

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

**Tuesday, 24 June 2008
(Extract from book 9)**

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FIFTY-SIXTH PARLIAMENT — FIRST SESSION

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Kavanagh, Mr Peter Damian	Western Victoria	DLP	Thornley, Mr Evan William	Southern Metropolitan	ALP
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Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Vogels, Mr John Adrian	Western Victoria	LP

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Tuesday, 24 June 2008

The PRESIDENT (Hon. R. F. Smith) took the chair at 2.03 p.m. and read the prayer.

ROYAL ASSENT

Message read advising royal assent on 17 June to:

**Drugs, Poisons and Controlled Substances
(Volatile Substances) (Repeal) Act
National Gas (Victoria) Act
State Taxation Acts Amendment Act.**

APPROPRIATION (2008/2009) BILL

Introduction and first reading

Received from Assembly.

**Read first time on motion of Mr LENDERS
(Treasurer).**

QUESTIONS WITHOUT NOTICE

The PRESIDENT — Order! As members would be aware, the Leader of the Government is sitting in a place other than his own. This is acceptable to me, given the circumstances he finds himself in, which are uncomfortable to say the least.

Water: north–south pipeline

Ms LOVELL (Northern Victoria) — I direct my question without notice to the Minister for Environment and Climate Change. The Murray-Darling Basin Commission's sustainable rivers audit reveals that the Goulburn River is rated as the river with the poorest ecosystem health in the entire Murray-Darling Basin. With this report painting such a bleak picture, how does the minister justify the Premier's plan to remove 75 gegalitres of precious water from the Goulburn River?

Mr JENNINGS (Minister for Environment and Climate Change) — As Ms Lovell knows, whilst I have an acute interest in this matter, I am not the Minister for Water and I am not the Premier, but in accordance with my responsibilities and on behalf of the government I can respond on the real and lasting environmental pressures that the Goulburn River and other catchments within the Murray-Darling Basin are currently experiencing and the need to ensure that we can identify sufficient water to provide for the

environmental flows for the health of that river system now and into the future.

Even within the construction of the question the member has asked, part of the government's justification and rationale for embarking upon what is known as the food bowl modernisation program has been to identify water savings that will not only benefit consumers of water in Melbourne and enhance the availability of water for irrigators within the Goulburn and further downstream in terms of the productive capacity of Victoria. The third and very important rationale for embarking upon this infrastructure program has been to identify water savings that can be used for environmental flow purposes to restore environmental values within our catchments, including the Goulburn.

That is an important part of the government's commitment and agenda in making sure that we maximise the degree of savings and maximise the benefit across domestic, productive and environmental uses of that water in the years to come.

Supplementary question

Ms LOVELL (Northern Victoria) — The proposed savings the minister speaks about can only be achieved once the water has entered the irrigation district, but the water for Melbourne is to be removed at Yea in the slope zones of the river, well before the irrigation district. In the slope zones the health of the river's ecosystem is rated as very poor, the health of the fish community being extremely poor and the hydrological condition very poor. Will the minister advise the house how the removal of 75 gegalitres of water from the already stressed slope zones of the Goulburn River will improve the health of the ecosystem in these zones?

Mr JENNINGS (Minister for Environment and Climate Change) — Ms Lovell's question is a good one, because these issues need to be worked through and we need to have confidence as a community going forward that we can address all the expectations for the Victorian community and the Victorian environment in the context of whatever water is available for that variety of purposes.

It will be the intention of the government in terms of the development and implementation of its water strategies — the infrastructure, investments and approach to water management in the future — to be able to provide an answer and confidence in relation to the matter the member referred to. In terms of the immediate details, to provide that confidence I suggest that she or other members of her party in other parts of

the Parliament may seek specific undertakings from my colleague the Minister for Water in the other place.

Ms Lovell — You are the one who is responsible for environmental flows.

Mr JENNINGS — I have indicated to Ms Lovell that I have an interest in this regard and that I have a collaborative relationship with my colleagues, and over time we intend to address the matters that she has raised in the house today.

Schools: western suburbs

Mr PAKULA (Western Metropolitan) — My question is to the Treasurer, and I ask: how has the Brumby Labor government's investment in education paid off for the western suburbs?

Mr LENDERS (Treasurer) — I thank Mr Pakula for his interest in education and in particular for his ongoing interest in education for the western suburbs. I particularly take on board his question, 'How has the Brumby Labor government's investment paid off for the west?'

Mr Finn — This will be a quick answer.

Mr LENDERS — Mr Finn says, 'This will be a quick answer'. Through you, President, I remind Mr Finn that the sessional orders of this house have been changed, so I can be loquacious about what has happened in the west — for hours. There is a lot to be said. Mr Pakula would be interested if I went through all the initiatives for the west for hours, as would all the government members who care about the west.

Mr Pakula specifically asked me about education in the west. This is all about commitment.

Mr Finn interjected.

Mr LENDERS — Mr Finn asked about the west. I will in answering the question remind the house that those opposite do not really care about the west — they say things at election time and forget about it. Mr Alan Brown, in 1988, promised — —

Mr D. Davis — On a point of order, President, this is not relevant to the question. It is reflecting on previous Liberal Party members — we are talking about Alan Brown now, for goodness sake! I think it is well out of order.

The PRESIDENT — Order! Given that the Treasurer has been going for only a couple of minutes, there is some leeway. However, I remind all ministers answering questions of the rules about overt criticisms

of members of the opposition — or those dearly departed members et cetera — but I do not think he is there yet.

Mr LENDERS — The context of Mr Pakula's asking what Labor has done for the western suburbs is that we need to be judged on our deeds, not our words, because in 1988 Alan Brown promised a St Albans station, as Bill Baxter promised in 1992 and Geoff Craige weaselled out of 1996 when he said Bayswater was a higher priority. In response to Mr Pakula, we deliver what we promise, unlike those two shallow promises to the west that were broken — at least Geoff Craige said it was because Bayswater was a higher priority. Actions speak louder than words.

Regarding education, when this Labor government came into office in 1999 prep to grade 2 classes in the western suburbs had an average of 25 students. Today the average class size in the western suburbs is 20.7 students — down from 25 to 20.7. We have also seen a massive investment of those parts of the city of Brimbank and the shire of Melton known to many of us here as Kororoit. I am delighted for the people of Kororoit that those opposite show such an interest in going out to visit from time to time. I am sure many of them have been lost and their global positioning satellite systems have taken them to other suburbs. It is very interesting.

Since it was elected this government has invested \$48.6 million in schools in the Kororoit electorate. There has been investment in the modernisation of Auburnvale, Deer Park and Kings Park schools. We have seen a range of improvements including the construction of the new Caroline Springs College that I mentioned the other day. This is an investment in the west; a commitment to the west.

Mr Finn interjected.

Mr LENDERS — Mr Finn was part of the government that when in opposition twice promised a St Albans station and reneged on both occasions. This government is on the first stage of a three-stage project.

We are not seeing just improved school buildings. We have not only reversed the sacking of 1500 teachers in the western suburbs by putting teachers back in, but we are also seeing results. If members opposite would actually look at some of the data that has now come out of the education department, they would see that since 2003, when the On Track data came into place, more than 36 per cent of year 12 students in the western suburbs have been going to university, which is much up on the 30 per cent in 2003 when the On Track data

started and even higher still than it was under the Kennett government.

This Labor government is committed to the west of Melbourne, as it is committed to all parts of the state. We have invested in education in the west of Melbourne — we have invested in schools, we have invested in teachers and we have invested in communities — and the results we are seeing are greater opportunities for students across the whole state and greater opportunities for students in the west, as reflected by a 6 per cent increase in the number of year 12 students going on to university despite the cuts by the former national government over the last four years.

Energy: Rebates for Being Green program

Mr HALL (Eastern Victoria) — My question without notice this afternoon is directed to the Minister for Environment and Climate Change. On 17 April 2007 the then Premier, Steve Bracks, issued a press release announcing a \$14 million Rebates for Being Green program. That press release announced \$100 rebates for replacing inefficient appliances including washing machines, refrigerators, and heating and cooling systems. That announcement was made over 12 months ago, yet there is still no appliance rebate in place. I ask the minister why the government has failed to deliver on this commitment given in 2007.

Mr JENNINGS (Minister for Environment and Climate Change) — This almost has to be the best question asked of me in my time as a minister because I am going to have to seek some advice in order to provide Mr Hall with an answer. As he is acutely aware, the government has made significant undertakings in relation to supporting households, and in fact we have delivered time and again in terms of the audits of low-income households, the retrofitting of those households and the guidance and support we have provided to consumers in making sure they are well advised about what energy-efficient appliances are available to them. There has been an extensive program that goes around the heart of the program the member has drawn my attention to. There have been significant rebates for the installation of hot water systems and water tanks to supply people with support for solar water heaters. In fact we have delivered time and again in relation to the rebate program and support for low-income households.

If for some reason there is a blind spot in the delivery of a program, I am very happy for Mr Hall to draw that to my attention so I can seek a remedy and an answer to his question, and most importantly to provide the

comprehensive suite of rebates that the government is committed to providing — and in the vast majority of those instances we are delivering. I am happy to take advice about the particular question Mr Hall has asked me.

Supplementary question

Mr HALL (Eastern Victoria) — I am happy for the minister to look into this matter and report back to me. By way of supplementary I ask the minister whether he would also look into whether the \$14 million that was intended to be allocated in the 2007–08 budget was indeed allocated and whether he expects it to be fully expended by 30 June.

Mr JENNINGS (Minister for Environment and Climate Change) — I can certainly tell Mr Hall that I am not expecting there to be any carryover in relation to the \$14 million. In relation to how that money has been allocated and whether there is a direct correlation between it and the program he identified or whether it has been diverted into the other programs I am talking about, I can tell him that it is not the intention of the government to carry over the funding. I will account for the answer, but it is certainly our intention to deliver the full value of those rebates I have outlined to the house.

Information and communications technology: Melbourne University supercomputer

Mr SOMYUREK (South Eastern Metropolitan) — My question is to the Minister for Information and Communication Technology. Could the minister inform the house about recent investment by the Brumby Labor government that reinforces Victoria's position as one of the world's centres for life science research?

Hon. T. C. THEOPHANOUS (Minister for Information and Communication Technology) — I thank the member for his question. As the Premier was at the time in San Diego, I was very pleased to make an announcement about Melbourne's — in fact, Australia's — first supercomputer.

It will be a phenomenal addition to our capacity in the bioscience area, and I am very proud to have been associated with ensuring this happened. I was talking to Professor Glyn Davis about this during the launch, and he was telling me that this investment at Melbourne University is the largest single investment by a government in university infrastructure, with \$50 million being contributed by the state government and \$50 million coming from the university, making an investment of \$100 million in the supercomputer.

I commend the staff at the Department of Industry, Innovation and Regional Development and the people at Melbourne University on the professional way in which they have gone about developing this project and this program. From start to finish — the idea through to its completion and the recent announcement — it has taken nine months, which is an incredibly short period of time to negotiate the very complex set of issues that needed to be taken into consideration for something as important and as major as this supercomputer.

This is something that needs to be celebrated by Victorians, because it will expand our capacity in bioinformatics, in computational biology and in advanced biomedical image analysis. Those technical terms might not make much sense to some people, but let me explain: it will help us to predict, for example, the resistance of viruses to drugs and, as a result will enable researchers to stay one step ahead in the design of better treatments. This initiative will lead to improvements in public health outcomes in areas such as cancer and cancer research, cardiovascular research, neurological disease and diabetes.

I am told there are 50 different types of cancers, but there are actually millions more, because each of those 50 different types of cancers reacts differently depending on the genetic make-up of a particular individual. Can members imagine a world where we have a computer that is powerful enough to be able to take the genetic make-up of a particular individual and identify the best treatment in terms of the type of medicine to be applied to that particular individual?

Mrs Coote — Does the computer have a name?

Hon. T. C. THEOPHANOUS — We don't have a name for the computer as yet, but I will give you a little bit of information about just how powerful it is.

Members may know that a teraflop is a measurement of computing power. One teraflop is the capacity to make 1 trillion calculations— not 1 million but 1 trillion per second. This computer's capacity is 400 teraflops, which means it can make 400 trillion calculations per second.

Honourable members interjecting.

Hon. T. C. THEOPHANOUS — I want to remain focused because I want this to go on the record so that Melbourne University and all the people who have been associated with this important initiative can see how enthusiastically it has been received here in the Parliament of Victoria. This is a very important new addition to our capacity in the bioscience area. It is something that will save lives in the future. It will put

us at the forefront of being able to save lives, and at the same time it will yet again cement Victoria as the centre of bioscience research not only in the nation but in the Asia Pacific and as one of the great centres of this kind of research in the world.

Toyota Australia: hybrid car

Mr DALLA-RIVA (Eastern Metropolitan) — My question without notice is for the Minister for Industry and Trade. Will the minister confirm precisely how much Victorian taxpayers are to contribute to the building of the hybrid Camry in Victoria?

Hon. T. C. THEOPHANOUS (Minister for Industry and Trade) — I thank the member for his question. We were very pleased to be able to announce the hybrid Camry, and again I thank my department, because deals that result in this kind of infrastructure development or result in jobs being created for the future in Victoria do not happen by accident; they happen because of the dedication of many people who work together, and having a department whose staff work well together is absolutely crucial to these opportunities being realised.

We started talking to people at Toyota, and I also started talking to them some time ago, about the prospect of a hybrid vehicle being produced in Australia. There were some hybrid cars sold in Australia but none were actually made here, and we had a policy dilemma as a government because our policy was to purchase Australian-made vehicles but there was no Australian-made hybrid vehicle.

Having the opportunity to assist in bringing hybrid vehicle production into Australia meant that we could purchase those vehicles in line with our policy of purchasing Australian made. One of the elements of the arrangement that has been put in place with Toyota is our undertaking to seek to purchase up to 2000 vehicles from it as part of the government's contribution, so in one sense you could classify that as part of the contribution that we are making as a state, because in a sense I imagine that the price of the hybrid Camry is going to be a bit higher than that of the standard Camry. In other words, there will be some premium attached to that, for which the government will pay, which we will know more about as the final price of the hybrid Camry becomes known.

There was assistance provided, however, by the state government in order to bring the production here, and the thing I need to emphasise most is that we wanted to bring this hybrid production here not just because of the 20 000 vehicles that will be produced by Toyota; we

wanted to bring it here because we wanted to position Toyota to be able to bid in 2012 for the new model Camry and for the production of the new model in its hybrid form, because we can see that this will be the future for Toyota. It would not have been in a position to bid for that new hybrid if it had not already started producing the existing hybrid. So on any measure this was a very good and smart investment of Victorian money and commitments in relation to this initiative; so we made that decision.

To come to Mr Dalla-Riva's specific question, he is aware that one of the policy decisions we took as a government was that when we seek to attract major investment opportunities into Victoria we do not disclose the amount we allocate towards attracting that investment. There is a very good reason for this. The fundamental reason is that the federal government, which does not have to compete with state governments, has made a decision. It is the federal government, and if it decides to spend \$35 million, as it did, in order to attract hybrid production, it is doing so for Australia; it is not doing so for Victoria. The difference, whether we like it or not, is that we have a state-based system, and in that state-based system there is competition between the states, so it would be irresponsible for me as the minister for industry to tell our competitors, not just in this sector in the motor car industry but in a wide variety of sectors, exactly how we structure our incentive payments for bringing major investment into Victoria. Telling them how we do that would simply give away our competitive advantage.

Supplementary question

Mr DALLA-RIVA (Eastern Metropolitan) — Given the minister was unable to provide precisely the amount of money, can he actually explain to the house whether this proposal was brought to and discussed in cabinet before the announcement of the project by Prime Minister Rudd in Japan earlier this month? If he is unable to provide the details of the finances, can he inform the house what the terms and conditions are that his government has agreed upon for the distribution of those millions of dollars of taxpayers money for that particular project?

Hon. T. C. THEOPHANOUS (Minister for Industry and Trade) — The member well knows that this is not a forum for discussion of deliberations that take place in cabinet, and I do not intend therefore to discuss or outline the kinds of discussions that occur in cabinet. As the member knows, there is not only cabinet; there are cabinet committees and a range of other departmental committees as well that may or may not be involved in this kind of decision making.

However, in relation to the second part of his question I can assure him that this is value for money. This is good value for money, and the conditions that are attached to it are not something that we make public. But I can tell him in the broad that the conditions obviously include that hybrid production will take place in Victoria and that that hybrid production will be at a minimum level of 20 000 hybrid Camrys. That will occur as part of Toyota meeting its obligations. Beyond that, as I have indicated to him before, this is about positioning. It is about strategy. It is about positioning the industry for the future.

We do not walk away from this decision. We are very pleased to have been able to make this decision, because it will result in jobs for Victorians into the future and it will make a contribution to reducing emissions from motor cars going forward as well.

Costco: Melbourne retail store

Mr THORNLEY (Southern Metropolitan) — My question is for the Minister for Industry and Trade. Can the minister inform the house of any recent decisions by international retailers that again highlight Melbourne's reputation as the shopping capital of Australia and will demonstrate the benefits to Victorian families of greater competition in the retail industry?

Hon. T. C. THEOPHANOUS (Minister for Industry and Trade) — I thank the member for his question. I might in a preliminary way say that the Melbourne retail strategy has been one of the successful strategies that we have been putting in place. It has resulted not only in the investment that I will be talking about in a moment, but it is also the case, as members would know, that Myer and David Jones are involved in very significant expansions of their businesses and refurbishment of those stores that will again showcase Melbourne. That involves many hundreds of millions of dollars of new investment in continuing to keep Melbourne as a retail centre for Australia.

But there have been many other developments as well. The Aldi stores that have come in have provided a different kind of retail option for consumers and have been taken up enthusiastically by consumers.

The latest development is one which involves one of the world's largest retailers — the eighth largest retailer in the world, Costco, an American company; it is the fourth largest in America — coming to Australia for the first time and establishing its main store, its first Australian store and its headquarters here in Melbourne at Waterfront City in Docklands. I was very pleased to be at the official opening last Friday with my

ministerial colleague Justin Madden and the Premier to make the announcement of Costco's decision at the company's global headquarters in Seattle.

This is another terrific get for Melbourne. I get excited every time I am able to get up in Parliament and talk about all the things we are able to attract into Melbourne. In this instance, in terms of investment and jobs, it is \$60 million of investment and 250 jobs. But that is not the end of the story. The Costco retail experience will be different. There is a membership fee which is paid in order to become a member and be able to shop in a Costco store. One might think, 'Why would I bother paying a fee?'. The fee in the United States is \$50, but it allows you to shop in bulk for all sorts of things from food right through to major appliances and so forth and, based on what we have seen in the United States, with significant savings to the community.

It is not my job to sell a particular retail outlet, but if Costco comes here and offers significant reductions, guess what happens? When one store offers significant reductions, other stores have to compete. What you get is a flow-on competitive effect. This will not only mean lower prices out of the Costco stores, but the competitive pressure will mean lower prices out of a whole range of other stores as well.

We on the Labor side, despite what the opposition often says about us, support competition. We love competition because competition is the way in which consumers get the best deals. We have fostered that competition in a whole range of industries, and this is another example of bringing a major store here, with more jobs, more investment and lower prices. What more could one ask for?

Planning: Latrobe Valley

Mr P. DAVIS (Eastern Victoria) — I direct a question without notice to the Minister for Planning. The minister has provided repeated assurances in support of the urban development program and the Transit Cities program which fall within the Melbourne 2030 urban planning strategy that the government is committed to ensuring a 15-year supply of land for residential growth. The minister has also announced the route of the Princes Highway bypass at Traralgon — a decision that protects the Latrobe Valley's coal reserves and locks up land that would otherwise have been available for residential development. Given the minister's undertakings, his decision on the Traralgon bypass and the fact that Traralgon — part of the Latrobe transit city — has a land supply of less than two and a half years, will he explain how local community growth can be accommodated?

Hon. J. M. MADDEN (Minister for Planning) — I welcome the member's question because this is one of the decisions in relation to the Traralgon bypass that were put off by many governments over many years. It was one of those decisions that just languished in government for many years.

Mr Hall interjected.

Hon. J. M. MADDEN — I take up Mr Hall's interjection, seeing he is so passionate about the matter. This is a matter which has been languishing across various governments for something in the order of 25 years. Nobody could determine where the bypass should go and where it should not go. Whilst Mr Davis might suggest that land is locked up by this decision, let me say that without the decision a whole lot more land might be locked up. Previous governments, including Liberal governments, locked up land by failing to make decisions. For the Liberal opposition to come in here and criticise this government for making hard decisions about the Latrobe Valley that provide certainty and security in relation to jobs is the most hypocritical —

Honourable members interjecting.

Hon. J. M. MADDEN — I have mentioned to Mr Hall and Philip Davis that it is the most hypocritical position that this opposition could take.

Mr P. Davis — On a point of order, President, I am sorry to interrupt the minister's answer, but he took the opportunity to attack the person who asked the question. I have asked a question; I have not made a criticism of the minister. If he would answer the question to completion, perhaps I would be able to be informed about the matters to which he is speaking.

The PRESIDENT — Order! Mr Davis knows that is a long way from a genuine point of order.

Hon. J. M. MADDEN — I know this answer might hurt members of the opposition and they might feel uncomfortable with it, but it is something I am very passionate about, because it was a decision that needed to be made. I can tell Mr Hall that, as is often the case in planning, this was a case where, no matter what decision was made, you could not make everybody happy all the time, but it is the best decision for the Latrobe Valley.

This is the best decision for the Latrobe Valley, because it provides job security going into the future. This is in stark contrast to the opposition, which when it was in government did away with 4000 jobs in the Latrobe Valley. This matter might be about land supply, but only as recently as last week I was in the Latrobe

Valley working with the local council. I was prepared to work in partnership and to make commitments to funding and strategic work that needs to be done. This decision might sit uncomfortably with the opposition, but it is a decision that needed to be made and that will provide jobs, security and certainty. This contrasts with the former Liberal-Nationals government, which did away with jobs, would not make decisions that needed to be made and could not guarantee jobs into the future. People will remember that, and they will remember that for a long time.

We are prepared to work in collaboration with the council to make sure we provide more land, job security and work to ensure the prosperity of the Latrobe Valley going into the future. That stands in stark contrast to the record of the opposition when it was in government.

The PRESIDENT — Order! Before Mr Davis asks his supplementary question, I remind members in the house that it is not appropriate to indicate to, wave to or communicate in any way with people in the gallery.

Supplementary question

Mr P. DAVIS (Eastern Victoria) — I thank the minister for his extensive answer and particularly for bringing into the equation the Latrobe City Council, the members of which have strongly expressed the view that the minister has made a poor decision. Further, he just mentioned that he is going to make more land available. It would seem to me that the minister cannot do the arithmetic if there is a problem with making land available because of a decision with regard to the bypass.

Given that the minister appears not to accept that coal development will depend on community infrastructure development to support it, in view of the limit being imposed on the future development of Traralgon by the bypass decision, could he explain how it will be possible to further develop the coalfields?

Hon. J. M. MADDEN (Minister for Planning) — I sometimes find the opposition's position on these matters completely unfathomable. This decision was made after a long process and after lots of delays by other governments, and it was made to assure the certainty of the coalfields going into the future and to do justice to the development of the surrounding cities, the surrounding industries and surrounding jobs. The decision took into account all those matters, and it held them all in high regard, but of course in order to allow for one it might have had to slightly compromise one of the others.

This stands in stark contrast to land supply. Land supply is one thing, but jobs are another. There is no point in having land and plenty of it if there are no jobs in the area. I have mentioned before in this place that when the opposition was in government you could not give land away in the Latrobe Valley; you could hardly sell it. The stark contrast now is that we are ensuring job security, we are ensuring industry and we are ensuring that the coal industry has a future in the Latrobe Valley. We are ensuring that there are jobs.

We will work collaboratively with the local council to make sure that there is extensive land supply going into the future, so that not only is Victoria a great place to live, work and raise a family but the Latrobe Valley, under this Labor government, will be a great place to live, work and raise a family as well.

Planning: career initiatives

Ms MIKAKOS (Northern Metropolitan) — My question is also to the Minister for Planning. I ask the minister to advise the house of recent initiatives the Brumby Labor government has taken to promote planning as a career choice, particularly in light of Victoria's strong population growth.

Hon. J. M. MADDEN (Minister for Planning) — I welcome Ms Mikakos's interest in this area. I thank her for the support she gives to the planning portfolio through the work she does with numerous stakeholders in relation to many planning matters. As I have mentioned in this place before, we have seen enormous population growth. Not only are we seeing enormous population growth, but because of the formation of households we are seeing enormous demand for housing, full stop. Even if we did not have the population growth, we would still see extensive demand for housing and housing supply. With that sort of growth, that sort of economic prosperity and the continuing increase in our ability to attract people to Victoria, there is enormous pressure on the planning system, particularly in relation to planners. We are working to streamline the planning system to make sure we free up planners' time so that they can get on with the things they need to do rather than play around with the rats and mice in the system.

The other thing we need to do is ensure that we attract people to the planning profession. This is why my department recently convened a working group called Pathways to Planning. It comprises key stakeholders from state government, the Municipal Association of Victoria, the planning institute and the university sectors to examine how we can better promote and provide planning as a career choice going into the

future. These groups combined to invest an extraordinary amount of time and effort to put together an exhibit at the *Herald Sun* careers expo at the Melbourne Convention and Exhibition Centre. It was not just about being a town planner; it covered areas like geography, surveying, environmental planning and many of the professions related to planning more broadly. We want to attract more people into the system and get more people out there working with local government or private practices to make sure we have sufficient planners in the system.

One of the great things about planning as a profession is that it is easily transferable. You can move from city to country or vice versa — and we have seen plenty of that, particularly with lifestyle changers. We also know there is a shortage of planners in country Victoria, and we want to see more planners attracted to the provincial lifestyle. As well as that, it is a very flexible profession, because you can transfer overseas if you are young and you want to get some experience. We have seen some planners travel to Sri Lanka to assist the local community in post-tsunami planning. They have come back with enormous skills. It is a very attractive profession. We worked very hard with many stakeholders to promote that point at the careers expo last weekend.

I had the pleasure of opening the entire exhibition. There was an enormous turnout of young people and an enormous interest in this exhibit put together by the planning profession. We have not only the challenges of population growth but also the coastal pressures and pressures of growth in rural communities. We really need more planners to help out with many of those issues. It is a particularly interesting profession going into the future. Given that, I would like to thank the stakeholders who worked so closely with us, particularly the universities, and their work will also promote their ability to invest more time and resources into their planning courses. It will reinforce the fact that not only the sciences and the humanities but also many of those planning areas are worthy of investment to attract people to invest their time and effort into gaining expertise and understanding in those areas.

I would like to record my appreciation to the members of the Pathways to Planning advisory group for their work so far, and I look forward to continuing to work with them and to promote planning as a career going into the future so we can guarantee that Victoria is the best place to live, work and raise a family.

Environment: Land for Wildlife program

Mr BARBER (Northern Metropolitan) — My question is for the Minister for Environment and Climate Change. It is in relation to the Land for Wildlife program. Can the minister tell us whether this program is under any specific review, and can he also assure us that the budget available for this program is the same as it has been in past years and that there has been no reduction in the number of Land for Wildlife officers actually taking action on the ground?

Mr JENNINGS (Minister for Environment and Climate Change) — It begs a supplementary for Mr Barber to give me specific details of concerns that may underpin his question. From my vantage point, the approach of providing for habitat protection and providing for land to be identified to protect that habitat continues to be a priority of our activities, certainly in light of our ongoing significant review of our approach to land and biodiversity management and our approaches to that important part of our responsibilities. It is in that context that there may be consideration about the role that specific program may play.

We are very keen to build on any successful programs and to not lose the success of any programs and to add to and complement the array of measures we have within programs and the effort that is dedicated to achieving habitat protection, in which this program will play a role. The general answer to the question is that from my vantage point there is absolutely no mandated authority to reduce our effort or our commitment to the outcomes that underpin that program. In terms of shifts of resources on the ground, there are ongoing reviews of departmental arrangements at a regional level, and this may have led to the concerns that may underpin such a question. But as a general answer about the effort, it would be my intention to maintain that effort in one shape or form and to be able to provide confidence to those in the community who are concerned about the wellbeing of our wildlife that we have programs that add to habitat protection and we will not lose that priority.

Supplementary question

Mr BARBER (Northern Metropolitan) — There were quite a few ‘mays’ in that answer, so I will ask a more specific question that perhaps might illuminate. Given that the program works in conjunction with other programs such as natural heritage trusts — and the minister has answered previous questions in relation to the withdrawal of those resources that has led to, as we speak, a reduction in the number of biodiversity staff available in certain regions — and given the

complementarity of this program with others such as the Trust for Nature, can the minister assure me that there has been no reduction in the number of Land for Wildlife officers to try to make up this shortfall as other biodiversity works are being defunded?

Mr JENNINGS (Minister for Environment and Climate Change) — I knew Mr Barber would ultimately try to assist me in formulating my response to his question — and he has. In this context he has drawn the attention of the house to the connection between the programs that are fully funded and supported by the Victorian government and those that we operate in collaboration with our brothers and sisters from the federal jurisdiction and the amount of support that will be available from them to provide for care for country-type programs. There is, as I have reported to the house previously, some significant work that has been undertaken by the Victorian government, the catchment and management authorities and other stakeholders within the Victorian community to try to make sure that we do not lose the effort that applies to land management, catchment management and, in this case, biodiversity programs that are an important part of that suite of programs.

From my vantage point there is no intention to short-change any element of that agenda. The challenge that confronts Victoria and all our stakeholders in the field is to try to make sure that we maximise the potential to leverage state investment, of which there is a significant amount that has been identified in our budget, with funding coming from the commonwealth. It is not the first time we have discussed that in this chamber; it continues to be an issue. I noticed in the weekend press that the commonwealth issued applications for programs under its funding arrangements seeking submissions for funds that are available now. It will be an opportunity for us in the second half of this year to try to make sure that we maximise the effectiveness of state investment with the commonwealth investment.

And to specifically address the question: I have not authorised any shift in resources from the Land for Wildlife program to make up for a shortfall that may have derived from a shortfall in commonwealth funding.

Innovation: stem cell research

Ms BROAD (Northern Victoria) — My question is to the Minister for Innovation. Will the minister inform the house of any recent collaborations entered into by the Brumby Labor government that will further

advance important health and medical research using stem cells?

Mr JENNINGS (Minister for Innovation) — I thank Ms Broad for the question and the opportunity to talk about the circumstance last week when the Premier and I were confronted by the political persona of the man most widely known throughout the world as the Terminator. When we confronted the Terminator in this context it was a life-affirming experience, because in his political life Governor Schwarzenegger has been absolutely committed to providing support for life-affirming programs that will restore the viability of life and the capacity for life.

This was something on which the Premier and I were very keen to find a degree of collaboration between Victoria and California, which is renowned as a leader in stem cell research and stem cell investment, that will lead to greater capacities within Victoria and within California to rise up and meet very important challenges that bedevil our global community in the context of cancers and conditions such Parkinson’s disease, Alzheimer’s disease and motor neurone disease. In terms of neurosciences, there are very important developments that are undertaken both in California and in Victoria to deal with stem cells —

Honourable members interjecting.

Mr JENNINGS — The baying from the backbench on the other side will be responded to in accordance with the narrative that is being developed before their very ears.

Mrs Peulich — That is offensive.

Mr JENNINGS — I doubt it; I doubt that it was extremely offensive. This is very important work in terms of our global community. As part of the announcement that was made subsequent to the memorandum of understanding being signed by the Premier of Victoria and myself on behalf of Victoria and also by Bob Klein, who is the chair of the Californian Institute of Regenerative Medicine, and its chief executive officer, Alan Trounson, who is a well-respected and well-known Victorian scientist of international repute who is now heading up the Californian institute, we undertook to both jurisdictions that we would collaborate to the highest degree to share scientific expertise and capacity across the significant institutions we have in Victoria and the significant institutions they are building in California.

Subsequent to what is known as Proposition 71 in California, which began in 2004, \$3 billion has been allocated to investment in research facilities in

California. It is the centre of investment, it is the centre of global capacity for stem cell research, and it is recognised that Victoria houses the equivalent institutional repository in Australia.

The memorandum of understanding that was signed last Wednesday was the first memorandum of understanding signed between California and any other jurisdiction. California subsequently moved on to sign a memorandum of understanding with Canada which will drive significant investment and research, but Victoria was the first jurisdiction. Governor Schwarzenegger was very complimentary about our capacities.

In relation to the question of what types of stem cells will be subject to research, after the meeting with the Terminator I happened to meet with a much smaller politician from New South Wales. Verity Firth, the New South Wales Minister for Climate Change and the Environment, and I undertook on behalf of New South Wales and Victoria to allocate funding from both of our jurisdictions to stem cell research.

An honourable member interjected.

Mr JENNINGS — No, it was Verity Firth, a petite woman but nonetheless absolutely, wholeheartedly and determinedly supportive of stem cell research and scientific endeavour in New South Wales and in Victoria. We took the opportunity to establish what will be a benchmark approach to stem cell research throughout the world, so responding to the questioning —

An honourable member — Adult.

Mr JENNINGS — Very good, very important. This research will benchmark the potential and capability of adult stem cells, known as iPS (induced pluripotent stem) cells, comparing them with embryonic stem cells, also known as SCNT (somatic cell nuclear transfer) — and this is an issue that Mr Kavanagh, I am sure, will be very interested in, given that I have not forgotten his contribution to the debate that took place in this chamber. It will establish effectively a world-leading benchmark for the capability and potential of those two streams of stem cell research. That research will be undertaken simultaneously in New South Wales and Victoria and will determine the capability of those streams of stem cells and their utility in dealing with the conditions I referred to. Whether it is in cancer or in regenerative medicine in terms of the neurosciences, we will be acutely interested to see how this world-leading research develops.

We will be better as a community if we can take this research and apply it to those conditions that bedevil the

quality of life of many of our citizens both here and abroad, and we will be very happy to do it in a collaborative environment with California. We are hoping to maintain our position as world leaders in stem cell research in the years to come.

QUESTIONS ON NOTICE

Answers

Mr LENDERS (Treasurer) — I have answers to the following questions on notice: 679, 784, 1023, 1090, 1094, 1192, 1194, 1203, 1376, 1412, 1730, 1736, 1753, 1785, 1793, 1819, 1829, 1917–46, 1949, 1987, 2002, 2008, 2039, 2058, 2059, 2070–2072, 2074, 2075, 2088, 2089, 2092–97, 2100–10, 2112, 2113, 2115, 2141, 2180, 2208, 2221–25, 2258, 2271, 2274, 2275, 2392, 2403, 2411, 2419, 2424, 2445, 2475–2504, 2510, 2511, 2537, 2538, 2590, 2591, 2630, 2631, 2657, 2658, 2666, 2713–25, 2727–47, 2754, 2755, 2762, 2802, 2835, 2872, 2875, 2978, 3018, 3050, 3057, 3090.

The PRESIDENT — Order! Ms Lovell has written to me seeking my ruling in relation to a number of answers to questions on notice provided by the Minister for Housing in the other place. In relation to questions 1950, 1952 and 1953 Ms Lovell sought specific statistics relating to public housing waiting lists. The answer referred Ms Lovell to budget paper 3. However, that budget paper contains only a statewide average figure and not the specific details requested, and the 2007–08 annual report, which might contain the information, has not yet been tabled.

I note that Ms Lovell asked an almost identical question on 24 May 2007. In the answer circulated on 7 August 2007 the minister was able to provide the specific details requested by Ms Lovell. In relation to question 1954, Ms Lovell sought the current dollar value of the public housing maintenance backlog. The answer provided by the minister contained general information related to this topic; however, it did not provide the specific details requested. I therefore direct that questions 1950, 1952, 1953 and 1954 be reinstated to the notice paper.

PETITIONS

Following petitions presented to house:

Water: north–south pipeline

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

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council its opposition to the proposed building of the north–south pipeline by the Brumby Labor government which will steal water from country Victorian farmers and communities and pipe this water to Melbourne. We believe there are better alternatives to increase Melbourne’s water supply such as recycled water and stormwater capture for industry, parks and gardens, and therefore call on the Legislative Council to oppose the construction of the proposed pipeline.

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

By Ms LOVELL (Northern Victoria) (120 signatures)

Laid on table.

Abortion: legislation

To the Legislative Council of Victoria:

The petition of the undersigned residents of Victoria draws the attention of the house to proposed amendments to the Crimes Act which will ensure that no abortion can be criminal when performed by a legally qualified medical practitioner at the request of the woman concerned.

The implementation of this legislation will allow abortions to be legal in Victoria right up to birth. This will only increase the thousands of children who die needlessly each year through abortion and will add to the existing social problems in Victoria resulting from such a high abortion rate.

The petitioners therefore request that the Legislative Council of Victoria vote against amendments to the Crimes Act that will decriminalise abortion in the state of Victoria.

By Mr FINN (Western Metropolitan) (824 signatures)

Laid on table.

STANDING COMMITTEE ON FINANCE AND PUBLIC ADMINISTRATION

Port Phillip Bay: channel deepening

Mr RICH-PHILLIPS (South Eastern Metropolitan) presented interim report, including appendices.

Laid on table.

Ordered to be printed.

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I move:

That the Council take note of the report.

This report records the committee’s progress to date on its reference from the house with respect to the business case for the channel deepening project. The committee was established on 7 April following the passage of the

resolution establishing the committee. In its first month it sought submissions from interested parties.

Thirty-seven submissions were received by early May. The committee’s progress to hearings was then delayed until early June due to an inability of the Parliament to service the committee by way of Hansard services. Accordingly the committee undertook its public hearings in the first week of June and is now proceeding to produce its report back to the Parliament. However, due to the delays as mentioned, the committee will be seeking an extension of its reporting date to 11 September by a motion that I will give notice of shortly.

Mr VINEY (Eastern Victoria) — I acknowledge the work that has been done on this report so far by all members of the committee. The government is in support of the interim report and will be supporting the motion to extend the time for reporting.

Mr BARBER (Northern Metropolitan) — I have something of a minority view on this report. We also will be, as Mr Viney has indicated, supporting the extension of time. The specific reference that was given to the committee was to examine the business case for Port Phillip Bay channel deepening, and the committee has not even begun to do that. What we have extensively examined is the economic case for bay dredging — that is, the cost to the port and to the taxpayer versus the expected downstream economic benefits.

The port is a commercial entity — as is clear from its legislation, its practice and the way it is regulated — so the business case for the port is how it expects to pay for the works and recover the costs through its own revenues. In order to examine that case, we would need documentation held by the port, and possibly also held by Treasury, and while the committee will no doubt persevere in attempting to obtain those documents, in my view we are only just making a start.

Motion agreed to.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 8

Mr EIDEH (Western Metropolitan) presented *Alert Digest No. 8 of 2008*, including appendices.

Laid on table.

Ordered to be printed.

PAPERS

Laid on table by Clerk:

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

- Ararat Planning Scheme — Amendment C16.
- Baw Baw Planning Scheme — Amendments C18 and C47 (Part 2).
- Campaspe Planning Scheme — Amendments C58 and C59.
- Central Goldfields Planning Scheme — Amendment C14.
- Greater Bendigo Planning Scheme — Amendment C77.
- Greater Shepparton Planning Scheme — Amendment C77.
- Hume Planning Scheme — Amendment C97.
- Melbourne Planning Scheme — Amendment C139.
- Melton Planning Scheme — Amendments C53 (Part 2), C61 and C72.
- Victoria Planning Provisions — Amendment VC48.
- Wangaratta Planning Scheme — Amendment C26 (Part 2).
- Yarra Planning Scheme — Amendment C87.

Statutory Rules under the following Acts of Parliament:

- Introduction Agents Act 1997 — No. 54.
- Residential Tenancies Act 1997 — No. 55.
- Rural Finance Act 1988 — No. 52.
- Serious Sex Offenders Monitoring Act 2005 — No. 51.
- Transfer of Land Act 1958 — No. 56.
- Working with Children Act 2005 — No. 53.

Subordinate Legislation Act 1994 —

- Ministers' exemption certificates under section 9(6) in respect of Statutory Rule Nos. 51, 54, 55 and 56.
- Minister's infringements offence consultation certificates under section 6A(3) in respect of Statutory Rule Nos. 38, 54 and 55.

Victorian Environmental Assessment Council Act 2001 —

- Minister's response to submissions on the proposed Terms of Reference for the Investigation into Metropolitan Melbourne, pursuant to section 16(2) of the Act.
- Minister's response to submissions on the proposed Terms of Reference for the Investigation into Remnant Native Vegetation, pursuant to section 16(2) of the Act.

MEMBERS STATEMENTS

Annie Donaldson

Ms LOVELL (Northern Victoria) — Last Friday a very special lady passed away. Annie Donaldson had battled cancer for the past 15 years. During the entire 15 years Annie refused to think of herself as a victim, and her constant positive attitude and beautiful smile inspired everyone who met her.

Annie turned her battle into a positive by devoting her time to raising money for cancer research. Annie was a member of the committee of the Shepparton Relay for Life — an event that in the past five years has raised over \$1 million for cancer research — but not content with being a part of this major annual fundraiser, Annie continued to raise money herself through charity auctions, dinners and through raffling beautiful porcelain baby dolls that she made herself.

Annie was also a proud Liberal and was one of the inaugural members of Team Murray, a small group who came together to assist Sharman Stone to win the federal seat of Murray in 1996. Team Murray has grown from the original handful of Liberals to include hundreds of members and supporters, but Annie has left a void that will never be filled.

I extend my deepest sympathy to Alan, Carrie, Scott, Petra and Jack. My love and thoughts will remain with them. Annie, I thank you for your friendship and support over the years — my memories of you will continue to brighten my life.

Traralgon bypass: route

Mr HALL (Eastern Victoria) — I listened this afternoon to the answer given by the Minister for Planning to a question regarding the Traralgon bypass. I was flabbergasted when the minister suggested that the previous government had done no work on this issue. Putting aside the fact that the previous government worked on the realignment and duplication of the highway between Melbourne and Traralgon, the minister must have had a memory block, because just four years ago a significant community consultation process was undertaken to decide the bypass route, and agreement was reached by all parties.

However, earlier this year this government revisited the issue at the request of the Department of Primary Industries and has chosen a route that is blighted with a lot of the issues mentioned in today's question without notice.

Also I seek some commitment or an assurance from the minister about the placement of the buffer zone surrounding the proposed Traralgon bypass. On 27 February — four months ago — I asked the Minister for Planning to clarify the placement of the buffer zones on either side of the planned bypass, because the 600-metre buffer zone on its northern side includes some significant structures such as the Latrobe Regional Hospital. The minister said he would come down and work with the local council and community to resolve the buffer zone issues. To my knowledge, to this point no decision has been made with respect to that and no announcement has been made by the government.

To give some certainty to existing businesses and planned developments along the highway today I call upon the Minister for Planning to give a solid declaration as to what his work has revealed in respect of the placement of those buffer zones.

EastLink: speed cameras

Mr PAKULA (Western Metropolitan) — I understand some members of the opposition refer to the shadow transport spokesman, the member for Polwarth in the other place, Terry Mulder, as the Great Terry Mulder Express. I was surprised to read the unmitigated drivel he — someone with such apparently grand designs — espoused in the *Sunday Herald Sun* of 15 June. Talking about speed cameras on EastLink, Mr Mulder said:

... the government is claiming that motorists are heeding the message to slow down, so why does it need cameras?

They are heeding the message, so why have speed limits at all? They are also heeding the message not to drink and drive, so I suppose we can mothball the booze buses. What makes Mr Mulder's comments all the sillier is that just four days earlier, in the *Age*, he was advocating a greater police presence to reduce speeding. While Mr Finn is in here calling for more police on the beat, Mr Mulder wants us to ditch the cameras and have the police on traffic duty.

At the start of the 1990s the road toll was 548. Last year it reached 332. Speed cameras have played a major role in reducing the toll. Mr Mulder needs to ask himself whether it is worth risking 216 Victorian lives a year for a cheap headline.

Roads: South Eastern Metropolitan Region

Mrs PEULICH (South Eastern Metropolitan) — ConnectEast's real-time traffic information available on eastlink.com.au illustrates the degree of traffic

congestion in Melbourne's south-east and the level of congestion that commuters are forced to endure daily. I was not surprised to see on that website that there are massive amounts of congestion during peak hour, which affects my electorate from Mount Waverley to Chelsea and Mentone in the south, including Warrigal Road between North Road and Old Dandenong Road; Clayton Road between Princes Highway and Centre Road; and Springvale Road between Westall Road and Governor Road. All of these roads are shown to be heavily congested, with lots of red colouring on that real-time traffic information website.

But the most serious concern is the absolutely blatant mismanagement of the extension of South Road, which the government seems to trumpet, and the funnelling of an enormous amount of traffic into Old Dandenong Road from South Road. The South Road-Kingston Road segment is an undulating single-lane road. I drove there recently at 5.15 p.m. when there was a little drizzle; the traffic was bumper to bumper. The roadway was covered in mud as a result of the road's unsealed shoulders and traffic from the tips. It is a disaster waiting to happen. If a life is lost, VicRoads and the minister will have it on their hands. They must act now to make this a safe stretch of road for commuters.

Transport: western suburbs

Ms HARTLAND (Western Metropolitan) — On 18 June I organised a meeting of residents of the inner western suburbs to give them information about the Eddington report and how it may affect their local area. There was such an overwhelming response that we had to move to a bigger venue, and still the bigger venue overflowed with residents eager for information. The issue that came out again and again at the meeting was the lack of detail in the proposal, especially in terms of mapping. People wanted to know how the proposals would affect their streets.

The deadline for submissions is 15 July, but how can you ask people to comment on new roads and tunnels without telling them where they will be located and what they will look like? Broad areas are identified: in the words of the technical reports as being 'likely to have a detrimental impact by one or more of the proposals'. But there is no detail about what that impact would be.

Residents also identified public transport as a major issue, especially the problem on the Sydenham line, which Connex says is six months away from being at capacity. Being a regular train user, I would have thought it was at capacity now. Money needs to be

spent on better public transport rather than having thumping big new roads through our residential streets.

Preschools: Western Victoria Region

Ms TIERNEY (Western Victoria) — Last Wednesday I had the pleasure of visiting the wonderful staff and students at the Apex Preschool Centre in Elliminyt to announce funding boosts to early childhood services. ‘I have happy tears rolling down my cheeks’, was the response from one kindergarten staff member when I passed on the news. Another staff member said, ‘This is extremely important to us’.

As part of the \$10.7 million program, four Colac Otway shire kindergartens will receive funding. Apex Preschool Centre will receive just under \$94 000; the Apollo Bay Preschool will receive \$26 000; the Colac East Kindergarten will receive \$90 000; and the Wydinia kindergarten will receive just over \$8700. Earlier in the day, and further west in the electorate, I visited the South Warrnambool Kindergarten, which received a \$60 000 grant to extend its existing multipurpose room. I particularly wish to thank the parents and committee members who attended the announcement. I also wish to thank them for their tireless fundraising efforts.

The Brumby Labor government’s grants further enable the integration of additional supports and programs to enhance positive outcomes for all children at Victorian kindergartens. They provide a morale boost to all the adults, whether they are parents or teachers, involved in each of the kindergartens. I would also like to congratulate and thank each kindergarten for its wonderful contribution to early childhood development and I sincerely thank them for their ongoing efforts.

Police: numbers

Mr O’DONOHUE (Eastern Victoria) — Last Friday at approximately 9.30 p.m. a close associate was walking along Collins Street between William Street and Queen Street when he happened upon four young people who were using a spray can to put their tag on a historic sandstone building. What shocked my associate was the brazen way these four young people were going about this act of graffiti at 9.30 p.m., which is a very busy time in the city. But this did not appear to concern these young people.

My associate challenged the group over what they were doing but was then threatened with physical assault. What shocked me, and what shocked my associate, was the brazen nature of the group. They had no respect for public space or for the historic sandstone building they

were defacing, no understanding of the cost to the owner to remove the graffiti and, perhaps what is worse, no fear of being caught or stopped by the police.

Our police do a fantastic job, but this is another example which shows that there are simply not enough police on the beat, whether you are in the central business district of Melbourne, on the Mornington Peninsula, at Phillip Island, Bairnsdale or Silvan. The state government must provide the resources to train additional police so that when someone attempts to deface public or private property, police are available to catch them and bring them to account for their disgraceful actions.

EastLink: tolls

Mr O’DONOHUE — The imminent opening of EastLink will be a fantastic addition to road infrastructure. What a tragedy it is that it will be a toll road and not a freeway as promised by this government.

Manningham: early childhood hub

Mr TEE (Eastern Metropolitan) — I think we all understand that early childhood education is absolutely critical. It sets a child on the right track to reach their full potential as an adult, and it is about getting the right start to life. I am very pleased that the Victorian government has provided Manningham City Council with a planning and capital grant to create an early childhood hub. The initial planning grant of \$50 000 has gone towards planning for the construction of the hub. This is a great result and a significant allocation of government funds and commitment to the civic precinct where these services will be located.

The civic precinct is at the heart of Doncaster Hill. This is another investment in the community which will provide a one-stop shop, a community services hub in Manningham. It shows what can be achieved when local government and state government work together and when they plan for growth. It is a great example of Melbourne 2030 delivering for the community and providing community services in the local communities where they are most needed. I congratulate Manningham City Council and the state government for this terrific outcome.

SecondBite

Mrs COOTE (Southern Metropolitan) — I would like to praise two charities within my electorate. One is called SecondBite, which collects nutritious surplus food and distributes it, in its raw state, to a variety of agencies and people in need. I would like to praise the

Prahran Market retailers for their support of SecondBite in its endeavour to provide food to welfare agencies throughout Melbourne and for those in need. The Prahran Market retailers donate over 700 kilograms of fruit and vegetables each week to people in our community and throughout Melbourne who are going hungry. The Prahran Market retailers are doing our community proud and pooling together to help those in need. I praise their efforts and encourage them, and all the other food outlets involved, to continue endeavouring to ensure people do not go hungry.

Off Your Back

Mrs COOTE — The other group I want to recognise is Off Your Back, and I praise the efforts of the organisers of this wonderful project in association with the Salvation Army. They give coats to people who are going to be cold throughout the winter. I particularly praise Andie Dynon, who collects coats at her art gallery in Bay Street, Port Melbourne. Andie says, 'The kids have woken up to find the whole front porch covered with coats and they scream like it is Christmas. Imagine if everyone got their excess coats out to the homeless!'. I encourage everyone in this chamber to donate their excess coats. You can give them to me, and I will distribute them to Off Your Back.

Great Southern rail trail: Meeniyian bridge

Mr SCHEFFER (Eastern Victoria) — It was an honour to join members of the South Gippsland community in Meeniyian to open the Pumphouse pedestrian bridge over the Tarwin River — the latest stage of the Great Southern rail trail. The bridge and rail trail is truly a work of many hands, and I congratulate Eric Cumming and members of the Great Southern Rail Trail Committee of Management; the Friends of the Great Southern Rail Trail; the South Gippsland Shire Council; the Leongatha, Meeniyian and Foster chambers of commerce; members of the local cycling, walking, equestrian and service clubs, school children and their families; Trevor Hulls and the people at Hulls Engineering Australia; and John McKay, who designed the bridge. The Great Southern Railway served local people and industry for exactly 100 years — between 1892 and 1992. The railway then brought people together, just as the development of the rail trail brings people together now.

The South Gippsland Shire Council provided \$214 731 and the Great Southern rail trail committee of management contributed a phenomenal \$234 030. The Victorian Labor government has contributed around \$1 million — \$600 000 in 2001 for the construction and

completion of the Koonwarra–Foster section, and last year a further \$399 460 for the bridge. When the trail is finished — and it is nearly there — locals and visitors to South Gippsland will be able to access a 46.5 kilometre track for walking, cycling and horse riding. The opening of the Pumphouse pedestrian bridge over the Tarwin was a great event, and I congratulate the communities of South Gippsland and the Victorian government on a magnificent achievement.

Marysville Primary School: maintenance

Mrs PETROVICH (Northern Victoria) — I would like to draw attention to the state of Marysville Primary School, which I had the pleasure of visiting last week. This school, which is more than 100 years old, has major maintenance problems.

Over the last decade during which this Labor government has been in power, it has allowed that school to run down to its very bones. For example, there is a plague of white ants in some areas between classrooms, plaster is falling off the walls, there is a leaking ceiling in the toilet block and the urinal flushes away precious litres of water at the push of a button. Yet this stingy government has done nothing to help fix these problems.

Needless to say, these health threats have the school community gravely concerned about the health and wellbeing of its students. This is a far cry from the Premier's claim that education remains the government's no. 1 priority and that the government is rebuilding every school in every community across Victoria — another empty promise!

With the federal government hastily withdrawing successful programs like the Investing in Our Schools program and federal water grants for schools, this school and others like it have no resources to fall back on. It is yet another example of how this government is neglecting country Victoria. A mere \$6000 would fix the immediate problem of the leaking toilet block. Given that this government, in its recent budget, boasted about the amount of money it is spending on education, you would think it could provide a measly \$6000 to assist with the necessary upgrades to the toilet area and secure the safety and wellbeing of the students. I hope the Treasurer and education minister and the lower house member for that area can assist Marysville in — —

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

Tom Jobling

Ms PULFORD (Western Victoria) — I would like to acknowledge the service to the community of a fine citizen. For the past two-and-a-half years Tom Jobling has been the president of the RSL Ballarat sub-branch. With Tom's decision to stand down it is timely to reflect on his leadership. During this period the Ballarat RSL made some difficult decisions. Tom worked hard to make changes to both the Anzac Day and Remembrance Day services. Tom's hard work and dedication is reflected in the ever-increasing visitor numbers at events like the Anzac Day dawn service.

During his period as president Tom frequently visited schools and met with community groups. His work in helping future generations understand the sacrifice of our fallen service personnel and why we remember them will be an important part of his legacy. Tom leaves the Ballarat RSL in great shape. It has been a pleasure to work with him in his time as president and to get to know a true gentleman. On behalf of the community, I would like to say to Tom Jobling, 'Thank you'.

Rail: Warrnambool steam train

Mr VOGELS (Western Victoria) — Historic journeys to Warrnambool by steam trains are on the backburner, according to an article in the *Warrnambool Standard* of 16 June by Glenn Bernoth:

Carriage loads of cashed-up rail buffs will not reach Warrnambool anymore with track changes at Colac forcing an end to the nostalgic return diesel train trips from Melbourne.

...

... the steam train can no longer reach Warrnambool and return to Melbourne in a single day due to clashes with V/Line's passenger services.

The quandary follows the state government's decision to close a rail siding (passing area) at Colac.

The decision will cost tens of thousands of dollars in lost tourism trade for south-western Victoria. Heritage steam trains are very popular, especially with parents who take their children to Warrnambool to see the whales. Even events like Fun4Kids and Warrnambool's famous racing carnival can be made more attractive by arriving on a steam train.

According to the report in the *Standard*, V/Line closed the siding, citing costs associated with signalling upgrades. Having travelled to Melbourne and back on numerous occasions by rail I know that it is very important to have the option for a train — either a

steam train, a passenger train or a freight train — to pull into a siding to allow another to pass. I call on the transport minister in the other place to intervene in this issue, to ensure that the necessary works are done to keep the siding open.

Australian Labor Party: Kororoit candidate

Mr ELASMAR (Northern Metropolitan) — I wish to add my voice to the many well-wishers who have congratulated former mayor of the City of Darebin, Marlene Kairouz, on her successful ALP preselection for the seat of Kororoit. Marlene is well-known as a conscientious hard worker for the people she represented during nearly 10 years of active involvement in local government. I know she will be a terrific MP for the constituents of Kororoit.

Yarra: Fitzroy parkland

Mr ELASMAR — On another matter, the Minister for Housing in the other place has given the people of Fitzroy a park, which generations of city of Yarra residents will be able to enjoy. He has rezoned the Condell Street park, which is currently owned by the Crown, from residential to public open space. The City of Yarra will now be able to purchase the rezoned land so the residents and their families can enjoy one of the few open spaces in Fitzroy.

Bill Kelty

Mr ELASMAR — On another matter, well-known trade unionist Bill Kelty was made a Companion of the Order of Australia in the Queen's Birthday honours list for his work in establishing a universal superannuation system for all Australians. Bill Kelty, a former secretary of the Australian Council of Trade Unions, is the man who drove the agenda for universal superannuation for all Australians; a man of stature who worked alongside Australian icons like former Prime Minister Bob Hawke and current federal ministers Simon Crean and Martin Ferguson. I congratulate Mr Kelty for a well-deserved Queen's Birthday honour.

Ambulance services: Whittlesea station

Mr ELASMAR — On another matter, work has already begun on the new Whittlesea ambulance station in Millennium Drive. Currently Whittlesea is covered by a team based at the Epping station, which attends about 190 cases a month. The \$3.5 million much-needed station — —

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

Eltham College of Education: Melbourne City School

Mrs KRONBERG (Eastern Metropolitan) — Everyone likes to hear about innovation and market leadership. A fine example of a market leader in education is the Eltham College of Education. Last Monday Dr David Warner, the school's principal, launched the Melbourne City School. It seems that Eltham will usher in a new era of learning for the 21st century.

Commencing in 2009 the new campus will initially take enrolments from prep to year 4, and will complement Eltham's existing main campus in Research, in the highly popular year 9 campus on Flinders Lane.

The Melbourne City School will provide care and tuition to students from 7 a.m. to 7 p.m. across 52 weeks of the year, with each student having their own learning adviser. Strategic partnerships have been forged with the University of Melbourne's early learning centres and Kids on Collins. Eltham college states that its mission is to release and enhance the talents of individuals, and by all accounts the new Melbourne City School should be well positioned to deliver on such goals.

It will be an exciting new way to cover the education syllabus and provide learning and development for young people. The Melbourne City School will provide parents with educational flexibility that is needed in the 21st century, and create more choice for families when making decisions about how best to educate their children. The entire Eltham College of Education and its community is to be commended for its innovation and commitment to 21st century education services.

POLICE INTEGRITY BILL

Committed.

Committee

The DEPUTY PRESIDENT — Order! The committee has been asked to consider amendments and to invite some discussion on the Police Integrity Bill 2008 — a bill for an act to re-establish the Office of Police Integrity, to set out the functions of the office and of the director, police integrity; to amend the Police Regulation Act 1958 and other acts and for other purposes.

I understand there are some members who wish to make some comments as we proceed through the bill. I

indicate that clause 1, of course, talks about the basic principles of the bill, and I am prepared to entertain some discussion in respect of that clause; but if there are specific matters I would prefer that they were directed at the clause that relates to those matters as we proceed.

Clause 1

Ms PENNICUIK (Southern Metropolitan) — I would like to confirm with you that I have several amendments to put to the committee, but also I want to make comments on or ask the minister questions about quite a number of other clauses to which I do not necessarily have amendments.

The DEPUTY PRESIDENT — Order! Does Ms Pennicuik have some further remarks on clause 1 that she would like to put forward?

Ms PENNICUIK (Southern Metropolitan) — Just one general question for the minister: can the minister assure the house that the principles of natural justice in respect of witnesses before the Office of Police Integrity have not been diminished by this bill?

Hon. J. M. MADDEN (Minister for Planning) — I am advised that they have not been diminished by this bill.

Ms PENNICUIK (Southern Metropolitan) — I will probably ask the minister that question again with respect to certain questions.

Mr P. DAVIS (Eastern Victoria) — I am excited to have the opportunity to deal with some matters on this clause, and just for the guidance of the minister, the matters which I am raising now he may choose to dispose of at clause 1, which may well satisfy my inquiry. Ultimately we will need to progressively deal with matters on a clause-by-clause basis.

I therefore refer the minister to the second-reading speech on the introduction of the bill, and in particular I quote this section:

In addition to replicating the relevant parts of the Police Regulation Act 1958, the bill makes some improvements to these existing provisions, such as providing clearer, more detailed provisions outlining the obligations of the director and witnesses during the examination of witnesses. No changes, however, are being made to the jurisdiction of the director.

I am picking up the point that Ms Pennicuik raised in relation to natural justice for witnesses, and I note that the report of the Scrutiny of Acts and Regulations Committee on this bill, which was tabled on 10 June, said in part:

The committee refers to Parliament for its consideration the questions of:

whether or not clause 69(3), by permitting the use of information derived from compelled questioning in a prosecution of the person questioned, limits such people's charter right to a fair hearing.

and if so, whether or not clause 69(3) is a reasonable limit on that right according to the test set out in charter section 7(2).

Having given that preamble, I have concerns which I will flag in relation to clauses 54, 62 and 69. I just wanted at this point to say that the minister may well satisfy my concern. On the face of it, it seems that what are accepted as the common-law rights to natural justice with respect to witnesses and prospective victims, I guess, of the processes that are set out in the Police Integrity Bill may indeed be abrogated simply by the provisions of these clauses. What I am interested to know is whether the Parliament is, in effect, enacting new law or, as has been set out in the second-reading speech, in relation to those matters that I have just raised, remaking them in a different form?

In other words, this bill is a bill to create a stand-alone act to deal with matters relating to police integrity. That is something which I think the chamber has expressed a view about during the second-reading debate, and I do not want to go into that.

What I am concerned to know is whether the provisions that are referred to in clauses 54, 62 and 69 are translations from provisions in the existing law into the new act, or further draconian restrictions on rights.

Hon. J. M. MADDEN (Minister for Planning) — I am advised that the explanatory memorandum remarks that these are re-enactments, but if the member wants more specific details I am happy to provide those to him as we go through the clauses for a bit more clarity.

Mr P. DAVIS (Eastern Victoria) — I will take my lead from the minister. We will drill into this in some detail.

Ms PENNICUIK (Southern Metropolitan) — I will just make the comment that I hear what the minister is saying: it is re-enactments from the Police Regulation Act, but I understand that the Police Regulation Act came into being before the human rights charter, and so this bill is now being measured against that. I am just making the comment that when you do that some of these issues that Mr Davis and I just alluded to do come to the fore, but I will raise them again in terms of other specific clauses.

Clause agreed to; clause 2 agreed to.

Clause 3

The DEPUTY PRESIDENT — Order!

Ms Pennicuik has a suggested amendment, her suggested amendment 1, which in my view is a test for her suggested amendments 2 to 6. I would therefore invite Ms Pennicuik to formally move her suggested amendment 1 and she may of course foreshadow the related suggested amendments 2 to 6 and their impact in regard to the legislation.

Ms PENNICUIK (Southern Metropolitan) — I move:

That it be a suggestion to the Assembly that they make the following amendment:

1. Clause 3, page 6, after line 18 insert—

“Parliamentary Committee means the Drugs and Crime Prevention Committee under the **Parliamentary Committees Act 2003**.”

This is an amendment to clause 3, which basically inserts into the definitions that a parliamentary committee as referred to further in my amendment refers to or means the Drugs and Crime Prevention Committee under the Parliamentary Committees Act 2003.

My second suggested amendment is the major amendment which would insert into clause 9 that the parliamentary committee — that is, the Drugs and Crime Prevention Committee — on behalf of the Parliament, has the principal responsibility for ensuring the independence and accountability of the director and the Office of Police Integrity.

My apologies, Chair; I should have said that it be a suggestion to the Legislative Assembly that it make certain amendments to the bill. This amendment had previously been circulated by me in the second-reading debate, but I have since been advised by parliamentary counsel and the clerks that, because it would have resource implications for the Drugs and Crime Prevention Committee, it be a suggested amendment to the Assembly.

During the second-reading debate I did point out that the Public Accounts and Estimates Committee in its report on independent officers of the Parliament recommended that independent officers of the Parliament report to a joint standing committee of the Parliament. The Greens propose to move this amendment that the director, police integrity, who under this bill is defined as an independent officer of the Parliament, be overseen by this particular committee.

The functions of the Drugs and Crime Prevention Committee are, if so required or permitted, to inquire into, consider and report to the Parliament on any proposal, matter or thing concerned with the use of drugs, including the manufacture, supply and distribution of drugs, the level or causes of crime or violent behaviour, and also to report to Parliament on any annual report or other document relevant to its functions and which had been laid before either house of Parliament. Under this bill the director, police integrity reports to the Parliament. The provisions that are in my amendment mirror the provisions by which the Public Accounts and Estimates Committee has the responsibility for ensuring the independence and the accountability of the Auditor-General. So it is exactly the same provision with regard to the director, police integrity as to an independent officer of the Parliament.

I remind the committee that some of the issues raised by members in the second-reading debate were further examined and amplified during the public hearing on this bill held by the Scrutiny of Acts and Regulations Committee and through submissions made to that inquiry. One of those was the lack of oversight of the Office of Police Integrity. I note that both Liberty Victoria and the Police Association made submissions that this office and the director, police integrity should be overseen by a parliamentary committee. Also I draw the committee's attention to a similar body, the Police Integrity Commission in New South Wales, which is overseen by a similar mechanism. That is what we are trying to put in place here, because otherwise we will have an Office of Police Integrity that is not accountable to a parliamentary committee.

The DEPUTY PRESIDENT — Order! I take the opportunity to elaborate on the point that Ms Pennicuik made that the amendments we are dealing with now are suggestions to the Legislative Assembly. They are framed in that context because it is the view of the clerks and of the government that they could possibly have financial implications going forward, and this house is therefore in a position of needing to suggest those amendments rather than to pass them as amendments to the legislation before it goes back to the Assembly. Ms Pennicuik has clarified that and I would just explain that to the house as well. Are there further speakers on the amendments?

Ms PENNICUIK (Southern Metropolitan) — I have a question for the minister. Given that there is a similar mechanism for oversight of the Police Integrity Commission in New South Wales, why did the government not consider this particular oversight and also consider the matter in light of the report of the Public Accounts and Estimates Committee?

Hon. J. M. MADDEN (Minister for Planning) — I am advised that the Office of Police Integrity already has effective oversight mechanisms in place. Over the first three years of operation, the OPI has been accountable to the special investigations monitor (SIM), the Ombudsman and the Parliament. The suggested amendment, whilst it does not affect existing mechanisms, adds another level of oversight that may have unintended consequences. I am also advised it does not include appropriate safeguards to protect ongoing investigations of the OPI.

The committee would be an additional level of scrutiny of the OPI, in addition to the SIM, and the DPI's current reports to the Parliament. The SIM is empowered to investigate complaints about the OPI's use of coercive powers. The director must give detailed reports to the SIM on any use of coercive questioning powers within strict time frames. The SIM's specialist expertise in police integrity issues and its significant investigatory powers mean it is better able to oversee the activities of the OPI than a parliamentary committee.

The SIM will continue to report to Parliament on an annual basis and make additional reports to Parliament. In addition, Parliament is already well informed of the activities of the OPI. Since November 2004 the director has made 12 reports to the Parliament on various matters in addition to his annual reporting obligations.

I am advised that last year alone the director tabled five reports to the Parliament in addition to the annual report. In his detailed report to the Parliament on the operation of the OPI the SIM made no recommendation that the OPI be subject to further oversight by a parliamentary committee. Currently reports to the Parliament by the SIM and the director must not contain any information that identifies or is likely to identify a person who the director has examined or the nature of any ongoing investigation by the OPI, Victoria Police or members of the police force.

The effect of this amendment is that it would enable the Drugs and Crime Prevention Committee — 'the committee' — to call persons to give evidence and request documents or other things. Without appropriate protections included in any amendment, evidence and reports to the Parliament are likely to include information that may compromise the integrity of the OPI investigation.

The amendment merely provides a function to a parliamentary committee — and this is particularly important — without the appropriate safeguards that are in place in New South Wales and for the Australian

Crime Commission. I am advised that the New South Wales Police Integrity Act 1996 makes clear that the New South Wales parliamentary committee cannot investigate or reconsider findings, recommendations, determinations or other decisions about particular complaints or investigations. These checks on the New South Wales committee's power are important to preserve the integrity of the Police Integrity Commission and are lacking in the Greens amendment provided to the house today.

The amendment says that the minister or the parliamentary committee can make a request to the director that the OPI conduct an investigation, but the director has complete discretion in deciding whether or not to investigate the matter.

The amendment is not likely to change the current situation. Any person currently can write to the director and request that the OPI conduct an investigation. The director may treat the letter as a written complaint or initiate an own-motion investigation. I would like to point out that the New South Wales legislation does not include an equivalent proposition. That is very important, and I will say that again: any person can write to the director and request that the OPI conduct an investigation. The New South Wales legislation does not include an equivalent provision.

Mr DALLA-RIVA (Eastern Metropolitan) — The opposition has concerns about what the minister has just espoused, referencing the New South Wales Parliament, where in fact, for the minister's own knowledge, there is an ICAC (Independent Commission Against Corruption) in operation. That is a separate body that operates external to the SIM and others up there. Western Australia has the Crime and Corruption Commission and, whilst I understand the sentiments put forward by Ms Pennicuik in the suggested amendment — and it is a suggested amendment because of the financial considerations attached thereto — it does not go far enough in the view that we share.

Whilst we understand the sentiment, and we need to go back to the motion that was brought forward in this chamber only recently where Ms Pennicuik, on behalf of the Greens, moved for a referral that would lead to an independent or similarly independent broadbased anticorruption commission review by the Law Reform Commission, needless to say we have heard nothing from anyone in the government in relation to where that proposal has moved forward.

Mr D. Davis — The Attorney-General has been silent.

Mr DALLA-RIVA — Mr Davis is correct — the Attorney-General has been silent on it. It makes it difficult for us that on the one hand there is an amendment which substantially would be vetoed by the government in the other chamber; and it makes it difficult, given some of the issues that the minister has just raised, although hypocritically the minister raises those concerns against the backwash of the New South Wales model, which actually does have an ICAC, which is the very issue that we have been calling for.

Whilst we understand the sentiment by Ms Pennicuik, it is difficult for us on this side to support the amendment. We understand the sentiment; we understand the principle that is trying to be underplayed. The only way we are going to resolve this is by having an independent broadbased commission, and that is essentially where the Liberal Party will stand in relation to these amendments.

Hon. J. M. MADDEN (Minister for Planning) — Mr Dalla-Riva makes his point, but can I reinforce that I am talking to the clause here and not a significant different policy position or another piece of legislation.

Whilst we are talking about amendments, I have relayed the detail of why those amendments are not only not necessary but the impact they might have on the operation that currently exists. Mr Dalla-Riva puts a significantly different proposition on the table today, and that is no doubt an ongoing issue for the opposition to promote as a policy position if it believes it wants to see that, but I do not believe that is specifically relevant to the level of detail I have provided today in relation to those specific clauses and the amendments proposed to them.

The DEPUTY PRESIDENT — Order! I take it that Mr Dalla-Riva was in fact putting a framework, if you like, for the opposition's voting on the amendments and on the legislation going forward. I think that was the context of his remarks.

Ms PENNICUIK (Southern Metropolitan) — I would like to refer to the minister's answer to my question. There is nothing in my amendment that would have that parliamentary committee conducting investigations. Even though it does not mention it, it uses the same wording that is used to link the Auditor-General with the Public Accounts and Estimates Committee. As far as I know, that committee does not conduct investigations into the work of the Auditor-General. It is more benign than that.

In New South Wales there is a parliamentary committee and a parliamentary inspector, similar to the

Victorian special investigations monitor, which oversees the Police Integrity Commission, so the proposed model does not depart from the existing model in New South Wales. If Victoria does not follow a similar model, then in effect we will have an Office of Police Integrity which has draconian powers and a special investigations monitor which has a certain role, but not a full role, in overseeing that office. In the minister's response I have not heard any logical objection to my suggested amendment. I repeat: a report of the Public Accounts and Estimates Committee recommended that any independent officer created by an act of Parliament — and this bill creates an independent officer — should be linked to a joint standing committee, and my suggested amendment proposes to do exactly that.

With respect to what Mr Dalla-Riva and the opposition were saying, the Greens do support the creation of an independent commission against corruption (ICAC), but the situation in New South Wales is that that state has an ICAC as well as a Police Integrity Commission. In Victoria we are trying to oversight our Office of Police Integrity with an appropriate body, similar to the arrangement which exists in New South Wales. I do not believe the answers the minister has given contain any arguments against this amendment. I commend my amendments.

Hon. J. M. MADDEN (Minister for Planning) — I understand the member's position on these matters, which is obvious because she is proposing to make these amendments to the bill. I interpret her term 'benign' as being vague and non-specific, and where legislation is not specific or does not define clearly what it is that is being sought to be implemented, the vagueness or lack of clarity is often an impediment to its operation or creates difficulty. I have already highlighted the difficulties in relation to the way in which investigations by the respective authorities are being conducted and what that committee may or may not seek to have before it. As I mentioned, we cannot support vagueness or a lack of specific measures, so we cannot support Ms Pennicuik's amendment.

Ms PENNICUIK (Southern Metropolitan) — If I am to follow the minister's argument, am I to infer that the wording that links the Auditor-General to the Public Accounts and Estimates Committee is somehow deficient?

Hon. J. M. MADDEN (Minister for Planning) — I am not here to play games with Ms Pennicuik. There is no doubt that there are significant differences in the sorts of investigations that the Auditor-General conducts and the investigations of organisations we are

talking about here. The information before the Auditor-General may not necessarily have secrecy provisions related to it, but these organisations might have in order to continue to conduct their operations and ensure that those operations are not tarnished or in any way hijacked or affected. The Auditor-General does not conduct investigations in secret; there are often reports at the end of the process. I would say to Ms Pennicuik that to compare this with that of the Auditor-General shows a lack of understanding of the way in which these organisations work. They often need to conduct their operations in secrecy to a point at which they can publish their reports or conduct the necessary prosecutions, or whatever it might be in relation to those matters, as opposed to the Auditor-General, whose reports are often presented at the end of set circumstances or investigations, but they are not necessarily conducted under any significant secrecy provisions that might impact their operation.

I have recently had a report provided to me by the Auditor-General in relation to the performance of local government in the planning system. Whether that was reported during the process or after the process was probably never going to affect the extent of the report or the impact of the report. What we are talking about here in relation to the Office of Police Integrity and the special investigations monitor is significantly different, because they might have ongoing investigations where they need those investigations not to be interfered with in any way until the operation is completed. There is a significant difference between the proposition put by Ms Pennicuik and the operation of these two different organisations and their respective heads.

Ms PENNICUIK (Southern Metropolitan) — The director, police integrity, is an independent officer of the Parliament, this bill will re-establish the Office of Police Integrity under a new act and the Public Accounts and Estimates Committee (PAEC) has recommended that independent officers of the Parliament should be linked to a joint standing committee. That is the rationale for this amendment, as well as the other reasons I have given and the reasons that have been given by people in submissions to the public inquiry held by the Scrutiny of Acts and Regulations Committee that there was not enough oversight of the Office of Police Integrity. It is disingenuous to run an argument about what it is that the Auditor-General, the Ombudsman, the director, police integrity, or the electoral commissioner do; they are all independent officers of the Parliament and all have different roles. The point is that each of them should be linked to a joint parliamentary committee, which is the recommendation of the PAEC.

The DEPUTY PRESIDENT — Order! I do not want to unnecessarily truncate or curtail debate on these matters. I am of the opinion that Ms Pennicuik's points are well made, but I do not think the minister finds her argument persuasive. I am not sure that we are going to get much further in terms of going backwards and forwards on this particular clause. If the minister or Ms Pennicuik have no concluding remarks, I propose to put Ms Pennicuik's suggested amendment 1 to the test. As I have indicated, I believe it is also a test for her suggested amendments 2 to 6. The question is:

That the suggested amendment be agreed to.

Committee divided on suggested amendment:

Ayes, 4

Barber, Mr (<i>Teller</i>)	Kavanagh, Mr (<i>Teller</i>)
Hartland, Ms	Pennicuik, Ms

Noes, 36

Atkinson, Mr	Lovell, Ms
Broad, Ms	Madden, Mr
Coote, Mrs	Mikakos, Ms (<i>Teller</i>)
Dalla-Riva, Mr	O'Donohue, Mr
Darveniza, Ms	Pakula, Mr
Davis, Mr D.	Petrovich, Mrs
Davis, Mr P.	Peulich, Mrs
Drum, Mr	Pulford, Ms
Eideh, Mr	Rich-Phillips, Mr
Elasmar, Mr	Scheffer, Mr
Finn, Mr	Smith, Mr
Guy, Mr	Somyurek, Mr (<i>Teller</i>)
Hall, Mr	Tee, Mr
Jennings, Mr	Theophanous, Mr
Koch, Mr	Thornley, Mr
Kronberg, Mrs	Tierney, Ms
Leane, Mr	Viney, Mr
Lenders, Mr	Vogels, Mr

Suggested amendment negatived.

The DEPUTY PRESIDENT — Order! Suggested amendments 2 to 6 will fail because they depended on amendment 1 being carried. For the sake of the committee, could I ask Ms Pennicuik whether she proposes to call for a division on the question 'that clause 3 stand part of the bill'?

Ms PENNICUIK (Southern Metropolitan) — No.

Clause agreed to; clauses 4 to 23 agreed to.

Clause 24

Ms PENNICUIK (Southern Metropolitan) — It has been raised in submissions to the public inquiry of the Scrutiny of Acts and Regulations Committee regarding clause 24, the disclosure information, which is basically derivative information, that the disclosure of information that is given under coercive powers to the

Office of Police Integrity — the disclosure of that information to the chief commissioner and a whole range of other authorities — is somewhat draconian. It is allowing evidence that otherwise would not be able to be used against a defendant to be used against the defendant in a subsequent hearing or proceeding, and that is an infringement of natural justice. Can the minister explain how it is not an infringement on natural justice?

Hon. J. M. MADDEN (Minister for Planning) — I am advised it is not, in a technical sense. I am happy to go into more technical detail if the member wants me to, but it is going to take me a few moments to get the specific technicalities of that. Ms Pennicuik has to bear in mind that, if she wants highly technical legal answers in relation to these matters, it is going to take me a little time. Otherwise I can seek to provide that to her in writing.

The DEPUTY PRESIDENT — Order! My view would also be that this is a fairly important point and that in fact the courts look to the proceedings of Parliament when they are assessing their positions on matters that come before them. This is a very pertinent point that has been raised. I think it ought to be clarified in this debate.

Hon. J. M. MADDEN (Minister for Planning) — I am happy to do that; however, having had experience in committee stages before, I know that sometimes a committee of the whole can become impatient if the minister does not return to the table, having been briefed, in sufficient time. I seek the indulgence of the chamber and the Chair to allow sufficient time for me to get the technical advice from the legal advisers in the box and come to the member with that advice and do justice not only to her request but also to the interpretation that might be made in the courts in relation to this matter.

I am advised that this information cannot be used in criminal proceedings unless, I understand, it is perjury, but I am advised that it becomes informative to those conducting investigations where it might assist them in their investigations.

Ms PENNICUIK (Southern Metropolitan) — I think that is a point that has been raised by submitters about that issue, which is that information derived from the questioning can be put to the Chief Commissioner of Police or the others listed in clause 24(2) and (3), and that that information can be used to find other evidence — which if not for the information would not have been found — to be used against a person and which could be used in a criminal proceeding. Is that correct?

Hon. J. M. MADDEN (Minister for Planning) — I am advised that the information that might be obtained cannot be used in a prosecution, but if it leads to other legitimate information that can be used in a prosecution, it would be.

The DEPUTY PRESIDENT — Order! Can I just clarify the minister's answer to the extent that what he is saying is that the specific information cannot be used as the basis for prosecution, but it might well allow further investigations to be pursued given that knowledge?

Hon. J. M. MADDEN (Minister for Planning) — Yes, I understand that is the case.

Ms PENNICUIK (Southern Metropolitan) — Part of the nub of the concern is that someone is put in a position of having coercive powers used against them where they must answer a question, and that could lead to self-incrimination. The issue is to ensure that this provision — and I am not convinced by anything I have heard so far — does not diminish natural justice for the person in that position.

Hon. J. M. MADDEN (Minister for Planning) — I think I have made my point. The process of this committee is not to argue or labour the point, but for me to provide Ms Pennicuik with as much information as I can, given the circumstances and the information provided by the advisers that I have alongside me and my understanding of that advice. I do not want to labour the point, but all I would be doing — and it has happened before — would be going back and forth arguing the point. My understanding is that the committee process is not about arguing the point, but if members have a proposition that they believe is different from the government's, they make the point; I make the point of either defending it or acknowledging their proposition, and if they feel strongly about it they can move an amendment. I do not wish to prolong the argument around the specific clause unless a member seeks additional information on the clause that I might be able to provide to them. If they are just trying to make the point that I am wrong, we can put that to a vote.

The DEPUTY PRESIDENT — Order! Can I also clarify that there is no amendment proposed to this clause. I will try to provide the guidance as to how far we are going backwards and forwards and when I think we have reached an impasse.

Mr DALLA-RIVA (Eastern Metropolitan) — We know whom we would believe. Clause 47(1) of the Police Integrity Bill states:

- (1) For the purposes of an investigation into a complaint concerning a possible breach of discipline ...

Note

Failure to comply with a direction is a breach of discipline ...

- (2) Any information, document or answer given in accordance with a direction is not admissible in evidence —

and what we have been talking about

—

before any court or person acting judicially, except —

and this is the important point —

in proceedings for ...

(b) a breach of discipline ...

I am trying to get clarity, because the amendment proposed by Ms Pennicuik is for a direction under subclause (1), which I have just outlined, which relates to a possible breach of discipline.

The DEPUTY PRESIDENT — Order! Can I just clarify: is Mr Dalla-Riva talking in respect of clause 47?

Mr DALLA-RIVA — Clause 47; are we talking about that?

The DEPUTY PRESIDENT — Order! We are still on clause 24.

Clause agreed to; clauses 25 to 27 agreed to.

Clause 28

Mr KAVANAGH (Western Victoria) — Clause 28(1) requires the director to make an annual report to Parliament and clause 28(2) allows the director to make a report to Parliament at any time. Why was it not made mandatory for the director to report to Parliament — at the request of the SIM (special investigations monitor) or a house of Parliament, for example?

Hon. J. M. MADDEN (Minister for Planning) — I am advised that that is in order to maintain independence.

Mr KAVANAGH (Western Victoria) — Could the director not retain his independence even while being made to report on controversial issues to the Parliament?

Hon. J. M. MADDEN (Minister for Planning) — I am advised that the current law states that the director has to report annually anyway, but above and beyond that it is up to the director to report as he sees fit.

Clause agreed to; clauses 29 to 46 agreed to.

Clause 47

The DEPUTY PRESIDENT — Order! Before I invite Mr Dalla-Riva to make a reprise I will ask Ms Pennicuk to formally move her amendment 1 and make remarks about that.

Ms PENNICUIK (Southern Metropolitan) — Is this also amendment 1? I am confused by ‘suggested amendments’. I move:

1. Clause 47, page 41, after line 11 insert —

“() Before the Director gives a direction under subsection (1), the Director must inform the member of the effect of subsection (2).”.

This is an amendment to clause 47 of the bill. It simply means that before the director gives a direction under subsection (1), the director must inform the member of the effect of subsection (2). That is basically to say that the director must inform the witness who is a member of Victoria Police of the provisions of subsection (2), which are the limitations to which the information given can be used.

This amendment was recommended by the privacy commissioner in her submission to the Scrutiny of Acts and Regulations Committee. That is why I have taken up her suggestion and seek to have it inserted into the bill. It is also because a similar provision exists elsewhere in the bill. If the Chair will forgive me, I could not find which clause it was, but it exists elsewhere in the bill with respect to other witnesses before the OPI who are not members of Victoria Police. It is basically inserting a provision that gives the right to information to witnesses who are members of Victoria Police that applies to any other witness before the Office of Police Integrity.

Hon. J. M. MADDEN (Minister for Planning) — Let us remember that these are police officers who are well aware of their rights under the legislation. They are not necessarily people off the street, they are police officers who spend a significant amount of time being acquainted with the law and would, no doubt, be aware of their rights under the act.

Mr DALLA-RIVA (Eastern Metropolitan) — I will refer to my previous speech. Getting back to clause 47

of the bill, I just want some clarity from the minister. The clause reads, in part:

For the purposes of an investigation into a complaint concerning a possible breach of discipline ...

I want to know what that means. What is ‘a possible breach of discipline’? A note at the end of that clause says:

Failure to comply with a direction is a breach of discipline ...

Does that mean a direction by, for example, a sergeant to a constable to do a certain thing which the constable does not believe is appropriate is a breach of discipline?

Hon. J. M. MADDEN (Minister for Planning) — Unless Mr Dalla-Riva has a specific example of what he believes might be a breach of discipline, his question is a bit hypothetical, but I am happy to continue the discussion.

Mr DALLA-RIVA (Eastern Metropolitan) — I have to reflect back to my old days, when I was told to do a certain thing but did not. I am referring to a possible complaint concerning a breach of discipline, so I will not go into specifics, but could it be a complaint lodged by a member of the public?

Hon. J. M. MADDEN (Minister for Planning) — Could Mr Dalla-Riva ask that question again? I am not quite sure about it.

Mr DALLA-RIVA (Eastern Metropolitan) — Clause 47 says:

For the purposes of an investigation into a complaint concerning a possible breach of discipline ...

I am trying to ascertain in respect of this particular clause who can make that complaint.

Hon. J. M. MADDEN (Minister for Planning) — I am advised that this would be within the Police Regulation Act but it is expected that anybody could really make that accusation.

Mr DALLA-RIVA (Eastern Metropolitan) — So we could have the situation where the police interview an offender for a serious offence — for example, rape — and that offender would be afforded all the rights in the world to make no comment in the interview, yet be able to make a complaint about a possible breach of discipline. For example, he could say he was not provided with adequate lighting in the interview room or something of that nature. Is the minister saying now that an offender or a person like that would have more rights than the police who are

charged with investigating that complaint under the provisions of clause 47(2)?

Hon. J. M. MADDEN (Minister for Planning) — I want to try to provide some clarity. Anybody can make a complaint, but it is up to the director to determine how that complaint is dealt with and what the legitimacy of that complaint is. I suppose it is up to the director to determine the context as well.

Mr DALLA-RIVA (Eastern Metropolitan) — Just for clarity on the clause, I guess I am seeking some direction: where a complaint is made about a possible breach of discipline, where does it say that the director has that discretion in respect of his investigation into the possible breach of discipline?

Hon. J. M. MADDEN (Minister for Planning) — I am advised it is clause 40.

Mr DALLA-RIVA (Eastern Metropolitan) — Thank you; that affords some clarity. I will conclude by referring to the amendments proposed by Ms Pennicuik. I agree on some level that the issue of natural justice is a concern in respect of this clause, but on the clause that is proposed, I agree with the minister that members of Victoria Police and hopefully members of Parliament have a deeper understanding of their rights. For those reasons we will not be supporting the amendment to clause 47 as proposed by Ms Pennicuik in her amendment 1.

Ms PENNICUIK (Southern Metropolitan) — I put this amendment to the house because despite the government asserting that this bill does not infringe on human rights, including the right to privacy, I believe it does in many ways. It is significant that in the public inquiry conducted by the Scrutiny of Acts and Regulations Committee the privacy commissioner took it upon herself to make a submission and unlike most other submitters actually proposed amendments to the bill that in her view would protect privacy. That is why I have taken them up, and I commend my amendment no. 1 to the house.

Amendment negatived; clause agreed to; clauses 48 to 50 agreed to.

Clause 51

Ms PENNICUIK (Southern Metropolitan) — In the submissions to the inquiry by the Scrutiny of Acts and Regulations Committee regarding this bill, the question was raised as to why there is no time limit on clause 51 with regard to exemptions from freedom of information. It seems to be an infinite exemption rather

than a timed exemption — an exemption with a time limit.

Hon. J. M. MADDEN (Minister for Planning) — For clarity, does Ms Pennicuik mean a time limit in relation to the bill or in relation to any specific request for information?

Ms PENNICUIK (Southern Metropolitan) — The provision says:

The Freedom of Information Act 1980 does not apply to a document that is in the possession of a relevant person or body to the extent —

and it goes on. There is no time limit to that.

Hon. J. M. MADDEN (Minister for Planning) — When Ms Pennicuik says ‘time limit’, is she referring to the response or to the release?

Ms PENNICUIK (Southern Metropolitan) — A time limit to the exemption.

Hon. J. M. MADDEN (Minister for Planning) — It is a blanket exemption, so I am trying to work out what the issue with the time limit is. Is it a time limit in relation to somebody saying you cannot have the information — —

Mrs Peulich — It is an ultimate check on secrecy.

Hon. J. M. MADDEN — I understand the point, but I am trying to seek clarity about the specific question.

Ms PENNICUIK (Southern Metropolitan) — I am wondering whether it is the intention of the government that no document or thing under this provision can ever be obtained by freedom of information even in the year 2100?

Hon. J. M. MADDEN (Minister for Planning) — I thank Ms Pennicuik; now I am much clearer. It relates to the long-term release as opposed to the immediate, specific release of that information.

Mrs Peulich — Does a 30-year secrecy provision apply?

Hon. J. M. MADDEN — Yes. That is all I needed to know, so I thank the member. I am advised it is subject to other legislation, including the Freedom of Information Act. I anticipate that there is the potential for the release of that information, but I do not have that specific information with me today, nor do we have the information in the advisers box. I am happy to seek to

provide that in writing to Ms Pennicuik through normal channels.

Clause agreed to; clauses 52 and 53 agreed to.

Clause 54

Mr P. DAVIS (Eastern Victoria) — I go back to where I was at clause 1. Fortunately by batting my question away the minister gave me the opportunity to reread the explanatory memorandum. As I had thought, there is no explanation in relation to the matter that the minister suggested. I wanted to know initially whether the provisions I referred to in particular — those in clauses 54, 62 and 69; they are taken together with other provisions, but I wanted to deal with those particularly — simply replicate the relevant parts of the Police Regulation Act in this bill, as was intimated in the minister's second-reading speech, or whether they are new provisions that widen the scope and powers of the Office of Police Integrity and the director, police integrity, under the act. It is a fairly simple question; if the minister does not know, perhaps he could get the advisers to find out for him.

Hon. J. M. MADDEN (Minister for Planning) — I am advised that the three provisions that the member referred to are new and that they are based on the special investigations monitor's recommendations.

Mr P. DAVIS (Eastern Victoria) — I am somewhat surprised to hear this. If they are new provisions, then this significantly changes what are regarded as fundamental rights of citizens in this state in respect of what I would describe as an ordinary person's understanding of natural justice and certainly in relation to procedural fairness and the accepted concept under common law of the way we go about business. These provisions clearly enable evidence to be taken by coercion that can be used to identify ways in which a case can be mounted against a police officer irrespective of their desire to assist or not assist. I am not making a case here that crooked coppers should be protected in any way, but I do not see why the government should be suggesting that police are less entitled to natural justice than anybody else in the community.

Hon. J. M. MADDEN (Minister for Planning) — I am advised that this was based on the request of the special investigations monitor that this be placed in the legislation. I understand it is based on existing legislation in the Major Crime (Investigative Powers) Act.

Mr P. DAVIS (Eastern Victoria) — I thank the minister. We are making progress, because that is what

I am really trying to get to. The minister indicated previously that this was a new provision in relation to this act dealing with the Office of Police Integrity, but it is not new law. In fact we already have established precedent in this area. Does it apply to clauses 54, 62 and 69 respectively?

Hon. J. M. MADDEN (Minister for Planning) — I am advised that the SIM (special investigations monitor) recommended that clause 54 be included in the act, and I am advised that clauses 62 and 69 were also recommended to be included in the act, but, as I mentioned before, they are based on existing legislation. I understand that clause 54 is not within existing legislation. That was requested by the SIM but is not based on existing legislation. I understand that clauses 62 and 69 were requested by the SIM and are based on existing legislation.

Mr P. DAVIS (Eastern Victoria) — I thank the minister for his answer. I have no further questions.

Mr KAVANAGH (Western Victoria) — Would not the provisions in the clauses just referred to — clauses 54, 62 and 69 — contravene prohibitions against self-incrimination like those in the fifth amendment in the constitution of the United States of America?

Hon. J. M. MADDEN (Minister for Planning) — I might quote some words from Julian Burnside in relation to this matter, and I will give the reference in a moment. I will read a paragraph because it is probably worth highlighting some of those issues. Mr Burnside said:

What this is, is a fairly usual qualification that accompanies the abrogation of the privilege against self-incrimination ... Typically in legislation of this sort you see the privilege against self-incrimination is abrogated but the information which is compulsorily acquired cannot be used against you to prove commission of an offence, except for a limited range of what I call procedural offences — that is, telling lies during the investigation in which you are forced to give evidence, committing a contempt of the proceeding in which you are forced to give evidence and so on. The one exception to that I think would be clause 69(3)(b), so it could be used against the person in proceedings for a breach of discipline.

Hopefully, that gives some clarity and a bit more definition to that clause.

The DEPUTY PRESIDENT — Order! I think it is important that the minister put on the record where that quote comes from, and for the sake of the public record, while many of us know Mr Burnside, explain who Mr Burnside is.

Hon. J. M. MADDEN (Minister for Planning) — I understand the source is a letter sent by the Minister for Police and Emergency Services to the chair of the Scrutiny of Acts and Regulations Committee in relation to the Police Integrity Bill 2008. Julian Burnside is a Queen's Counsel, and in that instance I believe he was speaking on behalf of Liberty Victoria and the Australian Centre for Human Rights Education. I understand it was a joint submission, so that might be of assistance.

Clause agreed to; clauses 55 to 57 agreed to.

Clause 58

Ms PENNICUIK (Southern Metropolitan) — I move:

2. Clause 58, after line 18 insert —

“(ab) the privacy of a person; or”.

This is an amendment to clause 58. Subclause (2) states:

The Director must issue a confidentiality notice if satisfied that failure to do so would reasonably be expected to prejudice —

(a) the safety or reputation of a person ...

I propose to insert the words:

“(ab) the privacy of a person; or”.

The clause then goes on to say:

(b) the fair trial of a person ...

(c) the effectiveness of the investigation in relation to which the summons was issued.

Once again I say to the committee that it is significant that the privacy commissioner in her submission to the public inquiry conducted by the Scrutiny of Acts and Regulations Committee made the point that this amendment should be made to clause 58 that the director should be required to consider the impact that failing to issue a confidentiality notice might reasonably have upon an individual's right to privacy.

I will quote Mr Burnside of Liberty Victoria. In evidence to the committee regarding clause 58 — and I quote because he certainly put it in a very good way — he said:

Of course in the modern fashion when a witness is summonsed to give evidence they go into a cone of silence from which they can almost never emerge. They are not allowed to reveal to anyone what they have been asked to give evidence about, or I think even the fact that they have

been required to give evidence. That includes, it would seem, that they cannot tell members of their family. That is a concern, especially it is a concern if the person, by virtue of having to give evidence over a number of days, is absent from their work or perhaps from their commitments at home in circumstances where they are simply not allowed, as a matter of law, to give any explanation for their absence.

I want to ask the minister whether it is the intention of this bill that people so called to give evidence under clause 58 are not allowed to tell anybody; are they not allowed to explain where they are if they are missing for days?

Debate interrupted.

DISTINGUISHED VISITOR

The DEPUTY PRESIDENT — Order! Whilst the minister goes to collect an answer on that one, I acknowledge Ms Rosemary Varty, a former member of this place and parliamentary secretary to cabinet, as a visitor in the gallery.

Debate resumed.

Hon. J. M. MADDEN (Minister for Planning) — I understand that in extreme circumstances exceptions can be given, so individuals who may need to provide clarity to either partners, family or maybe a doctor, or through some mechanism like that can seek to be given that entitlement.

Ms PENNICUIK (Southern Metropolitan) — I have two questions for the minister: why does it need to be so extreme? What provisions allow for the exceptions?

Hon. J. M. MADDEN (Minister for Planning) — I am advised that clause 58(1)(b) provides that. So it is not extreme; it is actually covered in that clause, I understand.

Ms PENNICUIK (Southern Metropolitan) — I ask the minister to be a bit more specific about his explanation as to how there is an exception.

Hon. J. M. MADDEN (Minister for Planning) — I think the last line of subclause (b) gives a bit more clarity. It says:

... unless the person has a reasonable excuse.

I think that allows for someone on the basis of a reasonable excuse to seek some of those entitlements.

Ms PENNICUIK (Southern Metropolitan) — I did not hear what the minister said. Could he say it again?

Hon. J. M. MADDEN (Minister for Planning) — I think if you refer to the last line of that subclause, where it says:

... unless the person has a reasonable excuse —

it allows a person to seek that entitlement, basically. I understand that to be the case. I will just get some advice on that.

I am also advised that the director has fairly broad discretion in relation to these matters so you would need to then seek that, on the basis of a reasonable excuse, from the director.

Ms PENNICUIK (Southern Metropolitan) — Where is the broad discretion? Where is the provision for that?

Hon. J. M. MADDEN (Minister for Planning) — I am advised that clause 2 allows for the director to consider a number of things. Those can be part of the considerations that inform that discretion.

Ms PENNICUIK (Southern Metropolitan) — I am not sure that I am convinced by that. My first question, though, still has not been answered. That is: why is this clause here preventing a person from disclosing that they have been asked to give evidence or anything about that evidence? It seems very severe. Why is that the case, only qualified by a reasonable excuse?

Hon. J. M. MADDEN (Minister for Planning) — Without going into too much detail, I think in appreciation of some of these matters, even the possibility that someone were to indicate to a colleague within a workplace that they had been summonsed could really in a sense tip off something more extensive. Word of mouth is a very powerful thing. I note that Ms Pennicuik highlights the silence in this matter, but that silence no doubt allows for the director to continue an investigation without an individual who may have been summonsed inadvertently tipping off other parties, just by word of mouth, by notifying or informing those people that they have been called before the director.

Ms PENNICUIK (Southern Metropolitan) — I am concerned because these types of severe provisions have been introduced in antiterrorist-type laws. I think the department even used that term when we were asking about it in the briefing. I think that has caused a lot of consternation in the community in terms of human rights and civil liberties. I am just wondering why this has to be so severe. I hear what the minister is saying but I wonder why the provision could not be the other way around — that a person is able to say where

they are unless directed by the director for a particular reason, so that it is not actually blanket severity only limited by somebody's reasonable excuse.

Hon. J. M. MADDEN (Minister for Planning) — Again, I think the fact that we have the legislation and the specifics to the point at which we are seeking these powers and these investigative powers really signifies something that is profound in the sense of what the investigation might cover, so whilst appreciating Ms Pennicuik's wanting to reverse the provision, I think the significance of the investigation is really of a profound nature anyway, and hence the confidentiality provision has been framed in this manner rather than the alternate manner that Ms Pennicuik has suggested.

Ms PENNICUIK (Southern Metropolitan) — Could the minister clarify that if a person were absent from their home for a number of days, they could tell their spouse, under clause 58(1)(b)?

Hon. J. M. MADDEN (Minister for Planning) — Again I refer to my previous answers. If someone was seeking to disclose the reason why they were away from where they might be, the director would have to allow them that and they would have to, I understand, seek from the director the ability to do that. And again, as mentioned before, the director would have the discretion to allow for that.

Ms PENNICUIK (Southern Metropolitan) — This is important, because a person may be giving evidence over several days and their family may not know where they are. It is difficult to imagine that that person would not be able to tell their family where they are when the family does not know and would be worrying about where they are.

Hon. J. M. MADDEN (Minister for Planning) — My understanding is that in those exceptional circumstances you can ask the DPI for the ability to share the fact with particular individuals, and I would expect that a person in that circumstance would have to nominate the sorts of individuals they might be relaying that information to. It is not saying it will or will not happen; but it is saying that there is sufficient discretion to allow for individuals to seek that and for that discretion to be exercised.

Ms PENNICUIK (Southern Metropolitan) — With your indulgence, Chair, I would like to move on to clause 59 — —

The DEPUTY PRESIDENT — No.

Ms PENNICUIK — It relates to this, but I can wait.

The DEPUTY PRESIDENT — Order! I would prefer that, for the sake of the procedure. If there is no further discussion on clause 58, I will test the clause.

Amendment negatived; clause agreed to.

Clause 59

Ms PENNICUIK (Southern Metropolitan) — Clause 59(2)(b) it says that it is a reasonable excuse for a person to disclose the existence of the summons if:

... the person informs the person to whom the disclosure is made that it is an offence to disclose to anyone else the existence of the summons or the subject-matter of the investigation in relation to which it was issued unless the person has a reasonable excuse.

Am I to read that as a bit of an out from clause 58, that a person can disclose the existence of the summons so long as they disclose that it is an offence to disclose it to the person they disclose it to? Is that what that means?

Hon. J. M. MADDEN (Minister for Planning) — I ask Ms Pennicuk to ask that question again.

Ms PENNICUIK (Southern Metropolitan) — Clause 59(2) says it is a reasonable excuse for a person to disclose the existence of the summons or the subject matter if the person informs the person to whom the disclosure is made that it is an offence to disclose it. Does that mean you can disclose it? If I were the subject of the summons, could I disclose it to my spouse so long as I told my spouse that it is an offence to disclose it?

Hon. J. M. MADDEN (Minister for Planning) — I am advised that the word ‘disclosure’ in that instance means:

... is made for the purposes of —

- (i) seeking legal advice or legal aid in relation to the summons or an offence against subsection (1); or
- (ii) obtaining information in order to comply with the summons; or
- (iii) complying with, or disclosing information as permitted by, this Act —

or in relation to a number of other acts —

the Police Regulation Act 1958 or the Whistleblowers Protection Act 2001 ...

Ms PENNICUIK (Southern Metropolitan) — Yes, but that is in clause 59(2)(a). If you pretend paragraph (a) is not there, you could just read that subclause (2) says:

It is a reasonable excuse for a person to disclose the existence of the witness summons or the subject-matter ... if —

- (b) the person informs the person to whom the disclosure is made that it is an offence ...

Is that only referring to the parties in subclause (2)(a) — because it does not say that — or is it referring to any person and could that person be a family member?

Hon. J. M. MADDEN (Minister for Planning) — It is in relation to that first clause because the clause is read as one clause, and they are subclauses of that clause; so the entire clause should be read in relation to that clause.

Clause agreed to; clauses 60 to 63 agreed to.

Clause 64

Ms PENNICUIK (Southern Metropolitan) — Clause 64(7) says:

The Director may refuse to allow a witness to be represented by a specified person or law practice in the interests of the investigation to which the examination relates.

That provision has been raised in submissions as not usual and an infringement of the rights of the witness to be represented with their chosen legal representative.

Hon. J. M. MADDEN (Minister for Planning) — Was that a question or a statement? Where was the question mark in that statement?

Ms PENNICUIK (Southern Metropolitan) — It was in my inflexion. Is that correct? Are the submissions correct, that that is an infringement on their rights?

Hon. J. M. MADDEN (Minister for Planning) — My understanding is that it was a recommendation by the SIM (Special Investigations Monitor) in order to assist in their investigation.

Clause agreed to; clauses 65 to 68 agreed.

Clause 69

Ms PENNICUIK (Southern Metropolitan) — Clause 69 has probably been talked about in terms of discussing clause 1 and other clauses in the bill, but it is the clause that has exercised the minds of many submitters in that it takes away the privilege against self-incrimination. My question really is: how does clause 69 not infringe upon the natural justice of witnesses?

Hon. J. M. MADDEN (Minister for Planning) — I refer Ms Pennicuik to my previous quote which was from Julian Burnside in relation to these sorts of matters. I understand that in a sense it is not unusual to have that qualification.

Clause agreed to; clauses 70 to 101 agreed to.

Clause 102

Ms PENNICUIK (Southern Metropolitan) — I move:

3. Clause 102, after line 32 insert—

- “() The Director must give a written report to the Special Investigations Monitor within 3 days after the making of an authorisation under this section setting out—
- (a) the name of the member of staff of the Office of Police Integrity who is authorised to possess, carry and use defensive equipment; and
 - (b) the type of defensive equipment to which the authorisation applies.”.

The effect of this amendment is that clause 102 gives the director, by instrument, the authority to authorise a member of staff of the Office of Police Integrity to possess, carry and use defensive equipment for the purpose of an investigation. The use of defensive equipment by OPI operatives and in particular the use of firearms, which is the subject of my next amendment, amendment 4 to clause 103, has been an issue of great controversy in terms of this bill. Firearms are new to the legislation, and the issuing of firearms to Office of Police Integrity operatives or to anybody in the community is an issue of concern. I quote Julian Burnside again, or Liberty Victoria, which made the point in its submission to the Scrutiny of Acts and Regulations Committee’s public inquiry that the bill gives the director discretion to authorise civilians to use firearms and other weaponry under proposed sections 102 and 103 as exempt purposes for the purposes of the Firearms Act without adequate justification and without establishing any criteria which informs the exercise of that discretion.

I will explain to the committee what I have done here. In clauses 115 and 116 of the bill the director is required to notify the special investigations monitor of the issue of a summons or issue of an arrest warrant. Those are serious matters for the director to do, and I put to the committee that it is also a serious matter to authorise the use of defensive equipment and in particular under clause 103 to authorise the use of firearms, and that has been an issue of controversy and

concern to me and to others in the community. I have modelled this amendment on those provisions which simply require the director, police integrity, to notify the special investigations monitor of an authorisation of defensive equipment so that it is on the record.

Hon. J. M. MADDEN (Minister for Planning) — I understand the SIM (special investigations monitor) already has extensive powers under clause 123 in relation to the powers of entry and access, under clause 122 where Office of Police Integrity staff must assist the SIM, and under clause 124 where the SIM can request information if it wants. If the SIM thought that this was necessary it could request that information on a regular basis in any particular manner or form. Again, the SIM has in a sense the discretion to make the request if it believes not on a case-by-case basis but on a regular basis that it is warranted and if it seeks to have that information consistently and regularly.

Ms PENNICUIK (Southern Metropolitan) — I hear what the minister is saying, but the SIM (special investigations monitor) could also do the same thing in terms of warrants or summonses. I think this is a precautionary measure in terms of the concerns that people have that an authorisation under clause 102 might turn out to be a blanket authorisation, and in this way the director, public integrity, is required to notify the SIM whenever an authorisation is given for defensive equipment, and that would include the name of the member of staff of the Office of Police Integrity who is authorised to possess, carry and use the equipment and the type of defensive equipment to which the authorisation applies. So that means that without the SIM having to request that information it is basically supplied by order of the act or by provision of the act.

Hon. J. M. MADDEN (Minister for Planning) — I am informed that the director authorises that use on a case-by-case basis. It is not a blanket allocation or a blanket use, and it would be done under specific and very unusual circumstances.

Ms PENNICUIK (Southern Metropolitan) — If it is on a case-by-case basis, that will be a situation where the SIM is notified every time that happens; if there is an incident, the notification is there.

Mr DALLA-RIVA (Eastern Metropolitan) — Whilst we in the Liberal Party understand again the sentiments of Ms Pennicuik in this amendment, we cannot support it. We understand the concerns raised. There are issues throughout this entire bill. We could essentially go through each clause of the bill and indicate the concerns that are there. Fundamentally the

Liberal Party still stands by its position in respect of an IBAC (independent broadbased anticorruption commission). We believe that is the appropriate way of dealing with this, so in those circumstances we cannot support this amendment.

Committee divided on amendment:

Ayes, 4

Barber, Mr (*Teller*) Kavanagh, Mr
Hartland, Ms (*Teller*) Pennicuik, Ms

Noes, 34

Atkinson, Mr	Madden, Mr
Broad, Ms	Mikakos, Ms
Coote, Mrs (<i>Teller</i>)	O'Donohue, Mr
Dalla-Riva, Mr	Pakula, Mr
Darveniza, Ms	Petrovich, Mrs
Davis, Mr D.	Peulich, Mrs
Davis, Mr P.	Pulford, Ms
Drum, Mr	Rich-Phillips, Mr
Eideh, Mr	Scheffer, Mr
Elasmar, Mr	Smith, Mr
Finn, Mr	Somyurek, Mr
Guy, Mr	Tee, Mr (<i>Teller</i>)
Jennings, Mr	Theophanous, Mr
Koch, Mr	Thornley, Mr
Kronberg, Mrs	Tierney, Ms
Leane, Mr	Viney, Mr
Lovell, Ms	Vogels, Mr

Amendment negated.

The DEPUTY PRESIDENT — Order! I understand from Ms Pennicuik that she does not intend to call for a division on the question that the clause stand part of the bill.

Clause agreed to.

Clause 103

Ms PENNICUIK (Southern Metropolitan) — I move:

4. Clause 103, after line 28 insert—

- “() The Director must give a written report to the Special Investigations Monitor within 3 days after the making of an authorisation under this section setting out—
- (a) the name of the member of staff of the Office of Police Integrity who is authorised to possess, carry and use a firearm; and
 - (b) the type of firearm to which the authorisation applies.”.

This is a very similar amendment to the one we have just discussed in respect of clause 102.

Under clause 103 the director, by instrument, may authorise a member of staff of the Office of Police Integrity to possess, carry and use a firearm for the purposes of an investigation.

As I have mentioned in my previous comments on clause 102, this raises even more concern in the community regarding the issuing of firearms to members of the Office of Police Integrity, particularly as to whether that would be a blanket authorisation. I ask the minister to confirm, as he did with clause 102, that it would not be a blanket authorisation because that certainly would be of concern. As has been raised by submission, there are no criteria in the legislation, and I understand that that is not the case with the Police Regulation Act either.

This amendment would require, as the amendment to clause 102 attempted to do, that the director must give a written report to the special investigations monitor within three days after the making of an authorisation under this section setting out, firstly, the name of the member of staff of the Office of Police Integrity who is authorised to possess, carry and use a firearm, and secondly, the type of firearm to which the authorisation applies.

This amendment — and again it is based on the provisions in clauses 115 and 116, whereby the director must provide a written report to the special investigations monitor within three days of the issue of the summons or an arrest warrant — is a precautionary amendment. Because the director will notify the special investigations monitor of the authorisation of firearms, that notification will be there. The minister might think it is funny, but if there is an incident involving a firearm, that notification will be there on the record.

This is an issue of concern in the community. I asked the department why Office of Police Integrity staff need to be issued with firearms. I was told that firearms could be needed if staff are involved in altercations with people who are involved in organised crime. That causes me some concern. As I understand it, staff of the Office of Police Integrity usually use Victoria Police to carry out arrests and do not do this sort of work themselves — in fact most of their work is investigative and surveillance-type work. There is a concern —

The DEPUTY PRESIDENT — Order! I indicate that the Minister for Planning has had to leave the table. The Minister for Environment and Climate Change, Mr Jennings, has been here for the entire process, since Ms Pennicuik moved her amendment, so he is across the remarks that Ms Pennicuik has been making.

Ms PENNICUIK — I am glad I have worn the minister out and he has had to be replaced by another one! The issuing of firearms to OPI staff has been raised in submissions on this matter and by me. One submission noted that many security guards are running around with firearms, but I do not think that that is a great idea either. That is why I am moving this amendment. It is precautionary and provides that, if the use of firearms is being authorised, then the SIM (special investigations monitor) is notified straightaway. I think this is more important in terms of the use of firearms than in the use of defensive equipment, but I want the legislation to be consistent, so I have moved amendments to both those clauses.

I have a couple of questions for the minister. There are no criteria in the bill for the issuing of firearms. Are there existing guidelines for staff of the Office of Police Integrity in the use of firearms, or will guidelines be developed?

Mr JENNINGS (Minister for Environment and Climate Change) — As members of the committee will understand, there are a number of provisions in this bill that set the circumstances around the use of firearms and the appropriate behaviour of officers of the Office of Police Integrity (OPI). There are various conditions in sections of the act, so the special investigations monitor (SIM) already has a number of the framework conditions and circumstances, and they are dealt with in clauses 122, 123 and 124 of the bill. They set a framework in terms of power of entry and access, the nature of which accountability can be drawn from the way in which officers of the OPI may enter into this aspect of their responsibilities. Within the OPI it is understood that not only will its staff have to conform with those accountability mechanisms and be consistent with the act, but in terms of the procedures of their operations they will also be subject to internal protocols. These protocols have not been formally developed or published, but it is expected that they will be put into operational practice by the OPI.

Ms PENNICUIK (Southern Metropolitan) — Can the minister tell me when those guidelines will be in operation?

Hon. J. M. MADDEN (Minister for Planning) — I am advised it is a matter for the OPI. Of course if the bill is passed today guidelines would be developed by the OPI as a matter of course.

Ms PENNICUIK (Southern Metropolitan) — There will be a gap between when the bill is passed and when the guidelines come into operation. What guidelines will govern the issuing of firearms during that time?

Hon. J. M. MADDEN (Minister for Planning) — I think we have already made the point around why, to what extent and in what situations, but there are protocols for the detailed operation of guidelines at an administrative level for how that is to occur. I am happy to seek details on when, how and to what extent guidelines on the use of firearms by OPI staff will be developed through the relevant minister and I will undertake to provide Ms Pennicuik with that information.

Ms PENNICUIK (Southern Metropolitan) — Will the minister provide that information as soon as he can?

Hon. J. M. MADDEN (Minister for Planning) — It is always the case that I provide information to members of Parliament at the earliest possible time.

Committee divided on amendment:

Ayes, 4

Barber, Mr	Kavanagh, Mr (<i>Teller</i>)
Hartland, Ms (<i>Teller</i>)	Pennicuik, Ms

Noes, 35

Atkinson, Mr	Madden, Mr
Broad, Ms (<i>Teller</i>)	Mikakos, Ms
Coote, Mrs	O'Donohue, Mr
Dalla-Riva, Mr	Pakula, Mr
Darveniza, Ms	Petrovich, Mrs
Davis, Mr D.	Peulich, Mrs
Davis, Mr P.	Pulford, Ms
Drum, Mr	Rich-Phillips, Mr
Eideh, Mr	Scheffer, Mr
Elasmar, Mr (<i>Teller</i>)	Smith, Mr
Finn, Mr	Somyurek, Mr
Guy, Mr	Tee, Mr
Jennings, Mr	Theophanous, Mr
Koch, Mr	Thornley, Mr
Kronberg, Mrs	Tierney, Ms
Leane, Mr	Viney, Mr
Lenders, Mr	Vogels, Mr
Lovell, Ms	

Amendment negatived.

Clause agreed to; clauses 104 to 108 agreed to.

Clause 109

Ms PENNICUIK (Southern Metropolitan) — It has been raised in submissions to the Scrutiny of Acts and Regulations Committee that clause 109 makes a very large hurdle in terms of protected persons. Protected persons are very well protected in that they cannot have an action brought against them unless they have been shown to have acted in bad faith. The person who wants to establish that a protected person has acted in bad faith has to establish it before the Supreme Court. One of the questions asked is: why would that not be

left to the Office of Public Prosecutions to establish, as is normal, rather than the Supreme Court? It is a large hurdle for people to overcome.

Hon. J. M. MADDEN (Minister for Planning) — I am advised it is the sort of decision that we have made based on evidence. We are talking about the evidence presented before the courts, not the sort of decision necessarily made by any other level of the justice system. If it comes before the courts, that is a decision that has to be considered in relation to any decision on these matters.

Ms PENNICUIK (Southern Metropolitan) — But normally a person wanting to sue, for example, an officer of the Office of Police Integrity — or any person — for something that has happened to them as a result of the action of that person would not have to go to the Supreme Court to prove that the person had acted in bad faith before they could take that action. Why is the bar set so high?

Hon. J. M. MADDEN (Minister for Planning) — I do not think the bar is that high. I think it is a matter of just proving to the court that there is a case to be answered.

Clause agreed to; clauses 110 to 113 agreed to.

Clause 114

Ms PENNICUIK (Southern Metropolitan) — There is a general clause in regard to the role of the special investigations monitor (SIM). I note recommendation 23 of the special investigations monitor. Most of the recommendations by the SIM were implemented: this is one that was not. The recommendation is:

It is a function of the SIM to deal with (by reports and recommendations) complaints concerning actions which relate to a matter of administration by the DPI or staff of the OPI as referred to in section 102E including complaints of abuse of power, impropriety and other forms of misconduct on the part of the OPI, or the DPI or staff of the DPI ...

Given that this is about the role of the oversight of the director, police integrity (DPI) or the OPI by the special investigations monitor, why was the recommendation on expanding the role of the special investigations monitor to mirror the role of the parliamentary officer who overlooks the Police Integrity Commission in New South Wales not implemented?

Hon. J. M. MADDEN (Minister for Planning) — I am advised that the Ombudsman already effectively performs the oversight functions that the special investigations monitor proposes to take over.

Expanding the special investigations monitor's powers would cause, I understand, a duplication of responsibilities.

Ms PENNICUIK (Southern Metropolitan) — I say to the minister that it is not usually the case that an Ombudsman would look at coercive powers, abuse of power and impropriety. The SIM's recommendation was that it should be the SIM who takes over the role of the Ombudsman rather than the Ombudsman taking over the role of the SIM, that the Ombudsman has a role, according to the Ombudsman Act, and that these functions would be better carried out by the special investigations monitor. That is one statement.

The question then is: the SIM still has roles of oversight and the Ombudsman has roles of oversight, and somewhere there is an arbitrary line. If you read through the report, it says that the SIM is overseeing high levels of corruption or use of coercion; and the Ombudsman, low levels. Where is the line between those two things? Isn't there scope for things to fall between the cracks when you have two officers carrying out vague, not-so-well-defined functions?

Hon. J. M. MADDEN (Minister for Planning) — I think it is more about checks and balances than territory in relation to these matters, but I would be happy to answer further inquiries.

Clause agreed to; clauses 115 to 117 agreed to.

Clause 118

Ms PENNICUIK (Southern Metropolitan) — With this clause I note that the time given for a person to make a complaint is being extended from 3 to 90 days, and I think the SIM recommended 14 days. My question is: why 90 days, because an investigation could go for longer than 90 days? Is it 90 days after the completion of an investigation or after the commencement of an investigation?

Hon. J. M. MADDEN (Minister for Planning) — I understand it is 90 days from when the person was excused. Basically it gives that individual 90 days to reflect on whether or not they believe there should be follow-up in relation to the matter. That is a reasonably sufficient period of time for that person to reflect on whether they believe there needs to be follow-up in relation to those matters.

Clause agreed to; clauses 119 to 144 agreed to; schedules agreed to.

Reported to house without amendment.

Report adopted.

Third reading

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

That the bill be now read a third time.

In doing so I wish to thank members for their contributions. I also thank the Parliamentary Secretary for Justice, Brian Tee, and the advisers in the box for their support on these highly technical matters.

The ACTING PRESIDENT (Mr Vogels) — Order! The question is that the bill be now read a third time. I am of the opinion that the third reading of this bill requires to be passed by an absolute majority. I ask the Clerk to ring the bells.

Bells rung.

Members having assembled in chamber:

The PRESIDENT — Order! The question is that the bill be now read a third time. I am of the opinion that the third reading of this bill requires to be passed by an absolute majority. In order that I may determine whether the required majority has been obtained, I ask those members who are in favour of the question to stand where they are.

Required number of members having risen:

Motion agreed to by absolute majority.

Read third time.

APPROPRIATION (2008/2009) BILL

Statement of compatibility

Mr LENDERS (Treasurer) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities, I make this statement of compatibility with respect to the Appropriation (2008/2009) Bill 2008.

In my opinion, the Appropriation (2008/2009) Bill 2008, as introduced to the Legislative Council, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of bill

The Appropriation (2008/2009) Bill 2008 will provide appropriation 'authority' for payments from the Consolidated

Fund for the ordinary annual services of government for the 2008–09 financial year.

The amounts contained in schedule 1 to the Appropriation (2008/2009) Bill 2008 provide for the ongoing operations of departments, including new output and asset investment funded through annual appropriation.

Schedules 2 and 3 of the bill contain details concerning payments from advances pursuant to section 35 of the Financial Management Act 1994 and payments from the advance to Treasurer in 2006–07 respectively.

Human rights issues

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

The bill does not raise any human rights issues.

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

As the bill does not raise any human rights issues, it does not limit any human rights and therefore it is not necessary to consider section 7(2) of the charter.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because it does not raise a human rights issue.

JOHN LENDERS, MP
Treasurer

Second reading

Ordered that second-reading speech be incorporated on motion of Mr LENDERS (Treasurer).

Mr LENDERS (Treasurer) — I move:

That the bill be now read a second time.

Incorporated speech as follows:

President, Victoria is in the middle of one of the biggest population booms in our history:

a boom that will see Victoria become home to more than 6 million people within just 10 to 15 years — an increase of more than 1 million on our population today.

a boom that is adding nearly 1200 people to Melbourne's population each week — more than any other Australian city;

a boom that has resulted in record levels of building approvals;

a boom that saw around 74 000 births registered in Victoria last year — the highest number since the early 1970s.

The fact that so many people want to live in Victoria and raise their families here is great news. It reflects the prosperity of our state and the livability of our cities, towns and

communities. It reflects the strength and diversity of our industries — and the number and quality of jobs we can offer.

It also reflects the perception of Victoria as a forward-looking state — with a willingness to put innovation, science and technology at the forefront of our economic agenda.

A growing population brings new joys — but it also brings new challenges.

It places our infrastructure and services under much greater pressure. It makes it harder to maintain our livability. And it puts a bigger strain on our natural resources.

President, I am delighted to say that this is truly a baby boom budget.

This budget — my first as Treasurer — takes action to support and manage our population boom, and to make sure that Victoria can meet the growing demand for transport, education and health care.

This budget is framed with the future front and centre.

It is framed around delivering the infrastructure, skills, services and projects Victoria will need over the coming decades.

It is framed around securing our future water supplies and building a greener economy in an era of climate change.

It is framed around generating new opportunities in our growing suburbs and regions.

And it is framed around new priorities set by Premier John Brumby in 2007 — priorities that will help to secure Victoria's future in the face of some significant and tough challenges.

Resilience in the face of risks

President, our government has spent the past eight years building the diversity and durability of the Victorian economy.

As an economy without a large resources base, Victoria has to work even harder to succeed. We cannot generate the same benefits from the mining boom as states like Queensland and Western Australia — we have to rely on our people.

That is why the government has focused on driving growth by improving workforce participation and productivity; by investing in skills and innovation; and by providing efficient, high-quality infrastructure.

The result is a resilient economy — one with the right attributes for growth during difficult times.

In 2007–08, Victoria's economy is expected to grow by 3.25 per cent — underpinned by solid growth in consumer spending, business investment, housing construction and employment.

Since the government came to office, more than 430 000 jobs have been created in Victoria — a 20 per cent increase in employment.

In the past year alone, more than 70 000 jobs were created in the state. In the March quarter, Victoria's unemployment rate was 4.3 per cent — the lowest in over three decades — and

our job participation rate remains the highest of the non-resource states.

But there are risks on the horizon.

Inflation, higher interest rates and a volatile global outlook all pose risks for the Victorian economy — with growth expected to slow to 3 per cent in 2008–09.

Our growing population also raises significant challenges, as does our ageing population.

When I first started work, there were seven people in the workforce for every retiree. Soon, there will be four workers for every retiree. There may, in fact, turn out to be as many opportunities as there are challenges from our ageing population — but it certainly raises risks that need to be identified, debated and managed.

And — of course — there is climate change, which brings yet another set of risks, pressures and opportunities.

Negotiating our way through these challenges will not be easy.

We must continue to make the right and the hard decisions on economic reform to drive jobs growth. We must work cooperatively with the new commonwealth government on areas of national reform. And we must ensure that Victoria has an extended capability to invest for our future.

Prudent financial management: more important than ever

President, within the past 12 months, the international ratings agencies have reconfirmed Victoria's AAA credit rating, reaffirming the government's long record of responsible financial management.

For the past eight years, this Labor government has met its commitment to deliver a budget operating surplus in excess of \$100 million.

But uncertain times require even greater certainty in Victoria's financial position.

That is why, from this budget, the government will meet a new target of maintaining a budget surplus of at least 1 per cent of revenue.

In 2008–09, the surplus will be \$828 million. Over the following three years, the surplus will average \$907 million.

This new target is Victoria's buffer against harder global times.

We will use these increased surpluses to manage future risks and to invest in vital infrastructure such as schools, hospitals, roads and public transport — just as, in 2007, we used Victoria's larger than expected surplus to bring forward investment in urgently needed water infrastructure and new trains.

At the same time, we continue to keep debt at prudent levels.

Worldwide, many governments carry a level of debt to drive their economies and invest for the future. They would be negligent if they did not.

By 2012, Victoria's general government net debt will be 2.9 per cent of gross state product. By any reckoning, that is a modest, manageable and sustainable level of debt — and lower than the level we inherited from the Kennett Liberal-National government.

The increase in budget surpluses will ensure that we can meet our future financial obligations — in combination with a disciplined use of Victoria's balance sheet and our regular monitoring of the economic outlook.

It also means that we can sustain and improve our historic levels of investment in infrastructure.

Since 1999, this Labor government has invested around \$20 billion to deliver the biggest infrastructure program in Victoria's history. Over the next four years, we will invest a further \$17 billion — and we will continue to drive this substantial and unprecedented infrastructure program into the future.

In other words: today's surpluses will be tomorrow's schools, hospitals, roads and trains.

It is an investment that we can afford to make, that we should make, and that our children and grandchildren will thank us for making.

A competitive business environment

President, with the prospect of tougher economic times ahead, it is more important than ever for Victoria to build a competitive, innovative business environment.

The government continues our program of reducing red tape, and we are on track to meet our target of reducing the administrative burden of regulation by 15 per cent by July 2009.

We also continue our record of leadership on tax reform.

In this budget, we will cut the top land tax rate by 10 per cent — from 2.5 per cent to 2.25 per cent — and make an adjustment to all land tax thresholds of around 10 per cent.

This means that the top rate of land tax has more than halved since we came to office.

It means that Victorian businesses now enjoy lower levels of land tax than New South Wales and Queensland for virtually all landholdings worth between \$400 000 and \$5.7 million. And it means that every land tax payer in the state will benefit from these changes.

We will make a larger than scheduled cut in the payroll tax rate, taking the rate from 5.75 per cent in 1999 to 4.95 per cent from 1 July 2008. This is the first time that the rate has dipped below 5 per cent since the mid-1970s — and it will save businesses \$170 million over the next four years.

We will also increase all thresholds for stamp duty on land transfers by around 10 per cent, giving further relief to families and businesses.

Measures announced in this budget will deliver more than \$1 billion in tax relief to Victorians, taking the total tax cuts announced by the government to over \$5.5 billion.

We will also reduce WorkCover premiums by a further 5 per cent — the fifth consecutive reduction — saving employers \$88 million in 2008–09.

These initiatives will significantly reduce costs for Victorian business, especially our manufacturers. During the course of 2008, we will deliver further support to business through new statements on skills, innovation, and industry and manufacturing.

While Victoria will continue our leadership on economic reform, national action is urgently needed. After more than a decade of indifference at the federal level, we look forward to working with the new Commonwealth government to improve national productivity and competitiveness, and create the right conditions for more and better jobs for the next generation of Victorians.

Major new support for families

President, Victoria is in the middle of a baby boom.

Over the past three years, there has been a 12 per cent increase in the number of women giving birth in Melbourne's public hospitals — an increase that is against the trend in many other western countries and contrary to all predictions.

This budget delivers major new support for Victorian families to make sure that they have access to the services they need to give their children the best possible start in life.

We will invest \$31 million to expand maternity services — with new services at the Frankston, Casey, Northern and Werribee Mercy hospitals catering for an extra 2 800 births a year and enabling more women in Melbourne's outer suburbs to deliver their babies closer to home.

We will provide \$55 million to significantly improve maternal and child health services, ensuring that children up to the age of five receive check-ups, support and additional help at important stages of their lives.

We will provide a \$79 million expansion in early childhood development services and a \$39 million boost to services for vulnerable families and children.

President, it is the dream of every young Victorian family to own their own home.

From today, first homebuyers will be able to receive both the first home bonus and the principal place of residence stamp duty concession. For a family purchasing a median-priced first home of \$317 000, this will mean a saving of \$2460.

This is in addition to up to \$12 000 available to first homebuyers through the first home owners grant and the first home bonus. Taken together, this is now a substantial amount towards purchasing a home and it will help many Victorian families to turn their dreams into reality.

Investment in education and lifelong learning

Victorian families will also benefit from the Brumby Labor government's ongoing investment in education.

In 2006, the government announced the biggest school rebuilding program in this state's history — the Victorian schools plan, which will rebuild or modernise every

government school over a 10-year period and 500 schools during the term of this parliament.

Last year, we provided more than \$550 million for the first stage of the plan and this budget provides a further \$592 million. We have 'fast-tracked' this spending to tackle the biggest and most urgent projects as quickly as possible — leaving around \$700 million to be spent over the remainder of this parliamentary term.

Alongside our massive schools modernisation program, the budget provides funding for seven new or replacement schools, six major school regeneration projects, two new select entry schools at Berwick and Wyndham Vale, and 11 schools being constructed in partnership with the private sector.

We will also invest \$71 million to improve the performance of government schools.

We will offer incentives to get our best teachers into the schools where they are most needed. We will partner high-performing schools with lower performing schools. And we will provide funding to employ up to 75 outstanding graduates from other fields in our schools.

One of the first actions of the Brumby Labor government was to create the Department of Education and Early Childhood Development — and we will soon commence community consultations on the Blueprint for Early Childhood Development and School Reform.

Along with initiatives funded in this budget, these developments will help to ensure that our government schools give young Victorians the high quality learning experiences they need to make their way in a rapidly changing world.

High quality health services

The government also continues to invest in our hospitals and health services, making sure they keep pace with the needs of our growing and ageing population, and with the requirements for increasingly sophisticated medical technology and equipment.

Since coming to office, we have significantly expanded the capacity of Victoria's health system to the point where our hospitals are now treating over 300 000 more patients each year than in 1999.

In this budget, we provide a further \$703 million to improve hospital services.

We will provide funds for an extra 16 000 elective surgery patients, an extra 33 500 outpatient appointments and an extra 60 000 patients in emergency departments.

We will build a new day hospital in Sunbury and deliver the next stages of the major redevelopments of Sunshine and Warrnambool hospitals.

We will extensively upgrade emergency departments at Dandenong Hospital and Bendigo Health, and build a new community health centre in Morwell.

We will deliver the biggest single investment in ambulance services in the state's history — which will include upgrades to ambulance stations and services right across Victoria and a new air ambulance service based in Warrnambool.

One of the key priorities identified by the Brumby Labor government for this term in office is to escalate the fight against chronic disease and cancer.

We will provide \$150 million for a new Cancer Action plan, which aims to increase survival rates for cancer victims by a further 10 per cent by 2015.

We will also provide \$25 million for the Olivia Newton-John Cancer Centre to deliver specialist cancer treatment at the Austin Hospital.

The government has also approved WorkCover investing \$218 million over the next five years for a major new initiative called WorkHealth — the first program of its kind in the world. WorkHealth will conduct health screenings for Victoria's 2.6 million workers, targeting the link between chronic disease and workplace illness and injury.

This budget also invests \$111 million to improve mental health services, including new prevention and recovery services, and a new 24-hour statewide information and referral service — building on this Labor government's strong commitment to this often neglected area, demonstrated by our appointment of Victoria's first ever Minister for Mental Health.

This investment in mental health is part of an additional \$1 billion provided under A Fairer Victoria — one of the most ambitious social policy plans ever delivered by an Australian government, which is creating new opportunities and support for disadvantaged Victorians and communities.

More than \$4 billion has now been invested in A Fairer Victoria — and this budget also delivers new investment in services for people with a disability, Indigenous Victorians and people on a low income.

Meeting the growing demand for transport

Another area where strong population and jobs growth is driving demand for services is transport. Put simply: more people means more goods moving around the state, more people using public transport and more cars on our roads.

Patronage on Melbourne's rail network is now at historically high levels and grew by a massive 20 per cent over the past two years.

To manage this leap in patronage, the government has accelerated our investment in the network — including the biggest overhaul of the rail timetable since the completion of the city loop, which will provide an extra 200 services a week on the busiest lines.

In this budget, we are pumping a record \$1.8 billion into Victoria's transport network.

We will construct a passing loop around Westall station, and upgrade the track at Laverton and Craigieburn stations — allowing more morning peak services to run on the Dandenong, Werribee and Craigieburn lines.

We will provide an extra 1700 parking spaces at train stations in Melbourne's outer suburbs and commence design works to bring forward the time line announced in 2006 for the extension of the Epping line to South Morang.

In this budget, we also provide \$101 million to further improve bus services in our suburbs and regions, including a major overhaul of services in South Gippsland and more frequent services along the Eastern Freeway — as well as \$38 million to extend the bus and tram priority program to improve services during peak periods.

It is not only our public transport system that is feeling the strain. As Sir Rod Eddington pointed out in his recent report to the government, Melbourne faces the daunting task of managing a substantial increase in car travel within two decades.

We are taking action to manage this growth. But this is clearly one area where additional support from the commonwealth will be crucial to reducing the costs of urban congestion and retaining Melbourne's livability into the future.

In this budget, we provide \$112 million to relieve congestion in the short term through our Keeping Melbourne Moving plan — including an extension of clearway times, measures to improve tram and bus priority, and more walking and cycling options.

In March, the government received Sir Rod Eddington's report into improving Melbourne's east-west transport connections, which recommends large-scale road and rail projects. We are consulting with the Victorian community prior to responding to the report later in the year — a response that will be framed within the context of our existing 10-year transport plan and broader long-term transport challenges.

Maintaining and improving livability

President, a modern, safe transport system is critical to maintaining livability, and there is no doubt that Melbourne's and Victoria's world renowned livability is a vital economic and social asset.

In this budget, we continue to deliver initiatives to contain the city's sprawl and create vibrant, livable urban hubs and suburbs.

We will provide \$52 million for transit city projects in Broadmeadows, Dandenong and Geelong, as well as \$37 million to help local communities plan for population growth.

We will deliver a \$39 million boost for arts facilities, including a new centre for books, writing and ideas at the state library.

We will build on our plan to make Melbourne the home of the best sporting precinct in the world, providing \$66 million to build a new state athletics centre at Albert Park, upgrade the MCG and increase funding to the Victorian Institute of Sport to support our elite athletes in an Olympic year.

More visitors also means more jobs — and we will invest \$35 million to boost tourism, major events and Victoria's international profile, including \$13 million to support tourism in regional Victoria.

Improving community safety and access to justice

A high level of community safety is also a feature of livable places. In this financial year, Victoria will record its highest ever police budget of \$1.75 billion, underscoring the

government's strong support for community safety and our police force.

Since 1999, funding for Victoria's police has increased by more than 50 per cent and the state's crime rate has dropped by 23.5 per cent.

This budget provides a \$657 million community protection package that includes additional resources for police, more police station upgrades, improved forensic pathology services and a new prison at Ararat.

However, one area that continues to be a concern is alcohol-related violence — and this budget commits \$37 million for the Brumby Labor government's Alcohol Action plan, including an assault reduction strategy led by Victoria Police.

We also continue to improve Victoria's justice system, investing \$198 million to deliver faster access to justice. In particular, we will provide \$18 million for new ways to resolve disputes, including mediation programs in our courts and new dispute resolution services in regional areas.

Leadership on climate change and water

President, all Victorians share a responsibility to fight the causes of climate change.

This budget makes a record climate change commitment of \$295 million focused on positioning Victoria as a leader in new energy technologies. We will invest:

\$110 million over six years for a carbon capture and storage demonstration project;

\$72 million over six years for the large-scale demonstration of sustainable energy technologies, such as solar energy and geothermal energy; and

\$12 million for the Clean Coal Authority in the Latrobe Valley — to enable Victoria to continue to use the valley's extensive coal reserves in a carbon-constrained world.

The combination of climate change with more than a decade of drought means that Victoria must secure our future water supplies by saving and recycling water, creating new sources of water and moving water to where it is needed most.

The Brumby Labor government is investing \$4.9 billion in new water infrastructure projects across the state, with this budget confirming:

\$117 million for the first stage of the desalination plant at Wonthaggi;

\$129 million for new water pipelines, including \$99 million to fast-track the Wimmera-Mallee pipeline project; and

\$600 million for the food bowl modernisation project.

In March, Victoria secured the new commonwealth government's agreement to provide \$1 billion for the food bowl project — a project that will save in total more than 400 billion litres of water by upgrading irrigation infrastructure in northern Victoria and sharing the water savings between irrigators, rivers and urban areas.

It is a massive, innovative and groundbreaking project that reflects the Brumby Labor government's commitment to our farmers and to using Victoria's water efficiently, responsibly and fairly — as well as to restore the health of some of our most damaged waterways.

High priority for regional Victoria

President, this budget continues Labor's high levels of investment in our regional towns, communities, businesses and industries.

Since coming to office, we have made driving growth and opportunity in provincial Victoria one of our highest priorities. We created Australia's first Regional Infrastructure Development Fund. We established Regional Development Victoria and delivered the \$502 million *Moving Forward* economic statement. We have undertaken the biggest upgrade of regional rail services in history, making regional centres more accessible and attractive places to live.

Last year, the Premier indicated that improving services to Victorian farmers would be a key priority for this term. This budget delivers on that commitment.

We will provide \$205 million for the Future Farming strategy to deliver better services to our farmers, boost Victoria's agricultural research effort and drive greater productivity, innovation and competitiveness in our farming sector.

I grew up on a dairy farm and I know how important it is to adapt to change and embrace new farming practices. But I also know how difficult it can be to make those changes.

The Future Farming strategy represents a step-up in support for Victorian farmers and a new direction for farming in this state. Once again, it is a leading-edge approach — and once again, it shows Labor's willingness to champion and support regional industries.

In this budget, we introduce a regional first home bonus of \$3000 for first homebuyers purchasing newly built homes in regional Victoria. Along with existing first home grants, this will give homebuyers up to \$15 000 towards a new home.

Young people are the future lifeblood of our regions and yet many regional communities still have trouble keeping and attracting young residents. This new bonus will help to retain young people in rural and regional areas — and give young families in particular another good reason to consider living in regional Victoria.

This financial year also sees the relocation of the Transport Accident Commission to Geelong — further evidence of Labor's commitment to boosting regional jobs.

We will also invest:

- \$137 million to improve regional health care services;
- \$47 million to improve regional rail freight connections;
- \$224 million to upgrade regional roads; and
- \$16 million for major upgrades at eight small rural schools.

We also provide \$278 million to maintain and improve regional passenger rail infrastructure.

In March this year, trips on the V/Line network reached a 60-year high.

That is not only a ringing endorsement of the government's investment in regional rail services — it is also a strong rebuke to those who criticised this investment, said it was not worth the expense, and that it would not work.

It is very clear that our investment in regional Victoria has been a success in terms of population, jobs, business and investment growth — and the Brumby Labor government will continue to deliver this investment and support into the future.

Appropriation bill

President, this Appropriation (2008/2009) Bill provides authority to enable government departments to meet their agreed service delivery responsibilities in this coming financial year.

The bill supports a financial management system that recognises the full cost of service delivery in Victoria and is based on an accrual framework.

Schedule 1 of the bill contains estimates for the coming financial year and provides a comparison with the current year's figures. In line with established practice, the estimates included in schedule 1 are provided on a net appropriation basis.

The budget has once again been reviewed by the Auditor-General as required by the standards of financial reporting and transparency established by this Labor government in 2000.

Conclusion

President, it is clear that this budget comes at a challenging time: for Victoria, Australia and the world.

But it is equally clear that the Victorian economy has the resilience and diversity to meet these challenges and weather the risks ahead.

For eight years, this Labor government has been committed to building those characteristics into the Victorian economy.

We have made education our no. 1 priority.

We have taken action to improve productivity by investing in skills and innovation.

We have boosted Victoria's competitiveness and jobs growth, through billions of dollars in tax cuts, reductions in red tape and regulatory reform that is acknowledged as the most advanced in the country.

We have invested to record levels in provincial Victoria, creating jobs and opportunities in regional industries and communities.

And we have grasped — and acted on — the fundamental principle that a fair society underpins a successful economy.

Our current strong population growth and baby boom are proof of the success of Labor's approach. We are a state where people want to live, work and raise a family.

Because we are not resource-rich, Victoria has had to carve out a competitive edge from the skills and productivity of our people — and from the livability and attractiveness of our communities.

This budget — the first of the Brumby Labor government — confirms that we are making the correct choices in carving out that edge, in driving productivity, livability and sustainability across the state, and in taking the strong action needed to secure Victoria's future.

I commend the bill to the house.

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

Debate adjourned until later this day.

**APPROPRIATION (2008/2009) BILL and
BUDGET PAPERS 2008–09**

Concurrent debate

Mr LENDERS (Treasurer) — By leave, I move:

That this house authorises and requires the President to permit the second-reading speech debate on the Appropriation (2008/2009) Bill to be taken concurrently with further debate on the motion to take note of the budget papers 2008–09.

Motion agreed to.

**APPROPRIATION (PARLIAMENT
2008/2009) BILL**

Second reading

**Debate resumed from 12 June; motion of
Mr JENNINGS (Minister for Environment and
Climate Change).**

**Mr RICH-PHILLIPS (South Eastern
Metropolitan)** — I am pleased to rise to make a few short remarks on the Appropriation (Parliament 2008/2009) Bill. It is always interesting that a separate bill comes before the house with respect to the appropriations made for the Parliament in recognition of a notional division between an ordinary appropriation bill for the running of the government and the appropriation bill that provides for Parliament, on the basis that the Parliament has the capacity to create its own appropriation, and as such is dealt with separately from the general appropriation, which is for the rest of government.

That is only a notional distinction between the two appropriation bills. The reality is that the Appropriation (Parliament 2008/2009) Bill is a creature of the

government and the amounts that are appropriated by the Parliament's appropriation bill are those that are decided by the government, so the idea of parliamentary independence with respect to appropriation is a notional one only.

The bill provides the appropriations for the departments of the Legislative Council, the Legislative Assembly and Parliamentary Services and for the joint committees. It is worth noting that the amounts appropriated by the parliamentary appropriation bill are not the total amounts that are provided to fund those departments because various other special appropriations also flow through to funding the Parliament. The parliamentary appropriation bill is often an opportunity for members of Parliament to raise their concerns about certain operational matters at the Parliament.

That is not something I intend to do this afternoon, other than to note that the Roy Morgan parliamentary satisfaction survey, complete with some push polling questions, arrived in members' email boxes this afternoon. That is all I have to say about that.

The issue I want to address this afternoon is that of funding for committees, in particular the situation where the Legislative Council has established two select committees and now a standing committee, the Standing Committee on Finance and Public Administration, but the government has failed in the parliamentary appropriation bill to provide discrete funding for that standing committee and those select committees. This matter was raised in the estimates hearings in May when the Clerk of the Legislative Council outlined the processes that the Department of the Legislative Council had gone through in seeking additional funding from the government, in particular for the two select committees that were established last year.

According to the evidence given at the estimates hearing, the Department of the Legislative Council sought a Treasurer's advance to provide funding for the two select committees. The department sought a total of \$380 000 of which \$320 000 was to be for staffing and a further \$60 000 for ongoing expenses. That request was rejected by the Treasurer who noted in his response that there was a limit to funds available for Treasurer's advances and it would not be possible to provide that advance of \$380 000.

Treasurer's advances are a matter for the Treasurer, but it is worth recording that the most recent report of Treasurer's advances note that in the most recent year for which information is available — that is,

2006–07 — the Treasurer allocated \$468 965 375 by way of Treasurer’s advances. Almost half a billion dollars was made available by way of Treasurer’s advance over the course of 2006–07, so it beggars belief that the Treasurer was unable to provide the \$380 000 that was requested by the Department of the Legislative Council for its select committees.

In the following year’s appropriation bill we saw in the Treasury lists those matters that were funded through a Treasurer’s advance — things like helping the City of Greater Geelong buy the *View of Geelong*. The Victorian government was able to find \$733 000 to contribute to the purchase of that painting from Andrew Lloyd Webber, yet it was unable to find \$380 000 to fund the operation of committees of this Parliament.

This issue is not going away. In his evidence to the Public Accounts and Estimates Committee the Clerk discussed the appropriation that has traditionally been made available for joint committees, which is separately appropriated in the bill for the so-called ‘department of parliamentary investigatory committees’ — an amount of \$6.23 million in the 2008–09 year. The Clerk expressed the opinion that there was no reason, subject to the concurrence of the Speaker and the President, that those funds could not be made available for select committee or standing committee uses. That is something the Parliament may need to explore if the Treasury and the Treasurer continue to refuse to appropriately fund upper house select and standing committees.

It is a matter of concern that we as a house that is not controlled by the government seek to establish committees that are not controlled by the government, but at the same time we are constrained by funding provided by the government. There have been previous examples of the Parliament establishing committees and providing them with the appropriations that they require, whatever that may be, to undertake their operations, and Mr Barber may speak of that matter. There are other mechanisms available to the Parliament, and to the house, by which it can obtain funding for its select committees if the government is unwilling to provide the funding that those committees appropriately require in order to undertake their duties.

At the moment the Department of the Legislative Council provides two staff members for all the committees it is responsible for — for a brief period that was two select committees and a standing committee. The staff allocation is only two people — a research officer and an executive officer — and there is a very small budget for ancillary expenses. Although the organisation will presumably evolve into a structure

that involves only a standing committee, it is still a very limited level of resourcing for its very wide brief. It is something that this side of the house would like to see addressed by the government. It has declined to do it by Treasurer’s advance, and it has declined to do it by the parliamentary appropriation bill that is before the house today. If need be this side of the house stands ready to take other action, by using other sums that are allocated to the Legislative Council, to ensure that those committees are appropriately resourced.

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 honourable members for their contributions to the debate.

Motion agreed to.

Read third time.

APPROPRIATION (2008/2009) BILL and BUDGET PAPERS 2008–09

Second reading

Debate resumed from earlier this day and 29 May; motion of Mr LENDERS (Treasurer) and motion of Mr JENNINGS (Minister for Environment and Climate Change):

That the Council take note of the budget papers 2008–09.

Mr THORNLEY (Southern Metropolitan) — I rise to speak in favour of both the matters that are the subject of the cognate debate — the acceptance of the budget papers and indeed the bill itself. Other speakers have already addressed many of the issues and many others will do so as well, so I will try to take a few component parts to address specifically and let others deal with other parts.

It is obviously a large and complex set of engagements that we have undertaken in this year’s budget. I will focus on three areas: firstly, on the role that government is playing in jobs growth and building a competitive and innovative business environment; secondly, on early childhood education and other forms of early childhood assistance; and thirdly, on the national

reform priorities that the government has outlined in the budget and how the budget matters relate more generally to that program, which is being pursued through the Council of Australian Governments at the present time.

On the first of those topics, the budget addresses a range of matters that continue to drive strong economic growth and a competitive economy in Victoria. Most importantly, it continues the focus on the creation of jobs, good jobs and more jobs. For starters, the government has taken a firm position on taxation reduction for businesses, with a particular focus to achieve productivity outcomes. The budget further reduces the payroll tax rate; it is now down to 4.95 per cent effective from 1 July 2008. In particular this has benefits for small and medium-sized enterprises, which are the growth engine of the economy. Businesses with payrolls between \$4 million and \$13.5 million will now have the lowest payroll tax rate anywhere in Australia.

Similarly, one of the great success stories of this government has been the continuing reductions in WorkCover premiums. They are reduced a further 5 per cent in this budget, the fifth consecutive reduction, saving employers about \$88 million. I have spoken about this in the house before, but to me it is the quintessential example of how you get these things right by looking after people. It is about the lack of conflict between good social policy, good health policy, social justice, fair rights in the workplace, and economic growth. This reduction in WorkCover premiums has been enabled because we have focused on workplace safety. Far from that imposing unnecessary costs on business it has in fact reduced costs for business. That is seen further by these premium reductions that have been enabled yet again — the fifth time in a row — as a result of safer workplaces, therefore fewer accidents, therefore lower costs and therefore lower costs to business. It fundamentally explodes the premise of much of the workplace debate that looking after workers is somehow an unfair imposition on business. In fact what we have seen is the opposite. This is a win-win for employers, for employees, for the taxpayer and, most importantly of all, for those workers and their families who might otherwise have been injured had we not had those workplace safety measures in place and reduced the number of accidents.

Secondly, we are investing specifically to ensure that some of the important growth opportunities in the economy can flourish, and that some of the things that we do well we continue to do well and do even better, focusing on our strengths and investing to ensure that those strengths are further enhanced. A couple of

examples spring to mind. There is \$11 million committed over three years to further the development of creative industries in Victoria. It turns out that the creative industry sector is one of the fastest growing sectors generally in Western economies, and in particular in this country and in Victoria. Investing to further the growth and to see a further range of high-value jobs created in that sector is a very sensible use of those funds.

We are seeing a \$14 million increase over two years to ensure that Melbourne's credentials as an attractive and competitive destination for major international business events are enhanced. Obviously there is the development of the convention centre, which will be a magnificent facility both for what it can do and what it can offer its customers as well as for its environmental credibility. We also know that those types of venues can attract large services export income to the state by bringing international conferences to Australia. That has the direct benefit of the expenditure that is made by those foreign visitors while they are here, but also in many cases it has further indirect export benefits because of customer relationships, knowledge transfer or other forms of engagement that occur between those international visitors, many of them in a range of businesses and professions, and the domestic players and in particular the export-orientated players that are here. That is both a direct benefit from the incoming traffic flow and that expenditure. But potentially there are even larger multiplier effects from the increased trade and export flows that result from the connections that are made while those visitors are here who would not be here if we did not have a venue, and if we were not providing support to market that venue and that range of venues and the role of the city as a major international business events destination.

Further enhancing our export potential, there will be \$6.1 million over three years to ensure that Victorian business has a strong presence at World Expo 2010 Shanghai, yet again focusing on one of our strengths, which is export markets into Asia and particularly the fast-growing Chinese market, and ensuring that we have a strong presence there. We are meeting with the range of customers that is necessary for our businesses to grow and enhance their export position. Again in my view this is a very sensible investment to ensure that we are driving exports and growth, and therefore that we are driving good, high-value jobs and more of them.

We are also investing in a range of additional skill areas. One of the key challenges in the current economy, given labour shortages and skill shortages, is to ensure the supply side of the labour market can meet the demand side of the labour market. We are putting in

\$25 million to extend by another 12 months the highly successful apprenticeship and traineeship completion bonus program, which has delivered the highest number of apprenticeship completions of any Australian state in the previous period, so we are expanding that for another period, and I am confident that that success can continue.

Another particularly germane example of the type of investment that is valuable in this environment is the \$2.1 million investment in the new green plumbing training centre in Brunswick. It is apparent that the level of investment in both new build and in particular in retrofit to try to bring greater environmental efficiency to our built environment is a critical part of our response to climate change. In many cases it is the most economically effective part of that response. As we have seen tabled in the house several times and discussed, the McKinsey chart talks about the most effective investments to reduce carbon emissions. Some of those that are most effective — that are generally of negative cost, that create and are of more value than their cost — are particularly in the retrofit of buildings. But in order for us to do that type of retrofit we need to have skills in the building trades that can grow and match the increasing demand for that type of retrofit activity which was not previously required in a pre-climate change world.

As somebody who has been advocating very hard for it for a long time in this Parliament, I know the critical importance of natural gas as a transition fuel, in particular natural gas-fired electricity through co-generation and combined cycle generation. The fact that that type of electricity generation will have 60 per cent to 70 per cent emissions reductions compared to the bulk of our current generation is a particularly urgent priority. It uses today's technology with today's resources; it is not something that needs to wait for future research and development. What it needs is enough skilled tradesmen and tradeswomen to implement those solutions effectively as demand increases rapidly.

The new green plumbing training centre will be ideally placed to ensure that we have a rapidly increasing skill set and an increased number of tradespeople qualified to do that work as the demand increases rapidly with the implementation of a carbon trading scheme, and indeed with the growing realisation of the important transition fuel benefits of gas-fired power.

We are also providing \$42 million TEI (total estimated investment) for the capital works to upgrade new facilities in our TAFE institutes. I am happy to see that the longstanding and pointlessly wasteful debate over

the creation of a separate technical training facility through the federal government in direct competition, and often wasteful competition, with the state TAFE sector has now been resolved by effective discussions between the state and federal governments, and our \$42 million commitment here will be part of ensuring that those TAFE facilities grow and meet the growing demands for those critical trades areas and skill sets.

There will be \$7.5 million over two years for our new workforce partnerships program, which matches disadvantaged jobseekers with employers who are having difficulty in recruiting staff. This is a classic market maker application. There are often people out there who are looking for work and cannot easily find it, but there are also employers looking for employees who cannot easily find them. There is a role for somebody to make the market in the middle. That is exactly the same type of market maker role that occurs in a whole range of sectors of the economy, pioneered by my friends at eBay and at many other places. But in this case by ensuring that this occurs we have the twin benefits of bringing additional labour into companies that are short of it and bringing jobs to people who have otherwise found it difficult to find employment.

From my lengthy involvement with the Brotherhood of St Laurence I certainly know the importance and value of that type of work, and the value that you bring not only to the employer but to the people who are on the margins of the labour market in giving them that assistance and that leg-up that gets them into a job, gets them into the labour market and then peels back the single biggest layer of disadvantage that is often layered upon many other layers of disadvantage causing hardship in our society. Once you get those people securely into effective employment they are often then better placed to address a number of the other challenges they have in their own and their families' lives.

This is a well-spent investment in that area, particularly at a time when we have labour shortages. Those are just some of the examples of the first matter that I wanted to cover: this government's continued focus on jobs growth, on a competitive economy, on the skills that are necessary, and on building exports and growth to ensure that we continue to have growth in our economy and jobs.

I was going to address the early childhood matters in some depth and indeed the COAG (Council of Australian Governments) matters but I realise there are many members who wish to speak on this bill; I do not want to take all of their thunder. I will conclude with those remarks, and I am sure others will pick up those

important priorities in their contributions to the debate. I commend the bill and the budget papers to the house.

Debate interrupted.

DISTINGUISHED VISITOR

The PRESIDENT — Order! Before we break for dinner I draw the attention of the house to the fact that Mr Neil Lucas, a member for the former Eumemmerring Province, is present in the public gallery.

An honourable member — A good member!

Debate resumed.

Sitting suspended 6.21 p.m. until 8.05 p.m.

Mr VOGELS (Western Victoria) — One of the key deficiencies of this Labor government which is reflected in the budget is its city-centric focus and lack of understanding for all the real issues of concern for rural and regional Victorians.

I have lived in country Victoria my whole life. I have farmed the land and made a life for myself and my family. I know what it means to be part of a small community. I have been through drought, floods and fires, and I know how important good government can be; that is why I got involved, and am still involved, with farming organisations, hospital boards, service clubs, local government and now am a member of state Parliament.

The town I come from has a brilliant hospital. But we are finding it difficult to attract the services of qualified obstetricians, midwives and so on, so the mothers now have to travel to regional hospitals to have their babies.

Only a couple of years ago the Timboon hospital delivered 80 babies. This year it will be lucky to deliver 20 because of its lack of qualified doctors, GPs, obstetricians and so forth.

The municipality I live in has a road infrastructure deficit of millions of dollars, just like every other municipality in country Victoria. There is still no sign of this Labor government working in conjunction with local and federal governments to match the Roads to Recovery funding, which would deliver an average of a million dollars per municipality in rural and regional Victoria.

When I was elected to this place in 1999 I could drive to Melbourne on the Tuesday morning of the sitting week and expect to be here in Spring Street in about

3 hours. Now it takes me 5 hours, and usually I do not risk coming up on the Tuesday morning because if something happens on the West Gate Bridge, I know I could be another hour and a half later; so I travel to Melbourne the night before.

I have tried the train a few times, but it cannot be relied upon. It is notoriously late, gets held up, and in the last week or two we have discovered that the state government will not support installing a new signal box for a trains passing area in Colac — that is, a spot where trains travelling in opposite directions can pass; Colac is approximately halfway between Melbourne and Geelong. This means the heritage steam trains that used to travel between Melbourne and Warrnambool can no longer get through to Warrnambool because there is nowhere for the V/Line passenger service to pass the steam train.

Three towns within 100 kilometres of my home cannot attract a permanent police presence. Even in the town where the police do have a presence, if you need to get on to the local policeman, it is always the case that when you ring up you get the answer phone. You have to press buttons and eventually you finish up at a regional police station, either in Geelong or Warrnambool. The service in the local towns is basically non-existent because the police are underresourced.

For years the emergency ambulance services staffed by paramedics have been far from satisfactory, with accidents happening along the Great Ocean Road on a daily basis. If you are unlucky enough to have a farm accident, it is far quicker to drive yourself or get taken to hospital by another family member, even though we are told we should not be doing that.

The local schools have dedicated staff who perform miracles with student education. The top level of teachers and those starting off have had a wage increase; however, the ones in the middle have not, and I feel for our Catholic and non-government school teachers who have completely missed out on any funding increases in this budget.

A few years ago we had a vibrant, profitable and thriving abalone industry. Today it has been decimated throughout western Victoria.

Mr Pakula interjected.

Mr VOGELS — I will not blame you for the abalone virus, Mr Pakula.

This budget has slashed \$112 million from the Department of Primary Industries (DPI) budget, which

I note the Minister for Agriculture in the other place, Mr Helper, and the department deny. I have a media report here which says:

Mr Helper said a drop in the DPI budget from this year to next related to the cost of keeping Victoria equine influenza free and the federal government's schedule of grants for exceptional circumstances drought relief.

With last year's budget, which totalled \$513.9 million, this year's budget, which is down to \$480 million, and next year's budget predicted to be \$435 million, I do not know how the minister can say, 'We decreased it'. He is basically saying, 'The drought is over. We do not need this extra money this year in the budget because the drought is over'. The minister should tell that to country Victorians. The minister also went on to say that a lot of funding last year was for horse flu, or equine influenza. The budget came out in May last year, and horse flu did not actually arrive in Australia until August, three months later, so unless the minister had 20/20 vision, which I know he has not, the stories do not stack up.

I have spent a fair bit of time lately in Ballarat, and I have had the opportunity to meet with a number of business operators and community leaders in Ballarat and discussed local priorities with them to help underpin future economic and social development in the Ballarat region. The key priority for Ballarat is to be able to attract new industries to invest in the city, create job opportunities and add to the technological and skill development that occurs within the city. Ballarat has quality post-secondary education opportunities with TAFE, the University of Ballarat and experienced providers of traineeships and apprenticeships. This makes Ballarat an attractive city for business to form strategic links in training and innovation.

Central to attracting new industry and investment in Ballarat is providing infrastructure that industry needs and in this regard there is widespread support for the development of a proposed industrial park located in the Ballarat Airport precinct at Ballarat West. Development of an industrial park is something of which the Ballarat City Council would have primary carriage, but it is something the state government should support and exert a bit of pressure to make happen.

The major impediment in developing the airport precinct is that there are about half a dozen different parcels of land and separate land titles. They are Crown land titles basically, but somehow or other they need to be able to bundle them together for any development to take place. Then that land could be vested with the council. The state government could also use its

influence to accommodate any local community heritage issues freeing the council up to move forward with development at the site. One of the most important parts of that site is the access for transport.

Provision of infrastructure would be a vital aspect of a Ballarat West employment zone within the airport precinct and that would include road infrastructure for freight, energy, water and communications infrastructure. It is a very appealing spot, especially as the precinct is just west of Ballarat, but to do it Ballarat needs a ring-road — a western ring-road — around the city. Anyone who ever goes to Ballarat realises that to get out of Ballarat, especially travelling towards Melbourne, is a nightmare. With a lot of transport and trucks coming through the centre of the city, there is no easy way out. Under the ring-road option that has been proposed, you would exit the Western Highway at the Learmonth Road access to the Ballarat West employment zone, which is the airport precinct, and then bypass Ballarat city using a route alignment along Dyson Drive, Bells Road and Three Chain Road, ultimately connecting with the Midland Highway just before the Ballarat–Colac turn-off. These developments would deliver significant benefits for Ballarat, encouraging business investment and job creation, facilitating more efficient traffic flow, as I said, with the centre of Ballarat, which is a nightmare, and keeping heavy traffic out of the busy streets servicing retail, schools and residential.

Unfortunately none of this vision can be found in this year's state budget. People in the western region were looking forward to money being allocated in this budget to duplicate the Western Highway to Stawell, but there is no money in this budget for that either. As we all know, Labor has collected windfall tax revenues and it has wasted taxpayers money, with nothing to show for more than a decade of economic prosperity. Now these things are starting to catch up. We all understand that we have had economic good times over the last 10 years or so, but the economy at the moment is not looking too good. We know that is to do with fuel prices, climate change, the cost of groceries et cetera, so people are tightening their belts.

We have had a perfect opportunity, I believe, over the last nine years of the Bracks and Brumby governments to put in place a lot of the infrastructure which should have been put in place and has not been. We all hear the stories that when Labor was elected in 1999 the state budget was something like \$17 billion or \$18 billion. It is now \$37 billion — double. In fact if you add up the nine years that Labor has been in power, close to \$300 billion has been collected and spent over that time frame.

Mrs Peulich — On what?

Mr VOGELS — As Mrs Peulich said, ‘On what?’. We know that payroll tax revenue in this budget is up by \$360 million, land tax revenue is up by \$300 million, stamp duty is up by \$900 million, and on it goes.

Many small businesses in regional and rural Victoria are doing it tough. They have had to put up with the drought and, as I said, increases in fuel prices, et cetera. I was talking to a farmer the other day and members can understand how concerned farmers must get. He told me he has just spent \$1 million on ploughing his paddocks, buying fertiliser and buying seed. He has spent \$1 million and now he is obviously waiting for winter rains and spring rains to make that all come to fruition. That has been going on year after year, so there is concern out in the bush.

In conclusion, the Labor Party has ruled Victoria — and I think a lot of people seem to forget that — for 75 per cent of the last 30 years. Whenever we hear of anything that has gone wrong, it is always in those dark years of the so-called Kennett government, blah, blah, blah. However, Labor has been in power for 75 per cent of the last 30 years and, as I said, it has had plenty of money to do things. When Labor got elected in 1999 it inherited an economy that had a AAA rating with very little, if any, public debt. If you compare that with 1992 when the Liberal Party was elected, I believe it was something like \$32 billion worth of debt — and there was no AAA rating. If you think about \$32 billion worth of debt when total revenue for the state in 1992 was only \$12 billion, you recognise that the annual debt was three times the revenue that Labor governments had to deal with. As I said before, as I drive to Melbourne and as I drive around my region I see the missed opportunities. It makes me sad because there have been huge missed opportunities. The money has been there and I do not think it has been spent very wisely.

The legacy that Labor will leave when the Baillieu government comes to power in 2010 will once again mean that the Liberal-National coalition will have to put its shoulder to the wheel so that Victorians will finally get the services they deserve.

Mr VINEY (Eastern Victoria) — Sometimes in this place you think you must be living in a parallel universe, particularly when you sit and listen to a contribution such as the one we have just heard from Mr Vogels, who said he did not think much had happened in country Victoria under this government. I will deal with some of what he said in a bit more detail

during my contribution to the debate on the budget, but at the outset let me say that I am very proud to be a member of a government that is continuing to deliver for all Victorians.

I am proud to be part of a government that has focused on providing services and upgrading infrastructure and community facilities upon which all Victorians can rely. What a contrast that is to the state in which we found Victoria when we came to government in 1999! Mr Vogels seems to have conveniently forgotten that the previous government closed schools, hospitals and railway lines. This government has built roads and infrastructure, yet Mr Vogels talks about how terrible things are and how he is not prepared to catch a train.

I caught the train from Gippsland this morning, and it was full of commuters. I got on at Drouin, and I got one of the last seats in the economy section. The first class and economy sections were full — and they were full because we have restored services. Interestingly, I caught a train that started its trip in Bairnsdale, not Traralgon, yet only a few years ago — before we came to government — you could not catch a train from Bairnsdale because the Kennett government had closed that line.

I have told a story in the house on another occasion, but I will tell it again. Many years ago I happened to be in Bairnsdale when the last train from Melbourne arrived in that town. The local community hijacked the train and refused to let it leave. I was doing some work with the local council, and people said to me, ‘You had better come down to Bairnsdale station’. I asked why, and was told that a community event was going on. I went to the station, and it absolutely was a community event. Not only were people protesting about the closure of the railway line but there were also kids who said, ‘Mr Kennett closed my kinder’, other kids who said, ‘Mr Kennett closed my school’, and people who said, ‘Mr Kennett has closed our hospital’.

That is the legacy we inherited, so it is a little ironic to come in here and listen to Mr Vogels talking about how he does not like to catch the train from western Victoria any more. I have not caught the train from western Victoria because I do not live down there, but I would be stunned if the service in western Victoria has not improved as the — —

Mr Vogels — It hasn’t.

Mr VINEY — It has. We have improved services across the whole of the state of Victoria. The reason the Bairnsdale–Melbourne train was full this morning — the 8.34 from Drouin — —

Mr D. Davis — There is a car park.

Mr VINEY — There is a brand-new car park at the Drouin railway station, which, believe it or not, we built. It was opened not long ago. Not only is there a new train service but there are new car parks in Bairnsdale and Drouin, as well as funding in this budget for a new station car park for Berwick. I had the pleasure of opening a new car park in Garfield, so there are new car parks along all of the route, and the reason this morning's train was full was because we have improved the service and dropped prices, so the customers have come flooding back.

What did Mr Kennett do? He said, 'This is all a bit hard. Let's just shut the system down and throw it all out to the private sector'. In the metropolitan area he sold off the railway system, and one of the companies subsequently walked away from the deal and cost us a billion dollars. That is the legacy of the Kennett government that we inherited.

As I said, opposition members and government members live in a parallel universe. Mr Vogels complained about the lack of investment in infrastructure, yet this government has an operating surplus — and I am pleased the Treasurer is in the chamber tonight to hear me say this — of \$828 million. Congratulations, Treasurer! We have a net infrastructure investment of \$3.9 billion for 2008–09, and this will be an average of \$4.3 billion over the four years to 2011–12. We only have to contrast that with the investment in infrastructure made by the Kennett government.

From 1992 to 1999, during the seven dark years of the Kennett government, there was a total infrastructure investment of \$1 billion. Now, in one year we are investing three times that amount in infrastructure for this state. We also have low and sustainable levels of debt, yet just before we came to office in 1999, the net debt in Victoria in June that year was 11.9 per cent of gross state product. In June 2008 net debt will be 7.9 per cent, so we have dropped the level of debt against gross state product by a whopping 4 per cent. Members on the other side often like to reflect upon the glory days of the Bolte government, but the work of that government was built upon massive levels of state debt.

In relation to business investment, there has been funding of \$490 million over four years in further land tax reform, \$170 million over four years for additional reductions in payroll tax — to 4.95 per cent, which is the lowest level since the mid-1970s. This government has been reducing payroll tax every year, and it has

continued to reduce WorkCover premiums, which in this budget have been reduced by a further 5 per cent.

I know that members opposite like to talk about their connections with the business community, but I am not sure that many members opposite have run businesses, as I have done. I ran a business for 10 years, and when I sold it in 1999 it had 50 employees, so I know that business taxes and WorkCover premiums are significant factors in the operation of any business. I welcome a further reduction in WorkCover premiums in this budget, as well as funding of \$332 million over four years for an adjustment to stamp duty.

I turn to some other areas of the budget, because I am conscious of the time. In the area of education it is this government that has increased the number of teachers. There are 8000 additional staff in the education system. What a contrast that is to the massive staff cuts we saw under the Kennett government, which closed 350-odd schools and sacked thousands of teachers! This budget has \$592 million for the modernisation, regeneration and replacement of schools across Victoria. It is this government that has not only announced but started to roll out a program of school modernisation and improvement for every single public school in Victoria. That program is being rolled out progressively across the state.

I turn to the area of health. When we came to government I had the honour of being appointed Parliamentary Secretary for Human Services and had some involvement in the first process of reinvesting in our education system. I recall very well reports that came through to us in that first period that most of our public hospitals were bankrupt and selling their assets to fund recurrent operations.

The first thing this government did was to put investment back into the recurrent funding — the weighted equivalent inlier separation funding — of our hospital system. It then started a massive investment in infrastructure of our hospitals in country Victoria and in metropolitan Melbourne. We were committed to investing in and growing the whole state, and not seeing Melbourne as the heart and country Victoria as the toenails, as former Premier Jeff Kennett said in the lead-up to the 1999 election. This budget sees a \$703 million boost to the capacity of hospitals to provide elective services and to expand essential services such as renal dialysis, radiotherapy and chemotherapy.

Dealing directly with the issues Mr Vogels raised, I point out that in country Victoria we have seen in this budget a \$205 million investment over four years to

secure the future of Victorian farming; a further \$80 million to help provincial communities recover from the bushfires; \$515 million to improve rural and regional transport connections; and \$57 million for initiatives designed to ensure regional and rural communities are attractive places for people to live, work and do business. It has also committed \$137 million in additional funding for our hospitals and health-care facilities in provincial Victoria, with an additional \$70 million for the second stage — and I note Mr Vogels has left the chamber— of the Warrnambool hospital redevelopment project.

I want to deal specifically with some issues in my electorate, particularly in the Gippsland region. The first thing I want to talk about is some of the government's initiatives in clean coal. I know members opposite have in the past denied the issues associated with climate change and are late converts to dealing with climate change in this state and globally, but this government has been talking about the need to deal with climate change and greenhouse gas emissions for a long time. We are continuing that process. I remember debates in this chamber where members opposite opposed wind power projects. They have opposed renewable energy projects. I remember in the last Parliament the opposition opposed the Victorian renewable energy targets. That is consistent with the sorts of opposition that it has been putting forward to some of the national initiatives in this area.

What I would say in relation to the Gippsland region is that the Latrobe Valley parts of Gippsland particularly have a significant economic dependency on the coal industry. It is my view— and I have said this before— that the coal industry has a significant and vibrant future in this state as part of the solution to climate change and greenhouse gas emission issues. The way the coal industry has that future is through clean coal technology, through issues such as carbon capture and storage, through looking at the natural gas opportunities in the coal deposits of the Latrobe Valley and looking at converting coal to diesel. These are enormous opportunities for this state to reduce its greenhouse gas emissions and to ensure the future of jobs in the Latrobe Valley and in Victoria generally.

It is also true to say that unquestionably the future of our economy is dependent upon a move from oil to electricity. If we can get electricity generation out of the Latrobe Valley on a significantly reduced carbon emissions regime, then the Latrobe Valley economy has a vibrant future and significant opportunity. This government has invested \$12.2 million in this budget to establish Clean Coal Victoria, a new organisation to be placed in the Latrobe Valley which will focus on

identifying future coal resources and planning for long-term use and rehabilitation. It is a significant and welcome investment. A further \$110 million spent on carbon capture and storage demonstration programs under the Labor government's energy technology innovation strategy is also welcome.

No other Victorian government has made the sorts of commitments to education that this government, Treasurer Lenders and Premier Brumby have made to education in Victoria. No government in this state's history has committed to an across-the-board renovation and renewal project for every school in the state. Many schools in this state, particularly those in my electorate in country Victoria, were built over 100 years ago. Alberton Primary School recently celebrated its 125th anniversary, and we have put \$2 million into a school renewal project down there. I was with the Treasurer, when he was Minister for Education, at the Toora Primary School when we invested — —

Mrs Peulich interjected.

Mr VINEY — It was a great and grand eight months is all I can say! I was with the Treasurer when he made many of the announcements across Gippsland — at Toora Primary School and at Trafalgar Secondary College — when he was Minister for Education.

This is the government that is investing in every school in the state. In this budget we have the Buln Buln Primary School rural replacement program of \$2 million; the Darnum Primary School rural replacement program of a further \$2 million; the Alberton Primary School upgrade, as I said, of another \$2 million; and the Eagle Point Primary School upgrade of another \$2 million. In Maffra we have an investment of just under \$10 million — \$4.1 million at the Maffra Primary School and \$5.3 million at the Maffra Secondary College. This is a massive investment in education in Victoria. As part of the commencement of our \$50 million tech wings investment program there is also a further \$930 000 investment in schools in Gippsland, including Bairnsdale Secondary College, Cann River P-12 College, Lakes Entrance Secondary College, Korumburra Secondary College, Leongatha Secondary College, Mirboo North Secondary College, Sale College, South Gippsland Secondary College, Yarram Secondary College and Lowanna College. I was recently at the Lowanna College, where we opened the new year 7 centre. Other schools are the Neerim District Secondary College, Trafalgar High School, and Warragul Regional College.

As I said before, there has been a massive investment in our public transport system across Victoria. One of the things I want to welcome is the proposal to put in a passing track at Westall on the Dandenong line, which will provide a significant improvement to the Gippsland rail services by ensuring that those express services from Dandenong to Caulfield, Richmond and Melbourne are able to achieve their timetables. This is a budget that is continuing our investment in services to all Victorians.

Lastly, I want to talk very briefly about water, because the water issues facing this state are significant. This is a government that has decided to take on the issues of water — to increase reuse, to create new water out of the desalination plant at Wonthaggi, and to create a grid across the state to ensure that all Victorians can share equitably, fairly and reasonably in the water resources of this state.

I will conclude by saying that it is no good people in The Nationals and the Liberal Party complaining about Melbourne stealing water from other areas. As I have said before, the water resource is a resource of the entire state. We are all Victorians, and there is a co-dependency. There is a co-dependency between Melbourne and country Victoria. The people in Gippsland need Melbourne and those in Melbourne need Gippsland. Melbourne needs Gippsland's food production, Melbourne needs Gippsland's water resources, and Melbourne needs Gippsland's power resources through coal. And the people of Gippsland need the Melbourne market for all of those things to work effectively and properly. It is absolutely unacceptable for the opposition — The Nationals and the Liberal Party — to be trying to divide Victorians so they are against one another on the issues of water.

Our investment in the water infrastructure projects are of historic proportions. They are absolutely substantial investments in our water infrastructure; they are absolutely essential to ensuring that this state is able to continue to prosper and to grow, and it would be better for the opposition to recognise the degree and extent of this investment. It is extraordinary and hypocritical that The Nationals, which have even orchestrated an event where the Victorian Farmers Federation is about to call for the damming of the Mitchell River, would run a campaign in the last state election talking about Melbourne stealing Gippsland's water and 'sending back its poo', which are the words they used in that campaign to take the seat of Morwell, and at the same time propose — as Mr Ryan, the Leader of The Nationals, and Mr Hall pretend is not happening — the damming of the Mitchell. The only reason you would propose damming the Mitchell River is to send the

water to Melbourne. There is no other reason to dam the Mitchell River. It is absolute hypocrisy for those in The Nationals and their colleagues in the Liberal Party to criticise this government on its massive water investment and at the same time be proposing to dam the Mitchell River and send that water to Melbourne.

The solutions for our water usage are not to further dam the Mitchell. That water is needed in the Gippsland Lakes and the Gippsland region. The solution is to ensure that there are improved savings through investment in our irrigation systems, that there are improved savings through a reduction of use — —

Mr Koch interjected.

Mr VINEY — There are improved savings through a reduction of use in Melbourne, just as we have been achieving. I can see Mr Koch scoffing at this, but 70 per cent of that project in the north is essentially being funded by Melbourne Water users, with only a small proportion of the water being diverted. When you look at the total project of stages 1 and 2, it drops to about 10 per cent of the total water savings that will actually get diverted to Melbourne.

Mr Koch interjected.

Mr VINEY — Mr Koch, your proposals are to further dam the Mitchell River, to starve — —

Mr Koch — These are your words.

Mr VINEY — They are the proposals; they are actually in The Nationals press releases. The coalition proposes to dam the Mitchell River, to take that water out of the environmental requirements of the Gippsland Lakes, which is one of the great economic jewels as well as an environmental jewel of Gippsland, and to divert it to Melbourne, at the same time as using all of the potable water in the power industry. Our proposal is to get Melburnians to use less water, to build a desalination plant to create more water and to generate savings in an irrigation system where, in some cases, 60 to 80 per cent of the water is lost to evaporation and leakage.

What a disgraceful waste! It is no-one's fault except ageing infrastructure. That irrigation system is over 100 years old; it is time it was modernised. No government has been prepared to do it. Not any of the governments of those now in opposition were prepared to modernise it. This is the government that has had the courage to do it and to call on the people of Melbourne to fund it. Part of that process is to share the water. As I have said, there is a co-dependency here. Melbourne needs country Victoria — absolutely. Melburnians need

country Victoria. They need the north-east food bowl and they need Gippslanders, but Gippslanders and the people of the north-east also need Melbourne. They need Melbourne's markets, they need Melbourne's resources, they need Melbourne's infrastructure, and they need Melbourne's investment to modernise their systems. I welcome this budget, because it consolidates what this government is doing about making sure Victoria becomes and continues to be a great place to live, work and raise a family.

Mr ATKINSON (Eastern Metropolitan) — Budgets are interesting documents, and I think we are starting to lose sight of exactly what budgets are in our modern Australia. We are starting to lose sight of the fact that budgets are simply a tool to implement policies. Budgets in themselves are not an end; they are not an outcome. Spending more money than any previous administration or throwing more money at any particular project is in itself not an outcome, nor is it necessarily something of an achievement. Yet frequently when any issue is discussed in this place the standard response is, 'But we are spending more than anybody else'. There are many areas in which this government is spending considerably more than anyone else, and I will touch on some of those in the course of this speech, but those expenditures would be much to the embarrassment of this government and its members because they are expenditures which ought not to have been made. They are the result of poor management of some projects, of poor planning of some projects and of misplaced priorities consistently within the government.

The fact that the government sees that simply spending money is an achievement worries the life out of me. This government is not alone. Nationally many state governments and federal governments of both persuasions have also fallen for the trap of claiming that their expenditures somehow represent desirable outcomes. There is a significant disconnect in public policy between the policies that the government has developed and announced and the reviews that it has undertaken of some of the key areas where people are expecting government spending and action, and the actual budget allocations that have been made towards the realisation of those policies or the achievement of those actions in areas such as transport, health, education, water and so forth.

This government has been particularly fortunate in that when it came into power it received significant largesse in the form of the GST, a tax that it formerly consistently opposed for political purposes while taking the cheques and gleefully banking them because it was able to expand many of its services, to reinvest in

services that all Victorians regard as important and to direct some funds towards vitally needed infrastructure in this state. This was a luxury that was, frankly, not available to the previous Kennett government which came to power when this state was on its knees, bereft of finances, with many of its institutions and agencies, had they been operating in the private sector, effectively bankrupt. There was a restoration of the finances of many government agencies. I note that Mr Viney in his contribution to the debate referred to hospitals and suggested that they were on the verge of collapse financially when this government came into power. Can I suggest to Mr Viney that their accounts were far healthier in 1999 than they had been in 1992. That is a matter of fact.

What we need to do in terms of the debates on the budget is to stop simply talking about numbers and throwing them backwards and forwards, particularly statistics and percentages, which always give the lie to the reality of the circumstances we find ourselves in with respect to the delivery of services and facilities for Victorians. In the eastern suburbs the 2008 budget was greeted with dismay. In some areas it was just greeted with despair because many important projects were not funded. Many commitments that the government had been happy to make in election contests, in press releases and in the lead-up to the budget simply were not delivered when it came to the actual document, not just in this financial year but in forward estimates for subsequent financial years. There is a real concern about many projects.

I tend to look further afield, though. I look right around the community of Victoria and I find just as sadly that projects that ought to have been funded by this government have not been realised in many other parts of Victoria as well. The eastern suburbs is not the only pauper in this process; it is not the only area of Victoria that has been jilted by this government that is so long on promises but so short on delivery.

Members in this place will know that I have significant concerns about economic matters in general and the future direction of this country and this state because the approach that I take, the ruler I measure our achievements with, is not what we do for today but what we do for tomorrow. It occurs to me that in a period when we have had extraordinary income available to us at both a federal and state level we have done all too little towards investing in the future. Our investment in infrastructure has been far short of what it ought to have been, despite the rhetoric, perhaps, of governments of both colours at the various levels.

The reality is that we have squandered much of the money that has come in from taxpayers, which they expected we would do better with. In the case of this state government in particular, that squandering has led to members starting to fool themselves about how good their budget is and overlooking areas in which it is simply negligent, incompetent and mismanaged. I will touch on some of those later.

I worry about our foreign debt levels going forwards. It is one of the indicators that the former Howard-Costello federal government ought to have paid a lot more attention to. It is the one area where I have some very significant concerns about the economic management credentials of that government, because our foreign debt is way too high. The government is propped up by a minerals boom, which also contributed to some of that foreign debt because the industry has an insatiable need for capital funding or equity funding for those projects. The minerals boom has also had the effect of creating a lopsided national economy that is a very significant factor in rising interest rates — interest rates that are undermining business and consumer confidence and impacting very seriously on families throughout Victoria.

These are the very families that this government says it champions, and yet while these families struggle with higher interest rates, higher petrol costs, the rising cost of food — partly as a result of the drought, partly as a result of other cost inputs into the food sector, including interest rates and fuel and associated transport costs — this government simply takes more money. Wherever this government has failed to address issues in the last nine years and now sees some urgency in trying to play catch-up and do something in a number of areas, it sees that the way to achieve that is not to tap into its own existing resources, not to tighten the belt, not to look at those areas where it might have administered better, but rather to simply push up the prices for those very families which it claims to champion.

We need look no further than energy charges, electricity charges or the cost of water bills to homes as we face the water situation. It is very easy in the body politic to say, 'There is a major problem here, and we all have to grin and bear it, we all have to work together to address it, and sadly the way we have to do that is to put prices up, frankly'.

The reality is that investment at an earlier stage would have made those costs to families considerably lower. It is interesting to see how much the government took out over the last nine years in dividends from the water authorities — dividend money that made its budgets better and more robust, and made more money

available for Kodak-moment spending, projects that would enable the government to push its propaganda but were of dubious value.

Funds from those water authorities might well have been invested in fixing the leaking pipes that cost us well over 10 per cent of our water supply every year. They might have been invested better in addressing the need for repairs to dams and weirs, of storages throughout Victoria, because if water comes to some of those weirs and dams around country Victoria there will be further losses of water in any event because of the deterioration in infrastructure. The government might well have spent more wisely over the past nine years.

I feel sorry for the current Treasurer. I find it hard to feel sorry for the Premier, because he was the Treasurer under former Premier Steve Bracks. However, the reality is that much of the problem I see this government facing today with this budget, Mr Lenders's first budget, is the result of the fact that the Bracks government did so little. For its first three or four years it was characterised as a do-nothing government. Whilst members on the other side might argue that point, an objective assessment of its performance in that time would show that there were very few achievements, very few projects, and that there was a hiatus in terms of Victoria's investment and reinvestment in its infrastructure and the services that we need for Victorians.

The result is that we were lagging behind, and we are lagging behind today, and this government is now trying to play catch-up. As I said, part of the government's method in doing so is to put more imposts, costs and levies on Victorians simply because it mismanaged in the past. This government needs to do better. It needs to understand that its budgets must reflect and must implement the policies and rhetoric that it is very quick to dispense around Victoria, because at the moment there is a very significant disconnect.

I suggest to the house that what is sadly lacking in this state is a public transport plan. I heard the Minister for Public Transport in the other place on radio 3AW this morning. She was asked about the problems with the transport system and the fact that penalties for transport companies were being removed. She said — and this is paraphrasing — 'We have had a real surge in patronage on public transport as a result of increased population and the fuel crisis'.

I think she is absolutely right; I agree with her. The fascinating part about it is that she did not say, 'We

have had an increase in public transport because of government policies, because we have actually got it right', because in fact anything but government policy has driven people to the public transport system.

The Kennett government might be attacked by many people for its credentials. When it left office in 1999 there were 69 trains on order for the public transport system. This government has added but 10 trains to the public transport system. Public transport is a service that is demanded now by Victorians because we have an ageing population, because of the fuel crisis, because of a recognition that people in their own way want to address the footprint they make on this world, and because of the climate change issue, and how they can live better and more sustainably.

But most people are fairly hard pressed to use the public transport system in this state; it simply defies them to use it consistently because of its lack of reliability, its lack of safety, its lack of cleanliness, its lack of connectivity and in some cases simply because it is just too hard, inconvenient and uncomfortable for people to use, particularly in peak hour periods.

I am a great believer in trying to address the public transport system in a very real way and getting right some of the issues. One of the things that ought to be a priority is undergrounding the railway crossings and grade separations throughout the metropolitan area. Also because we are very mindful of the dangers of railway crossings throughout Victorian rural and regional areas, we ought to address the safety aspects of those crossings. I know the government has made some movement in this area, but it is all too little, too late. It is not part of a comprehensive plan that we ought to be taking forward. Virtually all the railway crossings at street level in Sydney have been abolished. We ought to be doing the same.

In my electorate the Whitehorse City Council, with support from the previous federal government, has been pressing for some time for studies into the undergrounding of Springvale Road at Whitehorse Road, which is the worst railway crossing in the metropolitan area. The state government has reluctantly been dragged kicking and screaming to participate in those studies. That work ought to be a priority project for the government.

In my view the crossings at Mitcham Road, Rooks Road and Blackburn Road ought to be lowered at the same time. All four of those crossings ought to be eliminated because it simply makes sense to do the work as a one-off project that tackles the one issue. That would not just allow an improvement in traffic

congestion in the eastern suburbs but would also allow us to make a real improvement in public transport because suddenly you would be able to put more trains on that railway line without disruption to traffic.

The Dandenong railway line has a number of key bottlenecks that ought to be addressed as a matter of urgency. In the western suburbs there is the St Albans crossing, and there are a number of other crossings throughout the northern and western suburbs that also ought to be addressed. The one at Bell Street, Preston, and perhaps also the one at Yarraville come to mind. Those major bottlenecks are contributing to traffic congestion and are reducing the efficiency and effectiveness of our public transport system. But this government has no such plans.

This government let a fellow called Eddington, who is a very highly regarded Victorian who perhaps did not realise this government's largesse for consultants, undertake a project largely at his own expense. He invested a great deal of his own time and energy in developing a report that is an effective starting point for public transport and traffic improvements in Victoria. The report addresses freight movement, some of the freeway bottlenecks and some of the public transport issues. It is not enough.

In my view it does not go anywhere near far enough partly because the terms of reference were not adequate to allow him to explore the issue in detail. The government is seen to want to shy away from a master plan that would take us into the future. Frankly, I do not think we should be shying away from these sorts of issues. I do not expect the government to have a plan that is realisable in 4, 6, 8 or 10 years' time; I think it is quite fair to have a timetable that is perhaps 30 years out, but if we do not sit down and develop that master plan, and if we do not tackle the big picture, how do we know that we are getting right all the little decisions along the way? In my view we are doing anything but that.

Continuing to extend spur train lines is a nonsense. I want to see connectivity. I want to see us starting to connect up some of the train lines we already have either with light rail or heavy rail. I have advocated a project a number of times over the years. It seems to me that it would make sense to run a heavy rail line from Ringwood to Dandenong and perhaps to Frankston, but certainly from Ringwood to Dandenong. That would create a loop on two very busy lines, which starts to give some more options and some more efficiencies in the train system.

The lines are there, the opportunity is there and the marketplace is there because it would go through the Scoresby corridor, which is the high-technology precinct; it would go through the Knox area; it would connect Dandenong, which is a significant hub which this government sees as an important area and a strategic part of Melbourne, and I agree with that; and Ringwood which is another transit hub, and a gateway to much of the eastern suburbs. It is a project that ought to be prioritised, but it is nowhere in the government's thinking.

The government is not even interested in a project that has been championed by the City of Knox and some other people which would extend a spur line from Huntingdale to Rowville. That is a possible transport improvement, but it does nowhere near as much good as my proposal which would be to link Ringwood and Dandenong.

We should do the same in other areas. The extension to the Western Ring Road ought to be a priority project, but frankly I do not know where it sits on this government's schedule at the moment. I know the Prime Minister, Mr Rudd, promised federal funding for the widening of the Western Ring Road in the lead-up to the last federal election; I hope it has survived the razor cuts. I hope that project goes ahead soon, because I see it as one of the most vital pieces of infrastructure in Victoria, certainly on the Melbourne fringe because of the number of freeways and major roads it links, and the fact that it actually gives options for taking some of the traffic pressure off the West Gate Bridge while we try to resolve the issues associated with the overcapacity of that infrastructure. It is infrastructure that has been in place for decades, and it is clearly not coping with the demand. An improvement to the Western Ring Road gives us an opportunity to take the pressure off and to get the job done properly.

I am an advocate for linking up the Western Ring Road with the Eastern Freeway, or with the EastLink project. Not everybody favours the project, but it seems to me to be a very logical link between major pieces of infrastructure, and it would reduce a considerable amount of congestion in the metropolitan area. It would stop a lot of drivers who do not want to be anywhere near the city from coming in towards the city, or drivers who are getting off at Bell Street or at other roads from Bulleen Road into the city, to try to somehow wend their way north to pick up the Greensborough bypass or the Western Ring Road.

We need that link, but at the moment the only people who are thinking about it are the RACV (Royal Automobile Club of Victoria). It is not on any

government agenda nor is it on any government priority list that I can see. Next week EastLink opens. We have been critical of that in the past, not for the fact that there are tolls on that freeway but the fact that the government went to an election saying that there would not be tolls and then promptly, after the election, imposed those very tolls.

Let us not be petulant about that issue. Let us look rather at the fact that it is going to throw a lot more traffic onto the Eastern Freeway, and when it gets to the city, to Hoddle Street and to Alexandra Parade, there will be a major problem by way of a major bottleneck. Frankly this government should have already been working on the solution to that bottleneck. It seems that there is a rift in the Labor Party over whether or not there should be a link between the Eastern Freeway and CityLink.

In the interest of good government and proper traffic management, the petty rifts of members of the Labor Party ought to be put to one side. That project ought to have been a priority of this government over the last five years and construction ought to have been well advanced by now so that in relation to the looming problem next weekend there would have literally been light at the end of the tunnel. But we are some distance off even tackling that project, because the government has no commitment to it.

Public transport ought to be a feature of any widening of the Western Ring Road; it ought to be a feature of any link between the Eastern Freeway and the Western Ring Road; it ought to be a feature of any continuing link between the Eastern Freeway and CityLink, because we ought not just be thinking about cars now, we ought to be thinking about the future and improving public transport options.

Still today too much of our public transport planning is predicated on the fact that people are supposed to want to go every morning in towards the city and every afternoon out from the city back to their homes. Frankly the traffic patterns today have changed dramatically. It is nothing sudden or surprising; it has been happening over decades. The reality is that what is missing in much of our system — and this is one of the reasons I am so strongly in favour of the railway line from Ringwood to Dandenong — are north–south and east–west transport connections right across the city, which is one of the issues that Eddington certainly addressed.

If it were up to me I would like a tram line down Blackburn Road, from Blackburn railway station to Syndal railway station to Monash University. It would

pick up and make greater sense of the existing tram line along Burwood Highway that connects with Deakin University's Burwood campus, and maybe one day live up to the promise of the Labor government and extend from Vermont South to the Knox City shopping centre, as was promised as far back as 1999.

That tram line would provide some very real options for students and people accessing the Monash hospital and for people accessing areas such as Clayton and railway lines in between that. It would open up further options for them in terms of where they live and where they work. We need to make environmentally sensible decisions about a network. I am not as familiar with some of the other areas of Melbourne — in the west or the northern suburbs, for instance — but I certainly recognise that there is a need for better linkages there too.

We simply have to stop thinking about building more spur lines just for the sake of it. We have to start thinking more about connectivity, because what our commuters are looking for is connectivity, reliability, safety and cleanliness — and they would also like a public transport ticket system that works!

I suggest also that the Doncaster area is sadly in need of public transport, that in fact at this stage that area has a very high or even excessive rate of car ownership simply because the area is inadequately served by public transport, particularly by any sort of fixed-rail options — and again the space is bare. The cupboard is bare when it comes to government options, government plans, government thinking on public transport options for Doncaster or linkages with Doncaster, which in itself is a significant regional centre, important enough to be DAC-d — taken over by the state government development assessment committee process — but not important enough to be connected with other centres.

How serious is the government about its transit cities project? I know Mr Somyurek has a great interest in the city of Dandenong, and I share much of his enthusiasm for that municipality and particularly the suburb of Dandenong. It has always been a gateway to Gippsland, it has always effectively been the second CBD in the metropolitan area and yet it is so sadly neglected.

This government claims it has a development agency in there and it is doing wondrous things as part of its transit cities project, but there is not a lot to show for it on the board. There have been two significant announcements of late. One of them was that Reading Cinemas would move into Dandenong — that was terrific because all they were doing was replacing Village, which had left last year. The other one was that

a government department will take up space in an office building there. That is terrific! We need more out of that particular project.

When the people of Ringwood look at Dandenong and what has been achieved, they ought not have been surprised to open the budget papers and see there was not a cracker in there for the transit station, despite all the encouragement from this government about the development of the Ringwood transit city, a project for which there are some very viable and significant private investment plans by QIC and other players. Indeed, a number of companies have already made moves within the Ringwood area based on the opening of EastLink and the government's commitments on the transit city centre. So imagine their feelings when they opened the budget papers and saw that there was not a cracker in there for the transit station.

In fact a project that could have been linking bus activity up and down EastLink and improving public transport in the eastern suburbs by bringing people onto the train system using that transit centre had been thwarted by the fact that the government had not allocated funds to a project that it had said it was committed to. It is an outrageous situation.

It is not only that public transport planning is missing. What are we doing about the future needs of Victorians in terms of airports? The other day somebody had projected the population of Melbourne at 15 million based on our current growth rate over the next 50 years or so. The prediction is probably wrong, but not far wrong because the government's own figures suggest about 7 million to 8 million, or up to 10 million. Is it really such a big difference? The government is presupposing that current growth rates will continue. They may not continue, and that would change its figures. The reality is that we are not planning for a city of 7 million or 8 million people either, let alone one of 15 million people. We are not planning for additional airport facilities at this stage, are we? We are looking at closing down Essendon Airport. We have got Avalon and Tullamarine airports, but what have we got in the south-east? What are we doing about looking at airport facilities that will serve that part of Melbourne?

What are we doing about ports? We are out there dredging the bay right now, but that is a very short-term solution, even going by what the people who are pundits for that project say. Most people say it is not the long-term solution; Hastings is. One day our main port will be at Hastings, but the government does not want to have to make that sort of decision. It does not want to put up the funds and lay down the time lines to make that a reality, despite the fact that it is the sort of

planning that we ought to be doing and that it ought to be part of public debate going forward. We do not want partisan positions. We want to have a debate to ensure that this state really is a place that can continue to sustain job growth and economic opportunity and have the sort of lifestyle and social standing that we have been able to achieve so far.

The people of the eastern suburbs were not happy with this budget. What about the people who look forward to the Box Hill Hospital project? They have been given so much encouragement. I have to say, in commendation of this government, that I think the Royal Children's Hospital project looks like being one of the world-class hospital facilities, and the government deserves congratulations for its foresightedness in tackling that project, as well as the Royal Women's Hospital project. But Box Hill Hospital is another story. As a former colleague of mine in the other place, Gordon Ashley, who represented the electorate of Bayswater, used to say, 'It serves a region the size of the city of Adelaide'. In fact these days it is bigger than the city of Adelaide, and the reality is that that hospital is breaking down. It is not coping with the workload that it has to meet in servicing the hospitalisation needs of people in the eastern suburbs. No amount of patchworking or of cobbling together short-term solutions will work. This is what the government has tried with hospital facilities such as the Angliss Hospital, which this government had previously wanted to downgrade, and Maroondah Hospital, which is also not an advanced tertiary hospital in the same context as Box Hill Hospital.

Box Hill Hospital, in this budget, received \$8.5 million effectively for some cosmetic work. My colleague Mr Leane trumpeted that figure as a very significant investment in the Box Hill Hospital and thought it was a wonderful commitment by the government. It is 1 per cent of the amount of money, minimum, that Box Hill Hospital needs today if it is to continue to be a hospital delivering a first-class health service to the people of the eastern suburbs. We need at least \$850 million to \$1 billion invested in that hospital.

I could accept it not being done this year if it were on the basis that the Royal Children's Hospital project was proceeding and perhaps there were others in the queue, but all of us in the eastern suburbs need to know that at least it is on the government's horizon. Unfortunately at this stage in the forward estimates there is no commitment. We have a vague promise by the member for Mitcham and Minister for Gaming in the other place, Tony Robinson, to the local paper that all will be okay late next year. It is a vague promise that was not echoed by a spokesperson for the Minister for Health in the other place, Daniel Andrews, in the same story in

the same publication when he was asked about Mr Robinson's comments. We need that hospital, and at the moment the government's response to it has been totally inadequate.

What about schools in my area that have missed out on funding? We hear a lot about the government's modernisation program, and schools in my area are starting to say, 'What exactly does that mean, because we are not getting the sorts of messages from the bureaucracy that suggest it means what the press releases have said? We are not seeing that the government is prepared to actually rebuild our school at all. What they are really suggesting to us is that a coat of paint, a bit of restumping and maybe some re-roofing will do us nicely'. Our schools need to know where they are in the queue and what exactly these projects mean for them. Every time I ask ministers for advice on where they are in the scheme of things, there is a resounding, 'No comment. We have this program. It is a 10-year program. You will be advised in due course'. And the schools get no better response when they ask the questions. I have been to schools like Dorset Primary School, Eastwood Primary School, Nunawading South Primary School, Nunawading Primary School and other schools throughout my electorate that all are in sad need of repair. In some cases they face dangerous situations.

When I visit some of those schools and I see teachers having to move photocopiers when it rains so that someone does not get electrocuted because of leaks in the roof, I think to myself, 'What would happen if WorkCover came and did a tour of the schools in my electorate?' because I do not think a single school in my electorate would survive a WorkCover audit. The government is pretty quick with WorkCover. It is pretty trigger happy when it comes to walking into small businesses and saying, 'Hey, your facilities are not up to scratch. These things are in the wrong place. This is a dangerous situation

in your work environment'. A lot of the teachers in my electorate, a lot of the students in those schools, a lot of the parents who visit many of those schools are put in rather dangerous situations simply because of unsafe circumstances. Those situations have been pointed out by those schools to the regional office and to those conducting audits, but they very often do not even make the list of works that need to be done in those schools, let alone make budget lists.

This government talks about all of the wonderful things it is doing; so why is it that Life Education struggles for cash for a program that schools in my electorate believe is so important in terms of drug-proofing our students?

Why is it that Oxford House, an organisation that houses people seeking rehabilitation after drug addiction, is unable to get any government funding because it does not fit a category, yet it assists these people with life skills and rehabilitation from their addictions for about \$15 a day. Those people, if they had re-entered the system of critical care, would otherwise be looking at a minimum of \$150 a day?

Why is there a 20-month wait in general public dental care in Maroondah alone, let alone right across the metropolitan area? Why is Bulleen Heights School, which teaches 200 students from prep to year 12 with autism spectrum disorder and intellectual disabilities, unable to get any government commitment or any indication from the government of a future commitment towards funding of its library despite the fact that its community has raised \$85 000?

Do members know there is a \$40 million white elephant property settlement system that this government has developed over six years but which has processed just one sale? That \$40 million alone could have addressed all of the issues that I have just talked about.

What about the cost overruns of \$30 million on the criminal justice software, the HealthSMART project that is \$35 million over budget, or the myki ticketing system which is hundreds of millions of dollars over budget? What about the grand prix that is also over budget and which, despite such a heavy investment by the government, fails to attract international or interstate visitors and which in fact requires the manipulation of attendance figures to establish any sort of credibility for its continuation in Victoria?

What about the outrageous bungling on the Metropolitan Fire Brigade training centre in Burnley, which is millions of dollars over budget and barely usable — a project with a 5-star energy rating but with windows that cannot withstand high pressure hoses? In fact if you turned the hoses in another direction, you would blow cars off the CityLink tollway. Then trainee firefighters have to walk through a misplaced wall of fire before they can even start putting out the flames. What about multimillion-dollar small business seminar programs that are frequently cancelled because of low attendances? The Real Estate Institute of Victoria used to run those programs for free with much higher attendances.

What about a minister who professes to be concerned about gambling, who ticks off the biggest expansion in gambling since former Premier Kirner introduced poker machines into Victoria? There have been massive new

revenue gains for the government but at a massive cost to small businesses that the minister does not care about, and with no reallocation of those funds into the sorts of community projects I have just talked about. What about \$35 million going to a single automobile company that some people argue was not necessary to secure the project in the first place, that might well have gone to a broader project that actually looked at energy options and looked at other transport services within this state and that would have been far more beneficial to Victorians?

I have never been against debt, but when I look at the debt projections of this government against the infrastructure projects and the work that is actually being done — and there are many areas that I have not touched on, which I am sure my colleagues will touch on in terms of water and other projects in health and education systems and so forth — and at what has been achieved, I think many members on the government benches ought to go back to my initial remarks and start looking at what achievements really are all about.

Achievements are not really all about simply spending more money than a previous government. That is a fool's paradise. This government has entered fool's paradise with much of its prioritisation in this budget, with its lack of vision and lack of commitment to projects that would underpin better services for Victorians. This has been a budget of bluff and bluster. This is a budget that has not delivered anywhere near what the government has suggested in terms of its rhetoric, yet it is a budget that has increased the tax take on Victorians — a budget that now looks to increase debt levels in Victoria without looking at the sorts of projects that would sensibly underpin such a debt projection.

I am not happy about this budget, and, as I said, the people of the eastern suburbs have greeted this budget with dismay. The government ought to consider very carefully that dismay because if it fools itself about its rhetoric and fails to understand that dismay, very quickly it will turn to anger, and that will be at this government's peril.

Mr PAKULA (Western Metropolitan) — I am proud to rise to speak on the motion to take note of the budget. It is Treasurer John Lenders's first budget and is another fine Labor budget, despite some of Mr Atkinson's misgivings.

Mr Finn — He's not on his own.

Mr PAKULA — I'm sure he's not, Mr Finn. I want to spend a couple of minutes highlighting some of the

measures that are designed to improve the amenity and infrastructure of the Western Metropolitan Region. I am not going to spend an inordinate amount of time on it, because a lot of it was covered in the debate that Mr Finn and I almost exclusively had last sitting week, so I do not propose to reinvent the wheel.

Mr Finn — The best is yet to come.

Mr PAKULA — God help us! In the sphere of health, I think the most compelling investment in this budget is the \$74 million investment for stage 2 of the redevelopment of Sunshine Hospital. It is well on its way to being a very fine medical facility for the western suburbs, and that money has been very much welcomed by the constituents in the western suburbs. It is only the second stage of what is going to be a much larger investment in Sunshine Hospital, but Western Health continues to grow and thrive under successive budgets brought down by this government.

There has also been the investment of \$14 million for eight new obstetric beds and four special care cots at the Werribee Mercy Hospital. That will enable that hospital to deliver an extra 800 babies every year. Mr Finn might be interested to know that the government is also investing \$14 million for a new day hospital in Sunbury — I am hopeful that he will never have to make use of that — and of course a new peak period ambulance unit is going to be built in Yarraville.

In the sphere of education, this budget delivers regeneration projects at Altona and in Sunshine East; a new school at the Springside campus of Caroline Springs College and, as we discussed in the last sitting week, a new select entry school at Wyndham Vale, which even though it is outside the boundaries of the Western Metropolitan Region, will certainly be utilised by many families in the Western Metropolitan Region.

The track and station upgrade at Laverton, which is a \$92 million project, will allow additional services from Laverton to the central business district via Altona.

Mr Finn — The bridge to nowhere!

Mr PAKULA — I am mindful that Mr Atkinson spoke for 46 minutes without any interruption from the Labor Party. Mr Finn can continue if he likes, but I will probably have to go a lot longer than I would like to, so I will leave that to him.

There are the park-and-ride facilities that I made mention of in the last sitting week and the upgrade of the Monash–CityLink–West Gate corridor which is well under way. Then importantly there are projects which are not big pocket items but are nonetheless very

important to local communities, like the \$3 million that the state government is investing along with funds from both Hobsons Bay council and the Williamstown Football Club to upgrade the Williamstown football ground, to turn it into a top-notch community facility. I have been out to that facility with both the chief executive officer of Hobsons Bay, Mr Bill Jaboor, and the president of the Williamstown Football Club, Trevor Monti, and they are absolutely delighted.

Mr Finn — Have you been to the Werribee racecourse?

Mr PAKULA — I have been to the Werribee racecourse more often than I would like to admit.

Mr Finn — Why are you closing it?

Mr PAKULA — You know that is not true. We are not going to get into a debate. Those are just some of the initiatives for the west.

Now I would like to turn to some of the opposition's critique of the budget. I read with great interest the contribution of the shadow Treasurer in the other place, Mr Wells.

Ms Pulford — Mr Rich-Phillips?

Mr PAKULA — No. I also listened to the contributions, Ms Pulford, of shadow Treasurer no. 2, Mr Rich-Phillips, and I listened to the contribution of leader no. 3, Mr Guy. There were a couple of problems, I thought, with those contributions. The first problem was that a lot of the points made by the opposition were just plain wrong. When you read the contribution of Mr Wells, he really had to twist himself into some fairly illogical contortions in order to criticise the budget.

In a nutshell, his analysis was that the tax cuts delivered by the government in this budget and previous budgets are not really tax cuts because the gross tax take has risen. He makes that claim even though Melbourne's population is growing by somewhere between 50 000 and 75 000 a year, even though the demand on the state for the provision of schools and hospitals continues to grow all the time, even though the infrastructure demands on the state grow exponentially and even though land and property values have been rising steadily for years. In spite of all that, the government has cut the rates of land tax, stamp duty and payroll tax and has cut WorkCover premiums for five years running. But the shadow Treasurer says that is not good enough, and that the government should return all the increased takings of the state so that there is absolutely no additional revenue, otherwise the government

cannot claim it has cut tax. He says that, even though he himself has conceded that taxes that are based on property values are highly susceptible to the peaks and troughs of the economic cycle. He concedes that it is cyclical revenue, but he says that we need to give it all back. My query is: if the cycle dips, is it Mr Wells's position that in those circumstances it is okay to raise those tax rates so long as the outcome of raising the tax rates is revenue neutral? I bet that would not be his position.

In his response to the shadow Treasurer's speech the Minister for Finance in another place took apart the coalition's magic pudding approach to the budget. If members take the time to read Mr Wells's speech they will see a proposition that you can tax less, spend more and reduce debt all at the same time. I am not going to reprise Minister Holding's speech but I certainly encourage members to read it, because it is a very good exposition of the lunacy of the opposition's position when it comes to how to frame a budget.

During his contribution the Minister for Finance also took apart the shadow Treasurer's position on the question of debt. As the minister pointed out in his contribution, and as I have pointed out in this chamber on a number of occasions, net debt is today — and will remain over the forward estimates period — a smaller proportion of the state's economy than it was when we came to office. Notwithstanding that, the shadow Treasurer describes the debt level as massive and alarming. If debt as a proportion of the state's economy is smaller now than when we came to office and massive and alarming now, then what is he saying about the debt level during the Kennett years, because it was a much bigger proportion of the state's economy — —

Mr Koch interjected.

Mr PAKULA — It is the truth. It is there in black and white. As a proportion of the state's economy debt level was higher when we came to office than it is now.

I refer to an article in the *Age* by Marc Moncrief, that newspaper's state economics editor. The *Age* is not a publication to which I refer often, but the article states:

I have spoken to several economists about whether the projected debt poses a problem for the state and not one has registered even a twitter of worry — as long as the money is used to increase productivity.

Families borrow and businesses borrow, and governments are no different. It's a matter of being prudent with debt and making sure money borrowed returns better than it costs.

That is the reality. There is no big deal about debt, particularly when you keep it under control as a proportion of the state's economy and it is being used to build infrastructure and increase the state's productivity.

In his contribution Mr Guy at least conceded that the ratio of debt to gross state product was higher in the Bolte years than it has been any time since. He actually conceded — —

Mr Guy interjected.

Honourable members interjecting.

Mr PAKULA — I am at a disadvantage, because Mr Guy knows that I am not allowed to quote *Hansard*. Mr Guy also conceded that debt was okay.

Mr Guy interjected.

Mr PAKULA — I am not going to misquote Mr Guy, because I know he put a caveat on it, which was that it is okay — —

Mr Guy — If your budget is so good, speak about it. All you can do is speak about us.

The PRESIDENT — Order! Mr Guy!

Mr PAKULA — The caveat was — —

Mr Guy interjected.

Mr PAKULA — All that Mr Guy did during his contribution is talk about us.

Mr Guy interjected.

The PRESIDENT — Order! Mr Guy is warned.

Mr PAKULA — Mr Guy's caveat was that debt was okay so long as it was being used to build infrastructure for the long-term benefit of the state, and he said the problem was that we are not doing that. I say that is just not right. If you accept the proposition that debt is okay so long as you are building infrastructure for the long-term benefit of the state, then you need to look at whether or not that is occurring. We say that the proposition that it is not occurring is just nonsense. Not only will the current work on water infrastructure effectively drought-proof the state in the years ahead but the government is also investing in the human capital of the state by rebuilding schools. We are also rebuilding the state's hospital infrastructure, as well as building new select-entry schools. We are also upgrading the Monash-West Gate corridor, investing in standard gauge for country rail lines and building the

Wodonga bypass. All those things are infrastructure projects that are about increasing the state's long-term productive capacity.

Mr Atkinson talked about the level of debt and the level of infrastructure spending, but the fact is that the level of debt as a proportion of the state's economy under the previous government was higher than it is now, and the level of infrastructure spending was lower — higher debt-to-GSP (gross state product) ratio, lower infrastructure spending — and we have a 400 per cent increase in infrastructure spending on the back of only a 70 per cent to 80 per cent increase in the size of the state's economy. Mr Guy is right when he says that debt is okay if it is used to build infrastructure, but I would argue that he is wrong when he says that we were not actually doing it.

What struck me about the contribution to the debate made by the shadow Treasurer in particular, and other contributors from the opposition, was how entirely negative they were. I will at least give Mr Atkinson credit for this: although I do not agree with many of the proposals that he espoused in the house tonight, at least he came here with proposals. At least he came here and said, 'If it was up to me, this is how we would do things differently'. Unfortunately Mr Atkinson is viewed as something of a renegade inside the opposition, but he — almost singularly — came into this chamber and said, 'These are the things that I think we ought to do'.

If you go back to the most difficult days that the current Premier had as Leader of the Opposition in the 1990s and look at his speeches in response to budgets, you will see that they are something like two-thirds negative, one-third positive. One-third of his contributions would be about what a Labor government would do differently if it were in office. But if you read the contributions to this debate made by Mr Wells, Mr Rich-Phillips and Mr Guy, are they 50:50 negative and/or positive — or 60:40 even, or 70:30? They are not. They are 100 per cent negative. There was not one single word in the shadow Treasurer's contribution that outlined an alternative vision for the state. Forget the concept of vision — there was neither a single policy nor a single initiative in the shadow Treasurer's contribution that you could describe as an alternative to the budget.

Of all the things that Liberal MPs in their budget responses managed to find fault with — and there have been a lot of them, if members have listened to the budget replies — no-one, apart from Mr Atkinson, has said what they would do differently if they were in office. I had this discussion with Mr Finn in the chamber last sitting week. We had a spirited debate

about Francis Street and the fact that the Liberal Party said it wanted to hold the government to account but had no policies of its own. Mr Finn interjected with, 'What sort of opposition has a policy this far out from an election?' or words to that effect. Quite frankly I find that sort of response astonishing.

Mrs Peulich interjected.

Mr PAKULA — Mrs Peulich is interjecting now.

Mr Finn — Two and a half years out! Give it a rest!

Mr PAKULA — I will come to that, Mr Finn. Mrs Peulich has interjected consistently over the last 18 months, 'You are government. We are the opposition. Our job is to oppose; you're the government'. That is true, Mrs Peulich, but surely that is not all you are here to do. Surely members of the opposition are not here simply to point the finger and say, 'This is what you are doing wrong. We do not have to tell you what we would do if we were in government. We do not have to come up with any policies. We do not have to come up with any initiatives'.

Honourable members interjecting.

Mr PAKULA — Mrs Peulich is trying to put me off by her reference to big birds. It will not work. Mr Finn says, 'Not yet'. I can understand how an opposition in its first year after losing office might be a little shell-shocked. I can understand how an opposition in its first term might still be finding its feet. I can understand how an opposition in its first term might still be working on putting policy together, but after eight and a half years — not one and a half years after losing office; not one and a half terms after losing office — on the opposition benches, still there is no alternative policy framework, no alternative vision, no alternative initiatives. None of them has managed to darken the door of the shadow Treasurer's budget reply.

Even the federal opposition leader, Brendan Nelson, who was a minister seven months ago, managed to come up with an idea in his budget reply about the petrol excise.

Mrs Peulich — Where's yours?

Mr PAKULA — Mrs Peulich, I suppose the problem for the opposition is that it has not had time to come up with alternative policies because it has been totally and utterly distracted by all its internal intrigues, by all its members' antipathy for one another. Some are playing offence, some are playing defence, but the fact is that opposition members are playing against each other.

Mr Guy interjected.

Mr PAKULA — It is hardly surprising, Mr Guy, that none of the members of the opposition has bothered to get around to thinking about what they might want to do if they were over this side of the chamber. Maybe the Liberal Party might want to think about forming some formal factions, creating some faction bosses and letting them slug it out — then the members actually in the Parliament can figure out what they stand for, because right now they do not have a clue.

Philip Davis was right, the bloggers were right: the Liberal Party does not know whether it is pro-development or anti-development; it does not know whether it is for infrastructure or against infrastructure; it does not know if it wants to finance it by debt — and if not, how?

Mr Finn — Are you going to talk about the budget at any stage?

Mr PAKULA — I am talking about the budget reply of the opposition. None of it is clear. Its policies are not in any of its budget replies. They are not there because those opposite have not figured them out. They have no idea what they stand for and neither does anybody else.

Ms LOVELL (Northern Victoria) — I rise to speak on the budget. I must say how disappointed I am to see that this budget shows we are heading back to the days of the Cain and Kirner years, with debt skyrocketing in this state. The Premier is misleading most Victorians by downplaying the skyrocketing debt and quoting only the general government sector debt as \$2.3 billion for this financial year, getting up to \$9.5 billion in 2012.

If \$9.5 billion by 2012 is not bad enough, when we add in the non-government sector debt, that debt jumps to \$23 billion. It will cost this state \$1.8 billion just to service the interest on that debt alone. That \$1.8 billion is enough to double the police budget in Victoria. It is enough to build three major hospitals in regional centres — and I will talk later about some hospitals in my electorate that need to be built.

How will the government pay for this skyrocketing debt? By cutting back services, and it continues to do that. It will also pay for it by increasing the tax take from the Victorian people. We see that this budget shows that in the next 12 months the government plans to increase its tax take on payroll tax by \$360 million, land tax revenue by \$300 million, and stamp duty by almost \$900 million. This is a high-taxing and high-level-of-debt budget.

Fortunately I have spoken on most of my portfolios and the budget relating to my electorate in the debate we had the other week. But there are a few things that I would like to raise today. The first relates to my portfolio of children and early childhood development. I was most disappointed when I read the minister's press release headed 'Young families the winners in early childhood boost', in which the minister said:

Victorian children and families are big winners in the Brumby Labor government's \$49.9 million early childhood package.

The press release goes on to reveal that \$16.5 million of that \$49.9 million:

will underpin the ... Labor government's new Children's Services Bill which will regulate family day care and outside-school-hours care for the first time.

A concern the opposition raised during the debate on that bill was that these regulations will increase significantly the costs of family day care and outside-school-hours care. This has been acknowledged by the government through its allocation of \$16.5 million just to underpin that new legislation that is coming in.

Public housing is another area that we are particularly concerned about and that has been neglected in this bill. We see huge public housing waiting lists in this state. Well over 35 000 families are waiting — languishing — on Premier John Brumby's public housing waiting lists. In fact 35 394 families are languishing on that waiting list. Of those, 3359 have registered with the Sunshine office. So of the people in the electorate of Kororoit, who will go to the polls this weekend, there are nearly 3500 families who are struggling to find a place to sleep tonight. In my own electorate we see that there are 1271 families in the Hume region and also — —

Business interrupted pursuant to standing orders.

ADJOURNMENT

The PRESIDENT — Order! The question is:

That the house do now adjourn.

Youth Parliament: government response

Ms LOVELL (Northern Victoria) — I wish to raise a matter for the attention of the Minister for Sport, Recreation and Youth Affairs in the other place. It regards the 21st Youth Parliament that was held from 2 to 4 October 2007. The action I seek is for the minister to follow up on the ideas raised in the debates and put forward by the young people who attended the Youth

Parliament by ensuring the bills and the results of the debates are passed on to the relevant ministers for their consideration and also to communicate to the young people the actions taken by the government on their ideas.

Last Monday in Bendigo, together with the shadow Minister for Community Services, the member for Doncaster in the other place, I met with a group of parents who are carers of their adult disabled offspring. The main purpose for the meeting was to discuss the severe shortage of supported accommodation and also the difficulty they are having accessing supported accommodation. But, as with every discussion with carers, the subject also turned to their difficulty in accessing respite care.

The following night at a water forum in Bendigo I met Martin Ireland, one of the Bendigo representatives at Youth Parliament. Martin expressed to me a disappointment that after all the effort the Bendigo representatives had put into researching an issue and constructing a bill to be presented, debated and passed at Youth Parliament, the government had failed to communicate with them to tell them what was to become of their bill and contributions. I was disappointed to hear that these young people had been left wondering. What was the point of their effort and their attendance at Youth Parliament? But I was even more disappointed when I asked Martin what the subject of their bill had been. He told me that it related to the provision of adequate and appropriate respite care in Victoria. Martin also informed me that he had contacted the office of the minister, Jacinta Allan, to inquire about the results of Youth Parliament in April, but that up until last Tuesday, two months after his inquiry, he had not received a response from her.

It is disappointing that the government has not corresponded with these young people, who identified a subject that is a major issue not only in their own home town but throughout the entire Victorian community. This is a classic case of government spin. Youth Parliament is heralded as an event where youth have an opportunity to have a voice, but, as usual, this government has failed to listen. I call on the youth minister to follow up on the ideas and debates put forward by the young people who attended, by ensuring that the bills and the results of the debates are passed on to the relevant ministers for their consideration, and also to communicate to the young people the actions taken by the government on the ideas they put forward through Youth Parliament.

Carers: grandparents

Mr DRUM (Northern Victoria) — My adjournment question is to the Minister for Community Services in the other place, Lisa Neville. Whilst helping out The Nationals candidate, Darren Chester, in the upcoming Gippsland by-election last week, I was confronted by a lady who wanted to know what The Nationals were going to do to assist those carers and in particular those grandparents who find themselves in full-time guardianship of their grandchildren. This is, as I have found out, not an uncommon occurrence. The more I ask about this issue the more I find out about the shortcomings in the current criteria that offer grandparents who are bringing up their grandchildren any assistance. My understanding is that if the grandchildren have not been on the books as clients of the Department of Human Services, there is effectively no financial assistance from the state government.

The example I put before the house and the minister tonight is of a grandmother in her 70s who is well past being able to earn her own income and who happens to be a widow. She had a daughter who was a single mother bringing up two teenage children. As a result of the tragic death of her daughter this grandmother finds herself raising two teenagers as they try to come to terms with the death of their mother. What really worries me is that a lady in her 70s who has been put in this situation through no fault of her own or of anyone else can be so sadly left behind in the minds of people in government departments that would normally be charged with the responsibility of putting in place assistance policies that should be aimed at helping people like the lady I have mentioned.

I call on the minister to launch a thorough investigation of the policies that seem to support children who have been in trouble and who have needed welfare assistance by the Department of Human Services. But if children have not needed help and have not been registered as clients of DHS, it seems that the state government has no financial responsibility for those children or for their caring grandparents. This investigation into state government policies could also look at the federal government's role and its criteria for offering assistance to families. It seems that parenting payments seem to stop once a child reaches the age of 16. Parents with 16 or 17-year-old children would know that it is very, very expensive trying to bring up children of that age. If these children go off the rails and need help from the state, it will surely cost the state many thousands of dollars per child per year. Yet in many of these instances the current state government inaction is causing grandparents who are raising grandchildren to

go through financial difficulties that no-one in this Parliament could ever deem to be just or fair.

Water: Smart Water Fund

Ms TIERNEY (Western Victoria) — My adjournment matter is for the Minister for Water in the other place, Tim Holding. It is in regard to the Smart Water Fund, which was established in 2002 to develop innovative water resource management programs across this state. This fund supports and encourages organisations to develop new approaches to saving water through recycling, conservation and biosolid management. So far there have been five stages of funding under this program. Under stage 5 at Sovereign Hill in Ballarat a water savings program was launched in March this year. Sovereign Hill, supported by the Smart Water Fund and community water grants, has reduced annual water usage from 3.4 million litres in 2003 to 2.5 million litres last year, and is on track to use only 1.3 million litres this year.

Under stage 4, using the Smart Water Fund, the Beckley Park racecourse in Geelong secured over \$32 000 in grant money. That was to implement the trialling of a variety of initiatives in order to make the facility less reliant on mains water, without compromising the safety surface and performance of the facilities. Also under stage 4 of the fund Deakin University received a share of the \$6 million which focused on the demonstration of the use and adaptation of granulation silica-gel technology for the low energy removal of salt from recycled water, brackish water or sea water.

Many other organisations in Western Victoria, including Grampians Wimmera Mallee Water, Barwon Health's Linencare and the Karkana Support Service in Horsham, received funding.

It is critical for us to continue to find new ways to save water, and I therefore call on the minister to open up stage 6 of the fund to ensure that this excellent initiative is well publicised across the state, so that we can strengthen our water-saving initiatives and drive home the continuing importance of such measures throughout Victoria.

'Victoria online' website: update

Mrs PEULICH (South Eastern Metropolitan) — Under the former Kennett government I was very proud to serve on the Library Committee which, sadly, no longer exists. That committee was instrumental in initiating a number of reforms, many of them to do with the implementation of new technology. I was very

proud to encourage the then government to get behind the concept of 'Victoria online' as well as to implement Parlynet, which is the internal and external ICT (information and communications technology) system we now use in Parliament. It certainly makes us all very accessible.

An honourable member interjected.

Mrs PEULICH — When it does work! It can be very frustrating indeed. It is very sad, given that a lot of money is allocated to it.

Victoria was the first state and the first jurisdiction to have a designated minister for ICT, and the matter I would like to raise is for the attention of the current Minister for Information and Communication Technology, Mr Theophanous. It relates to 'Victoria online', which is supposed to be the first point of contact by Victorians with the state government.

In particular when I went online to peruse some information on members of Parliament I was most distressed to learn that there were endless mistakes in titles, in positions and in addresses. The President may be surprised to learn that he is still in Chelsea, which is getting very crowded with the two of us being there. I know which part of the office I would probably relegate him to.

In addition to that, having moved and set up, so far, two offices which I think is unreasonable for any member of Parliament, I was most disturbed to learn that the contact details listed for me were those applying in January 2007. Some year and a half later this information is still on the government's web page for 'Victoria online'. This is a very sad reflection on this government's tardiness, and I call on the minister to get his department to spruce up this web page because it is a very sad reflection on where ICT is in Victoria. In particular we need to have accessible members of Parliament, representatives who are accessible to Victorians, and clearly the current website is not acceptable. I urge the minister to take action as soon as possible to fix up this web site.

Transport: east-west link needs assessment

Ms HARTLAND (Western Metropolitan) — My adjournment matter is for the Minister for Roads and Ports in the other house, Mr Pallas. One of the most important messages from a community meeting in Footscray last Wednesday was a request for better maps and better information about the Eddington proposals. People are being asked to comment on a proposal that will impact on their lives. Major roadworks are

proposed which might decrease their quality of life, might affect their ability to get around their own suburb, the air quality, their view, and which might even cause their property to be compulsorily acquired. The maps only give a very vague description of where the roads and tunnels might be. Large areas are shaded where the road might be sited. People can only guess about the vent stacks, the blocked local roads and the extra pollution.

At the meeting I was approached by a man who had tried to draw the route for one of the roads on a *Melway* map page following the written description in the Eddington report. He found to his horror that the proposed road went in his front door and out the back. Others found that a proposed tunnel is set to run beneath their house. Why has the government not contacted directly people on whom this project is likely to have a large detrimental impact. The government says it is consulting the public — the email address reads ‘east west your say’ — but how can members of the public say what they think about the proposals when they are not even given useful information about the project?

My request is that the minister have accurate maps and diagrams made of the various options, distribute them to the public, and give people enough time to view these maps and diagrams before submissions close, even if this means extending the closing date for submissions.

Water: water saver kits

Mr PAKULA (Western Metropolitan) — My adjournment matter is directed to the Minister for Water in the other place, and it concerns the distribution of water saver kits. Generally, Melburnians used 34 per cent less water per person in 2007 than they did in 2006. As I discovered when I was campaigning with the excellent candidate for Kororoit, Marlene Kairouz, last week, the figures — —

An honourable member — Did you support her?

Mr PAKULA — Absolutely I did. The figures for suburbs in the Western Metropolitan Region are outstanding.

Mr Finn interjected.

Mr PAKULA — Mr Finn might be interested in this. In the 12 months between the first quarter of 2006–07 and the first quarter of 2007–08, water consumption in Footscray went down by 12.59 per cent, in Williamstown by 13.71 per cent, in Sunshine by 15.03 per cent — —

Mr Finn interjected.

Mr PAKULA — Mr Finn, at least I support my candidate. In Deer Park water consumption went down by 15.38 per cent, in St Albans by 16.11 per cent and in Hoppers Crossing, Altona and Keilor by more than 20 per cent.

Last year I attended Qenos in Altona with the then water minister in the other place, John Thwaites, and we exchanged dozens of shower heads for workers at that refinery. Many households in my electorate have taken advantage of the government’s water saver kit. The kit contains tips on how to save water around the home, information about water restrictions, information about the Water Smart Gardens and Homes Rebate scheme, and a 4-minute shower timer.

I do not need to tell members from regional Victoria that the drought has still not broken. In June so far Melbourne has had about 12 millimetres of rain against a June average of more than 40 millimetres, so it is important that constituents of mine and of Mr Finn and others in the Western Metropolitan Region continue to do all they can to save water and that we as a government give them the tools they need to do that.

I know that the department cannot produce water saver kits for every household in the state, but they have proved to be a very welcome initiative. My request to the minister is that he institute a program to make more water saver kits available to homes in the Western Metropolitan Region and that, given the absolute dearth of rain in June, he commence distributing kits in the coming weeks.

Tourism: Australian Coastal Wilderness

Mr P. DAVIS (Eastern Victoria) — I raise a matter for the attention of the Minister for Tourism and Major Events. The minister will be aware that at the Australian Tourism Exchange trade show in Perth last week the south-east Victorian coast was officially designated one of eight national landscapes. The declaration by Tourism Australia and Parks Australia means that the Australian Coastal Wilderness, as it will be known — the area from the Gippsland Lakes, taking in Croajingolong National Park and linking into southern New South Wales — will be widely promoted overseas as a destination for international visitors and within Australia. On this list of eight landscapes of significance, the coastal wilderness ranks alongside Kakadu, the Red Centre, the Flinders Ranges, the Australian Alps, the Blue Mountains, the Green Cauldron, extending from Byron Bay to the Gold

Coast, and another Victorian landmark, the Great Ocean Road.

The announcement has generated great excitement, enthusiasm and expectation in East Gippsland, which will be a major beneficiary of the higher profile tourism promotion. I met with the East Gippsland Shire Council and shire officers soon after this became known. They were extremely upbeat about it and there was a sense of pride that the efforts of the councils, local businesses and environmental organisations over the years had earned such renown for the region.

The coastal wilderness is described in the official announcement as incorporating a rare and relatively untouched coastline, taking in the Croajingolong National Park, which the United Nations Educational, Scientific and Cultural Organisation has listed as a world biosphere. The designated landscapes are regarded as natural and cultural environments that are special to Australia and the world. This provides the basis for what I wish to put to the Minister for Tourism and Major Events this evening. In relation to the Australian Coastal Wilderness I ask that the minister provide tangible support for its promotion by establishing a cooperative tourism program with the New South Wales government and that it be aligned with the objectives and efforts of the two federal organisations concerned, Tourism Australia and Parks Australia.

Frankston: safe boat harbour

Ms PENNICUIK (Southern Metropolitan) — My adjournment matter tonight is for the Minister for Planning. It concerns the proposed Frankston safe boat harbour development, which has been raised with me by the Frankston Beach Association. In 1998 the City of Frankston resolved to rezone a section of the Frankston foreshore at Olivers Hill from public conservation and resource zone to a special use zone 3. In rezoning the area the council recognised that the existing boating facilities at Frankston were inadequate for community needs and poorly sited. It is significant that concerns were raised that a future boat harbour could affect the annual transport of sand along the Frankston foreshore with consequential adverse impacts on adjacent beaches to the south.

Mrs Peulich — The President should be interested in this.

Ms PENNICUIK — He would be. Given the significant environmental values of the foreshore land, an environmental impact assessment was undertaken. The assessment proposed three models for the

development. Option 1 involved an upgrading of existing facilities, a car park, landscaping and stabilisation of Olivers Hill, which is significantly eroded. Option 2 involved the construction of a harbour with a breakwater, land reclamation, the provision of a regional status boat ramp, a safe boat harbour and a limited range of commercial facilities. Option 3 combined features of option 2 with 300 wet-berth moorings, a 200-compartment dry storage building, a marine maintenance facility and a commercial restaurant. The planning assessment found that, while options 1 and 2 provided sufficient community benefit to justify their implementation, option 3 did not.

In October 2003 a planning amendment which allowed for future new or upgraded boating facilities at Olivers Hill was incorporated into the Frankston planning scheme. If the City of Frankston had proceeded with a development based on option 1 in 2004, with state and local government funding, Frankston today would have a larger upgraded recreational boating facility at a reasonable cost. Instead, the council has chosen to pursue a larger development with the involvement of a significant commercial partner, based on an elaboration of option 3 at a significantly increased scale. This development proposal was referred to the state priority development panel (PDP) through the Minister for Planning in late 2007. The panel has received submissions from various bodies, including local community groups and several commercial interests. However, submissions to the panel have not been made public and the community is concerned that a new planning scheme amendment along the lines of the Frankston council's preferred model will be approved without public exhibition of the amendment or any form of public consultation.

My request to the minister is that he release all submissions made to the PDP and undertake to publicly exhibit any new planning scheme amendment related to the Frankston safe boat harbour.

Manufacturing: future

Mr KOCH (Western Victoria) — I raise a matter for the Minister for Industry and Trade. It concerns the increasing threat to the survival of Victoria's manufacturing industries. Victoria's manufacturing sector is the largest in any state, comprising almost a third of all manufacturing capacity in the country. While over half of Australia's automotive production is in Victoria, there is also a strong presence of electronics, metal fabrication, aerospace, precision engineering and scientific equipment manufacturing. Recent figures suggest that manufacturing contributes more than \$30 billion to the state economy and

represents 60 per cent of Victoria's total exports. Victoria's 17 000 manufacturing businesses provide 336 000 jobs and support, either directly or indirectly, 40 per cent of all Victorian jobs. Although there are numerous large multinational manufacturers, predominantly in metropolitan and regional centres, there are many thousands of smaller to medium-sized operations right across the state, mostly privately owned and operated small businesses.

Manufacturing has strong linkages with other industries, the state's economy and our standard of living. There are significant flow-on effects when manufacturing is hit by major change, be it global, national or regional. Despite a booming economy over recent years and an apparently insatiable consumer demand, there is clear evidence that Victorian manufacturers are under increasing pressure. Local manufacturers are exposed to the effects of globalisation along with decreasing government protection, and they are experiencing greater foreign competition from economies that have significant cost advantages in labour and minimal regulatory constraints.

More important for Victoria is falling business confidence due to the current economic climate, with inputs and wages at historically high levels putting pressure on inflation. Rising state taxes and charges, a growing bureaucracy and more red tape have always been the bane of business operators, but higher interest rates and skyrocketing fuel costs are now threatening business viability. Almost 87 per cent of small and medium enterprises believe either that Brumby government policies work against them or that they make no difference at all.

Since 1999 hundreds of companies have closed, and thousands of jobs have been lost in manufacturing industries. No-one knows how many more jobs will be lost in the near future, but you can be sure that the rate of business closures will accelerate as those operating at the edge succumb to rising cost pressures. The Brumby government has no plan to arrest the slide and is slumbering in its complacency. It fails to detect that the economy is undergoing a structural change that is working against Victorians. The action I seek from the minister is for him to work with manufacturing businesses to develop sustainable strategies that meet the mounting challenges facing this important Victorian industry.

Planning: Prahran development

Mrs COOTE (Southern Metropolitan) — My adjournment matter, fortuitously, is for the Minister for

Planning, who is in the chamber. It is in relation to the 25-storey development for the Melbourne High School precinct in Prahran. Melbourne High School is housed in an extraordinarily impressive building. It has been there for a considerable time; it sits high on the hill on Alexandra Avenue. The 25-storey apartment block that is scheduled to go behind it will change the nature of the precinct, which is a very important icon for Melbourne and Victoria as a whole.

I have received significant numbers of objections to this, and I know the council has received over 100 objections from outraged community members, seething at the prospect of a pink, green and gold glass object towering above them. It has been revealed that the applicants behind the development have decided to bypass the council altogether and go to the Victorian Civil and Administrative Tribunal. Everybody is particularly concerned at the scale, size and totally unsuitable nature of this development.

The seven-level car park within the development will bring cars into the area, where traffic is already at an unacceptable level. Trying to get around the area is almost impossible, and an additional seven-storey car park is going to make it even worse.

This futuristically styled eyesore, which will put hundreds of residents, businesses and schoolchildren in the shade for large parts of the day, is not welcome in Stonnington. The community has said no, and the Brumby government must listen. This development is, after all, in the Assembly seat of Prahran. I remind government members that Prahran has a very low margin — it will only take about 3.5 per cent to get it Mr Lupton, the member for Prahran in the other place.

Mr D. Davis — Mr Lupton supports this development.

Mrs COOTE — Residents are very cross with Mr Lupton, as Mr Davis rightly says.

Mr D. Davis — He supports Melbourne 2030 at every turn.

Mrs COOTE — Mr Lupton does support Melbourne 2030 at every turn, just as Mr Davis has said.

Accessing Melbourne High School, as well as many nearby shops, by bus or car is already very difficult, and this development will make it even worse. The action I am seeking is that the minister call in and reject the proposal for the good of the Stonnington community.

Wallan–Kilmore bypass: construction

Mrs PETROVICH (Northern Victoria) — My matter for the adjournment is for the Minister for Roads and Ports in the other place. It has been some time since I last updated the house on the ongoing saga of the main road running through the Kilmore township. Complaints from a number of my constituents regarding the latest VicRoads development have prompted me to raise the issue once again.

The problem is with the bandaid solutions that VicRoads keeps coming up with. Not only do they not work, they have further endangered the lives of those who have no choice but to use this road. One of the most dangerous areas is the intersection with Union Street, about 100 metres south of my office, with traffic turning from Sydney Street going up to the racecourse one way and residential and shopping areas the other way. Many vehicles, including massive B-doubles, are forced to stop hurriedly, causing screeching brakes and shattered nerves — including my nerves. Instead of seriously addressing this problem, VicRoads has decided this road, which is only 9 metres wide in some places, is suitable for the addition of a turning lane. It is trying to create space which is not physically there.

Mr Finn — VicRoads strikes again!

Mrs PETROVICH — Absolutely, Mr Finn. It certainly does. The stupidity of this *Fawltly Towers* approach was further exposed when the turning arrows that were painted on the road one day disappeared the next. It would seem that the contractors had put them in the wrong spot. The chaos that has resulted has turned motorists' lives into a dangerous nightmare. What was once a fairly straight road now has a man-made kink in it that nobody expects and nobody knows where to actually drive.

The large road transports that go through the town are now doing so at greater risk.

Mr Finn interjected.

Mrs PETROVICH — It is very funny, Mr Finn, but an enormous amount of traffic goes through Kilmore.

Mr Finn — I will be giving it a wide berth, I can tell you.

Mrs PETROVICH — It is difficult for the traders there. I have been in my office when my windows were rattled by a continual stream of wide-load vehicles — many with escorts, including police cars. These vehicles are not in a position to swerve quickly to avoid

a car that is propped in their pathway waiting to turn right.

This has now, more than ever, demonstrated a desperate need for the Wallan–Kilmore bypass — a need that will continue to grow and which cannot be hidden by white lines or disappearing white arrows. The action I seek is that the minister provide a progress report on when we might expect a program to develop a bypass for Kilmore and Wallan.

Western English Language School: portable classrooms

Mr FINN (Western Metropolitan) — I raise a matter for the attention of the Minister for Education in another place. It concerns difficulties faced by the Western English Language School that have been brought to my attention by parents of students at the school.

The school is largely based at the Tottenham campus but also has campuses at Dinjerra Primary School in Braybrook, Footscray City Primary School, Kensington Primary School, St Albans Primary School and Werribee Primary School, and plans are well advanced to expand programs into Galvin Park Secondary College in Werribee — and that is the issue to which I will refer in just a moment.

The Western English Language School specialises in servicing the needs of new arrivals to our shores. Refugee children have benefited enormously from what the school offers. It also helps many unaccompanied minors — children who have lost their parents through war, famine or some other tragedy. I cannot begin to imagine the horrors that many of these children have experienced before they get to Australia, but thank God there is a place such as this school to assist them to settle into their new home.

The school obviously teaches the children to speak and write English, but it gives them much more. It assists greatly in the overall settlement of these children and their families, if they are fortunate enough to still have them. The school introduces these children to the culture of the Australian classroom, something totally new to most of them. Most importantly it gives these kids a sense of security. It makes them feel safe — a feeling many of them would never have experienced before in their short lives.

I am sure the house can see the wonderful work the Western English Language School does for children who so desperately need it. It starts them on their way to becoming good, contributing members of the

Australian community. It gives them dignity, respect and the basics they will need to make their way in a new land.

As I mentioned earlier, plans are afoot for expansion into the Galvin Park Secondary College in Werribee. The trouble is that the government seems to think those plans are a little more advanced than is the case. The education department has already allocated six portable classrooms to Galvin Park for the use of the Western English Language School without asking anyone. The language school was not consulted, Galvin Park was not consulted and now nobody is sure what to do with these classrooms. With the way these things are organised the current situation is threatening aspects of the crucially important programs the school offers.

I ask the Minister for Education to direct her department to re-evaluate the needs of the language school — yes, go and talk to it — to find out where these classrooms could best be used. I am told the appallingly run-down state of St Albans Primary School would be boosted enormously by these extra resources. I ask the minister to assist in ensuring the Western English Language School continues its magnificent work in the most effective manner possible.

Roads: Boroondara

Mr D. DAVIS (Southern Metropolitan) — My adjournment matter is for the attention of the Minister for Roads and Ports in the other place. It concerns the impact on the north of the city of Boroondara of the increased traffic flows that will come down the Eastern Freeway after the EastLink project is opened — and that opening is not far away at all. There will be a significant impact not only on the streets and the major roads but also on many of the minor roads in the north of the city. The Doncaster Road and High Street intersection with the freeway and the traffic that flows down there, as well as Burke Road, Bulleen Road and Princess Street, will all face significantly increased traffic flows.

Preliminary work has been done by the City of Boroondara which indicates there will be massive increases in traffic flow again. You only need to see the traffic banked up on the Eastern Freeway during the peak period in the morning to see the enormous amount of traffic that is likely to flow down there. The additional tens of thousands of cars funnelled all the way from Frankston up the EastLink project and down the Eastern Freeway will come to a crunching dead halt at Grange Road or thereabouts, or in many cases they

will come off the freeway to seek a way through the minor streets of the city of Boroondara.

The government's failure to deal with the east–west crossings and other approaches to freeway connections and infrastructure projects means that the north of the city of Boroondara will be faced with a tremendous impact and impost by the increased numbers of vehicle movements.

I also note there will be a need for a systematic plan, and that will require government support for that traffic management including, potentially, traffic-calming approaches and other mechanisms to stem the flood of traffic which will flow from the freeway into the north of the city of Boroondara. My request to the minister and the action I seek from him is to meet with the City of Boroondara — and I certainly have done that on this matter — and to work with it to develop a plan to manage the impact of the increased traffic that will flow from EastLink to the Eastern Freeway and into the north of the city of Boroondara.

Responses

Hon. J. M. MADDEN (Minister for Planning) — Wendy Lovell raised the matter of the Youth Parliament and responses by the Minister for Sport, Recreation and Youth Affairs in the other place. My understanding is that what normally takes place is that the minister refers matters to the appropriate ministers and their departments, and I would expect that to be the case in the not-too-distant future.

In many instances where those matters have been debated, they often influence future policies of the various parties. I understand that is often the case and some of the members of the Youth Parliament take on roles within the respective parties. I anticipate that there will be a response to those members before long.

Mr Drum raised the matter of grandparents and carers assistance, and I will refer that to the Minister for Community Services in the other place.

Gayle Tierney raised the matter of smart water funding, and I will refer that matter to the Minister for Water in the other place.

Inga Peulich raised the matter of 'Victoria online' and bringing the information up to date, and I will refer that to the Minister for Information and Communication Technology.

Colleen Hartland raised the matter of the mapping of the east–west link in terms of the Eddington report. She will appreciate that the government is anticipating that

it will respond to community concerns and interests, but I also understand that Sir Rod Eddington has not actually articulated a specific location in relation to that suburb. The mapping issue might not be as straightforward as Ms Hartland might make out, but I am sure that, as is the case with many road developments, a number of options are always presented to the public at a time at which a proposal might be pursued. Often a response is sought from the community in relation to those options.

In recent days we have had discussions in this chamber about the Traralgon bypass, and there are a number of options, and likewise the Craigieburn bypass many years ago when a number of options were presented to the community to see which was more conducive to community support. I would anticipate that if the government decides to pursue the exercise, and that response is still to be determined by the government, there would be a series of propositions in terms of options put to the community about what might be preferable or what alternative options there might be for any links or routes.

Martin Pakula raised the matter of the water saver kits, and I will refer that to the Minister for Water in the other place.

Philip Davis raised the matter of landscapes of significance on the south-east coast, and I will refer that matter to the Minister for Tourism and Major Events in the other place.

Sue Pennicuik raised the matter of the Frankston safe boat harbour and the priority development panel's (PDP) consideration of those matters. I have had an informal discussion with representatives from the priority development panel, but I am awaiting formalised advice from the department in relation to what will come out of the PDP. I anticipate that information will be for public consumption. Should it be thought that any options might be considered as proposals going into the future I would expect it would only be natural that any planning scheme amendments would be advertised accordingly along with due process.

But as Ms Pennicuik mentioned, a range of options have been put. Each of those options requires a significant financial investment of various levels, and that is also a major consideration as to whether or not any of those options could be pursued. I know the local members in that region have an interest but also they are very conscious, as Ms Pennicuik has been, about the sand and the stabilisation of the local beach frontage. I

think the local escarpment in relation to — it might be Wheelers Hill — —

Ms Pennicuik — Olivers Hill.

Hon. J. M. MADDEN — Sorry, Olivers Hill. Thank you for that.

Mrs Peulich — We would be in trouble if it was Wheelers Hill!

Hon. J. M. MADDEN — That's right. Olivers Hill is a major consideration in any recommendations that might come from the PDP. I look forward to receiving informal advice from the department on the matter — it may have been fed into the department already — and releasing it for public consumption.

David Koch raised the matter of jobs in the car industry, and I will refer this to the Minister for Industry and Trade.

Andrea Coote raised the matter of the 25-storey, multicoloured high-rise development proposed in the Melbourne High School precinct. I know this is a matter that the member for Prahran in the other place, Tony Lupton, has also been very conscious of and has lobbied me extensively on. If I recall rightly, it was a site that for one reason or another did not have any significant planning controls, so the opportunity was left open for the developer to put that proposition for the site.

I have recently written to the mayor of the Stonnington council to notify him that I am prepared to put interim planning controls and height controls on the site to assist the council in determining what will be appropriate long-term controls for the site going forward. That should give the council a degree of comfort in allowing it to plan sufficient strategic work on the site for its long-term future, keeping in mind what is a fair and reasonable proposition that would be accommodated relatively comfortably with confidence by the local community as well.

Donna Petrovich raised the matter of the main road through Kilmore. I will refer that to the Minister for Roads and Ports in the other place.

Bernie Finn raised a matter of the Western English Language School — and having visited it previously I know it is a great centre, that there are some great young people at that school and it provides great support for them. I am happy to refer those matters to the Minister for Education in the other house for clarification.

David Davis raised the matter of likely Eastern Freeway traffic increases due to the opening of EastLink, and I will refer that to the Minister for Roads and Ports in the other place.

I have written responses to the adjournment debate matters raised by Mr Scheffer on 7 February 2008, Mr Drum on 26 February 2008, Mr Finn on 8 April 2008, Philip Davis on 16 April 2008, Ms Pulford on 16 April 2008, Mrs Coote on 17 April 2008, Mr Koch on 7 May 2008, Mr Hall on 8 May 2008, Mr Dalla-Riva on 8 May 2008, Mrs Coote on 8 May 2008, Ms Tierney on 27 May 2008 and Ms Hartland on 27 May 2008.

The PRESIDENT — Order! The house now stands adjourned.

House adjourned 10.43 p.m.

