undertake the negotiations for the medical staff's enterprise bargaining agreement. He will be particularly mindful of her advice and he will be acting in accordance with that advice and with other advice that he may receive from the industrial relations officers of the government, and he will be mindful of the Victorian government's wages policy in exercising his responsibilities in relation to that matter.

**Mr D. Davis** — You are not going to refer it though?

**Mr JENNINGS** — No. I believe that would discharge that matter. In fact I would anticipate that Ms Pennicuik provided that advice to government with the clear expectation that that would be the way it would be received.

**Ms Pennicuik** — No way!

**Mr JENNINGS** — Mr Leane has actually provided advice to the Minister for Public Transport in the other place in relation to the frequency of services provided within the public network in his region, and I know for

a fact that the Minister for Public Transport is determined to support, over time, through the provision of infrastructure and through appropriate resources provided to the transport system, the greater frequency of transport, particularly over a longer spread of hours, and indeed would be interested in increasing the Sunday transport opportunities for that community.

**Mr Drum** — So that is a yes? Are we going to get those extra services?

**Mr JENNINGS** — She is particularly determined to try to achieve that outcome.

Mr Eideh has sought the support of the Minister for Energy and Resources in the other place to promote opportunities for carbon capture and storage in the state of Victoria.

**Mr Barber** — I think he has got that under way.

**Mr JENNINGS** — I am absolutely certain — Mr Barber knows for a fact — the Victorian government is committed to providing funding for the research and development of carbon capture and storage potential within the Victorian community. I can assure Mr Eideh that the minister will be acting in accordance with his hopes and aspirations.

Ms Hartland raised a matter for the attention of the Minister for Local Government in the other place, and I know for a fact that the minister who is responsible for the consideration of the remuneration of councillors is well disposed to the arguments that she put. As a former Lord Mayor of the City of Melbourne, the minister is acutely aware of what might be the appropriate regime to attract talent and diversity into the pool of people who may want to put themselves forward for local government, and he is very mindful of the community obligation that is attached to that responsibility, so he will take that as good advice.

Mr Barber also raised a matter for the attention of the Minister for Local Government in the other place, encouraging the minister to make sure that he is apprised of the budget submission by the neighbourhood house network, and I am absolutely certain that the minister will be mindful of that submission. He could probably quote aspects from it verbatim. I will not actually pin him to that, but I am very confident that he is mindful of that and will give consideration to that budget submission.

Mr Dalla-Riva's proposition, which is about a very serious matter — the licensing arrangements that may be applied to firearms — urged the Minister for Police and Emergency Services in the other place to be

mindful of efficiencies within his administration that may offset the need to increase licence fees, and I can absolutely attest that that is a discipline that the minister will have applied and will continue to apply in relation to that matter. It may not actually change the circumstances, but I know for a fact that the minister would operate within his responsibilities to try and achieve that outcome.

David Davis raised a matter for the Minister for Health in the other place, and indeed this issue has exercised your mind, President, in terms of whether to rule it in or out, given that it relates to a ruling from the Australian Taxation Office. Mr Davis provided advice to the Minister for Health about the way in which he could intervene, either by being an advocate or a reformer, which in fact you cannot raise on the adjournment. You can, however, suggest that the minister be an advocate in relation to this matter and seek a remedy to provide certainty for the community health sector going forward. The Minister for Health, I know for a fact, is mindful of those options and is exercising his mind about the appropriate ones to take.

None of the matters that I have referred to up to this point in time do I intend to refer; I believe I have discharged those matters.

*Honourable members interjecting.*

**Mr JENNINGS** — The remaining matters that I intend to consider — the ones that relate to my own areas of responsibility, and those which I will refer on for the appropriate consideration of my ministerial colleagues — relate to Wendy Lovell's matter, which she has actually raised with me privately prior to tonight's adjournment, but subsequently reminded me of, of the reforms that are proposed at the Torquay and Lorne caravan parks. I shall seek some advice and consideration of the matters she has put to me.

Mr Hall raised a matter for my attention relating to sewerage. He has found an area of public responsibility that might as much be for the Minister for Water in the other place. He may spend as much time in this space as me in terms of the program, but I can assure him — and in fact this is something that I volunteered through my interjections — we need to do a lot of work as a community to support communities in relation to the effective treatment of septic tanks. I will respond positively to his suggestion to see the successful delivery of a program relating to the compliance demonstration model.

David Koch raised a matter for the attention of the Minister for Regional and Rural Development in the

other house relating to concerns in the Anglesea community about the Small Towns Development Fund, seeking her intervention to review those funding arrangements.

Damian Drum raised a matter for the Minister for Planning. He sought his intervention to provide for development certainty in an area that has been designated, in Mr Drum's terms, in a prehistoric floodplain area. The point needs to be responded to by the Minister for Planning.

Philip Davis raised a matter that exercised our minds about the separation of powers, but let us give him the benefit of the doubt — some aspects related to the responsibilities of the Minister for Finance, WorkCover and the Transport Accident Commission as well as the Minister for Police and Emergency Services, both in the other house, in relation to the disposal of state assets. In terms of the allocation of the police force and police staffing numbers across the region, that is an operational matter under normal circumstances. I am sure the Minister for Police and Emergency Services would have a view about it, but ultimately it is the responsibility of the police commissioner in relation to operational matters.

Andrea Coote raised a matter for the attention of the Minister for Education in the other place. She fell short of raising it for my attention, because there are some aspects of contaminated soil that might have fallen within my jurisdiction, but I can assure her that a lot of work is being undertaken in trying to ensure that appropriate consideration is given to the contaminated soil on the site for the proposed Albert Park Secondary College and that appropriate action is taken to provide for that school at the earliest opportunity. I am sure the Minister for Education will pursue that matter.

Inga Peulich raised a matter for the attention of the Minister for Police and Emergency Services in the other house. Given that it was a review of all programs that could possibly impinge upon the quality and delivery of lifesaving efforts, I could hardly discharge that matter without the appropriate reference to the minister.

Mrs Petrovich raised a matter for the attention of the Minister for Water in the other house relating to the water restrictions that apply within the Goulburn Valley Water area. Again, whilst the minister has a view, I think the absolute determination of those water restrictions falls to the appropriate water authority, but I am sure the minister will follow that matter up.

Mr O'Donohue raised a matter for the attention of Minister for Roads and Ports in the other house relating to noise abatement issues and the concern of some constituents in his electorate. He encouraged the minister to go on a site visit to consider the implications of those matters. I think that is a matter for the roads minister to respond to.

**Mr D. Davis** — On a point of order, President, the matter I raised on the adjournment tonight concerned community health centres and was for the attention of the Minister for Health in the other place. I make the point that I do not believe the minister has adequately disposed of that matter, raised by me on behalf of constituents. I am not only disappointed but I believe that the reply does not satisfactorily satisfy the requirements of the adjournment debate.

**The PRESIDENT** — Order! I remind the house that the manner in which the minister responds or answers adjournment matters that are raised is a matter for him or her, not the Chair.

**Ms Pennicuik** — On the point of order, President, I believe the minister has inaccurately implied that I was not serious in raising my adjournment issue. I wish to have that issue referred to the minister, because I was quite serious in raising the issue and requesting that it be referred to the minister.

**The PRESIDENT** — Order! Whilst I have some sympathy with what the member is saying, the fact is she has not raised a point of order that I could uphold; therefore it is lost.

**Mr JENNINGS** — On the point of order, President — —

**The PRESIDENT** — Order! Which point of order is that — the one I have ruled on?

**Mr JENNINGS** — In terms of making sure that we are very clear in terms of what might have been inferred by my statements, I dealt with all matters seriously, in my view, including this one.

**The PRESIDENT** — Order! That is not a point of order, either.

**Mr JENNINGS** — I take the opportunity, with your indulgence, President, to set the record straight: these matters are taken seriously. I have tried to take all of them seriously.

**Mr Dalla-Riva** — On a point of order, President, the matter I raised for the Minister for Police and Emergency Services in the other house related very

specifically to that minister's department. I struggle to see how in the response of the discharge — —

**The PRESIDENT** — Order! I remind the members of the house that they may not be happy with the responses they are getting. However, I will reiterate that the manner in which the adjournment matters are dealt with is simply a matter for the minister or ministers at hand. Whether members like it or not does not matter. The current rules of the house are quite specific in this matter. If the house wishes to change the rules that currently apply, it can do so. It is a matter for the house. At this moment in time, anyone who is unhappy with the response has to just grin and bear it.

**Mr Rich-Phillips** — On a point of order, President, the minister failed to respond to my matter; he overlooked it.

**Mr JENNINGS** — In fact I was rising to respond to Mr Rich-Phillips, because in the elaborate list that I created I did not refer to his matter, and my apologies for that.

In his contribution the member recognised that there has been an allocation of \$5 million to the environment effects statement process around the Frankston bypass. In his contribution he acknowledged that that process is to culminate later this year, and that will provide advice about whether the proposed Frankston bypass would proceed. In relation to his specific request beyond what he has already acknowledged and I have confirmed, he has asked the minister to make statements in anticipation of the 2008–09 budget and the minister would not be able to respond to that until the budget is presented. On that basis I provide that information to the member and suggest that the issue should be discharged.

**Mrs Peulich** — On a point of order, President, I follow procedures of the house very closely, as do a number of members. Perhaps this is a matter that you may not wish to answer straightaway and may reflect upon. I believe that whilst the Minister for Environment and Climate Change has a protocol role, he does not have ministerial responsibility for the matters that are raised, so I do not believe he is in a position to discharge the matter. I am very grateful for the fact that he has passed on the matter.

I am raising this as a matter of principle. I do not believe a minister — whether it is this minister or another minister — is in a position to discharge a matter for which he does not have ministerial responsibility. I ask, President, that you review the operation of adjournments in other parliaments and other chambers

and reflect on this and perhaps come back to the house on the matter.

**The PRESIDENT** — Order! I hear what Mrs Peulich has said, but I can only restate what I have already said: these matters are simply matters for the house. If the house wishes to change the standing orders in whatever way it sees fit, it is free to do so. I can only rule on the current standing orders. Ministers will answer in any way they see fit.

*Honourable members interjecting.*

**The PRESIDENT** — Order! Mr Dalla-Riva might like to resume his seat.

**Mr JENNINGS** — This is new territory for me, but I have just been provided with a written response by the Minister for Community Development to the adjournment matter headed 'Gaming: Community Support Fund' raised by Mr Dalla-Riva on 6 February 2008.

**The PRESIDENT** — Order! The house now stands adjourned.

**House adjourned 10.48 p.m.**