

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

Wednesday, 25 June 2008

(Extract from book 9)

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

By authority of the Victorian Government Printer

The Governor

Professor DAVID de KRETZER, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

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

Legislative Council committees

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

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

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

Standing Committee on Finance and Public Administration — Mr Barber, Ms Broad, Mr Guy, Mr Hall, Mr Kavanagh, Mr Rich-Phillips and Mr Viney.

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

Joint committees

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Heads of parliamentary departments

Assembly — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey

Council — Clerk of the Legislative Council: Mr W. R. Tunnecliffe

Parliamentary Services — Secretary: Dr S. O'Kane

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

President: The Hon. R. F. SMITH

Deputy President: Mr BRUCE ATKINSON

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

Leader of the Government:

Mr JOHN LENDERS

Deputy Leader of the Government:

Mr GAVIN JENNINGS

Leader of the Opposition:

Mr PHILIP DAVIS

Deputy Leader of the Opposition:

Mrs ANDREA COOTE

Leader of The Nationals:

Mr PETER HALL

Deputy Leader of The Nationals:

Mr DAMIAN DRUM

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

CONTENTS

WEDNESDAY, 25 JUNE 2008

PETITION	
<i>Abortion: legislation</i>	2423
PAPERS	2423
BUSINESS OF THE HOUSE	
<i>General business</i>	2423
MEMBERS STATEMENTS	
<i>Office of the Australian Business and Construction Commissioner: future</i>	2423
<i>Public transport: management</i>	2424
<i>Lionsbrae Elderly Citizens Hostel</i>	2424
<i>Maroondah Hospital: mental health facility</i>	2424
<i>Macedon Ranges and Moorabool: citizenship ceremonies</i>	2424
<i>Tony Matisi</i>	2425
<i>Australian Labor Party: Kororoit candidate</i>	2425
<i>Manresa Kindergarten: closure</i>	2425
<i>Jewish Holocaust Museum and Research Centre</i>	2425
<i>ASHEletics Indigenous Games Carnival</i>	2425
<i>Roads: Benalla</i>	2426
<i>Land Victoria: electronic conveyancing</i>	2426
<i>Toyota Australia: hybrid car</i>	2426
SUSPENSION OF MEMBER	2426, 2447
LOCAL GOVERNMENT AMENDMENT (DISCLOSURE) BILL	
<i>Introduction and first reading</i>	2427
STANDING COMMITTEE ON FINANCE AND PUBLIC ADMINISTRATION	
<i>Port Phillip Bay: channel deepening</i>	2427
WESTERN SUBURBS: GOVERNMENT SERVICES	2427
TOBACCO (CONTROL OF TOBACCO EFFECTS ON MINORS) BILL	
<i>Second reading</i>	2435, 2456
<i>Third reading</i>	2457
QUESTIONS WITHOUT NOTICE	
<i>Environment: greenhouse gas emissions</i>	2445
<i>Planning: transit cities</i>	2446
<i>Kororoit Creek: regional strategy</i>	2447
<i>Planning: Latrobe Valley</i>	2449
<i>Housing: affordability</i>	2450
<i>Seaspray: caravan park redevelopment</i>	2451
<i>Roads: regional and rural Victoria</i>	2452
<i>Gippsland: government initiatives</i>	2453
<i>Lonsdale Lakes: Ramsar designation</i>	2454
<i>Fishers Timber: Europallets</i>	2456
<i>Supplementary questions</i>	
<i>Environment: greenhouse gas emissions</i>	2446
<i>Kororoit Creek: regional strategy</i>	2448
<i>Housing: affordability</i>	2450
<i>Roads: regional and rural Victoria</i>	2453
<i>Lonsdale Lakes: Ramsar designation</i>	2455
QUESTIONS ON NOTICE	
<i>Answers</i>	2456
PORT SERVICES AMENDMENT (DISPOSAL OF MATERIAL) BILL	
<i>Second reading</i>	2457
CANCER AMENDMENT (HPV) BILL	
<i>Introduction and first reading</i>	2476
APPROPRIATION (2008/2009) BILL and BUDGET PAPERS 2008–09	
<i>Second reading</i>	2477
WILDLIFE AMENDMENT (MARINE MAMMALS) BILL	
<i>Introduction and first reading</i>	2499
ADJOURNMENT	
<i>Water: desalination plant</i>	2499
<i>Office of Housing: Flemington estate</i>	2499
<i>Bulleen Heights School: funding</i>	2500
<i>Ambulance services: northern Victoria</i>	2500
<i>Beach Park, Beaumaris: bicycle path</i>	2501
<i>Sport and recreation: Country Action grants</i>	2501
<i>Central Highlands Water: conduct</i>	2501
<i>Family violence: regional and rural Victoria</i>	2502
<i>Commercial Ready program: funding</i>	2502
<i>VicForests: firewood contracts</i>	2503
<i>Public transport: regional and rural Victoria</i>	2504
<i>Public transport: Prahran electorate</i>	2504
<i>Healesville High School: funding</i>	2505
<i>Community services: Springvale resident</i>	2505
<i>Responses</i>	2506

Wednesday, 25 June 2008

The PRESIDENT (Hon. R. F. Smith) took the chair at 9.34 a.m. and read the prayer.

PETITION

Following petition presented to house:

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) (420 signatures)

Laid on table.

PAPERS

Laid on table by Clerk:

Auditor-General —

Report on Coordinating Services and Initiatives for Aboriginal People, June 2008.

Report on Maintaining the State's Regional Arterial Road Network, June 2008.

Report on the New Royal Women's Hospital — a public private partnership, June 2008.

Report on Performance Reporting by Public Financial Corporations, June 2008.

Statutory Rules under the following Acts of Parliament:

Confiscation Act 1997 — No. 57.

Evidence Act 1958 — No. 58.

Magistrates' Court Act 1989 — No. 64.

Road Safety Act 1986 — Nos. 59, 60, 61, 62 and 63.

Victorian Civil and Administrative Tribunal Act 1998 — No. 65.

Subordinate Legislation Act 1994 —

Ministers' exemption certificates under section 9(6) in respect of Statutory Rule Nos. 40, 41, 42, 57 and 58.

Minister's infringements offence consultation certificates under section 6A(3) in respect of Statutory Rule Nos. 57 and 58.

BUSINESS OF THE HOUSE

General business

Mr D. DAVIS (Southern Metropolitan) — By leave, I move:

That precedence be given to the following general business on Wednesday, 25 June 2008:

- (1) notice of motion no. 27 standing in the name of Mr Barber relating to the introduction of the Local Government Amendment (Disclosure) Bill 2008;
- (2) notice of motion no. 26 standing in the name of Mr Rich-Phillips relating to a change to the reporting date for the Standing Committee on Finance and Public Administration inquiry into the Port Phillip Bay channel deepening project;
- (3) order of the day no. 5, relating to the resumption of debate on the motion condemning the government for its failure to provide government services in Melbourne's western suburbs;
- (4) order of the day no. 4, relating to the resumption of debate on the second reading of the Tobacco (Control of Tobacco Effects on Minors) Bill 2007; and
- (5) order of the day no. 2, relating to the resumption of debate on the second reading of the Port Services Amendment (Disposal of Material) Bill 2008.

Motion agreed to.

MEMBERS STATEMENTS

Office of the Australian Business and Construction Commissioner: future

Mr DALLA-RIVA (Eastern Metropolitan) — It has taken only six months of the Rudd government before the real agenda of the union movement has emerged and the unions have started to flex their muscles. Members would have received a letter from Dave Noonan of the Construction, Forestry, Mining and Energy Union around May this year calling for the abolition of the Office of the Australian Building and Construction Commissioner (ABCC). The union wants to abolish it. Why does it want to abolish the office? We need to go back to why the ABCC was established. The final report of Commissioner Cole found that the

building and construction industry was characterised by widespread disregard for the law. I think we have to be fair dinkum and say that the industry was very corrupt in the way it operated.

How have we gone since the creation of the Australian building and construction commissioner? We have seen a drastic improvement in the performance of construction in Victoria and Western Australia in particular — the two areas where the militant union was most active. Now they are proposing to bring their militancy back into Victoria. We have seen costs to the commercial sector fall by 9 per cent since the creation of the ABCC in 2005. We have narrowed the gap to only 1.7 per cent in building costs between the commercial and domestic residential sectors. This gap was as high as 10 per cent before the establishment of the ABCC. Over the same time the ABCC has presided over a rise of over 9.5 per cent in construction labour productivity. The agenda of this union movement is to gain control again.

Public transport: management

Mr BARBER (Northern Metropolitan) — Do you know who I think we should get to run the public transport system? The guys who run the airports. You walk into the airport and it is all laid out in front of you. There are people there to help you and tell you where to go. There are toilets, there are restaurants and it is clean. The planes take off more or less on time. They have a ticketing system that works.

The PRESIDENT — Order! Through the Chair.

Mr BARBER — If the guys who run the airports ran the public transport system, I would have an assigned seat on the 8.25 a.m. train from Royal Park. The job they do is about a thousand times more complicated than the public transport system and yet they do it seamlessly. They have someone else handling the vehicle movement which they realise is the least complex part of the whole exercise, and their really important stuff — that is, the people side — is the bit that is dealt with with ultimate care. Those guys really get it, and I think we should invite them to at least act as consultants to the public transport system, if not actually take it over completely.

Lionsbrae Elderly Citizens Hostel

Mr LEANE (Eastern Metropolitan) — That was fabulous!

Today I commend the Lionsbrae Elderly Citizens Hostel, which I had the pleasure of visiting recently at the invitation of Rhonda Prior, the hostel's chief

executive officer. Lionsbrae is a very socially minded aged-care facility. Residents do not need a bond to move into and reside in the hostel, and its staff show a lot of out-of-the-square thinking on how to keep people active and happy. I found that a lot of the activity revolves around food and drink. Residents keep the vegie garden up to scratch, look after the chooks and use the eggs in their cooking. Home-brewing is a very popular activity, and by all reports I have heard Lionsbrae beer is delicious — I can almost attest to that. I look forward to assisting the people at Lionsbrae in growing their facility, and it would be great if it does grow.

Maroondah Hospital: mental health facility

Mr LEANE — On another matter, I congratulate the Minister for Mental Health in the other place, Lisa Neville, who recently opened a new mental health facility at Maroondah Hospital. Stage 1 is finished and, importantly, it incorporates a separate eight-bed women-only area. It is an initiative that will make women comfortable in this environment at a hard time in their lives. I look forward to stage 2, and demolition has already started for that to occur.

Macedon Ranges and Moorabool: citizenship ceremonies

Mr KOCH (Western Victoria) — Last week I was delighted to accept invitations to attend citizenship ceremonies at Ballan and Kyneton. Moorabool Shire Council mayor, Cr Dianne McAuliffe, hosted a ceremony in Ballan at which 10 residents from across the shire received their official Australian citizenship. After pledges were made all were welcomed as the shire's newest citizens and presented with gifts — a medallion and a native tree. Moorabool's new citizens have come from countries across the globe, including England, the former Yugoslavia, India and Lebanon to make Australia their new home.

Likewise, Macedon Ranges Shire Council held a ceremony in Kyneton at which four local residents were presented with their Australian citizenship certificates by the shire's mayor, Cr Noel Harvey. They were also given a memento card to remind them of their pledge and an Australian native plant from the council.

Macedon Ranges Shire Council recognises that becoming an Australian citizen is an important day when family and friends can join in to make the ceremony a memorable and happy occasion. Australian citizenship is a privilege that offers enormous rewards to all who strive to uphold its obligations. The warm welcome from both mayors to their newest citizens

confirmed the desire that new citizens participate fully in their communities. Having congratulated all the new citizens individually it was most apparent to me that all participants enjoyed this recognition and looked forward to making a contribution to their respective communities.

Tony Matisi

Ms MIKAKOS (Northern Metropolitan) — I rise to pay tribute to Northcote legend Tony Matisi, who passed away on 11 June. Tony Matisi was born on 22 June 1914 and migrated to Australia from Italy in 1938. His friendship with former Labor immigration minister Arthur Calwell helped Tony bring his fiancée of 11 years, Elena, to Australia. Tony and his family established a prominent local business, a furniture shop in High Street. In 1962 Tony was elected to Northcote council, on which he served until 1985. In 1969 Tony Matisi became the first Italian-born mayor in Victoria, and he was re-elected mayor in 1974 and 1979. Tony was recognised for his service to the Italian community by receiving a knighthood from the Italian government in 1970, and was appointed a member of the Order of Australia in 1988.

Club Fogolar Furlan is located in Matisi Street, Thornbury, which is named in Tony Matisi's honour in appreciation of the club he helped found. The school next door — my old high school, Thornbury High — also gives a Matisi award in his honour, which is presented each year to a male and a female student. I extend my condolences to Tony Matisi's family.

Australian Labor Party: Kororoit candidate

Mr FINN (Western Metropolitan) — No-one can accuse the Brumby Labor government of pork-barrelling during the course of the current Kororoit by-election campaign. Just as Labor has given the west of Melbourne nothing during the past almost nine years of its miserable administration of this state, it has offered the people of Kororoit nothing in the lead-up to Saturday's poll. It is yet another example of Labor's contempt for the people of the western suburbs, but this may be about to blow up in the Brumby government's face.

It has been said that one definition of insanity is to keep doing the same things the same way and expect a different result. The people of Kororoit are about to prove they are far from mad. Local anger over Labor's arrogant neglect of the west will boil over on Saturday and give the Brumby government the kick in the tail it so richly deserves. The blow-in will be blown out. The kick is just the start. It will resonate right up to

November 2010 when the people of the west will stand as one and tell Premier Brumby they will no longer be treated as second-class citizens.

This is a big week in the history of Melbourne's western suburbs. This Saturday will be a watershed for what Labor has so arrogantly referred to as its home turf. We know the Brumby government stinks. Let me assure the house it is not just the Dogs that are rising in the west!

Manresa Kindergarten: closure

Mr THORNLEY (Southern Metropolitan) — The Dogs are indeed rising in the west, Mr Finn!

The Manresa Kindergarten has been saved. I am very pleased to be able to report the result of the hard work of the local parents in trying to relocate the kindergarten after 90 years in the rented hall of the local Catholic Church, where unfortunately it will no longer be able to stay. We have been working with the kindergarten for over a year, and I was very pleased that the government announced this week a grant of \$500 000 to enable that kindergarten to move to what will be the new Hawthorn precinct and integrated service centre.

I want to congratulate in particular Dr Sarah Curtis and Denise Whitelaw from the committee, who have worked so hard on that. I also thank Jess Mison-Smith from my office who has been working on this issue for a long time.

Jewish Holocaust Museum and Research Centre

Mr THORNLEY — On another matter, I had the privilege to attend, not for the first time obviously, with many of my parliamentary colleagues the Jewish holocaust memorial museum. It was a very important occasion. It is one that I hope we will repeat every year. A significant group from both sides of the house attended. Every holocaust museum has its own particular way of commemorating and educating. In particular the Melbourne Jewish holocaust museum is blessed with a large number of holocaust survivors who personally educate visitors. I recommend it to all members who did not have the opportunity to attend this time. Hopefully we will do it again next year.

ASHEletics Indigenous Games Carnival

Ms DARVENIZA (Northern Victoria) — I was very pleased to attend with the Minister for Education in the other house, Bronwyn Pike, the opening of the annual ASHEletics Indigenous Games Carnival in Shepparton last week. Hundreds of students attended

from around Greater Shepparton. This event gives indigenous students a chance to participate in traditional games that are culturally relevant and meaningful. It was great to see the talent and enthusiasm of the energetic young people taking pride in their history and keeping healthy and active. I want to congratulate all those who were involved in working so hard behind the scenes to make these games happen.

Ms Lovell interjected.

Statements interrupted.

SUSPENSION OF MEMBER

The PRESIDENT — Order! Ms Lovell knows the standards of the house. Referring to members on their feet by their first name is not acceptable. I ask her to remove herself from the chamber for 15 minutes.

Ms Lovell — I have to be on the radio in a few minutes.

The PRESIDENT — Order! I will make it 30 minutes to make sure Ms Lovell has plenty of time on the radio.

Ms Lovell withdrew from chamber.

Statements resumed.

Roads: Benalla

Ms DARVENIZA (Northern Victoria) — I was pleased to announce in Benalla a grant of \$250 000 for a project to create a major entry point in Benalla from the eastern approach. This is a partnership project in which Benalla council is contributing \$190 000 and VicRoads \$65 000. This project will create a broad central median strip leading into the town. There will be landscaping and beautification work, the installation of a series of flag poles, feature lighting as well as directional and promotional signage and a new roundabout.

Land Victoria: electronic conveyancing

Mr D. DAVIS (Southern Metropolitan) — Today I want to draw to the house's attention the ongoing concern that the opposition and many in the community have about the government's electronic conveyancing system. This electronic conveyancing system is a project that the government has been attempting to bring into operation since about 2000. Despite having spent \$40 million on this white elephant, the

government has had only a single transaction put through the conveyancing system.

Some months ago we heard in this chamber from the Minister for Environment and Climate Change that there were to be increased charges for paper transactions — in effect to drive people towards the electronic transactions of the electronic conveyancing system. The only thing is that the government did not get its consultation right; it did not get its details right. This lemon of a system is not wanted around Australia. The banks and lawyers want a national system that will fit in with what the banks do nationally. They do not want six state systems and two territory systems; they want one proper national system. And that system is not the Victorian system — a system that is based on old technology and that has had \$40 million pumped into it but has delivered just one single transaction over the last six years.

I have to say, what a lemon. This minister, Minister Jennings, and his predecessors former Deputy Premier Thwaites, former Minister for Environment and Conservation, Ms Garbutt, and others have not delivered for Victorians. Victorians should be angry about the waste of public money. The money should have been spent on services — —

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

Toyota Australia: hybrid car

Mr EIDEH (Western Metropolitan) — As a member for the Western Metropolitan Region I was truly impressed when the Premier, the Honourable John Brumby, declared the commitment of Victoria's Labor government to the development of a hybrid car within my electorate. This outstanding news will see many new jobs created within the economically disadvantaged region. This great news will see a true commitment to reducing greenhouse gas emissions and thus working towards a healthier environment for all Victorians. In time each and every one of us in this house and in the other place will be driving such cars, as I see the Premier following the lead of the Prime Minister and declaring that the government fleet will all be energy-efficient, greenhouse-neutral vehicles. Government departments will also use these vehicles.

The government expects this decision will lead to a \$150 million investment in our state. Given that Victoria is the Australian state producing the most cars, providing the greatest number of jobs in the automotive industry and exporting far above the numbers of any other state, this news becomes even more important.

This government is taking action to preserve jobs in our state, this government is acting to strengthen the economy and this government is taking positive steps to achieve these critical goals while also saving our precious environment.

LOCAL GOVERNMENT AMENDMENT (DISCLOSURE) BILL

Introduction and first reading

Mr BARBER (Northern Metropolitan) introduced a bill for an act to amend the Local Government Act 1989 to strengthen the disclosure of gifts provisions and for other purposes.

Read first time.

STANDING COMMITTEE ON FINANCE AND PUBLIC ADMINISTRATION

Port Phillip Bay: channel deepening

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

That the resolution of the Council on 27 February 2008 requiring the Standing Committee on Finance and Public Administration to inquire into the Port Phillip Bay channel deepening project and to present its final report to the Council no later than 30 June 2008 be amended so as to now require the committee to present its final report by 11 September 2008.

Motion agreed to.

WESTERN SUBURBS: GOVERNMENT SERVICES

Debate resumed from 11 June; motion of Mr FINN (Western Metropolitan):

That this house condemns the Brumby government for its failure to provide the people of Melbourne's western suburbs with the government services they deserve.

Ms HARTLAND (Western Metropolitan) — Initially when I heard the contributions of Mr Pakula and Mr Finn, I thought I would answer all the points they had raised and speak for as long as they did, but I have decided to not torture the chamber in that way and to speak only very briefly. That is also because I have a very different experience of living in the western suburbs, and that is what I want to outline.

I also want to put forward what the Greens think of some of the good ideas for the west. I have lived in the

western suburbs for 25 years, in Moonee Ponds, Ascot Vale and Seddon. For the last 20 years I have lived in Footscray and West Footscray. When we bought our first house in Footscray it was seen as being on the wrong side of the river because of the smell from the abattoir, and the reckless disregard of the chemical industry for the safety of its staff and the local communities. Often in those early days, especially after the Coode Island fire, I was asked why I lived there. Firstly, it was the only place we could afford but, more importantly, it was because the western suburbs had and still have, a great sense of community.

When people talk about the west it is often in a negative way, and I will touch on those issues later, but I want to start my contribution to the debate by talking about how great the western suburbs are. There is still a wonderful sense of community, neighbours actually know and speak to each other, and that sense of community is also springing up in the new suburbs. Multiculturalism is at its best in the west. We have mosques, Buddhist temples, Sikh temples, Christian churches and more. We have people talking the most extraordinarily different languages from around the world. We also have community members who help new arrivals. There is an acceptance that what makes Footscray and other parts of the west really great is multiculturalism — and, of course, the food is fantastic!

We have hidden treasures like the Footscray Community Arts Centre, the Maribyrnong River, Newport Lakes and Werribee Open Range Zoo, hopefully without a horrible theme park. We have the One Hundred Steps to Federation, the wetlands in Truganina Park and some of the most important remnant grasslands in Australia. Frankly, I would not live anywhere else. The real problems we have in the west have been created by a neglect of the west by both the ALP in the past nine years and previous Liberal governments.

What we do not have in the west and what we need are more schools. Students should be able to get to school without being driven or being reliant on complicated transport routes. There need to be more services for young people, especially newly arrived migrants; more community health centres, more dental chairs, respite services for families with children with disabilities; and a public transport system that works.

The Eddington report recommends roads and tunnels from the east to the west, with new roads ploughing through our residential streets. Figures show that only 14 000 people per day want to travel from the west to the east, whereas 420 000 people from the west travel towards Melbourne to work, and those people need a

better public transport system. Would it not be more logical to use the cost of the proposed Eddington road tunnel on a number of short-term and longer term solutions for public transport in the west such as an extension of the Docklands tram to Footscray station, re-routing the Footscray to Moonee Ponds tram so that it can service some of the new suburbs in Maribyrnong, and an extension of the Airport West tramline. We also obviously need a bus review that will eventually mean that buses meet the trains to help people connect with other services. There needs to be an extension of the Werribee train line to Wyndham Vale. We need to electrify the Bacchus Marsh–Melton line with a new train station at Caroline Springs. I support Eddington's proposed rail tunnel from Tarneit to Deer Park, as this would take pressure off V/Line services on the Werribee line and service some of the new suburbs.

When we talk about neglect in the west we are also talking about the excuses that governments make about why they cannot do things. These things can be done. If we have the technology to build elevated roads and tunnels we have the technology to create the best public transport system in the world. We just need to be creative.

As I said at the start of my contribution, I would not live anywhere else, but there is one service in the west that we could do without, and that is pokies.

Mr EIDEH (Western Metropolitan) — I rise to praise the Brumby Labor government and the previous Bracks Labor government for their absolute commitment to Victoria, particularly in my vast Western Metropolitan Region electorate.

The Liberal Party has a very poor record when it comes to providing services for communities in the western suburbs. Former Premier Jeff Kennett did nothing for education, health, roads, public transport or community safety — that is, things the Bracks and Brumby governments have delivered for the western suburbs since 1999.

Labor's strong record in delivering for the western suburbs has revitalised services and infrastructure. As my colleague Mr Pakula has already stated, in the last decade Labor governments have achieved much for the people of my previously ignored electorate, both in a general and targeted sense. Both are important, because in the general sense much has been achieved in educational reform and improvements that now afford students in my region many of the same opportunities as those of students in other regions, despite the large economic disparity between them; in health, through the funding of additional nursing places, new

ambulances and much more; and through the provision of services for older Victorians, multicultural support and much more, as is clearly shown in this year's budget papers.

However, I especially praise the many specific programs that have solely benefited the people of the Western Metropolitan Region. I praise the completion of the \$150 million Tullamarine–Calder interchange. If memory serves me correctly, it was completed ahead of time and under budget. This interchange has proved to be a great boon for local traffic management and for safety. Along with the new freeway that extends as far as Greensborough, we see an honest commitment to road infrastructure to the benefit of all in my electorate and to those in neighbouring electorates as well.

Then there is the \$52 million for the Footscray Renewal project; \$900 000 towards the Visy Cares Hub in Sunshine; the new \$2.5 million Sunshine swimming pool; and the \$66 million towards the Deer Park bypass. Indeed, this major development, designed to improve transport times and safety in this significantly growing community, has already led to many thousands of acres of land opening up for new housing and business sites, with more to come. This is a direct result of the Labor government, as is the major redevelopment of the Whitten Oval, which will provide a great many facilities that have not previously been available in that region. Children, athletes and the community in general will all benefit from that significant project.

Only last week we had the great announcement that the Victorian and federal governments will invest in the Toyota factory at Altona, developing hybrid cars that are much better for our fragile environment. This investment will also create hundreds of jobs.

In the budget recently delivered by the Treasurer there is much more, such as the investment of \$74 million in a new day hospital in Sunshine, plus renovations and additional facilities to significantly expand services there, including four radiotherapy bunkers, a new research facility and additional provisions for training; this is on top of a previous \$20 million investment. There is \$1.1 million for the Point Cook community learning centre, featuring new community and meeting rooms, a community kitchen, kindergarten and maternal and child-care facilities. There is \$1.8 million for the Yarraville community centre to bring much-needed facilities to that area; a new mental health service in the relatively new and growing suburb of Burnside; \$14 million for eight new obstetric beds and four additional special-care nursery cots at the Werribee

Mercy Hospital, allowing an additional 800 births at the hospital annually.

There is \$92 million to upgrade the rail track and station at Laverton and surrounds to enable additional services, improved travel times and greater reliability from Altona and Laverton to the Melbourne central business district, and some \$30 million for track and station works at Craigieburn — yet another growing community in my electorate.

There is funding for a number of new education facilities in Altona, Sunshine, Craigieburn, Wyndham Vale, Taylors Hill, Point Cook and Craigieburn West; and others will follow by 2011, You can add to this the \$7 million for a new campus of Caroline Springs College, a growing and very successful school.

There has been significant redevelopment of the RAS (Royal Agricultural Society) grounds to the sum of \$108 million for a facility that has served the people of Victoria exceptionally well over the years and will now do so for many more years to come. There will be a \$6 million investment in a brilliant new concept, the community kitchen, and while much of this will be in my electorate, it will go even further afield. The park-and-ride facilities at Watergardens, Hoppers Crossing and Laverton are part of a \$32 million commitment. These developments are aimed at easing congestion on our roads, increasing the utilisation of public transport and reducing our carbon footprint.

There is \$5 million to redevelop and modernise two schools in Altona; \$10 million towards improving a number of our police stations, including those at Keilor Downs, Williamstown, Avondale Heights and Moonee Ponds; another \$2 million-plus for a new ambulance service in Williamstown; \$3 million to redevelop the Williamstown football ground; and money for walking and cycling programs, and road infrastructure in Footscray and Williamstown. This is an example of the ongoing commitment and the loyalty, respect and belief in the community that the Brumby Labor government has for the Western Metropolitan Region. I am so proud to be a member of a government that does not act for only half of the state but for all Victorians.

Mr GUY (Northern Metropolitan) — Does any member remember a man by the name of Henry Barlow? He was Labor's no. 4 candidate in the Western Metropolitan Region at the last election. He was put up by the Labor Party. The party said, 'With a footballer leading our ticket out in the western suburbs, we are going to get four, and possibly five, of the upper house seats'. That was Labor's boast coming into the state election; and bizarre as it was, the Labor Party went

around, certainly in my area and no doubt in a number of other areas around Victoria, noting that it was going to get four or maybe five positions in the upper house at the 2006 election. Of course that did not happen.

The people in the western suburbs realised they were being taken for granted. That flash in the pan — Mr Barlow — is not in this chamber.

An honourable member interjected.

Mr GUY — I do not know; I am sure he is a nice gentleman, but the reality is that he is not in this chamber because the people in the west realised that Labor was taking them for granted. They did not respond to the messages that the Labor Party was putting out such as, 'We have got a footy player leading our ticket; that is enough. Surely you will all vote for us and we will get all five seats'. It did not work. Why?

I have heard a number of speeches, including from Mr Eideh and from other Labor MPs who have stood up and bizarrely claimed projects as their own, which were either paid for with private capital or paid for by the former Howard federal government, but of course that is not new. In my area, the northern suburbs — another area ignored by the Labor government — the member for Yan Yean in the other place distributed a brochure claiming credit for the Craigieburn bypass, which construction was 100 per cent funded by the Howard federal government. Nonetheless she claimed credit for it. However, I will move on.

I want to talk about some issues for the western suburbs between the Labor Party and the coalition. It is very interesting to compare these issues. The St Albans level crossing, which is the fourth worst rail level crossing black spot in Melbourne —

Mr Finn — The most dangerous in the west.

Mr GUY — The most dangerous in the west, Mr Finn; that is exactly what it is. The Liberal Party has made a commitment to lower the levels of that crossing, but approaching the forthcoming by-election the Labor Party has said nothing. It has said, 'You're not getting a brass razoo. We are not going to give you anything'. The Premier said, 'This is as good as it gets'.

The provision of a railway station at Caroline Springs is a major issue. Caroline Springs is a brand new suburb, but the Labor Party has not come out with anything — again, not a brass razoo. The Liberal Party has given a commitment, 'If in government, we will build it'. We understand that community is growing, and a station needs to be built there. That is the coalition's

commitment: we will build the Caroline Springs railway station.

Let us talk about outer west rail services. I heard a couple of speakers for the Labor Party talking up how much money the government has put in. They said, 'We have put hundreds of millions of dollars into rail services'. The greatest timetable change that has occurred from areas like Melton inwards, from Sunbury inwards and, further out, from Geelong inwards, occurred when the Kennett government introduced Sprinter trains.

Mr Finn — Under Alan Brown.

Mr GUY — Sprinters, under Alan Brown, a former transport minister, drastically reduced the travel times between those locations, the outer west and Spencer Street. That is a reality. Even with the hundreds of millions of dollars put in by this government for a supposedly fast rail service, it has not benefited the western suburbs by more than a handful of minutes. It has not benefited the western suburbs because the high-speed lines come into places like Sunbury. They obviously do not go from Sunbury into the city. They have not worked at all. The greatest transport benefit that people in those areas have had has been under the Kennett government in reducing timetable delays and travel times from the outer west into the city. I add that the member who moved this motion was the member for Tullamarine at the time that the greatest timetable difference was eliminated for the people of Sunbury under the previous Liberal-National government.

While we are on the topic let us have a look at crime. I note that the Liberal Party has promised a 24-hour police station in St Albans to combat the record crime rates that are occurring out west. But this is just the start, because we acknowledge, as the police union acknowledges, that there are major issues of crime all around Melbourne. Ms Hartland referred to it, others have referred to it, and the speakers are right. The Liberal Party believes that 60 extra police officers are needed for Kororoit. Its policy includes the provision of \$7 million for a new 24-hour ambulance station in St Albans and 60 police officers for the whole area, as well as the Caroline Springs station, which would come on as a 24-hour station, and an extra 20 officers on the beat for around-the-clock services.

I found it very interesting to look at the *Herald Sun* in the week just gone to see what kind of city we are facing in terms of crime. These are some of the headlines from the *Herald Sun* in the past week: 'Armed pair hold up Deer Park Hotel on Ballarat Road', 'Elderly woman tied up, robbed at home by

armed invaders', 'Knife-wielding thief robs Geelong motel guests', 'Safety on Melbourne's transport system worries females', 'Father of two shot as police hunt masked gunman', 'Thief waves gun at cabbie after smashing window for cash', 'Burglars terrify great-grandmother', 'Burglars target Melbourne's inner city and eastern suburbs', 'Moe woman sexually assaulted by home invader', 'Eight arrested after altercation, stabbing in Reservoir', 'Axeman attacks speed camera car'. Need I go on? 'ATMs, pay phone set on fire at Northland shopping centre'. And government members opposite tell us that the crime rate has never been lower! They must be living on Mars, because crime is out of control in Victoria and they are doing nothing about it. That is the reality. They are doing even less about it in the western suburbs. This is Labor's record in an area of Melbourne that it has fundamentally taken for granted for more than 50 years.

I heard previous Labor speakers on this bill talking about the growing areas of the western suburbs. Again, let us contrast the two parties: let us contrast the coalition and Labor. Let us talk about urban character. The Labor Party has a policy, which is being discussed right now, to destroy urban character in the western suburbs, to destroy urban character right across Melbourne — allowing high-rise anywhere, in cul de sacs, laneways, activities areas, residential areas. This is what will happen under Labor's new residential zones proposal. It has been endorsed by the Minister for Planning, who is one of the members for Western Metropolitan Region, with his signature on the front of the document. That is what he will do to the western suburbs.

Interestingly, the policy has been opposed by a few Labor backbenchers — the member for Eltham, the member for Mordialloc, the member for Essendon — who have come out and said this proposal is draconian and will destroy urban character, and it will. The Liberal Party is very clear: we do not support the new residential zones document. We are very clear, and there is the contrast. You can have urban character in the western suburbs protected by the coalition or you can have it destroyed by the Labor Party.

Let us have a look at the right of appeal under new residential zones, if you want a contrast. Under the Labor Party's new residential zones third-party rights policy your right to be notified of a high-density development, your right of appeal and your right of objection will be removed — scrapped, gone. That is how much Labor cares about the west, the north, the south, the east, country Victoria and regional Victoria; that is how Labor members care about their constituency. The right of appeal is gone. Under the

coalition it will remain. We believe in the right of appeal, we believe in the right to be notified, we believe in the right of objection. So there is a very clear choice.

Let us have a look at council planning powers. Under Labor's DAC (development assessment committee) policy it will be goodbye to Hume, Brimbank, Wyndham — all these councils that have activity centres out west, that have put ratepayers' money from the western suburbs into structure planning. What is that used for? What use is it? Airport West, Broadmeadows, Footscray, Preston, Preston Northland, Sunshine, Sydenham — all the northern and western suburban councils that have put ratepayers' money into benefiting their cities will be washed away under Labor's DAC proposal. That is what the planning minister wants to do, and he is running around town trying to sell it to every planning group in town, and obviously they are all salivating over the prospect of the removal of local government.

But what about the councils out west? What about the people who live out west who are having their right to determine the urban character of their own areas withdrawn under this government? I defy any member opposite to come into this chamber and say that what was done in the council amalgamations under the previous Liberal-National government, firstly, was worse for those councils and, secondly, did anything even remotely close when it comes to third-party rights of appeal, notification or council planning powers for those areas. But that is what Labor is doing to the western suburbs, and that is why Mr Finn's motion is exceptionally important today.

I want to turn briefly to one very important issue — that is, the candidates in the Kororoit by-election, because this is what the motion is about. We are talking about the western suburbs, there is a by-election in the western suburbs, and this is the week before that by-election. I was out there letterboxing for Jenny Matic on the weekend. She is a terrific candidate. She is a person who has lived her life in the western suburbs since 1970, since she migrated to this country from Croatia, since her family started a business out west, since she went to local schools, since she lived locally and raised her family locally. Live, work and raise a family — there is a bit of a theme there. That is what Jenny Matic has done. She has lived, worked and raised her family in the western suburbs.

What about the Labor Party's candidate? Marlene Kairouz is from Darebin, from the northern suburbs.

Mr Finn — That's a fair hike from the west!

Mr GUY — It is a fair hike indeed, Mr Finn. It took me a while to drive out west to help Jenny Matic, but it would have taken Marlene Kairouz just as long because she must be a neighbour of mine, being a councillor in the City of Darebin. So vacant is her CV that I found, when I was given her brochure by one of my friends who lives out west and received it in his letterbox, that it contains just three dot points. Of course political parties, as we know, when they are putting out a brochure, never want to waste both sides of a page. They want to get their message out, and it is a waste to put nothing on the back; but so vacant is her local CV that Labor could only manage three dot points on one side, and a blank back! There is nothing to say what she has done locally. It says she has worked hard for the rights of workers and she has vast experience in local government — that is right, in Darebin, where the Labor Party is taking planning powers away. It says:

Marlene is campaigning on local issues ...

It must be Darebin again because it certainly is not in the western suburbs! Mr Finn enlightened me about a bridge THAT goes nowhere in the west. I wonder whether that would happen with Marlene Kairouz if she were one of the local MPs.

Mrs Peulich — For her it's a bridge too far away!

Mr GUY — Mrs Peulich, you are spot-on: it is a bridge too far away. From Darebin to Kororoit it would cost a lot of money. But what I again found interesting about these candidates and about Labor taking the western suburbs for granted was another article in a newspaper — today's *Herald Sun* — that says:

Disgruntled right-wing ALP members are quietly moving to strip some power from Mr Shorten and Senator Conroy amid dissatisfaction over the ... Kororoit preselection ...

No doubt they are! Mr Shorten used to be able to fix preselections, but clearly not this one. It is interesting when we look opposite to see who has been a Marlene Kairouz supporter. Mr Leane has been; Mr Somyurek has been, principally because Mr Theophanous has not been; Mr Seitz, the member for Keilor in the other place, sure is; and Mr Lenders has been. What about Ms Suleyman, the former Brimbank mayor? Minister Madden employs her father, so obviously he went down in that preselection contest. Mr Haermeyer went down, the Premier went down, and I do not even know where Mr Pakula is. He does not live there. He is trying to do numbers there, but it is a classic example of the Labor Party taking the west for granted yet again.

Mr Finn — You forgot to mention Bill Shorten. He went down in a big way.

Mr GUY — Mr Finn, he went down in a very big way. I simply say in conclusion: the evidence is in that the Labor Party takes the western suburbs for granted, and it takes the northern suburbs for granted. The coalition has presented a very clear point of differentiation on a range of issues — transport, police, health, planning — and it is all there on the table. I ask members today to listen to the facts and indeed to support the motion moved by Mr Finn.

Mrs PEULICH (South Eastern Metropolitan) — I first of all commend my colleague Matthew Guy on a very spirited contribution. I think his assessment of the neglect of the west by the Labor Party is spot-on, and in particular all of us appreciated the internal assessment of the power struggle that preceded the Kororoit preselection. And why would that not happen? Because if in actual fact you have a look at the area — —

Mr Thornley — At least we didn't try to preselect Ken Aldred.

Mrs PEULICH — And if you speak to the locals, as we did when we were doorknocking — —

Mr Thornley — That's what you do in your power struggles. Ken Aldred? Is that what you do in yours? Ken Aldred?

Mrs PEULICH — None of them actually knew who the local member, lower house member, upper house — —

Mr Thornley — Is that what you do in yours?

Mrs PEULICH — Sorry?

Mr Thornley — Ken Aldred?

Mrs PEULICH — What has that got to do with it?

Mr Thornley — That's what you do in your internal preselection battles — you support Ken Aldred!

Mrs PEULICH — On a point of order, President, Mr Thornley is implying some sort of racism on my part. I find it offensive, and I am asking that he withdraw. Given his sensitivity to issues of racism himself, I think it is absolutely uncalled for that he sit there and imply racism on my part. I find it totally offensive. As one of the few people who has actually had parents in a concentration camp, I find it offensive.

The PRESIDENT — Order! I unfortunately did not hear the exact words used, but I would rely on the member. I remind Mr Thornley that Mrs Peulich considers his remarks offensive, and that is good enough — —

Mrs PEULICH — And the inferences and reflections.

The PRESIDENT — Order! I ask the member to withdraw.

Mr Thornley — President, my comment was in respect of Mrs Peulich's support for Mr Aldred in a preselection.

Mrs PEULICH — That is just bull dust.

Mr Thornley — If that is incorrect, I withdraw it.

Mrs PEULICH — You are an absolute scumbag — and I withdraw.

The PRESIDENT — Order! Mrs Peulich is an experienced member of the other house and has been in this house long enough to know full well that that remark is totally out of order. I ask her to not only withdraw but to apologise.

Mrs PEULICH — I apologise, President, but again — —

The PRESIDENT — Order! No debate.

Mrs PEULICH — Without qualification, I apologise. It was uncalled for, but could I say the member constantly throws allegations of racism at other people — —

The PRESIDENT — Order! Mrs Peulich is heading down a road travelled too often, in my opinion. I ask her to continue her contribution and forget the debate on the remark that has already been withdrawn.

Mrs PEULICH — I will be guided by you, President. I would like to congratulate Ms Matic for taking up the challenge in the west, for taking up the opportunity of shining the light on Labor's neglect of the west and of its taking for granted a constituency that deserves a better deal than it has had from its previous members.

I include in that the one who has chosen to cause a costly by-election, the current member for Kororoit in the other place, Mr Haermeyer, and of course a member representing another local seat, the member for Keilor in the other place, Mr Seitz, whom on a personal level I quite like — we are friendly. But, dare I say, in doorknocking the area, and also being a frequent visitor to families with whom I have firm personal friendships in the St Albans area, I found that none of them knew anything about their local Labor members of Parliament, nor what they had achieved for them, which is clearly evident from the fact that there is very little to

point to in terms of what has been achieved. Labor has typically taken them for granted; it typically pork-barrels its marginal seats that it needs to keep, and it typically neglects and takes for granted its Labor heartland. If one actually has a look at Mr Haermeyer's contributions in the other place, I think about four speeches have been made in reference to Kororoit since the 2006 state election, and on two of those occasions all he did was merely congratulate volunteers rather than being in there and battling for the many unmet needs of the people of Kororoit.

In terms of Ms Matic, I would like to wish her the very best. I think this is an opportunity for the people of Kororoit to have their say, to send Labor a message that enough is enough and that they will not be taken for granted any longer. It is a wonderful opportunity for the people. Many of them are from multicultural communities, and I certainly look forward to being out there on Saturday, engaging with some of them and also pointing out the failings of the Labor government right up until the last minute. In terms of the doorknocking, one of the issues that has emerged is education. People are always looking to create the best possible opportunities for their families, and many of them raised issues about schools and the quality of education. Many of them have concerns about school maintenance being neglected, especially in the more established areas of Kororoit. Labor's track record on the school maintenance bill, which is now approaching \$300 million, is looking pretty grim for schools. Its resort is to close schools, to sell them off and use those proceeds to pay for maintenance bills, which are being neglected.

Jenny Matic is doing a great job with her team supported by the leader. I am, however, disappointed that the Independent who previously ran for Family First, Tania Walters, has chosen to direct preferences to the Labor Party. I find this quite ironic given that the Labor Party is going to be sponsoring a bill on abortion and liberalising those laws. With Tania Walters having been a Family First representative, clearly there has been some smelly, behind-the-scenes deal. It all sounds disingenuous. It sounds like a lack of commitment to the values which she purported to represent; if I were a voter in Kororoit, I would not be too impressed at all.

One understands intrafactional fighting. Clearly from Labor's perspective you need to do very little in a seat such as Kororoit, because very little has been done for such a long period of time.

On housing, I was very impressed with the meticulous manner in which many of the houses were kept. This is notwithstanding the appalling situation facing residents

in terms of transport, the cost of fuel, traffic congestion, the lack of public transport — particularly in Caroline Springs — and the need for a railway station.

Many of them alluded to stamp duty as highway robbery, and I concur with them. One of my friends in St Albans actually runs a shutter business for domestic houses, and I note that many of them had shutters on their homes, being very concerned about personal security. Is it any wonder? The law and order situation in the area is most concerning. It shows again the level of Labor neglect.

Leaked Victoria Police rosters for Keilor Downs police station reveal that one of the main 24-hour police stations servicing Kororoit had one in three officers unavailable for duty in April 2008. In April this year the Keilor Downs station had 14 officers seconded out of the station and a further 8 officers away on leave from a total of 51 staff listed on the roster, a shortfall of more than 40 per cent or over one-third of the listed strength of the station. Is there any wonder why, when you press the doorbell and doorknock, there is a reluctance by people, until they peer through the window, to open the doors? That has been caused by their concerns about crime. This was most notably an issue raised by women and families.

According to the data, there were more than 740 cases of violent crime in Kororoit last year including assault, sexual assault, rape, homicide, robbery and kidnapping. Police Association figures now reveal that Melton and Brimbank municipalities are suffering from a shortfall of 127 officers, adding further to the pressure on officers at Keilor Downs. That situation is deplorable. I commend the coalition's three-point Kororoit law and order action plan, which I will not now recount due to constraints in time.

On the major roads leading to Kororoit, every day thousands of cars are crawling along the Western Ring Road. Just one accident on that road can destroy the entire day for motorists.

Mr Finn interjected.

Mrs PEULICH — Absolutely. The West Gate Freeway and bridge traffic congestion is a daily disaster. A second Yarra crossing either at the West Gate Bridge or thereabouts is desperately needed. The Calder Freeway has become the Calder Crawl, which again is evidence of neglect.

On public transport, Mr Guy has spoken about our policy in relation to the St Albans railway station as well as the need to build a railway station at Caroline Springs, which the coalition is committed to.

The waiting lists at the Sunshine Hospital, which hit the news, are longer than the official government reports show, with internal hospital documents showing that more than 1500 people were on a so-called secret waiting list this year. Mr Pakula was singing chapter and verse about what the government was doing for Kororoit, which was really just normal government business. When you actually have a look at the specific issues raised by the community and voters of Kororoit, very significant issues were being ignored and neglected. I invite the voters of Kororoit to make their displeasure known and place Labor last as a signal of that protest.

Mr FINN (Western Metropolitan) — I thank members who have contributed to this debate. The point has been made very strongly that the Brumby government, like the Bracks government before it, just does not care about the west. I made mention in my opening address on this motion that the St Albans level crossing is symbolic of the neglect of the west by successive Labor governments over the past nine years.

But I have found another one since then, and I mentioned it to my colleagues whilst Mr Guy was speaking on the motion. There is a bridge that crosses the Princes Highway at Laverton. It does not go anywhere; it just stops. This literally is a bridge to nowhere. I am told that various government departments are debating the merits of actually finishing the bridge, which would allow traffic to travel across it and actually go somewhere. If members want to see in how much high regard the Labor Party holds the western suburbs, they should take a trip down to Laverton and take a photo of the bridge to nowhere. This is Labor's bridge to nowhere, and under Labor the west is unfortunately travelling on a bridge to nowhere as well.

The by-election in Kororoit on Saturday has given the opportunity for the ALP to show how much it cares about the west. It has given it ample opportunity to show that it really wants to help the people of the western suburbs. What has it done? It has snubbed that opportunity. It has ignored it. It has given people in the west nothing for nine years, and it is going to give them nothing for the next however-long period this crowd is in government. It has made that very clear in this by-election campaign.

The only thing we have seen from the ALP in the course of this by-election campaign is smear, innuendo, muckraking and politics of the filthiest sort directed toward certain candidates, one in particular. If ever the ALP wanted to make a point that it does not care about

the west and that all it cares about is protecting its own, this is the opportunity it has taken and run with.

I have been disgusted by what I have seen in Kororoit over the past week or week and a half. As late as this morning I heard some of the vilest slander directed towards one particular candidate who is a resident of the western suburbs — unlike the ALP candidate, who would need a *Melway* to find the electorate of Kororoit. But this particular candidate, who is, as I said, a resident of the western suburbs, has had the vilest slander directed towards him. It has been spread the length and breadth of the Kororoit electorate, and that is all the ALP has to offer the people of Kororoit. It is all the ALP has to offer the people of the western suburbs.

Mr Elasmarr interjected.

Mr FINN — Were you involved in that, Mr Elasmarr? I would be very quiet if I were Mr Elasmarr because I know how close he is, and understandably so, to the Labor candidate for Kororoit, because she hails from his neck of the woods. I am not sure whether Mr Elasmarr has been to Kororoit, but I reckon it might be an idea to get the ALP candidate and take her out there and show her around. I understand she laid claim, during the course of this campaign, to knowing the issues in Kororoit because she had lunch with somebody at the Caroline Springs shopping centre! That is the depth of her knowledge of the western suburbs and of Kororoit — she had lunch at the Caroline Springs shopping centre. That is sensational.

I can only say that on that basis, the Liberal Party is absolutely teeming with people who know all about the electorate of Kororoit and all about the western suburbs, because the Gloria Jean's coffee shop out at Caroline Springs has copped a fair hiding from Liberals traipsing through there over the last couple of weeks. I understand that the management people of that establishment are praying for another by-election so we will all come out again. They have had the best fortnight of their lives. They are delighted.

But what we have seen — very seriously, Acting President — throughout the course of this by-election campaign reflects exactly what the Labor Party has given the people of the west over the last nine years: nothing!

Mr Guy interjected.

Mr FINN — Nothing but contempt, as Mr Guy says. They had the opportunity. Mr Haermeyer's departure gave them the opportunity to stand up and say what they would do for the people of the west — and they have done that, and the answer is nothing. As I

mentioned, all we have seen from the Labor Party over the last week or week and a half is smear, innuendo and slander directed towards the good people of the west who stand up and want to fight for their communities.

Mrs Peulich interjected.

Mr FINN — As Mrs Peulich quite correctly points out, all the ALP sees in Kororoit are the Os — nothing. That is what it sees in Kororoit.

I thank members for speaking on this motion. I trust that it will be passed. I have absolutely no doubt that anybody who has any understanding at all of the western suburbs will be extremely supportive of this motion because, quite frankly, we have had enough. The people of the western suburbs have had enough, and I think a lot of people are going to be lining up to make that point at the ballot box this Saturday. I think, bring that on. That is something to look forward to.

Labor's back is against the wall. It should not be against the wall. If the ALP had done its job, if the Brumby government had done its job and looked after the western suburbs, it would not find itself in the situation it is in now. It would not be fighting for dear life to hold onto one of its safest seats in the state. That would not be a situation that it would be facing, but it has not done its job. It has ignored the west, and the people of the west know that Labor has ignored the west for far too long.

Once again I thank members for their contributions to this debate and I ask members to support this motion in the hope that the people of the west will at long last get the fair go they deserve.

House divided on motion:

Ayes, 17

Atkinson, Mr	Koch, Mr
Coote, Mrs	Kronberg, Mrs
Dalla-Riva, Mr	Lovell, Ms
Davis, Mr D.	O'Donohue, Mr
Davis, Mr P. (<i>Teller</i>)	Petrovich, Mrs
Drum, Mr	Peulich, Mrs
Finn, Mr	Rich-Phillips, Mr
Guy, Mr	Vogels, Mr
Hall, Mr (<i>Teller</i>)	

Noes, 19

Broad, Ms	Pulford, Ms (<i>Teller</i>)
Darveniza, Ms	Scheffer, Mr
Eideh, Mr	Smith, Mr
Elasmarr, Mr	Somyurek, Mr
Jennings, Mr	Tee, Mr (<i>Teller</i>)
Leane, Mr	Theophanous, Mr
Lenders, Mr	Thornley, Mr
Madden, Mr	Tierney, Ms
Mikakos, Ms	Viney, Mr

Pakula, Mr

Motion negatived.

TOBACCO (CONTROL OF TOBACCO EFFECTS ON MINORS) BILL

Second reading

Debate resumed from 11 June; motion of Mr DRUM (Northern Victoria).

Mr VINEY (Eastern Victoria) — I rise to speak on the Tobacco (Control of Tobacco Effects on Minors) Bill. At the outset I acknowledge Mr Drum's concern in bringing forward this legislation about the impact and effects of tobacco on minors, and in particular his concern about addressing the issue of people smoking in cars in which minors are passengers. I also recognise that Mr Drum has had this concern for a considerable period of time and has raised this matter in the house on a number of occasions. In fact the government understands and shares Mr Drum's concerns. Mr Drum's bill also proposes to introduce new provisions concerning offences relating to minors who purchase, possess or use tobacco products. Again, I acknowledge Mr Drum's desire and intention, and his concerns about children and young people using tobacco products.

However, my view is that legislation is best developed through a proper broad policy framework and context. It is my view that the processes of developing the best legislation come through detailed policy consideration of the outcomes that are trying to be achieved in the legislation, and then developing legislation that creates the best fit to those outcomes. It is not good enough to develop legislation based on a good idea. I acknowledge that Mr Drum has had a good idea, has a legitimate concern and has dealt with that concern by bringing forward this legislation to the house, but I think his approach lacks some of the broader policy processes that are necessary. His legislation proposes to make it an offence for children and young people to possess tobacco, and contains significant penalty provisions for young people. I think the total penalties could be in order of about \$1000, being \$500 for use of tobacco and \$500 for possession of a tobacco product.

I understand that Mr Drum's intention is to send a message to young people that the possession and use of tobacco is unacceptable, but it would be another step to create offences worthy of a \$500 fine in each instance for the use and possession of tobacco. We need to be very careful about legislation, particularly when the enforcement of which would mean that young people

who break the law would be penalised by significant fines. I am not sure what you would do in the case of a young person who could not pay that fine. I do not know many young people who have \$1000 in ready cash to pay a fine, so what happens then? If the parents or guardians of the minor being fined are not prepared to pay that fine, where does it go? Where do we take someone who is not able to pay a fine? Do they do time in a children's detention centre because they have not been able to pay a fine, or do we go down the path of confiscating the assets of young people because they are not able to pay a fine?

A series of issues would flow from such penalties because we would have developed legislation from a good idea rather than from a policy framework. The intent is to continue to discourage young people from using tobacco products, and the government believes the best strategy to do this is through increased education programs and through increasing the pressure on tobacco companies and the sellers of tobacco products so that they understand it is absolutely unacceptable for them to either create or market products that are designed for young people, or, in the case of retailers, to sell them. We agree with the intent and the good idea, but we cannot accept that this legislation will deliver on the good idea.

The government has already announced that this year it will be developing a Victorian tobacco control strategy for the next five years — from 2008 to 2013. That strategy will provide a comprehensive policy framework to deal with the very issues that Mr Drum is concerned about. That strategy will ultimately include, probably in the next 6 to 12 months, legislation that will deal with many of Mr Drum's concerns, but it will deal with them in the context of taking our response and our intention to reduce tobacco use in the whole community to a much greater level and to reduce the incidence of smoking across all age groups, particularly among young people. We all know of the long history of strategies used by tobacco companies to start people smoking as early as possible — once you get them early you are more likely to have them for a long time. We understand all of those strategies used by tobacco companies in the past, and we need to continue to push on in that regard and deal with those issues and that intent.

Everyone in the house would share Mr Drum's concerns about the incidence of tobacco smoking and its effects. I am also sure that everyone in the house would believe that it is absolutely inappropriate for young people to smoke, that we should do everything we can to discourage them from smoking and that we should try to ensure that it is as close to impossible as

we can make it for young people to buy these products, but I do not think we can support a bill that proposes to fine young people in the way that this bill does. It would make young people the offenders when in actual fact it is the makers and peddlers of the product who are committing the offence.

We are proposing, and I would like to move, a reasoned amendment to this legislation. The reasoned amendment says:

That all the words after 'That' be omitted with the view of inserting in their place 'this house refuses to read this bill a second time until the house has had the opportunity to consider the Victorian Tobacco Control Strategy 2008–13 to be released by the government this year'.

I absolutely agree with Mr Drum's intent. We need to deal with these issues, but we need to do so in a comprehensive way and in a way that is dealing with a broad range of issues in relation to tobacco, including smoking in cars where young people are present. It is also recognising that, as I understand it, there is not a jurisdiction in the country that has made it an offence for a young person to smoke a cigarette. No jurisdiction in Australia has made it an offence for a young person to the extent that they would be ultimately fined up to about \$1000 for, in the first case, using the tobacco and, in the second case, possessing it.

We want to acknowledge Mr Drum's passion about it. We are happy to acknowledge Mr Drum's good idea, but we think that this good idea needs a lot more consideration in terms of how we are to enforce the changes that we all want to make, how we are going to encourage young people not to smoke and how we are going to further require tobacco companies not to produce products that are designed for young people. The health ministerial council in April this year has already agreed to create national legislation in that regard to make sure that products that are specifically designed to be retailed to and used by young people are not developed by tobacco companies. We think we need to ensure that all of these matters are dealt with in a comprehensive way and in a way that is connected to a complete strategy to deal with tobacco use.

I urge the house to support the reasoned amendment. By doing so we can all acknowledge the intent of what Mr Drum is trying to do but put it into the context of the Victorian government's control strategy for the next five years.

Mr D. DAVIS (Southern Metropolitan) — I am pleased to rise and make a contribution to debate on the Tobacco (Control of Tobacco Effects on Minors) Bill 2008. In doing so, I compliment Mr Drum on bringing

this bill to the chamber. As many in the chamber will know, I am an advocate of greater controls on tobacco and the impact of tobacco on others. What people do to themselves or to consenting adults in the privacy of their own homes is one thing, but it is quite a different matter in regard to others, and the principle of harm being visited on others is a significant point.

Over the years we have seen legislation passed through this Parliament that has progressively narrowed the zone in which it is acceptable to smoke. I am old enough to remember when it was acceptable to smoke on trains, in cinemas and almost anywhere that people felt was appropriate for them at that time.

Whilst smoking is a legal activity and people are free to indulge in it, they should not, in my view, be free to impact on others unnecessarily or unfairly, particularly on children. Children are defenceless; they simply have no alternative but to breathe in the smoke. I draw the house's attention to one of the primary purposes of this bill prohibiting smoking in a vehicle while a person under the age of 18 is present. I agree strongly with Mr Drum that this is an unacceptable practice. Children have no option but to go along with it in the case that their parents and often others are smoking.

The health effects are serious. I want to put on record that the medical evidence is overwhelming on that matter. There are higher rates of asthma in children whose parents smoke. There are obviously longer term issues about smoking with respect to children and the hardened respiratory conditions, particularly lung cancer. To impose these things on young children at a point where they have no option of their own volition to absent themselves from that smoking is, in my view, a heinous thing to do. I wish the parents that I have seen undertake these sorts of things would desist. This should be a matter of the agency of the parents to exercise the restraint and self-control that most of us would expect. That is clearly not the case in all examples, and Mr Drum's bill addresses that.

When I was shadow health minister and opposition spokesperson in that area I was pleased to bring forward policies to ban smoking in school grounds and on school premises. These were later adopted by the government. Smoking in and around hospitals and playgrounds, in my view, is also unacceptable. There is still further work to do in areas like that. The issue that Mr Drum has drawn attention to of people smoking in cars while children are present requires a response.

I want to place on record, as I have done many times in this chamber, my appreciation on behalf of the community for the work of Quit in particular and the

Cancer Council Victoria for its leadership internationally in managing tobacco control.

The rates of smoking have fallen steadily over the last 30 to 40 years, including recent and promising rate falls amongst young people. I do not think I need to detail that any more; it is a fact and it is in part the response to bipartisan support over several decades for incremental, thoughtful, sensible reform that has narrowed the zone in which people can smoke. Recently we have seen the removal of smoking from places where people eat, and that is a sensible step which the opposition supports.

That is not to say that there are never criticisms about the implementation of these matters. The issues that surround the implementation of restrictions and controls are significant, and governments have to think carefully about how those matters are implemented. There is always debate around how and when to implement the time periods in which these things can be brought forth, and there is always debate about where to move next. But in this case I want to compliment Mr Drum particularly on his focus on younger people and his understanding that the early take-up rates of smoking are a significant determinant of long-term health impacts. The effort to reduce the take-up rate of smoking is an important public health battle.

Ms HARTLAND (Western Metropolitan) — The Greens are generally supportive of this bill because we think it has raised two incredibly important issues, one being smoking in cars and the detrimental effect that that has on children. Having in my former working life worked with older people who had been lifelong smokers and seen the incredible damage it did with limb loss associated with diabetes, respiratory problems and so on, I think anything we can do to stop young people smoking is a good thing.

I am especially pleased that the sale of flavoured cigarettes is covered in this bill, because anything we can do to stop the marketing to make smoking look glamorous, nice or interesting for young people is very important. I take up David Davis's point: most of us can remember when smoking happened everywhere. It has been great to be able to go to restaurants, theatres and so on, and to not have to deal with the effects of passive smoking. That should be the same for children in cars.

The Greens have some concerns about the penalty regime. We have concerns about whether young people should be fined and how those fines should be collected, and also how we would deal with the issue of a young person having a series of fines, not paying

them and ending up in court. I hope Mr Drum will address that in his contribution. I will leave my contribution at that, but we will be listening to and making decisions based on the debate.

Mr HALL (Eastern Victoria) — I am pleased to be part of the debate this morning on this very important topic. I start by congratulating my colleague Damian Drum on bringing this bill before the house. It is a very important issue, which is acknowledged by everybody. As Mr Viney says, Mr Drum has a fine record in respect to this issue and has pursued anti-smoking-type strategies for many years. I commend him for what we have in place today.

I want to give the house some background on the work that has been put into the development of this bill. Pieces of legislation do not just suddenly appear with the so-called brainstorm of the originator of a bill. Mr Drum has been out and spoken extensively about this issue, particularly to young people across the state.

Mrs Peulich — He has been beating the drum.

Mr HALL — He has been beating the drum hard on this issue. I do not know how many Victorian secondary schools he has been to, to talk to young people about the provisions in his bill, but it would certainly be a lot right across the state — from schools in Gippsland to schools in the western part of Victoria, from schools in his area of northern Victoria to, I suggest, Melbourne-based schools as well. The response he has received from young children has been very positive.

To the concerns expressed by both the government and the Greens to the recommendations about the level of fines, I say that many of the young kids we have spoken to have had that view — that is, we need to be tough on smoking laws for young people, who themselves suggested that that level of fines needed to be in the bill; and they consider them to be appropriate.

Firstly, I want to address some of the concerns raised by Mr Viney about the level of fines. This fines structure is based upon the provisions contained in the Liquor Control Act with respect to under-age drinking of alcohol products. There is no difference. Most members would concede that the use of tobacco products and smoking is a bigger issue than probably even the consumption of alcohol amongst young children. The difference, I suppose, is that the impact of alcohol is immediate, whereas the impact of a tobacco product is probably 20, 30 or 40 years down the track. So we need to have a vision. Although some people might object to the proposed fines, they are the same as

those in the Liquor Control Act; I think they are appropriate, given the unhealthy impact that cigarette smoking has on young people. Well done to Mr Drum for bringing this forward.

The second-reading speech contained some fairly startling statistics which should make us all sit up and take notice. For example, in the second-reading speech Mr Drum pointed out that tobacco is the leading cause of preventable death in Victoria and that it kills almost 4000 people a year. We should all be very concerned about that and be doing as much as we can to reduce that level of negative health effects associated with smoking tobacco products.

The second-reading speech also says that today an estimated 35 000 Victorian children smoke regularly. I have to say that the most startling statistic I have noticed in this whole debate — and I worked with Mr Drum on some occasions on developing this — is that every day in Victoria, approximately 50 children start smoking. They light up for the first time in their lives, and many go on to be regular smokers. We need to address immediately the fact that 50 or so young people will today light up a cigarette and put it in their mouth for the first time.

That statistic goes to the reason why I will vote against the reasoned amendment moved by the government. It suggested, in Mr Viney's own words, that we do not read this bill a second time until such time as the Victorian government considers, produces and releases the Victorian Tobacco Control Strategy 2008–13. Mr Viney said that that would be released later this year. I am a bit suspicious about the government's meeting those time frames, because it was — —

An honourable member interjected.

Mr HALL — It was when we had the body piercing bill, again introduced by Mr Drum in this state. We agreed to defer debate on that because the government was intending to do something along that line. We agreed to its request, but it took more than six months for the government to introduce relevant legislation, which, as I understand it, is still before the other place and has not come here.

To our frustration, as the government committed to act promptly, it has taken the government six months to act. If we have to wait six months for the Victorian government's tobacco control strategy, with 50 young kids lighting up a cigarette for the first time on each of those days in that six-month period, another 9000 young people will have started smoking before the end of this year. We need to act promptly on this to

address the issue of young kids taking up cigarettes for the first time.

Moreover, what we could do, and I am sure the government would readily acknowledge this, is pass this legislation; if it conflicted with the Victorian Tobacco Control Strategy in any way, we could come back to either amend or replace the act with some other piece of legislation. The sheer fact that the government has a strategy that it will develop, and which it claims will be released in the next six months, is no good reason why we should be deferring consideration of this bill today. That is why I will be voting against the reasoned amendment.

When this matter was investigated by Mr Drum and his colleagues in both The Nationals and the Liberal Party, I have to say it surprised me that under the current law in Victoria, it is not unlawful for a person under 18 to buy cigarettes. Lawfully they could seek to do that. It is also not unlawful for people under 18 to possess cigarettes, nor is it unlawful for a person under 18 to be smoking cigarettes in public or in private. It is not unlawful to do that, but if you look at the current provisions relating to alcohol it is unlawful for a person under 18 to buy alcohol, to possess alcohol and to drink alcohol, so in many respects what we are doing here is pulling the impact of tobacco on young people under 18 into line with the same provisions for alcohol and various other measures associated with people under 18 years of age. It is not really different, and given that tobacco has an even more deleterious effect on people's health than alcohol I think we should be applauding those provisions.

I also want to go to the issue of fines — and Mr Viney mentioned that issue — and consider in practice what happens with alcohol. I want to compare it to what I think would be a reasonable approach taken by Victorian police in respect of tobacco products. The normal process now is that if the police notice that young people are in possession of alcohol, are drinking alcohol or may be affected by alcohol, they approach those people. They would firstly confiscate their alcohol products and probably tip those products out. That is usually the case. Quite often, particularly if the young person is under the influence of alcohol, they would take and deliver them home to their parents. In the majority of cases that is as far as it goes because there is no doubt that the biggest impact on a child's behaviour is the family environment. If you take a child home, then that child deals with its parents, and I say that that is an appropriate strategy. If, however, the person is a consistent offender in respect of alcohol laws in this state then there might be some severe action taken.

One would expect the reasonable application of this law by Victorian police would be much the same. If this law is passed and Victorian police are noticing children under the age of 18 smoking, then more than likely their first course of action would be to confiscate that product from the young person and for consistent offenders, I think, let their parents know. I do not see these potential laws relating to tobacco use as being significantly different to those applying to young people involved in the use of alcohol, and I think it is positive that we have complementary legislation on those two products.

In terms of my support for the bill I point out that it does a number of things. It certainly makes it unlawful for young people under 18 to possess, to use and to purchase tobacco products. It also introduces a ban on smoking in a motor vehicle whilst carrying children under the age of 18. I understand that that is the current law in South Australia and Tasmania, and New South Wales is in the process of adopting such a law. If my memory is correct I think the Victorian government has also indicated that as part of its tobacco strategy it would be looking to introduce the same measure. This bill would also prohibit persons under 18 years of age from selling tobacco products, except in certain situations, particularly in relation to small family-owned businesses. A milk bar, for example, is the most commonly termed provision where young people may from time to time be behind the counter serving tobacco products. There are some exemptions in the bill relating to small businesses and family members, and I think that is appropriate.

The bill also prohibits the sale of tobacco products with a distinctly fruity, sweet or confectionery-like character. Again, I think both federal and state governments have expressed some concerns about that.

These are all important measures that will help with the ongoing campaign that we as legislators need to undertake to address the health-related issues associated with smoking in the state of Victoria. I commend Mr Drum's bill to the house, and I want to repeat that, with Mr Viney's reasoned amendment, nothing in this bill need supersede the Victorian government's own policy of developing a tobacco strategy. It can proceed with doing that, and if at the end of the day we need to make further amendments to the Tobacco Act then so be it, we can do that. I think the opposition would give those amendments serious consideration at that point in time. There is no need to defer passage of this legislation today. It is an important bill that sends an important signal to young people in Victoria, and I commend it to the house.

Mr LEANE (Eastern Metropolitan) — I would like to say that I will be supporting Mr Viney's reasoned amendment. I do not agree with the penalty provisions related to young people carrying cigarettes in this private members bill, but in saying that I congratulate Mr Drum on his intent and the merit of his comments on this bill. I also congratulate him on the fact that this private members bill has brought about a vehicle through which we can have a debate. It is important that we have debates in this house on important things such as smoking and measures to deter young people from smoking. Statistics show that tobacco is responsible for 4000 deaths in Victoria each year. It is also responsible for \$5 billion annually in health-care costs to the community, so it is a serious issue and an issue we should be discussing in this house.

The problem I have is with the penalty regime in this bill. I appreciate Mr Hall in his speech saying that it has been aligned with the provisions in legislation for minors carrying alcohol. I am not going to debate the difference in the health issues; I think he is right. Statistics show that there is a huge health problem related to the consumption of alcohol and the smoking of tobacco products, but there is an immediate risk in minors having and consuming alcohol in that alcohol can induce violent acts in our community, whether that be in young people or older people. There are also the immediate health risks to young people themselves who consume alcohol in that they are vulnerable to accidents. They are also very vulnerable to others taking advantage of them when they are in an inebriated state. I do not think minors who use cigarettes face anything near the same risks as minors who consume alcohol.

There would not be many members of this chamber who when they were young did not have access to cigarettes and did not try them out — we have all been through such periods. Since tobacco has been around that has been the case, and I do not think it will ever change, unless we get to a point where smoking is prohibited. If smoking is prohibited — and we know that prohibition does not work — so be it; I think everyone should be under that regime. My concern about these penalties relates to the fact that it will not be the minors who will pay; the parents will pay the \$1000. However, those who do not have good parenting might not have access to someone to pay the \$1000 fine. That would put people in vulnerable states in an even worse position because they have this penalty hanging over their heads. I do not think this is a good way to go.

Getting back to parenting, we have probably all been lucky enough to have good parenting in our lives when

we were young. There are different theories about how parents can influence kids not to smoke. I will not stand here and say I have the answer to that; I do not think any parent would say that. I think it is to do with education. I think the state has to take responsibility in education by recommending that young people do not take up smoking, but good parenting can also bring about good outcomes for people. Our society is starting to take a bit of a role as well. David Davis touched on this previously, and I also remember when it was okay to smoke on the train, in the cinema and in the workplace.

Mr Hall — Even in aeroplanes; there used to be a smoking section on aeroplanes.

Mr LEANE — Yes, and I do not know how the smoke was contained in that part of the aeroplane.

Mr Hall interjected.

Mr LEANE — Obviously, Mr Hall is right — it was not. It was a good theory, but it never worked.

Now you see people standing outside their workplaces smoking. I think smokers are starting to become pariahs; they are starting to get pushed out further and further. I have to say this is rightly so; it does not break my heart. I agree 100 per cent that you should not be exposing minors to your smoke. I commend Mr Drum on this aspect of the bill. You should take responsibility. I suppose the problem we have now that smokers are out on the street is that their smoke is not contained, and that is something that may have to be looked at in the future. I think society has taken the role of deterring the taking up of smoking, and we need to continue that.

I commend the move to take smoking out of restaurants. I cannot think of anything worse that we used to be exposed to than when you were trying to enjoy a meal and someone was smoking around you and that smoke got into your steak or whatever you were eating, unless it was a smoked oyster — that might be all right!

An honourable member — Smoked fish.

Mr LEANE — Yes, smoked fish.

I think we need to look at further provisions like that. Society is getting to a point where we need to look at these things, and I commend that.

The Victorian government is developing a tobacco control policy. I am sure that some of the measures Mr Drum has been passionate about will be looked at as

part of that. When we were kids we might have had smokes in our pockets. When I was 13 years old my parents would have been horrified if a police officer had turned up and said, 'I have caught your son smoking, and he will get a \$1000 fine'. I know that today's \$1000 fine might have been \$200 then, allowing for inflation, but even that would have had a horrifying effect on my family. Our parents had their ways, like the old punishment of saying, 'You have to smoke every one of the cigarettes in that packet in front of me'. Those sorts of things did not work; it is all about good parenting. Sometimes parenting is about embarrassing your kids — and it is good to have my daughter looking on from the gallery so I can embarrass her now! I appreciate Mr Drum's intent, and I will leave it at that.

Mrs KRONBERG (Eastern Metropolitan) — I rise to support Mr Drum in the debate on the Tobacco (Control of Tobacco Effects on Minors) Bill. From the outset I would like to compliment Mr Drum on this bill. I think it is a really cleverly constructed piece of legislation, and it is obviously a result of extensive research and collaboration. It has clearly been done as a bit of a wake-up call.

I must say that the response on the part of the government, and from Mr Viney in particular, is extremely disappointing. To me it exemplifies the fact that this government misses opportunities all the time. Mr Viney has adopted the mantle of a spoiler. Here we see the skill of Mr Drum being brought to bear. He has basically headed the government off at the pass. He has caused pressure, discomfort and embarrassment to the government because he has seized the day as the government is grinding through its own Victorian tobacco control strategy, which I understand is not to be released until later this year. The government has clearly been gazumped on this. Its discomfort and the intensity of its reasoned amendment probably come from government members having a build-up of excess bile in their livers.

If we look at the purpose of the bill — that is, its mechanics — first and foremost it makes it unlawful for children under 18 years to buy, sell, possess or use tobacco. Inter alia this bill also makes it illegal to smoke in vehicles while children are present, which I think is very important. I will draw upon an example from the ABC's *Science* program which talked about the effects on children of smoking indoors. There is ample empirical evidence as a result of studies which found that suspended particles, including nicotine, were significantly higher in houses where smokers lived than in smoke-free homes. Imagine the compression effects of nicotine, which can be absorbed not only through the

respiratory system but which also coats clothing, hair, skin and hands. All of these toxic chemicals can be ingested, and we know how much children would be at risk just because of their general levels of cleanliness before and after eating and so on.

This initiative would assist people to avoid a number of illnesses such as asthma and chronic bronchitis, which have the potential to become chronic and which lead to ailments such as emphysema in young people. That surely has to be part of a preventive health response on behalf of this government. It is extremely disappointing when we think about the fact that nicotine poisoning can set in within days of a person first taking up smoking. Nicotine is regarded as being as addictive as cocaine and heroin, and there is plenty of evidence for that. Young people who are smokers normally like to make the next move to start using heroin and to experimenting with cocaine and other illicit drugs. Children can have raised heart rates and increased blood pressure as a short-term effect of smoking and passive smoking. Largely, many of them of course are attracted to it on the basis of looking cool, acting older, losing weight, being seen to be tough — hanging tough somewhere around the place — and having a sense of independence.

This bill is important in terms of leading the way in the developed world. This state led the way in, for instance, the compulsory use of seatbelts in vehicles. I remember being in the United States of America when people there were absolutely flabbergasted that it was compulsory for everybody to wear seatbelts. Lo and behold, all of that pioneering work, and all of that initiative, has now been picked up around the world. We have to congratulate Mr Drum for being ahead of the game. From what I have heard in of the defence of this proposition on the part of the government, I think he is probably about a generation ahead of its thinking.

I am comfortable with the penalty regime. I think it has been well thought out. We need plenty of incentives for people to avoid smoking because of the cost burden on taxpayers in future generations for something that is a preventable illness. That would be this bill's greatest contribution.

The 'designated driver' conduct and the response to P-plate drivers not being able to drink and drive is a fine example. I think young people will adopt this system because we have just enough stick in the penalties for them to adopt it and adapt to it. Hopefully, we can look forward to future generations without the affliction of tobacco. I urge everybody to support this bill. It is very important and timely, and I think it is a generation ahead of current thinking.

Ms DARVENIZA (Northern Victoria) — I am pleased to rise to make a contribution to this debate. I do not support the bill, but I support the reasoned amendment. In kicking off I would like to say that I believe the bill, which has been brought into the Parliament by Mr Drum as a private members bill, is motivated by the very best of intentions. But I am unable to support it because as a government we have a process of getting out, talking to stakeholders and looking at how we can legislate in a more holistic way, and how we look at the prevention of people smoking cigarettes rather than in the ad hoc way that this bill proposes by just picking off bits and pieces. We do not want to pick off particular areas of reform and ignore others; we want to pursue tobacco reform in a more a whole-of-policy way.

I will list some of my objections to the bill. The most glaring ones are the penalising of young people. I cannot support Mr Drum's attempts to penalise young people who smoke. Nowhere in Australia, in any state or territory jurisdiction, do we have laws which penalise minors for smoking, for the possession of cigarettes or for attempting to purchase cigarettes; and the Victorian government does not intend to legislate for that. Rather, we prefer to do it by educating young people about the harms of smoking, and making sure that retailers comply with the act in relation to the sale of cigarettes to minors. We know this approach works because we have seen the way it has worked in reducing the number of adults who smoke.

Mr Drum's bill proposes that a minor could face a penalty of up to 5 penalty units, or over \$500 for smoking in a public place, plus a further 5 penalty units for possessing a tobacco product in a public place. As was pointed out by one of my colleagues on this side in his contribution, that is over \$1000 if a minor is caught smoking in a public place. Most minors would not have \$1000 to pay a fine, so of course it would then fall to the parents to find that money. It really is quite unfair and quite over the top to punish children and young people and to punish parents for a minor's behaviour.

The people who are really at fault are the retailers who continue to sell cigarettes to minors. As a government we are continuing to use current legislation to enforce the programs that are in place to detect as well as to enforce the provisions of the Tobacco Act 1987, which prohibits the sale by tobacco retailers of tobacco to minors. The Tobacco Act prohibits retailers selling cigarettes to minors, and these are the people who should be penalised. The current maximum penalty is 50 penalty units or \$5371.50.

Our government has a strong record of protecting the Victorian community from the harmful effects of tobacco. We know that tobacco is responsible for some 4000 deaths in Victoria every year, and costs the community something like \$5 billion annually in health care as well as in social costs.

All of us in this chamber and, I think, most members of the public know that cigarettes destroy your lungs — they destroy the lung tissue; 80 per cent of lung cancer is caused by smoking — and that there is a whole range of other chronic diseases that are caused by smoking.

Our state and our government are really leading the way in reforming tobacco use. We have introduced a whole range of initiatives — strict laws on cigarette sales to minors, the restriction of tobacco advertising and the banning of smoking in pubs and clubs, restaurants and cafes, shopping centres, gaming venues, workplaces, covered areas of train stations and platforms, and tram and bus shelters. Cigarette smoking is now banned in all of these places. Mass anti-tobacco campaigns have also taken place with the support of our government.

These reforms have had a dramatic effect on the community's attitude towards smoking, and more and more we are seeing that smoking is considered an antisocial activity and people are increasingly embarrassed about the fact that they smoke and are more restricted in the places that they are able to smoke. The effect of their smoking on others in the community is being minimised by the changes that have been made by our government to the areas where people are able to smoke and under what circumstances.

I grew up at a time when young people were actually encouraged to smoke. I remember when I was a teenager that you were able to buy packets of cigarettes that were deliberately designed — —

Mr Lenders interjected.

Ms DARVENIZA — Thank you, Mr Lenders. He says it was a short time ago. I guess it is all relative; it seems like a very short time ago.

I can recall when there were tiny packets of either 5 or 10 cigarettes which were designed for teenagers so that you could spend your pocket money on them. I cannot remember now how much they cost. A full packet of cigarettes was not very expensive, but we had to work hard for our pocket money and we did not get a lot of it, so these packets were very much designed for us to be able to take up smoking and feed our addiction once we became addicted. We all know how difficult it is to give up smoking. Many in this chamber have been smokers

and have given it up. We all know family and friends who have gone through the process and we know that it is incredibly difficult.

But we need to have an approach to it that is not piecemeal, not ad hoc, and that is why I think postponing the action to be taken by waiting for the Victorian Tobacco Control Strategy 2008–13, which is to be released soon, is a worthwhile action to take. This strategy is going to be very well informed: it will speak to a whole range of people in the community, both younger and older people. It will be looking at the stakeholders, whether they are people who smoke cigarettes or those who are involved in producing or selling cigarettes, and at the end of the day a very well-informed document will be produced which we will be able to take forward as a government, ensuring that all relevant views which have informed that document are considered.

I do not support the bill. As I said, I believe it is motivated by the best of intentions but I am unable to support it. I support the reasoned amendment that was put forward for the government by Mr Viney.

Mr KAVANAGH (Western Victoria) — The first point to note is that these days there can be no doubt that smoking is harmful to health. It is entirely appropriate that we should do everything we can to discourage people, especially young people, from taking up this habit. The bill proposed by Mr Drum is indeed targeted at discouraging smoking by the young.

I recall some decades ago being in Jakarta and walking down to the wharves. The ships from the outer islands would pull in and they had casual workers unloading them. They included young children: boys maybe 8, 7, 6, even as young as 4 years old, would be unloading wood from some of those ships. Most of them had a cigarette in their mouth and another cigarette behind the ear, and maybe a children's-sized packet of Marlboro as well. That was a horrifying sight. Australia could take a lead in restricting the behaviour of international companies and state monopolies in Third World countries. I think it would be a very worthwhile thing to do.

A lot of the effort in Victoria in dissuading young people from smoking is in the form of education. I offer a caution, as a former teacher, that it seems to me that often education programs can actually be counterproductive. Quite often if you tell a young person over and over again not to do something, that makes it very tempting for that young person to do precisely that. For example, in the case of a friend of mine, her two children underwent antismoking

education when they were children and became fanatical antismokers who would regularly tell their mother off for smoking and plead with her not to smoke. However, during their teenage years both daughters took up smoking and are now confirmed smokers. It seems to me that there is a lot of assumption of the moral high ground by non-smokers and that they often look down on smokers.

In terms of the proposal to ban smoking in cars we should recognise that the car itself is smoking all the time anyway and pours out noxious fumes as it is driven. The drivers of cars are not justified in their assumption of moral superiority over the people who might have a smoke in their cars.

While wanting to discourage people from taking up the habit, we should recognise that quite a lot of people are deeply addicted to smoking. The government should develop strategies for helping those people to stop smoking. Probably it would be more appropriate to do so at a commonwealth level, but I think it would be a very good idea to research scientifically what is really effective in helping people to stop smoking, and it is something that is owed to them. Smokers have paid a lot of money, generally speaking, to the government in taxes, and they deserve generous support in subsidies for any programs or drugs that will help them stop smoking.

Furthermore, although people should not be allowed to smoke just anywhere, they should be allowed to smoke somewhere. I recall very often flying back into Australia, and the welcome from the pilot would be 'Welcome to Australia. If you smoke in the airport, it is an \$800 fine on the spot'. That was some sort of welcome for people who smoke. Most airports in the world provide a room where people can smoke; generally that room has exhausts to the outside, and I do not see why we do not do that in Australia as well.

I strongly support some of the elements of Mr Drum's bill, particularly banning any lolly-flavoured cigarettes. It is outrageous that they should be offered to young people, and their sale should be strictly prohibited.

Not all aspects of the bill will become law, and indeed the government is saying it has other ideas that perhaps will become law. However, if some of the ideas in Mr Drum's bill influence the government in its final strategy, then I think the proposals will have done a good thing for the people of Victoria.

Mr DRUM (Northern Victoria) — Firstly I would like to thank the speakers who have risen to give their thoughts on the Tobacco (Control of Tobacco Effects

on Minors) Bill 2007, including David Davis, Ms Hartland, Mr Kavanagh, Mrs Kronberg, Mr Viney, Mr Leane, Mr Hall and Ms Darveniza. I thank them for their contributions.

The government has acknowledged this morning the dangers of smoking in cars while minors are present. It has acknowledged that we need to do something about that. But it has effectively used as a defence the fact that research is continuing; and it says the way in which the bill has been brought to the house and the process used have not been broad enough. In effect the government is saying, 'You cannot do it on your own because', in Ms Darveniza's words, 'you've taken an ad hoc, piecemeal approach to a very broad issue'.

What we have done about these smoking reforms is focus very clearly on smoking by and around minors. One of the contentious issues in the smoking fraternity at the moment is whether we allow displays in shops to be maintained and to enhance the selling capabilities of retailers. We have left that alone, because we have deemed it to be an adult issue. Even though there is a normalisation of the tobacco product in the eyes of the minors who can be influenced by displays, we have decided to leave that alone because we have focused solely on minors.

Our objective with this legislation is to try to stop people from starting to smoke in the first place. We acknowledge that the concepts that are pushed hard by the Quit campaign and Cancer Council Australia are primarily aimed at getting adults to stop smoking; they do an enormous job in that area.

But for the government to simply use, as its defence, the fact that we have not taken a broad enough approach with the bill is flawed, as it simply does not acknowledge what we are doing here, which is bringing into legislation a whole range of reforms directed towards minors.

For the government to largely base its defence on the bill's provisions dealing with excessive fines is also flawed. When I first saw the suggested fines that had been drawn up by parliamentary counsel, I also noticed the 5 penalty units for these infringements, and I was just as shocked as the government. But I am sure the government would have had its advisers look into it and would know that if you turn to clause 13 in the amendment schedule you will see it is 1 penalty unit for all of those infringements, and only if a person took the matter to court and was effectively handed down the maximum penalty could they ever be charged 5 penalty units.

What we have done in considering these penalties is consult with students around Victoria; we asked them what they thought would work and would not work. They came back to us and very clearly said that in the case of drinking, it is the penalties associated with being caught when you drink that put the wind up you and help you change your habits.

The practical reality of the way our Liquor Control Act is enforced — and we are trying to bring the practice of smoking tobacco among minors into line with this — is that when police catch young people drinking in a public place, they will normally tip the alcohol out and depending on, as Mr Hall said, whether the minor is drunk, they will tend to take that minor home and inform their parents.

Quite clearly what we heard from the youth of Victoria when we went to more than 20 schools and spoke to over 2000 young people of various ages was that kids are starting smoking a lot earlier than we think. The high incidence of smoking is among the 16 and 17-year-olds. They are the ones whose smoking habits are not decreasing at a quick enough rate; but kids are making the decision to start smoking at a much earlier age, and it is at that much earlier age, they informed us, that parents play a huge role.

While Mr Leane was arguing against the bill, he actually reiterated so many of the reasons why we have brought these legislative reforms to Parliament. So many of us played around with cigarettes when we were younger, and those who did not get addicted can consider themselves the lucky ones, because so many of us who played around with cigarettes became addicted — and we are still paying the price of that teenage foolishness.

The idea that there are no significant penalties in place other than what the parents can put them through is not right. If you are a 13-year-old boy or girl walking down the main street having a smoke, and a policeman calls you over, he is absolutely powerless under the current laws to do anything. He cannot confiscate your cigarettes; he cannot inform your parents. So we have brought those provisions in line with what the community would expect, and in reality, as with alcohol, we would expect a \$54 fine to be a last port of call. That would be the absolute last resort — that the police would fine minors.

We understand that in a practical sense what we want to do is give the police of Victoria the opportunity to confiscate cigarettes from minors and to inform parents; and the 2000 young people we have spoken to right around the state have told us that these are the actions

that are likely to have an impact on kids who are smoking.

Once you are committed to smoking, you are committed and you are addicted; and then you will have a lifetime of trying to get off that habit; but we are trying to look at ways of influencing those kids who are simply playing around with the habit. What we were clearly told by the youth is that you must put in place an opportunity for the police to confiscate, to inform parents, to introduce intervention programs to point out the dangers and to continue the education on the dangers associated with tobacco.

Finally we have the ability to fine young people within the same parameters as they are fined for alcohol. That sits somewhere in the Local Government Act at around \$54. That is how we would envisage the practicalities of this act working.

Effectively we have opted to push this through. Whilst we are bringing tobacco use by minors into line with that of alcohol, we have elected not to make it illegal. An offence in our opinion would see a lot of addicted smokers continually falling foul of the law and effectively racking up a rap sheet that they are unable to do a lot about. We have elected not to go down that path.

Instead we have allocated smoking and tobacco products to the same group as chroming and petrol sniffing. Those offences among the youth of Victoria are recognised as unlawful behaviour. But we understand it is all about trying to help people who are participating in these very dangerous behaviours. We expect the government to understand that, just as we expect it to have an accurate understanding of the fines that are being put forward in the legislation. But what is going to happen in reality? For the government to use the threat of \$1000 fines being handed out to kids in the mall is wrong, and the government knows it. Government members know it is a ridiculous argument on which to base a defence and opposition to this bill. For them to use it is somewhat disingenuous. It is a disappointing attitude from the government.

Business interrupted pursuant to sessional orders.

QUESTIONS WITHOUT NOTICE

Environment: greenhouse gas emissions

Mr D. DAVIS (Southern Metropolitan) — I direct my question without notice to the Minister for Environment and Climate Change. The minister will be aware that the 2006 national greenhouse inventory

shows Victoria emitted 120.3 megatonnes of carbon dioxide-equivalent greenhouse gas, a figure which fits with the trend increase in greenhouse gas emissions over the life of this government. Will the minister confirm for the house that this figure is 12.2 per cent over Victoria's base case and exceeds Victoria's share of Australia's Kyoto target?

Mr JENNINGS (Minister for Environment and Climate Change) — The masterful command of statistics can be interpreted in a whole variety of ways. As a starting point I accept that Victoria needs to play its part, and in fact I would be optimistic in the future that Victoria will play more than its part in relation to meeting obligations to our global community, and the Kyoto protocol has been one measure of that. As David Davis knows full well, the Kyoto protocol and the targets associated with that protocol do not drill down to jurisdictions in relation to any formal requirements to deliver outcomes.

Mr D. Davis interjected.

Mr JENNINGS — There is a moral requirement. We are responding to that moral requirement, and we are committing beyond the moral requirement to reductions in greenhouse gas commitments. We took that to the people. We have maintained that commitment; we have not shirked it. In fact that places us in stark contrast to the party that Mr Davis has represented on any number of occasions. Those commitments were never made for the people and certainly never delivered on.

During the life of our government, whilst indeed emissions have continued to grow — and this is something we have commented on in this house before — the rate of growth in emissions is less than half of the rate that was evident during the time the coalition was last in government in Victoria. We do not take that as a result in its own right that we should be complacent about. In fact it is not acceptable that we only slow the rate, but nonetheless we have slowed the rate.

It is important to recognise that our challenge as a nation is to stop the growth in emissions and to turn them around as quickly as possible. That is why this year the federal government and state jurisdictions are working in a highly collaborative fashion to introduce a national emissions trading scheme. I note that in the federal jurisdiction Mr Davis's federal colleagues do not share the enthusiasm of the Labor Party for achieving those results. They intend at every turn to try to use short-term political opportunities to prevent the broad application of emissions trading, which will be

the monumental policy device, mechanism and market-based approach to reducing the growth that is identified in Mr Davis's question.

In fact it is the Labor side — the Labor governments state and federal — that is committed to delivering those results. We have some traction in relation to slowing the growth of emissions during our life. We continue to do that through a variety of measures that I often report to the house as we add to the suite of measures designed to reduce our environmental and ecological footprint of greenhouse gas emissions, and it is an unswerving commitment of our government to reduce them over time.

Supplementary question

Mr D. DAVIS (Southern Metropolitan) — I thank the minister for his answer, but given Victoria's emissions have grown by more than 12 million tonnes since 2002, when Labor promised to cut greenhouse gas emissions by 8.3 million tonnes, can he explain to the house how and when the government will cut greenhouse emissions including the now more than 20 million tonnes of catch-up required?

Mr JENNINGS (Minister for Environment and Climate Change) — I knew the longer Mr Davis went in his statistical analysis the sooner he would shoot himself in the foot. The numbers he has just added together are not cumulative in relation to these matters. Our government made commitments to reduce during this term the emissions by something of the order of five — —

Mr D. Davis interjected.

Mr JENNINGS — That is right. It was 5 million to 8 million tonnes of CO₂. This is something I have been asked about at the Public Accounts and Estimates Committee and in this house. Our government is committed to a program to reduce the profile of our emissions. Statistically what that has meant at this point in time is that the benefits of those programs, which have the cumulative effect of removing something of the order of 4 million to 5 million tonnes of CO₂ equivalent, have come through the instigation of programs that we have introduced. I have referred to a number of them in the past, including the industry greenhouse program, the programs we have designed through government efficiency in terms of our own performance, introducing the 5-star system for housing, introducing sustainable energy targets and the Victorian renewable energy target scheme, which has introduced an imperative and an incentive to increase the renewable energy supply within Victoria. The

cumulative effects of these have reduced our greenhouse gas emissions to somewhere of the order of 4 million to 5 million tonnes.

Mr D. Davis interjected.

Mr JENNINGS — That is the point, Mr Davis. Compared to the base case that we inherited, emissions were going to be rising at somewhere in the order of 3 per cent a year. The effects of the programs I have outlined have slowed that growth to less than half as part of a trend that we as a society have to respond to, and we will go — —

Mr D. Davis interjected.

Mr JENNINGS — We have cut them in accordance with — —

Mr D. Davis interjected.

Mr JENNINGS — This is part of a continual process. Everyone on the planet understands that as a global community, as global economies, every economy is at the moment of transition and emissions continue to rise in different jurisdictions, but generally around the world continue — —

Mr D. Davis interjected.

The PRESIDENT — Order! I remind Mr Davis that this is question time, not debating time.

Mr JENNINGS — Our challenge is to reverse that, which we have started to do, and we clearly have achieved some traction in relation to actually stopping the growth and then reversing it. That is the nature of what, at the end of this decade and the next decade, this will be about in terms of the global economy, and that is a trajectory showing that we are going in the right direction and we will continue to add to our armoury of measures that will reduce our greenhouse gas emissions into the future.

Planning: transit cities

Mr VINEY (Eastern Victoria) — My question is to the Minister for Planning. The government has committed over \$117.9 million to transit cities over the past seven years. Can the minister advise the house how these funds will benefit transit cities in Gippsland?

Hon. J. M. MADDEN (Minister for Planning) — I thank Mr Viney for his question. I know he is particularly interested in these matters and no doubt there will be members of this chamber who are also interested in Gippsland matters and the opportunity to talk up Gippsland.

Transit cities are more relevant than ever. This shows that the plan the government put into place many years ago around transit cities will bear fruit and be more relevant than ever, given climate change and no doubt oil prices, because what we will see is the need for people to use public transport, using regional rail in different shapes and forms, to either commute on a regular basis or intermittently. They will use that more and more. The opportunity to build workplaces, to build dwellings and business and activity around these locations is more pertinent than ever.

There is a great opportunity in the Latrobe Valley, particularly in Moe, Morwell and Traralgon, as well as in Warragul in terms of the transit city and investment in those transit cities. One of the great things about having the Sprinter train run along there is that all those locations in particular — I have visited them most recently — are very attractive for a number of reasons. In a number of the railway locations some of the retail or other business developments turned their backs on stations many years ago and moved away from the stations, so in some of the transit cities we are trying to bring the retail face, the business opportunities and the public interface back to the station.

In these locations basically each of the stations is located in the heart of the town and also interfaces with either the retail or the business opportunities or the public domain in a way which provides a great opportunity to see continued urban development, continued investment and continued public confidence built around these locations. We have seen this happen in Latrobe city, as I mentioned, in Moe, Morwell and Traralgon, and also in the Baw Baw shire with Warragul. We have seen these opportunities develop, and I am sure there will be continued investment and development in and around these.

I will give you some details of this, President. In Warragul we have seen Queens Park restored, public art has been installed at the entrances to the town and a restructure study for an industrial precinct close to the station is being investigated because there is some light industry and there might be some greater opportunities to do things about commercial activities that can be undertaken in those locations. They are being investigated. Latrobe Valley scoping workshops have been undertaken with key groups to see what works are required in Traralgon and the Moe activity centre and how we can renew Moe by investment in the transit city activity centre. In Morwell as well I observed the work which has commenced on the construction of a new pocket park next to the post office in Church Street. This will provide people with valuable green space accessible to the local community.

During my visit I was also pleased to announce an additional \$60 000 grant for the refurbishment of Church Street, bringing the total state and local government funding to \$550 000. We are working collaboratively with council to see the redevelopment of Church Street to improve the amenity and the streetscape accessibility. We will see additional car parking, new benches, street lamps and improved visibility of street signage and road markings — all those things that give people confidence to use these public spaces.

As well as that we are continuing to work in partnership with the Latrobe City Council and the Baw Baw Shire Council to see that their transit city initiatives are also community driven and that the community feels ownership, a sense of pride and a sense of place. We are looking forward to making Victoria, and in particular the Latrobe Valley, a better place to live, work and raise a family.

Kororoit Creek: regional strategy

Mr FINN (Western Metropolitan) — My question is to the Minister for Planning.

Mr Leane interjected.

Questions interrupted.

SUSPENSION OF MEMBER

The PRESIDENT — Order! I heard Mr Leane's comment, which is most unfortunate for him, but in my view also for the house, particularly given the action I took earlier this morning. I am not going to ask him to repeat it and I am not going to say what I heard, but I am going to remove him from the chamber for 30 minutes.

Mr Leane withdrew from chamber.

Questions resumed.

Mr FINN (Western Metropolitan) — My question is directed to the Minister for Planning. I refer to the government's Kororoit Creek regional strategy 2005–30, which states as its first goal the application of consistent planning controls to better protect the values of the creek corridor. Given it is almost two years since the release of the regional strategy, I ask how many legal overlays have been implemented in that time that provide for environmental protection of Kororoit Creek?

Hon. J. M. MADDEN (Minister for Planning) — I thank Mr Finn for his question. I am pleased that he has asked questions about the Kororoit region and Kororoit Creek, and I am pleased that he is beginning to be interested in those things that years ago one might have suspected he was cynical about — some of these environmental initiatives.

Mr Finn interjected.

Hon. J. M. MADDEN — I will not take up the interjection because sometimes Mr Finn gives me too much material to work with. I will not take him up on that because I will try to address his question.

In relation to the initiatives around the Kororoit electorate and also around Kororoit Creek, we have seen this government invest enormous amounts of reserves, energy and resources into that locality. In particular we want to work collaboratively with those councils, particularly the planning authorities in those locations. We are conscious of the huge community enthusiasm for many of the natural attractions to the area, and whilst it is predominantly flat across the region there are some very significant and important environmental elements right along the corridor, whether they be the native grasslands, whether they be the designated parklands or whether they be some of the natural attractions like the creek bed and the trees that line the creek bed as well.

We are also working in conjunction with the developers in areas like Caroline Springs. Developers want to enhance the natural environment of those locations, because they see it as a great attractor and selling point for the amenity of the area. Given that the landscape is predominantly flat, where there are natural attractors they want to enhance and invest in them. From my recent visits to Caroline Springs I know that people are very enthusiastic not only about living in such a fantastic location but also about building the infrastructure, developing and working as volunteers on those natural assets.

I look forward to continuing to work with the local governments in those areas. I will work in conjunction with them; they are the planning authorities in the vast majority of cases, and I will work with them to consolidate their work and to enhance livability right across that region. We will build on the investments we have seen, whether they be the \$41 million we have invested in education, the \$107 million invested in the Sunshine Hospital, the investment in police right across the region or even the investment in the local economy. We are eager to continue investing and working on that. For example, we have seen building approvals —

Mr D. Davis — On a point of order, President, the question was a very specific one about planning overlays on the Kororoit Creek study. The minister is now talking about police stations and goodness knows what, which have nothing to do with the nature of the question.

The PRESIDENT — Order! In response to Mr Davis's point of order, I think the minister is being responsive in a broad way to the question asked, and I ask the minister to continue.

Hon. J. M. MADDEN — Whether it is the strategic investment to ensure that we grow jobs in the region, which will enhance livability or education prospects right across the region, or assisting and protecting the natural environment, we will continue to dedicate ourselves to that region as well as to all of Victoria to make sure that Victoria is the best place to live, work and raise a family.

Supplementary question

Mr FINN (Western Metropolitan) — The regional strategy clearly states, in part:

Current planning policies across the municipal planning schemes are neither consistent nor adequate in recognising and protecting the breadth of values found along Kororoit Creek.

Given that, when will the government act on this matter, which it identified as a high priority prior to the last state election?

Hon. J. M. MADDEN (Minister for Planning) — It is interesting that Mr Finn takes this approach, because there is definitely an inconsistency across the opposition benches in relation to working with local government. There is a definite inconsistency from the opposition about how to work with local government. There is no doubt that there is a critical difference between the way in which the opposition has traditionally sought to work with local government and how we seek to work with local government, because predominantly local governments are the planning authorities across municipal districts.

They are the predominant planning authorities who introduce zonings and work to make sure that the amendments apply to the zones and also ensure that development occurs. Predominantly this government involves itself in a strategic way, and it is also a facilitator in relation to many of those local governments. This contrasts with the opposition, the members of which would like us to go in ham-fisted and take on some of these local governments in relation to many of these matters.

Honourable members interjecting.

Hon. J. M. MADDEN — The difference is that we know where Mr Finn and Mr Davis stand when it comes to working with local government. We know their history and reputation — that is, ‘If you don’t like a local government, sack it’. That is what they used to do, whereas we are very keen to work collaboratively.

Honourable members interjecting.

Hon. J. M. MADDEN — I will take up the interjection. There is a difference between a local government minister sacking one council and a state government sacking all councils. We know that is basically what opposition members did, so their reputation precedes them.

We want to work collaboratively with local governments and with developers. As I mentioned, what we have seen in relation to the natural assets around urban development across the area is those developers taking significant advantage of those natural assets and investing in those with the community. We will work collaboratively with developers and with local government to make sure that we continue to protect and enhance those natural assets and continue to protect the relationship with local government that was tarnished by the Liberal Kennett government. We know its history when it comes to local government.

Mr Finn interjected.

Hon. J. M. MADDEN — No matter how much Mr Finn yells out across the chamber, he was part of a Liberal-National coalition that sacked local government. We want to work with local government to enhance local communities and to build local confidence so that we can make Kororoit Creek, the Kororoit region and all of Victoria the best place to live, work and raise a family.

Planning: Latrobe Valley

Mr SCHEFFER (Eastern Victoria) — My question is also for the Minister for Planning. The Latrobe Valley is faced with various strategic land use planning challenges. Can the minister inform the house how the state government plans to address these challenges?

Hon. J. M. MADDEN (Minister for Planning) — I would like to think that it is not only Mr Scheffer and Mr Viney who have been working particularly hard with local government right across their regions on many of these issues and reflecting the needs of local government in their region. Their work reflects the way

in which we want to approach our relationship with local government — that is, working collaboratively.

Not only are Mr Scheffer and Mr Viney very committed and passionate about their region but their work is reflected in the way in which we are able to approach many of the initiatives and make decisions that need to be made in order to complement the progress of these local communities. We want to make sure that we grow and support those local communities and continue that sustainable growth and development right across regional Victoria, and particularly in the Latrobe Valley.

Regional Victoria’s population grew by 51 000 people between 2001 and 2006, with that growth concentrated primarily in the regional centres. In response to that we have introduced a number of initiatives, one of which is the rural land use program and another the regional corridor strategy. These will ensure that regional and rural Victoria remains productive, livable and sustainable going into the future. As part of that I have made a number of announcements recently in the Latrobe Valley region. On my visit recently I was delighted to be able to provide \$210 000 to the Latrobe council to assist it with the delivery of a series of redevelopment projects in the Latrobe Valley.

There are three components of that \$210 000. Some \$80 000 will assist with the delivery of the Brumby government’s regional towns program, which will identify local community housing needs — and I know Mr Davis has been interested in these matters — with the assessment of potential redevelopment sites. It is one thing to talk about new sites, but in many of these locations — particularly, as I mentioned before, with the transit city element — people are a bit nervous about oil prices, so we need to consolidate some of the housing development opportunities in and around some of these locations. Where there are opportunities for redevelopment sites, we want to see them investigated by the local council. This money will assist in identifying those sites in areas south of the Traralgon commercial area — particularly the old council depot site — which will provide for an opportunity for redevelopment.

Funding of \$100 000 will build on the regional corridor strategies to ensure that areas of residential development are identified as part of a review of Latrobe’s main town structure plans and the Traralgon–Morwell corridor plan following, as I mentioned yesterday, the finalisation of the bypass route.

The remaining \$30 000 of the \$210 000 will go towards the Traralgon railway station precinct. As I mentioned, this is critical in terms of the transit city program. This is a package of initiatives that again complements the work of local government and again reflects our collaborative approach to working with local government. It will also allow local government to do the strategic work that needs to be done going into the future by supporting it, with some direction and some guidance.

We are committed to making Victoria the best place to live, work and raise a family. We are particularly committed to working in conjunction and collaboratively with local government to make sure we deliver public infrastructure, the strategic work that needs to be done, particularly in relation to planning, and make sure that we continue to invest in Gippsland and continue to invest in regional Victoria so that they can enjoy the prosperity that we have seen develop right across Victoria.

Housing: affordability

Mr GUY (Northern Metropolitan) — My question is to the Minister for Planning. Noting that land value, government taxation and the cost of construction are the key drivers behind housing cost, can the minister advise the house which of the three will be reduced as a result of his new development assessment committee policy in activity areas?

Hon. J. M. MADDEN (Minister for Planning) — I welcome Mr Guy's question. I get a sense that some of these questions are a bit of a fishing expedition so that he might be able to develop some policy. I look forward to more questions, whether it be in relation to development assessment committees, principal activity centre zoning or urban development zoning. We are aware — or should be; I would hope Mr Guy is aware of it — that one of the key components of development affordability, if somebody has a development proposition, is the holding cost of that land and the price of money. No doubt when interest rates are high, if there is a developer who is wanting to develop, whether it be housing or whether it be any sort of development, they have to borrow the money to do the development. If they have to hold on to that land for a long period of time, the significant interest costs are factored into the value of the business proposition and the value of the land. Of course that has to be passed on to somebody at the end of the day.

Mr Guy — How will it make it quicker?

Hon. J. M. MADDEN — Keep listening, Mr Guy, you might learn something for a change. Can I just say that the longer the developer has to hold on to that land, the longer the proposition takes to get up — it is not rocket science — the more that developer has to factor in to the whole business proposition. If they have got a proposition that is escalating at a rate of knots because of interest rates, it is going to go to the market at a fairly increased price — an inflated price to pay for the money that they have borrowed from the bank. The best thing we can do — and I say to the opposition that the best thing it could do is develop policy around this, because we have — is to reduce the holding time for a development and to streamline the planning process. The range of initiatives that we have announced basically provides for greater certainty and confidence about what can happen on a zoned piece of land and greater confidence and certainty about the timeliness of when a decision will be made in relation to those projects.

The best thing we can do as a government is to streamline the planning process. We have made a range of announcements. We have developed policy in this area and we will continue to work to make our contribution to the affordability of housing. Although it is a complex issue, we can do what we can by streamlining the planning process. I look forward to seeing more initiatives which we can streamline the planning process and the decision making so that we can get more housing on the ground for the huge demand that we are seeing from people coming to Victoria. People from outside Victoria, as well as inside Victoria — except for the opposition — know that Victoria is the best place to live, work and raise a family.

Supplementary question

Mr GUY (Northern Metropolitan) — I thank the minister for his answer and note that none of the key cost components can or will be reduced by the government's development assessment committee (DAC) policy, particularly holding costs. So I ask: given the minister has said the DAC policy will make housing more affordable, can he advise the house how much cheaper we should expect housing to be in activity areas and when we should expect these cost reductions to begin?

Hon. J. M. MADDEN (Minister for Planning) — I welcome Mr Guy's supplementary question. If he does some analysis about where housing is available and where it is most affordable, he will find it is of course in the growth areas. It is very affordable and very available there. That is because we have invested

significant resources with the Growth Areas Authority. As well as that we have, as the Premier recently announced, introduced the urban development zone, which allows for greater certainty around where housing can be provided going into the future. Where we see housing being less affordable is in the inner city areas. It is less affordable because demand is greater. What we have to do is provide greater housing opportunities in those inner city areas.

Mr Guy — Airport West?

Hon. J. M. MADDEN — Careful, Mr Guy, I grew up in Airport West, so I will take offence at that.

The critical issue here is that what we have to do is complement the housing affordability at the fringe, where it is below the average, and provide supply in the inner city areas or the middle-ring areas. Of course we want to protect our green leafy suburbs in the middle-ring areas, so where do we need to provide this housing? We need to provide housing around those activity centres. If we can get more housing into these principal activity centres, as we have already committed to in Melbourne 2030, by streamlining the planning process through getting clarity around decision making because the zoning is clearer and more concise, in many ways the decisions will not be hard to make because the activity centre zoning will give clarity, working with councils as to what can and cannot happen in those areas. That clarity, that direction and that definition will provide developers with certainty about providing housing in those locations. The more housing we provide in those principal activity centres, the more opportunity we can, over time — and this is not just in the next few years; this is going out to 2020 and 2030 — offer in those areas and we can actually assist in providing some affordability to that housing market that currently may not be there.

I would recommend that Mr Guy look at the Real Estate Institute of Victoria's analysis, although that is a limited analysis of housing supply, and examine what is below the average in terms of housing prices. He will find that the average or above-average housing prices are all in those sorts of locations. Below-average housing prices are out on the metropolitan fringes, which is good for price-point entry of home purchases. But if people want to be at the entry point in the inner city, it is more difficult if you exclude them from that opportunity. We want the planning system to be more inclusive, to provide more diversity, more certainty and more clarity and thereby make housing more affordable going into the future, making Victoria and Melbourne in particular an even better place to live, work and raise a family.

Seaspray: caravan park redevelopment

Mr VINEY (Eastern Victoria) — My question is to the Minister for Environment and Climate Change. Can the minister inform the house of how the Brumby Labor government is enhancing recreational enjoyment of Ninety Mile Beach in Gippsland?

Mr JENNINGS (Minister for Environment and Climate Change) — I thank Mr Viney for his question because it provides me with an opportunity, which is a bit of a theme of today, to remind Victorians about how important the Gippsland region is, and certainly the commitment of the Brumby government to support viable communities in Gippsland and to make sure that we maintain recreational opportunities is an important part of that equation.

I am pleased to advise the chamber today that the Brumby government is increasing its support to the community in Seaspray by announcing a \$4.26 million redevelopment of the caravan park. It will completely redevelop the caravan site within that important Victorian town. Even though members of this chamber may be a bit distracted at this point in time, about June last year they were more mindful of the needs of that community because last year there was serious flooding in the region which led to the demise of the Seaspray Surf Life Saving Club. At that time the then Bracks government made a \$700 000 commitment to replace that lifesaving club.

As it has turned out, in the course of the last year we have discovered that it is very worthwhile to try to reconfigure the life saving club, not only in the context of the redevelopment of the caravan park, because the life saving club was sited on the primary dune along that important Ninety Mile Beach. It plays a very important role in protecting the township of Seaspray, which was very vulnerable to sea encroachment and the prevailing conditions.

We think it is wiser to redevelop the life saving club in a slightly different reconfiguration, and that will subsequently lead to the reconfiguration of the caravan park. We thought we may as well do the job, properly and in a sustainable way. What was to be a \$700 000 commitment for the lifesaving club has now turned into the best part of \$5 million worth of commitment from our government to make sure that we redevelop the best amenity within the town.

Mr Finn interjected.

Mr JENNINGS — Because there is a bigger scope of the works, Mr Finn. You have woken up to the

figure but you have not quite woken up to the scope of the works, because the works will add not only to the life saving club but to the amenity of the caravan park, which will see a state-of-the-art facility of which the Seaspray community can be very proud and which will create greater opportunities for people to come and caravan in the park in the future, because an additional 40 sites will be created through the redevelopment.

This is very important for the community of Seaspray and is also consistent with our commitment to the Gippsland region. Ninety Mile Beach is a fantastic natural asset of the Victorian environment and the Victorian community, and people in their thousands go to this region in summer and in the peak Easter period. We want to make sure that we have the appropriate amenity and opportunities for people to enjoy our environment and to give a boost to the economy of Gippsland. In this case we think the \$5 million worth of support to the Seaspray community will be well received.

Whilst we have identified a potential site for the redevelopment of the caravan park, we want to make sure that we engage with stakeholders and interested members of the community to appropriately site and determine the amenity and the circumstances of this redevelopment. We would see this taking place within the next year or two and the redevelopment being completed some time thereafter. We want to make sure the community is with us and engaged. It is a significant commitment of our government to support the Seaspray community in a very tangible way, which will add to the amenity and the opportunities for tourists to come in their hundreds and thousands over the years and enjoy this wonderful part of Victoria.

Roads: regional and rural Victoria

Mr KOCH (Western Victoria) — My question is for the Treasurer. I refer to the Auditor-General's damning report on the government's neglect of Victoria's regional road network, which says, amongst other things, that maintenance expenditure on the regional road network has failed to keep pace with inflation and the average between maintenance expenditure and the funding required to keep pace with inflation was \$38 million a year in 2007–08 prices. My question to the Treasurer is: our country roads are turning to dust; will he confirm that his government has underspent by around \$300 million on road maintenance since 1999, merely to keep pace with the minimum road maintenance needs of country Victoria?

Mr LENDERS (Treasurer) — I thank Mr Koch for his question. At any time I welcome questions in this

house asking what this Labor government has done on transport infrastructure in regional Victoria. I open by saying that this government has invested more in transport infrastructure in regional Victoria than any other government in the history of this state.

Mr D. Davis interjected.

Mr LENDERS — I take up David Davis's comment about its not being what the auditor is saying. What I can say is that when this government broadened its regional fast rail project every member opposite ridiculed the infrastructure investment — —

Honourable members interjecting.

Mr LENDERS — Every member ridiculed the infrastructure investment in regional Victoria. They said it was a joke and a waste of money — the people who flogged off the railway lines to Bairnsdale, who flogged off the railway lines to Mildura, who closed down the system and who did a botched privatisation all said it was a waste of money. What has happened? The only problem with the regional fast rail is that so many people want to use it we have to invest even more in a project that was described as a white elephant. The only problem with our white elephant is that it is a young calf that needs to grow more!

What I say here is, firstly, this government has invested in regional transport infrastructure in a way that should make the opposition blush. Regional fast rail is but one example.

In the last budget in Mr Koch's electorate alone, the duplication of the Princes Highway from Geelong to Colac is but one example of the ongoing investment in regional roads in this state, let alone the Deer Park bypass, which will assist people moving on roads in Mr Koch's electorate, let alone the other investment in regional roads, let alone the investment in the Regional Infrastructure Development Fund — all of which build to a greater investment in regional roads in the state of Victoria than ever before in the history of the state.

I will welcome Mr Koch's supplementary question when he asks it. I hope he refers to road projects like the duplication of the Princes Highway. I hope he refers to this state government leading the way on the Geelong bypass, when a former federal government dragged its heels and showed no interest whatsoever until its polling showed it was in trouble in Corangamite and it suddenly discovered regional Victoria, which it had forgotten in its great endeavour to win seats in northern New South Wales, Queensland, the northern suburbs of Adelaide and northern Tasmania.

I will welcome Mr Koch's supplementary and say bring on a debate in this house at any time about which side of this house is committed to regional transport infrastructure, and the scorecard will show: it is this Labor government — again, again and again.

Ms Pulford interjected.

The PRESIDENT — Order! Ms Pulford may think I cannot see her, but I can certainly hear her too much.

Supplementary question

Mr KOCH (Western Victoria) — The Treasurer comes in here every day and boasts of how rapidly regional Victoria is growing, but the Auditor-General's report says outright that he has not spent the money needed to keep pace with the basic needs of country roads, let alone the needs of growing traffic and communities in country Victoria. Will the Treasurer immediately restore the funds VicRoads needs to keep our country road network safe and functional? Will he immediately give VicRoads the \$100 million the Auditor-General says is needed this coming financial year to start to repair the damage his neglect has caused to our road network?

Mr LENDERS (Treasurer) — I do enjoy Mr Koch's questions. I am fascinated, because in his reply to the budget Mr Koch identified multiple areas that worthily needed money, but he also accused this government of having too many taxes and said we should actually cut taxes and reduce expenditure back to what it was in 1999. If you take it to its logical conclusion, in one day in this house he says we would halve expenditure if we went to 1999 levels and then in the same breath says we should actually increase expenditure.

But I acknowledge Mr Koch's comment. Under this Labor government there are 138 000 more jobs in regional Victoria than we inherited from the Kennett regime. I remind Mr Koch that in his electorate the regional fast rail system to Geelong, his new home town, is an investment that he and every member opposite criticised as a white elephant and a waste of money. This government had the foresight to invest in regional transport infrastructure which the Kennett government flogged off, sold and privatised — and those oppose scream out figures. They say that the government got the figures wrong. What the government got right was that in 1999, before it was fashionable, the Labor Party identified that public transport was important and that public transport to regional Victoria was important at a time when the Liberal Party and The Nationals were slashing it. They

closed roads and railway lines. Mr Koch should look at the budget and the massive investment in roads in his electorate in regional Victoria.

We on this side of the house always welcome the Auditor-General's reports because the Auditor-General is an independent officer of the Parliament. He makes reports to a Parliament that sits 17 weeks a year, so there are 50 question times, 50 lots of adjournments and 50 lots of 90-second statements. There is scrutiny of government one week in three, which we never had under the Kennett government, and this is because we welcome this scrutiny; we welcome the Auditor-General's report. We will take heed of how he says we can manage things more effectively, but where the resources come from is a budget issue. This house is debating the budget this day and the next day; that is where the debate is happening, and there is a greater investment in roads in this budget than there was in any single budget of the disgraced Kennett Liberal-National government.

Gippsland: government initiatives

Mr SCHEFFER (Eastern Victoria) — My question is also for the Treasurer. Can the Treasurer update the house on any recent Australian Bureau of Statistics data that indicates that the Brumby Labor government is continuing to take action to deliver jobs and increased population in regional Victoria, particularly in the Gippsland region?

Mr LENDERS (Treasurer) — As someone born and bred in Gippsland, I love taking questions on Gippsland any day. I love talking about Gippsland. It is one of the greatest places in the world. It is a beautiful place and a great place to live, work and raise a family. Mr Scheffer asked about ABS (Australian Bureau of Statistics) data on the great Gippsland region. He also asked what this government is doing to improve economic performance in this area.

I have a lot of time for Mr Scheffer; I spend a lot of time with him in various communities in Gippsland. He is a great member of Parliament for Gippsland.

Mr D. Davis interjected.

Mr LENDERS — I take up the interjection by David Davis. Mr Scheffer certainly knows more about Gippsland than David Davis does. At least he knows how to pronounce 'Gippsland', unlike Mr Davis, who does not know how to pronounce 'Kororoit'.

The ABS has some interesting data for Gippsland. In 1992, when Labor lost government in Victoria, unemployment in Gippsland was 6.9 per cent. After

seven caring years of the Kennett coalition — ‘caring’ with emphasis and a tad of irony — we saw unemployment in Gippsland rise to 9.8 per cent. Under the Kennett stewardship unemployment in Gippsland rose from under 7 per cent to almost 10 per cent. Mr Rich-Phillips contrasts that with the present situation. Under the current government the unemployment rate has dropped by more than half — to 4.8 per cent from 9.8 per cent. That is not just a statistic. It means there are 26 900 more jobs in Gippsland under this Labor government. We saw unemployment during the Kennett years go up by 50 per cent, and we have seen it slashed under this Labor government.

We have seen building approvals, which in the last year of the Kennett government were valued at \$177 million, go up to \$518 million in the current year, a 192 per cent improvement. We have seen the population decline in the Latrobe Valley under the Kennett government, but we have seen it rise under the Bracks and Brumby governments. This did not just happen. When we got into government we set up a Latrobe Valley task force to fix up some of the mess left by our predecessors. Some of this mess was the result of the former Liberal-National party government slashing 5000 energy jobs in the Latrobe Valley. There were 5000 energy jobs cut, and we saw what that did to the Gippsland economy.

Earlier Mr Guy asked a question about housing affordability. To show how devastated the Latrobe Valley was, when we got into government if you went to the south side of Moe near the South Street Primary School and you wanted to buy a house, after seven years of devastation and 5000 jobs slashed, you could buy a former housing commission house for under \$30 000 — a three-bedroom weatherboard house in Moe for under \$30 000. Why was that? It was because the Latrobe Valley had been gutted. Five thousand jobs had been taken out of the valley, schools had been closed, hospitals had been closed and railway lines had been closed. The Bracks Labor government set up the Latrobe Valley task force and worked in partnership with the people of Gippsland. It invested \$105 million as a result of that task force. The task force dealt with 50 recommendations and started rebuilding Gippsland in collaboration with the Gippsland community.

So in response to Mr Scheffer’s question I say that the ABS data shows that working with a community, having faith in a community and having faith in regional Victoria has seen the inescapable fact that under Labor there are 26 900 more jobs in Gippsland. Under the coalition 5000 energy jobs in central Gippsland were slashed. We are seeing the region

grow, we are seeing confidence in the region we are seeing people wanting to move to the region, and we are seeing people using the regional fast rail system.

Mr Viney said in this house yesterday that when he was at the Drouin platform he had trouble getting onto the train. That is the same rail line that was ridiculed by the opposition, which said that regional fast rail would not even work. Gippsland is a great place to live, work and raise a family. I say to Mr Scheffer that there are some very interesting Australian Bureau of Statistics figures that show that this Labor government has made a difference for Gippsland. As a Gippslander born and bred, I am delighted to say Gippsland is a great place to live, work and raise a family.

Lonsdale Lakes: Ramsar designation

Mr BARBER (Northern Metropolitan) — My question is for the Minister for Environment and Climate Change. Under section 17A of the federal Environment Protection and Biodiversity Conservation Act the minister’s federal counterpart is able to declare wetlands to be Ramsar wetlands if they are of international significance and the ecological character of some or all of the wetland is under threat. In response to correspondence from a constituent of mine regarding the Lonsdale Lakes, which I have provided to the minister, I am informed that the federal minister has asked for the minister’s opinion in this matter. Is the minister able to tell me whether his advice to the federal minister is that this wetland does qualify?

Mr JENNINGS (Minister for Environment and Climate Change) — I thank Mr Barber for his question and for furnishing me with the correspondence, which provided me with some opportunity to reflect on the nature of the question that was coming. The thing I actually like about this aspect of the democratic process, and indeed about the interested engagement of a federal minister for the environment who is committed to applying the standards of ministerial responsibility and also to being mindful of his statutory obligations — this is a good thing, because our nation is much better when we have a federal environment minister who is actually concerned about these matters — is that it is being dealt with in real time. There is real-time consideration by the constituent that Mr Barber is concerned about, real-time consideration by the federal minister and, as it has turned out during the course of this question time, real-time consideration by me, and that is a good thing for democracy and for our environment.

In the piece of correspondence that the federal minister sent to me — and he furnished me with a copy of the

correspondence he sent to the people in the local community who are concerned about environmental values and the protection of Ramsar areas — he indicated that he is interested in my view about whether there should be an addition to the Ramsar designation of the wetlands in question near the mouth of Port Phillip Bay on the Bellarine Peninsula. The importance of those wetlands has been recognised by the Victorian government and the commonwealth government, and they already have a designation attached to them.

The correspondence from the federal minister indicates to me that he has conveyed to the relevant environment groups in the region, which include the Geelong Environment Council and Point Lonsdale Coastal Spaces, the view he has formed that, even if he is inclined to make such a designation, no assumption should be made in any quarter that this will affect or limit the application of the environment effects statement (EES) process that is being undertaken regarding a proposed development adjacent to the wetlands. I believe he has already conveyed that message in correspondence to the group and he certainly restated that in his correspondence to me. He reminded me and all interested parties of the fact that, from his vantage point, the EES process is accredited by him and recognised as having — —

Mrs Coote — You can't believe anything he has to say, anyway.

Mr JENNINGS — It is a very extensive piece of correspondence he sent to me; it shows he takes his job seriously. He acknowledges that it is an accredited EES process that is being undertaken in Victoria, and he will be mindful of the outcomes of that EES process.

Mrs Coote — We believe you, but not him.

Mr JENNINGS — I thank you for the benefit of the doubt, because he will be relying in part upon my advice to him. To provide the complete picture, when the same parties wrote to me in February of this year expressing their interest in intervention in relation to the designation of the Ramsar area, I responded to them in writing in February indicating first of all that, whilst I have an acute interest in the environmental values and the protection of these wetland areas, I believe it is appropriate that the EES process be considered and undertaken in accordance with the direction and responsibility of my colleague the Minister for Planning. From February to now I have reiterated my confidence in the validity and importance of that process.

I also indicated that whether the wetlands should be designated in accordance with the desired outcome — changing the Ramsar boundary to hopefully add to the cumulative efforts to protect that environment — should be considered subsequent to the EES consideration and in accordance with a review of our approach to wetlands management and Ramsar site management into the future. I telegraphed that to the groups as far back as February, and I reiterate that today. I put it in the context that the boundary alignment in terms of the Ramsar area is an issue that I am very happy to consider and to contemplate. If there is any expectation that that contemplation should occur prior to — or perhaps prejudice the outcome of — the EES process, my desire is for that not to occur.

In his correspondence to me the federal minister gave me the impression that he recognised that he has validated the EES process and would act in accordance with our advice in relation to the wetlands designation. He reiterated in his letter to me that, even if he were of a mind to change the boundaries, that would not affect the EES. I think we have to deal with those issues in the sequence I have described.

Supplementary question

Mr BARBER (Northern Metropolitan) — I thank the minister for that clarification, and I can see how this request would put on the spot his colleague running the state EES. Could the minister say if the advice that he will provide to the federal minister will also be provided to us in real time? A previous submission in 2002 from the Swan Bay Integrated Catchment Management Committee also raised this issue. Has the minister determined whether his department considered promoting such a listing at that time?

Mr JENNINGS (Minister for Environment and Climate Change) — This is quite a reasonable question, and in fact in my correspondence to the groups in February in part I relied on saying that our approach to Ramsar site management in future in terms of our general approach to the managing of wetlands is an important piece of work that we should take seriously. We want to make sure that we do it in a comprehensive fashion, and that is why the review is likely to take place some time within the next year.

Given the prominence of this issue in terms of the member's consideration and the consideration of the constituents that he represents — even though perhaps they do not live in his electorate, because he is a man of the people quite beyond the boundaries which he represents, as we all are from time to time — the real answer is that when I respond to the federal minister,

given the real-time exchange of correspondence in the loop we are talking about, I think there is a very good chance that I disclose it to the member or whether the federal member does or the interested groups in question do, there will be pretty much a real-time exposé of my correspondence to the federal minister.

Fishers Timber: Europallets

Mr VINEY (Eastern Victoria) — My question is to the Minister for Industry and Trade. Can the minister inform the house how the Brumby Labor government is, through the Growing Your Business program, creating jobs and export opportunities in the Gippsland region?

Hon. T. C. THEOPHANOUS (Minister for Industry and Trade) — I thank the member for his question. I might just indicate once again, following on from the response that was given by the Treasurer earlier in relation to the Gippsland region, that since the devastation of the Kennett government years, when 5000 jobs were lost in that region without any attempt whatsoever to create new jobs down there, today we find that over the last year to January, regional Victoria recorded a 4.3 per cent job growth rate, which is just marginally behind the mining boom state of Western Australia at 5.4 per cent.

What I want to highlight in response to the member's question is that through the Growing Your Business program we were able to assist just one of many businesses that have been assisted by this government in the Gippsland region. This one is a business called Fishers, which was established in Korumburra in 1950 and set up in Morwell in 1979 primarily as a timber preservation and treatment plant and timber sales outlet.

What this company has been able to get recently is accreditation to produce what are called Europallets. It might not sound all that exciting to some people, but one of the shortcomings of being able to ship goods for export into Europe is that in Europe there are specified and registered pallets on which the goods must be transported. In the past we have had to transport goods into Europe, then shift them off the pallets on which we might have sent the goods over there and onto pallets which are accredited under the European system.

For the first time an Australian company, in fact a company in Gippsland, has been able to achieve accreditation, so Fishers in Morwell will now produce a new line of shipping pallets approved for use in Europe.

Mr Lenders — More jobs.

Hon. T. C. THEOPHANOUS — Not only is it more jobs, Mr Lenders, but it also means the double handling that we had to do in the past in relation to our exports is also eliminated. This is a very exciting development for Gippsland. The company now manufactures 350 000 timber pallets per year for the domestic market, and it expects to increase dramatically the number of pallets as a result of this export initiative. It involved an investment by the company of \$500 000. It will involve additional jobs, and it is another way in which the Brumby government continues to support businesses to export, to expand and to create jobs in regional Victoria.

QUESTIONS ON NOTICE

Answers

Mr LENDERS (Treasurer) — I have answers to the following questions on notice: 1999, 2000, 2032, 2255–57, 2259, 2295–99, 2306, 2396, 2542, 2582, 2622, 2653, 2654, 2662, 2693, 2694, 2702, 2902, 2903, 2951, 2975–77, 3015–17, 3054–56, 3094–96, 3131.

TOBACCO (CONTROL OF TOBACCO EFFECTS ON MINORS) BILL

Second reading

Debate resumed.

Mr DRUM (Northern Victoria) — In finalising my comments I want to say that I am disappointed with the way the government has approached this bill. Mr Viney spent the majority of his time talking about the imposition of \$500 fines and \$1000 fines on minors who are caught in possession of cigarettes, and he is either very poorly informed, very uneducated, on this issue or is quite simply being deceitful to start quoting those figures, when members know that the very same provisions, with the same penalties, apply under the Liquor Control Reform Act, and we all know that if young people in our community are caught drinking by the police they are normally warned; sometimes they have their alcohol confiscated and tipped out, and in the event that they need to be fined the current fine for a Victorian minor is \$54. That is shown by the research. Mr Viney, Ms Darveniza and Mr Leane in standing up and talking about \$1000 fines are trying to scare everybody. Quite simply, the way the legislation in this state is written to achieve the exact outcome that we are trying to achieve — —

Ms Darveniza interjected.

Mr DRUM — Ms Darveniza, if you knew your work, you would understand why it is written the way it is.

Mr Viney interjected.

Mr DRUM — In essence you cannot have half a penalty unit, Mr Viney. Again, you should know that.

Mr Lenders interjected.

Mr DRUM — That is exactly right. The Treasurer should also understand that if a young Victorian gets fined tomorrow for drinking, the fine is \$54. It is worked out through the Local Government Act. That is the way the police handle this particular area, and we are trying to bring tobacco use into line with that. If the government has not done its research and does not know how this happens or how it works, that is the government's fault. But if that is its only defence I am hoping I have just been able to strip away that defence, because effectively that is the way it works.

The area about which I would have thought the government would be somewhat critical, because it is a rather contentious issue, is the idea of introducing PUP (possession, use and purchase) laws in this state. Again, it was pointed out that we do not have these reforms in other parts of the country, but we have research, based on data from 52 000 cases from the United States of America, which shows that many jurisdictions, both state and town, take different approaches to the PUP laws — with enforcement regimes and with and without fines. Effectively that research shows that if you have a range of provisions to address youth tobacco use, you are going to get a better outcome. Yet this government simply turns up its nose and makes statements that it does not want to support this bill because it represents a piecemeal approach. It is not a piecemeal approach, it is not an ad hoc approach; it is aimed fairly and squarely at youth smoking.

I would like to wrap up and say, as Mr Hall pointed out, that 50 kids in this state are going to start smoking today, 50 kids in this state started smoking yesterday and 50 more will start tomorrow and every other day that this government does nothing about the legislative regime around youth smoking. Half of them will become committed smokers and half of them will have their lives prematurely ended by smoking-related disease. Four thousand Victorians will die every year. Smoking is the biggest cause of preventable deaths in Victoria. We can no longer turn our backs on kids who are having their breathing systems damaged while stuck in cars where people are smoking, and we can no longer simply rely on restrictions around point of sale

to effectively cut down the rate of youth smoking. We need to do something significant, we need to make a change, and I am disappointed that the government has no defence for not adopting these reforms: it simply refuses to support them because it is a Labor government.

House divided on amendment:

Ayes, 19

Broad, Ms	Pulford, Ms
Darveniza, Ms	Scheffer, Mr
Eideh, Mr	Smith, Mr
Elasmar, Mr	Somyurek, Mr
Jennings, Mr	Tee, Mr
Leane, Mr (<i>Teller</i>)	Theophanous, Mr
Lenders, Mr	Thornley, Mr
Madden, Mr	Tierney, Ms (<i>Teller</i>)
Mikakos, Ms	Viney, Mr
Pakula, Mr	

Noes, 21

Atkinson, Mr	Kavanagh, Mr
Barber, Mr	Koch, Mr
Coote, Mrs	Kronberg, Mrs
Dalla-Riva, Mr	Lovell, Ms
Davis, Mr D.	O'Donohue, Mr
Davis, Mr P.	Pennicuik, Ms
Drum, Mr	Petrovich, Mrs
Finn, Mr (<i>Teller</i>)	Peulich, Mrs
Guy, Mr	Rich-Phillips, Mr
Hall, Mr	Vogels, Mr
Hartland, Ms (<i>Teller</i>)	

Amendment negatived.

Motion agreed to.

Read second time.

Third reading

Mr DRUM (Northern Victoria) — By leave, I move:

That the bill be now read a third time.

In so doing I thank all the speakers on the bill.

Motion agreed to.

Read third time.

PORT SERVICES AMENDMENT (DISPOSAL OF MATERIAL) BILL

Second reading

Debate resumed from 11 June; motion of Ms PENNICUIK (Southern Metropolitan).

Mr PAKULA (Western Metropolitan) — I rise to oppose the Port Services Amendment (Disposal of Material) Bill because it is a flawed bill. It is flawed for a number of reasons. It is flawed because it is based on section 39 of the Environment Protection Act, which makes it an offence to pollute Victorian waters. It is flawed because the bill ignores the provision within the Environment Protection Act that allows for disposal of material in the bay where that disposal is consistent with the relevant state environmental protection policy, which it is.

It is flawed because nowhere in the bill do those who framed and moved the bill indicate which landfill site would store the dredged material if it were not stored in the bund in the bay, which is the logical conclusion of the bill. It does not, for instance, designate the landfill sites at Bacchus Marsh, Wollert, Lyndhurst, Bulla, Mornington, Truganina or Brooklyn, and I think the proponents of the bill have an obligation to indicate to the community where this material would be stored if not in the bund.

It is flawed furthermore because to move the material overland rather than storing it in the bund would require in the vicinity of sixty 32-tonne trucks to make two movements per day for something like 840 days. So on my rough calculation the consequence of the bill passing would be something like 100 000 additional truck movements over a period of two and a half years — and this from the party that claims to be opposed to more truck movements in metropolitan Melbourne.

The bill is flawed because it would add literally hundreds and hundreds of millions of dollars to the cost of the project — a project which the Greens already claim does not stack up financially.

It is flawed because the method of bunding and capping, which is the method employed in this project, is world best practice and has been successfully utilised in cities like Hong Kong, in Massachusetts harbour and in Rhode Island.

It is flawed moreover, President, because, as has been ventilated in this chamber many times before, the channel deepening project was subject to what can only be described as an unprecedented, rigorous approval process — not one but two environment effects statements (EESs); an independent panel; approvals from both the state planning minister, the state environment minister, the federal environment minister; the world's strictest environmental management plan for a project of this kind; \$120 million on the EES process; 40 technical studies; 15 000 pages of data.

It is flawed because the process that is being utilised and adopted in the channel deepening project is infinitely superior to the previous method of storing material uncovered in the bay. But most importantly it is flawed because the bill unfortunately conforms almost entirely to the modus operandi (MO) of the opponents of this project. It is an MO that has been followed by the opponents of this project since before the project commenced, and it is important for the Parliament to remind itself of what the MO of the Blue Wedges group, of their supporters in the media and of their principal supporters in the Parliament — namely, the Greens party — has been since the beginning of this campaign.

The MO has essentially been to make an outlandish claim about the project without any foundation whatsoever; then, when that outlandish claim is debunked — whether it is debunked via the progress of the project, via the effluxion of time, via evidence that is contrary to the claim as distinct from the assertion that the claim is — rather than the opponents of the project simply admitting their error or, more properly, apologising for the hysteria that they have created, the tactic is to invent a spurious ground upon which to dispute the indisputable and then to move on to the next outlandish claim. That has been the MO of the opponents of this project from the start.

I think we all recall the legal challenges to the project that were run in the Federal Court. I think the Federal Court — whether it was Justice Heerey or Justice North — showed extraordinary forbearance and charity towards the Blue Wedges coalition. When their first attempt to find grounds to oppose the project legally was so poorly constructed as to not represent grounds at all, rather than throw the challenge out the court basically allowed Blue Wedges to go away and completely reinstitute their challenge on entirely new grounds, and they came back a week or two later and got exactly the same result. They were found to not only have no grounds but barely an arguable case, and it was thrown out summarily.

We have had, as has already been discussed in this chamber, the claims made by the Blue Wedges campaigner Ms Jo Samuel-King that the project would lead to cancers, that the project would lead to birth defects, and the generally enunciated claim that the project would kill the bay. We have had the claim made by Ms Pennicuik in the chamber previously, that the project will lead to the inundation of bayside suburbs through water rushing into the bay when the Heads are dredged and, whilst the project is obviously not completed, most if not all of those claims are well on their way to being utterly discredited. We had the

serious and intensive campaign mounted by the *Age* newspaper against the project, which really only collapsed because of disquiet amongst the staff of the *Age*, which I have spoken of previously in the house as well.

We have had the project taken to the Legislative Council standing committee and, whilst I am not on that committee, I have been reliably informed that in the public hearings, nary a glove has been laid on the proponents of the project via that process either. So the project goes on incident free. Every bit of monitoring that has been done by the environmental monitor says that the project is delivering environmental outcomes well below the necessary tolerance level. In response to that Blue Wedges simply says, 'We do not believe it. It is not true'.

They bring forward no evidence to support their position and they simply dismiss the evidence — for example, the numbers on turbidity which clearly show the project to be under the required range. If one looks at the bay with the naked eye, it looks as pristine as it ever has, other than in the immediate vicinity of the dredging ship, and even that only lasts for a day or so.

For the devotees of this cause — and by that I mean the opponents of the project — the issue is obviously very much alive. But for the general public, as the project proceeds and as the predictions of doom and the predictions of disaster do not materialise, the public is becoming far more sanguine about the project. Dare I say to Mr Rich-Phillips: they are becoming relaxed and comfortable about it.

The environmental monitor, Mick Bourke, convened a very well-publicised community forum at the Williamstown Sailing Club on 11 June to take interested residents through the progress of the project in the northern part of the bay. It might interest members of the Council to hear how many people turned up to that. I would have expected maybe somewhere between 50 and 100. It was not 50, it was not 100, it was not 30 and it was not 20. It was not even 10: 2 people showed up, neither of whom was opposed to the project.

That is but one example that indicates the public has become very accepting of the project, but for Blue Wedges and for their supporters, given that fact, it is obviously now important to create a new device and some new scare campaign to reignite public trepidation about the channel deepening project.

There are not very many candidates left for a scare campaign other than over the storage of dredged

material in the dredged material grounds in the bay, so the new scare campaign is to call it a toxic dump in the bay, to yet again assert dire consequences, assert doomsday scenarios without evidence — without any facts whatsoever. Nothing about the Blue Wedges campaign has even brushed up against a fact. It has all been unfounded assertion, scare, doom, disaster — but none of which has come to pass. The next step in the campaign was to have the Greens political party bring this bill into the chamber.

The role of the Greens in all of this deserves a special mention. I want to take members of the house very briefly back to 2001. The Prime Minister at that time fought an election largely on the back of the *Tampa* and children overboard issues, and people accused him of being a racist. I did not believe the campaign was based on race. I believe it was an opportunistic campaign for votes that preyed on people's fears. Many Labor Party members left the party at that time, and a lot of them joined the Greens. Some of the people in this chamber might even have been amongst them. They joined the Greens because at that time they did not believe that the Labor Party, and particularly its leader of the time, stood up strongly enough against a Prime Minister who in their view — without foundation — tried to frighten people in order to win their votes.

The Greens have now come full circle, because fearmongering for votes is still fearmongering for votes whether you do it from the left or the right of the spectrum. It is not good enough to say it is all right to fearmonger for votes if you come from a particular political standpoint, but it is not legitimate if you come from another. An attempt to gain electoral advantage by running an unfounded fear campaign is just that, and we need to call it what it is — that is, fearmongering for votes in a very political and entirely cynical way. It is even more disturbing when it comes from a political party that tries to project an image, both inside —

Ms Pennicuik — Why don't you talk about the issue, Mr Pakula?

Mr PAKULA — I think I am talking about the issue. I am talking about Ms Pennicuik's motivation for bringing this bill before the house, because the Greens try to project an image, both inside this Parliament and in the community more broadly, of being above the fray, of being the guardians of transparency and somehow being the modern-day holders of the sacred obligation to keep the bastards honest, and, frankly, that is bollocks.

This bill is an example of the Greens party engaging in exactly the behaviour that its members have always

complained about and derided. They are trying to scare up a few votes by frightening the community without any evidence whatsoever. But more interestingly, they are prepared to do it without shame. It does not end with dredging. We have already had Ms Hartland in here today, and leaflets have been circulated in the western suburbs, telling people that the Eddington project will mean that people's houses will be compulsorily acquired. If that is not fearmongering for votes, I have never seen fearmongering for votes. It is being done despite the fact that no specific route has been decided and the government is still in the consultation phase, but it does not seem to bother the Greens one bit.

With all the fearmongering, all the doomsday scenarios and unfounded assertions, it is time for the Parliament to say that enough is enough, because the claims and scenarios upon which the bill is founded are not based on fact and evidence. It is a pretty desperate attempt to keep alive an issue which, in terms of its capacity to deliver ongoing political capital for the Greens party, is running out of steam, and they need some way of reigniting the fear in the community.

I submit that the Blue Wedges campaign, with its support by the Greens in this Parliament, has received an inordinate amount of attention, given the paucity of facts that have come along with the campaign. As I said, the campaign has received an inordinate amount of attention in the public domain, in the media, in the courts and now in the Parliament, through debate, reference to a select committee and now in this piece of legislation. I believe, and my colleagues in the Labor Party believe, that the utterly unfounded campaign of fear and deception has received more than enough consideration by this Parliament. It is certainly not something that we as a Parliament need to legislate for and justify by supporting this bill. The campaign does not deserve that level of credibility; it has never been backed by evidence or fact, and this bill deserves to fail on that basis, so I urge the house to reject it.

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I am pleased to join the debate on the Port Services Amendment (Disposal of Material) Bill. I cannot help but reflect on the irony — although I could use another word — of hearing a leading light of the Labor Party deriding the use of fear campaigns for votes. We can only reflect back to last — —

Mr Pakula — I am pleased you consider me a leading light.

Mr RICH-PHILLIPS — We need only reflect back to last November, but I digress!

The channel deepening project is supported by the Liberal Party on the basis of the contribution that it will make to the Victorian economy and to Victorian industries in assisting our trade-dependent industries, both import and export. It is also a project that is supported on the basis of the case that has been articulated by the Port of Melbourne Authority and by the government.

In making that reference I am speaking about the estimated economic benefit of the project, which has most recently been assessed at \$1.936 billion, a figure that comes to mind quite readily these days. The government has put that case forward as the basis for why this project should be supported. It has broad support within the Victorian community from a range of Victorian industry groups in particular, and it is an infrastructure project that the Liberal Party and The Nationals have been happy to support. That support has not been without some concerns, because concerns have been expressed from this side of the house about the way that project has evolved since it was conceived and first received in-principle support from the government until the commencement of dredging works earlier this year.

One of the big concerns that the Liberal Party has had has been the enormous increase in the estimated cost of the project. Most recently the cost has been estimated at \$969 million, which is a multiple of the original cost estimate for this project and which undermines the benefit-cost ratio that has been assigned to this project. When the cost is increasing to \$1 billion and the benefit-cost ratio is falling to 2 to 1, or 2.5 to 1, it is a dramatically different case from the one that was put together when the project was first mooted.

Other areas of concern that the Liberal Party has had with the project relate to the environmental protections that are in place while the dredging work is being done. This is a matter of concern to a number of members on this side, including Mrs Peulich and me, who represent the South Eastern Metropolitan Region, and David Davis and Mrs Coote, who represent the South Metropolitan Region. There are also a number of members in the other place who represent areas around the bay, including the members for Brighton, Mornington, Sandringham and Nepean, all of whom have expressed concerns about the potential for this project to impact upon their local communities.

It has been a strong position of the Liberal Party that, while we support this project for its economic benefits to the state, we are also keen to ensure that it is delivered in a way that protects the environment of the bay. When the Port Services Amendment Bill went

through this house last November it was the view of this side of the house that appropriate safeguards should be inserted in that legislation by way of reasoned amendment that would require the government to create such safeguards, that would require independent monitoring of the channel deepening project and regular reporting and public disclosure of the results of the independent monitoring of the project and, importantly, that provided a stop button for the independent monitor if an adverse environmental outcome arose during the dredging project.

That remains our position: there needs to be that stop button if something goes wrong. But it is very much our position that the project, in the absence of demonstrable harm to the bay, should proceed and be completed as expediently as possible.

The other area where the Liberal Party has had concerns about the project, and it is a matter that has not been addressed yet by the government, relates to compensation for those businesses, particularly small businesses, that are adversely affected by the channel dredging operations. I think of the tourism businesses, particularly around the southern end of the bay. This is a matter that has been of great concern to the members for Mornington and Nepean in the other place who represent the southern area of the Port Phillip Bay coastline. They have sought to represent a lot of constituents on this issue, to seek compensation from the government where the channel deepening project has had a direct adverse impact on their businesses.

That is an area where there has not been movement from the government as yet. Regrettably I know from at least one of the businesses that the response from the Port of Melbourne Corporation has essentially been, 'If you believe you have been damaged from this project, you need to litigate for some type of compensation'. This is not the approach we would expect the government to take in addressing that issue. I might add that is a matter that was clearly identified in the business case as an indirect cost of the project — there would be assessed negative impacts on certain small, particularly tourism, businesses in the area where the dredging is taking place. As such, it is appropriate that the government provide compensation for that and not force those small businesses that are affected into litigation.

That brings me to the specific provisions of this bill. While it is the coalition's contention that the project should proceed expediently and efficiently so that we have the benefits of the channel deepening project, and that it should proceed in an environmentally responsible way, it is not our intention in any way to try and stop

this project, to derail this project or to impose further unnecessary costs on it. It is in that vein that the Liberal Party is unable to support the bill that has been introduced by Ms Pennicuik.

I would like to turn specifically to the provisions of what is a very simply structured bill. It is a bill of only three pages, which is quite rare for a bill in this place. It is also quite rare for a bill of three pages to be accompanied by a second-reading speech of 10 pages. I listened with great interest to Ms Pennicuik's second-reading speech, which she delivered last sitting week, and her rationale for introducing these measures and some of the issues she raised, particularly with respect to the Environment Protection Act, which I will address shortly.

The key contention in Ms Pennicuik's bill is to insert into the Port Services Act, with respect to waters of the Port of Melbourne Corporation and with respect to the waters that are managed by Victorian Regional Channels Authority, a provision which prevents any dredge material that is removed in the course of any dredging activity — not specifically in reference to the channel dredging project but any dredging undertaken by any of the ports as a consequence of these two parallel amendments — being placed or disposed of in the waters if the excavated or dredged material is:

- (a) noxious or poisonous; or
- (b) harmful or potentially harmful to the health, welfare, safety or property of human beings; or
- (c) ... animals, birds, wildlife, fish or other aquatic life; or
- (d) ... plants or other vegetation; or
- (e) detrimental to any beneficial use made of the waters in which it is placed or disposed of.

That is a précis of the intent of the bill.

The Liberal Party's concern with this legislation is that the way in which it is drafted, were the bill passed, would effectively shut down the project, because there is no discretion in this bill. There is no test of impact in this bill. The requirement that is created by it is that if any dredge material is harmful or potentially harmful, then it cannot be placed in the bay. It is our contention that any material is potentially harmful if it is in the correct proportions. There is no allowance of recognising that in the bill.

There is a reference in Ms Pennicuik's second-reading speech to the Environment Protection Act 1985 — I assume she means 1970 because I could not find a 1985 act — and specifically to part 5 relating to clean water.

Ms Pennicuik drew a parallel between her bill and what is currently contained in the Environment Protection Act. I note that section 39 of that act dealing with the pollution of waters is quite different from the provisions included in Ms Pennicuik's bill. Section 39 of the Environment Protection Act, as it reads currently, states:

- (1) A person shall not pollute any waters so that the condition of the waters is so changed as to make or be reasonably expected to make those waters —

noxious, poisonous, harmful or potentially harmful et cetera, following the description laid down in this bill.

We have, on the face of it, two pieces of legislation that look quite similar but in reality have very different practical impacts. The Environment Protection Act only comes into play where the pollution in the water is such that it changes or is likely to change the condition of the water, whereas Ms Pennicuik's provisions prohibit the depositing of any material if it is potentially harmful, irrespective of whether it makes any change to the water or not. The current Environment Protection Act presents quite a different scenario to this bill.

It is our view that the bill, as drafted, is inconsistent with proceeding with the channel deepening project in an environmentally responsible way; it is inconsistent with proceeding with any future dredging activities at all in any Victorian port waters. It is our belief that were this bill to be enacted as proposed by Ms Pennicuik, it would effectively shut down all dredging operations in any of the port waters around Victoria, whether intentionally or unintentionally. That is our view as to how the 'potentially harmful' clause would come into effect — on the basis that any material is potentially harmful.

Salt in the water is potentially harmful if it is taken in sufficiently concentrated doses. As such, the Liberal Party is not able to support Ms Pennicuik's bill. While we stand by our position that the project must be delivered in an environmentally responsible way and with the safeguards I spoke of earlier, Ms Pennicuik's bill is not the way to do that.

Ms PULFORD (Western Victoria) — The Greens are opposed to channel deepening. We know that as their opposition is on the public record, and we have heard it plenty of times in this place. This bill is just an elaborate exercise of reframing this issue and their opposition to this issue, to push the campaign along a little bit further.

The bill makes a bit of a leap in that it acknowledges that this project is going ahead and will continue to go ahead. But it really gives false hope to their constituency. The anti-dredging campaigners are an important constituency to the Greens in the Southern Metropolitan Region, but I think the Greens ought to have a little more respect for their supporters than in introducing this legislation.

This bill is unnecessary. The environmental concerns that have been raised in the development of this project have been taken extremely seriously. There have been two environment effects statements, an independent panel, some 15 000 pages of data, and a detailed channel deepening project environmental management plan.

The Greens, in spite of their best efforts, have not been able to kill off this project, yet their campaign continues. So there was a media release for the introduction into the house of this bill, and no doubt another media release is sitting on the fax ready to go — about, I can only assume, having fought the good fight here today.

But this bill is really not much more than a campaign tool. It largely replicates section 39 of the Environment Protection Act. This act already has appropriate provisions, and with the channel deepening project environmental management plan, the passage of this bill would only duplicate the safeguards and confuse everyone further.

The supporters of this bill advocate for regulation around the disposal of dredged materials, but the bill is curiously silent on where exactly the dredged materials go. This is pretty typical play by the Greens in creating pockets of opposition to major projects that are critical for the economic future of this state. At no point has a serious solution been offered for how our exporters can more efficiently move their products to global markets.

In his contribution Mr Rich-Phillips spoke about the substantial economic benefits to the state. Exporters, manufacturers and primary producers in my electorate are vigorously in favour of this project, as are consumers, because we know that as well as the benefits from products being moved out of the port, there are also benefits for all households from things being moved into the port. The things that we have in our households that we need and use in our daily lives will have their prices impacted by a more efficient port.

The channel deepening project is supported by industry. The Greens may thumb their noses at this, but industry is the powerhouse of our economy, and industry

provides people with their jobs. To the Labor Party there are not many things more important than jobs — secure jobs, lots of jobs throughout the state, and quality jobs.

To further outline support from my electorate, I have three quotes I would like to share. Margaret Cousins, manager of Victorian Employers Chamber of Commerce and Industry in western Victoria, has said:

The channel deepening project is vital for ... Western Victorian exporters, particularly in the area of dairy, grains, wine and food and other manufactures — if the project did not go ahead, we would be alienated from our international markets.

Philip Sabien, the executive officer of the Wimmera Development Association, has said that the Wimmera exports to over 20 countries around the globe, and that this represents \$800 million annually. He said that export in this region is growing and the bay dredging is vital to ensure the long-term prosperity of this region.

Kay Macaulay, the regional manager of the Australian Industry Group, has said that the Australian Industry Group in the Ballarat and Wimmera region supports the dredging of the bay as it will provide substantial economic benefits to regional areas including Ballarat and the Wimmera.

Members are well aware of the difficulties faced by our regional communities, given the severity of the drought they have experienced in recent years. It is certainly my view that we ought not be further impeding their success as exporters. The need for the channel deepening project was identified as long ago as 1998. It is time to get on with it.

Mrs PEULICH (South Eastern Metropolitan) — That was quick. I endorse the comments made by Mr Gordon Rich-Phillips, a colleague who also represents the South Eastern Metropolitan Region and is also the lead speaker for the opposition on this issue. That is not to say that there are not concerns about people who even support the channel deepening project moving ahead, and that view has also not been lost on all of us who represent the region.

With or without representation — and some of the representation has been well organised and active; some of them are members of the Liberal Party, some of them are members of the Greens, some of them are members of the Labor Party, and some of them are not members of any political party — it is part of the democratic process. I do not believe any issue can necessarily be done to death if there is a strength of feeling out in the community, and so I welcome this debate.

But we have had this debate before, when the bill that was introduced by the opposition was defeated. That is not to say that there are people who are not convinced that the business case has changed. Currently an inquiry is being completed; the interim report has been tabled. I believe that work has not been completed in total, although I understand the public hearings have been. There have been extensive environmental tests, and the EPA (Environment Protection Authority) has an ongoing role. That is not to say that we have to believe everything the authorities or the government says. There will always be room for questioning and for doubt, and that is a healthy thing.

Ms Pennicuik — There is plenty of room.

Mrs PEULICH — Absolutely. That is not to say that perhaps a better scenario for dealing with the waste could have been and should have been considered in the first instance — I was not here in the early stages of the discussion of the project — but basically to say three things. Firstly, the project has clearly been mismanaged by the government. I am not sure whether there had been sufficient work done to begin with in planning port services around the nation. There is debate about whether you need the channel deepening.

Mr Lenders — It is mismanaged, but you are not sure?

Mrs PEULICH — I think there is a lot of uncertainty, because there is a view that perhaps the agenda has been driven by the Port of Melbourne Corporation and that it has a singular interest — its own interest — in being able to compete and being able to accommodate what it sees as a need to provide entry to much larger shipping in order to make sure that it remains competitive.

That is a legitimate economic concern. I understand from early reports — and again it is only through hearsay — that the economic case does appear to be fairly strong. Whether the business case is equally strong, I am not sure; that report has not been finally tabled. While I admire a lot of the work done by Ms Pennicuik, and she is on the whole hardworking and meticulous with the detail, if I had been in her position I would have been feeding these questions into the inquiry. I would have wanted to know what was the effect of this particular action on the business case for the project. It may well be that it could have been achievable, but, again, I do not know. I do not know whether it would have pulled the rug from under the entire project or whether it was something that could have been achieved with costs that could have been absorbed or managed or that the government was

prepared to subsidise. Those questions should have been fed into the inquiry. They should have been asked so that this Parliament could have considered the case in its entirety.

At the moment, notwithstanding that there are concerns, lots of the assurances that we as members of the Liberal Party and coalition have wanted assurances on have been given. The economic case appears to hold up. Of the business case we are not completely sure because we have not had the final report, so really this debate is pre-empting some of that. As I said before, I would have liked those questions answered before this bill was debated by the Parliament.

I will not go chapter and verse through all of the material that I have prepared, but naturally community confidence is a very important thing, not the least for the bayside suburbs. Mark Dreyfus, the latest luminary of the Labor Party and recently elected federal member for Isaacs — and again these things are all relative — has a track record of involvement on environmental issues, certainly with this government, given that he is a member of the Labor Party, and on some fairly contentious and controversial issues. One was the proposed toxic tip site at Nowingi. The other was representing the City of Greater Dandenong in relation to the Lyndhurst tip. So he is a person who is seen by many to have a certain degree of expertise in these matters, in particular on issues of environmental concern.

I would like to quote from a letter of 29 April 2008 from Mr Dreyfus, the full text of which was published in the 2008 winter edition of *AGRA News*. AGRA is an acronym for the Aspendale Gardens Residents Association. Its chairman is Ken Carney, a very diligent person who is meticulous about detail. He has been actively involved on issues, particularly the lack of investment in infrastructure and roads in Aspendale Gardens and that entire region. AGRA also has an interest in channel deepening, and it has reprinted this letter in full. It is addressed to Mr Ken Carney, president of the Aspendale Gardens Residents Association, and it says:

Thank you for your letter of 20 March 2008 expressing AGRA's concerns about channel deepening. I share your concern for the environmental health of the bay. On the basis of the detailed scientific research and inquiries which have been conducted, the decisions by the state and commonwealth governments on channel deepening seem to me to be soundly made.

There has been a lot of inaccurate commentary about the channel deepening project. The commentary has shown how hard it is to have a reasoned and informed public debate about scientific matters and environmental effects. I have tried to

carefully assess the mass of available material, and have reached some personal conclusions which you might consider.

Presumably this is not just a government position; these are personal conclusions by a person who is a Queen's Counsel and who has significant experience in various environmental cases and considerations. He goes on to say:

The Port of Melbourne Corporation ... has always said there will be some impacts from channel deepening. In particular, the PMC has said that the water will be murky for a time in some parts of the bay, and currents and wildlife will be temporarily affected. However, expert opinion provided to the two public inquiries has indicated that these impacts will be temporary and can be managed.

You may be aware that the PMC has been dredging the bay since the 19th century. In that era, the dredging had little or no safeguards. For this dredging project, the state government is making the process subject to the strictest environmental controls ever applied to dredging in the bay.

I will skip a couple of paragraphs and not bore members with the minutiae of detail that is included. Mr Dreyfus goes on to say:

Because the bay is very important to me and to all our community, I intend to closely watch the progress of the dredging project. I am sure you will do the same.

That was the intent of the bill that was voted down by the government in relation to real live reporting, so our position has been made abundantly clear. In the last paragraph I would like to quote, Mr Dreyfus said:

Since the project commenced, the state government has advised that all environmental limits are being complied with, and this has been confirmed by the independent environmental monitor. You may also have seen the results reported recently in the *Herald Sun* of independent testing conducted for that newspaper which also confirmed compliance with environmental limits for water quality and clarity.

It is signed 'Mark Dreyfus, MP, federal member for Isaacs', and it goes on with further detail.

In closing I want to say that notwithstanding the mismanagement by Labor of this project, the manner in which it was conceived, the concerns raised by other members of Parliament about whether this solution is going to be a medium to long-term solution, with many holding the view that perhaps the Hastings option should have been the course pursued, the economic case appears to have been made. It is a government call. It has been obviously very vigorously pursued by the government.

Regarding the environmental concerns, we have been given lots of assurances. Even the recently elected

federal member for Isaacs, who represents much of that area — obviously he is not the only one representing the area, because it includes several Legislative Assembly seats, including Carrum and Mordialloc — appears to have gone through all the material and is prepared to put his integrity on the line by giving a personal assurance that he is satisfied that the environmental concerns have been met.

We are all watching out. This government does not have a fantastic track record on achieving its stated objectives. I hope in this instance we are all proven wrong and our doubts are dispelled. As I said before, if we wanted to know the impact of what the bill could do for the project, those questions should have been asked through the inquiry that is currently being undertaken. It has not been completed, and its final report has not been tabled.

I do not have a problem with Ms Pennicuik bringing these issues to the Parliament, as she has on numerous occasions. The level of interest in the community, the concerns and the need for assurances are there, and I commend her for being proactive on the issue. However, again there was a time and place to ask these questions, and it is probably still not too late to make sure they are asked. At the moment, on the basis of the information that has been provided to us, it would be contrary to the interests of Victoria and this project to pull the plug on it in total.

Mr THORNLEY (Southern Metropolitan) — I rise to speak against the bill. The bill purports to utilise the Environment Protection Act and reinforce provisions from it, but it is a clever piece of drafting that does not do that. There is a set of provisions in the Environment Protection Act that, to oversimplify them, say, ‘Do not do this’, and are then followed by ‘unless you do this’. This bill has mirrored the ‘Do not do this’ provision but forgotten to mirror the ‘unless you do this’ provision. So it is quite a deceptive piece of drafting in that respect. It tries to take its legitimacy from the Environment Protection Act but only actually mirrors a portion of its provisions. I think that is really the point.

The point of the bill is obviously to prevent the project that is now proceeding according to the environmental safeguards that have been set in place and the safeguards that are in the existing Environment Protection Act by making the project not comply under the new bill. That is a perfectly legitimate aspiration. Ms Pennicuik has certainly been consistent in opposing this project, and she is more than entitled to take any avenue to oppose it that might bring about success for her cause, if that is her cause, but this brings us back to the central issue of whether we will pursue the dredging

project. I am encouraged to see that members opposite are now, reluctantly, it seems, getting around to a position where they are now sort of in favour of dredging — —

Mrs Peulich — You are not pressing buttons again?

Mr THORNLEY — I will take up the interjection. I am the one speaking; the button pressing has to be done by the interjectors.

I am encouraged to see the coalition’s grudging and reluctant support for a project that is of such central economic importance. I had hoped it would be a bit more enthusiastic about it, as the business community is, but that has not been the case thus far.

Preventing the project is the real purpose of the bill. In that context of course the government would not support the bill. It has tried to work through a lengthy consultative project, tried to work through a lengthy environmental safeguard process, ensured that those safeguards are in place, complied with the act and ensured that the act is complied with, and the project is therefore moving forward.

If we were to accept for a moment that the purpose of the bill is not simply to stop the project but to have the project proceed in such a way that the material in question is not aquatically disposed but disposed in some form of landfill — and I do not think that is the aim — that itself would create a range of problems. Not least of these problems would be the salt and related materials that would be part of that process leading to the possibility of very significant quantities of material with acid sulphate properties being brought into landfill, which is a very difficult environmental problem to manage. That is not a problem that you need to manage with underwater disposal, and that is one of the reasons why it makes sense to dispose of the material the way we are.

I agree with my colleagues that this bill is yet another attempt to stop a project that is reasonably peacefully and successfully proceeding. No-one is excited about the side effects of the dredging process, but this is by far — by the length of the strait — the most environmentally thoughtful approach to the dredging of the bay that has been taken in the many times that it has been dredged in the 150-odd years that commerce has transacted out of it. The alternative, unfortunately, is worse. The alternative of moving to a landfill process would be worse and the real alternative, which is the real purpose of the bill — to stop the dredging — is not something that makes economic sense.

I conclude my remarks with some frustration at the recitation of this absurd proposition that the dredging does not even make economic sense, that there is no business reason to do it — that a bunch of business people are spending \$1 billion on something that does not need to be done because the ships will come here anyway! That completely beggars belief. As a criminologist would say, it fails for want of motive. Why would somebody spend \$1 billion on something that they did not have to, when they could spend that \$1 billion on something more productive? It is really an absurd proposition. It is perfectly valid to oppose the dredging and to be concerned about its side effects, but the argument that was put at one point that ships have to unload stuff on the way here, so they will be half empty anyway — the idea of modern logistics, keeping the ships full, seemed to pass by those mounting the argument — is an absurdity. If that was really the level of debate that we were going to put into such a serious decision, we would be in serious trouble.

On the more realistic and important issue of dealing with these materials, which we all wish were not there, that is something we have looked at thoughtfully and have tried to have the best management plan in place; we have tried to make sure the management plan complies with the existing legislation. An attempt to mirror only a portion of that existing legislation, and then bring it outside the purview, is an understandable drafting tactic but is not a serious policy alternative, and for that reason I will oppose the bill.

Mr HALL (Eastern Victoria) — I have a feeling we have had this debate before in this chamber; in fact we have probably had it a couple of times, when the chamber has debated issues relating to legislation for channel deepening, amendments to the legislation, and indeed giving terms of reference to a parliamentary committee to look at aspects of channel deepening. While this is a much narrower component of the whole channel deepening project, it is a particular provision that has been canvassed in previous debates we have had in this chamber.

Unlike some of the government members who have participated in the debate this afternoon, I am not about to stand up here and deride Ms Pennicuik or the Greens or the community groups that are opposed to channel deepening. They are entitled to express their views, and they have done so with resilience, with some consistency and with a lot of vigour, and to them I say all credit for the way in which they have done that.

Unlike Mr Pakula in particular, I think the Greens have been very sincere and very consistent in raising these sorts of topics through the various debates we have had,

and I certainly do not label them as opportunistic fearmongers, to paraphrase the words used by Mr Pakula. It is no easy task to bring a private members bill to the Legislative Council. From personal experience I know it absorbs a lot of time and needs a lot of assistance from many quarters to get a piece of legislation this far, and again full credit to the Greens who have managed to introduce this bill here.

I also thought both Mr Pakula and Ms Pulford exhibited some of the Premier's and senior ministers' arrogance in suggesting the Greens had no right to bring the bill before Parliament. I do not think that reflects well on them. I think their efforts would have been better served had they argued the particular provisions of this bill rather than slinging off at the Greens and the opponents to this project. Make no mistake, the basis of the defence from the government has simply been an ideological rather than a factual argument, principally against the Greens.

But in saying all that, I have to say that I too do not support this private members bill. The reason for my opposition is principally because I do not think that as members of Parliament we have the knowledge or the expertise to override the environmental studies that have led to the approval of this project. As members of Parliament we are entitled to express views and opinions about processes, and about matters that go on outside of this Parliament, but you need to have a very strong argument to override the decisions that have been taken after due processes — processes, I might add, that have been defined by the Parliament itself.

Certainly there have been many occasions when I have been critical of the thoroughness of the process involved in looking at environmental effects, and I know the Greens have been particularly strong in being critical of the processes and the facts and decisions that have been arrived at through those environment effects statement (EES) processes on this project. Again I say that you need to have a very strong argument to override the processes put in place in a democratic fashion. I cannot support the bill because I do not believe that we have presented, and particularly the proponents of this bill have presented, strong enough arguments to override the decisions taken by those EES processes.

In conclusion I say again that the Greens, and any other member of this Parliament, have an absolute right to bring matters like this before the Parliament for fair and open debate, and it does not do anybody any good to base their opposition on the person who brought this forward. They should argue on the facts and on the merits of the case in question.

Mr VINEY (Eastern Victoria) — I have to say that I am a bit taken aback by Mr Hall's contribution. I do not remember Mr Hall being so keen on the Greens in October and November 2006 when he thought his seat might be at risk because of the Greens political party. He was not too keen on the Greens then, but suddenly in this chamber, where there is a big alliance between the Liberal Party, The Nationals and the Greens, we have seen repeated, week after week and month after month, an unholy alliance to resist the social and economic reforms of a Labor government.

That is what we always find a little bit breathtaking, coming from the Greens. It is reasonable for us on this side of the house to consider the motivation of this legislation. It is reasonable for us to try to understand the motivation for this legislation coming from the Greens, who have consistently opposed the channel deepening project for Victoria.

We have seen that in two previous approaches to oppose the channel deepening project. The first approach was on environmental grounds. I think it is absolutely appropriate in any of these sorts of projects to ensure that on environmental grounds the project stands the appropriate tests, and this project has stood the appropriate tests. It has been subjected to the most stringent environment effects statement, certainly that Australia has ever had and probably internationally, in relation to channel deepening projects. It stands in contrast to previous channel deepening projects in the port of Melbourne — in Port Phillip Bay — where there was no environment effects statement and where the Heads were dynamited.

The tests this government applied to this project were to subject the project to a thorough environment effects statement (EES) process. The first of those found that some practical dredging needed to take place to ensure that the methodologies that were proposed in the project were viable and would work. That was done and was subjected to the second supplementary environment effects statement — and given a tick.

Part of the commitment that was given by the Port of Melbourne Corporation and obviously by the government was to ensure that as the project proceeded, all of the environmental requirements were being met, and so the Port of Melbourne and the Office of the Environmental Monitor are required to make quarterly reports available to the public on the progress of the project and to say whether it is meeting the standards.

Only last Friday those reports came in and said that it was operating within the guidelines; that the project that is so far under way — I think it is already 20 per cent

done — is operating within the guidelines. This project has been subjected to the most stringent environment effects statement process that a channel deepening project has been subjected to in Australia. It has met the tests and all of the monitoring as it is ongoing.

What happens then? The Greens started to challenge the project on economic grounds and a reference was given to the Public Accounts and Estimates Committee, of which I am the deputy chair. We have now had a series of public hearings in relation to that, with an interim report tabled and a final report to come in September. What was interesting about those public hearings was that the challenges on economic grounds were on the grounds that first of all the discount rate was inappropriate. The second challenge or criticism on economic grounds was that the final cost-benefit ratio at 2.57 was too low and should be at least 3. The third criticism of the opponents to this project was that projected trade growth for the port of Melbourne was overinflated, and we heard figures quoted from the opponents of this project in all of these areas.

I will deal with the last one first. We were told in the Blue Wedges submission and also I think in the ACF (Australian Conservation Foundation) submission that the projected economic benefits of this project were based on compound trade growth of 8 per cent per annum for 30 years. Mr Meyrick, who did the analysis, gave evidence to the committee that that was not so, that it was only 5 per cent, 4 per cent and three point something per cent over the next 30 years. We had also heard that there was no sensitivity analysis done on that, but Mr Meyrick told us that there was.

The next thing we were told was that the discount rate was inappropriate at 6 per cent, but the committee received evidence that it was absolutely appropriate at 6 per cent. A third criticism was that the cost-benefit ratio of 2.57 was too low and that it ought to be 3. Mr Meyrick, though, said that he had done work for the World Bank and international work all over the world, and he told us that he thought that a cost-benefit ratio of anything over 2 was an extremely robust figure.

What has been happening in the criticisms of this project on economic grounds has been the putting up of a series of straw men, the putting up of a series of facts that were not facts, of propositions that the project is based on something it was never based on. At one point in the hearing Mr Barber said to Mr Meyrick, 'There is huge dispute about this project', and Mr Meyrick looked down his glasses and said, 'No, Mr Barber, the only disagreement on this project is by those who confuse assertion with evidence' because the evidence that came before that committee was that the project

stood the appropriate tests and that the 2.57 figure was very robust.

First of all there were early criticisms which the environment effects statement dealt with, then we were taken down the economic path in the attempt to stop the project, and now we are coming back to environmental issues again. Mr Hall said that he did not think we were dealing with the detail of the bill. I am happy to deal with its detail. In clause 3(2)(c) the bill says that dredged material cannot be put into the bay if it is:

poisonous or harmful or potentially harmful to animals, birds, wildlife, fish or other aquatic life ...

As I think Mr Rich-Phillips commented, that essentially means you cannot put any dredged material into the bay because inevitably if you put some dredged material into the bay, you are going to put it on top of some shellfish. Something is going to be damaged by that process, and this bill is essentially proposing that putting dredged material in the bay is ruled out.

Members should just think for a moment about the 22 million cubic metres of dredged material which would then have to be moved. I think the amount of material that might be contaminated would be about 1.12 million cubic metres, but if you are going to have those sorts of provisions in this bill, you are not going to be able to dump any of the material, so you are talking about transporting 22 million cubic metres of dredged material and dumping it somewhere on land.

To put it into a context, even if you were only to deal with the 1.12 million cubic metres of contaminated material — which the environment effects statement says can be dealt with properly, safely and appropriately in the manner that is proposed, where it is put into the bay and capped — even if you were to transport only about 1 million cubic metres, that would involve 60 truck trips and trailer loads per day for 630 days. That is how much material would have to be transported. Multiply that by 22 — I cannot do the maths quickly enough, but it is 22 times 60 for 630 days, or an extended number of days.

Mr Koch — Thirteen hundred and twenty.

Mr Viney — Good on you and thank you, Mr Koch. I am not going to try to do my arithmetic while I am speaking. I wish I had done it before now. So that is 1320 truck trips per day. I seem to remember one Greens member of this Parliament from the western suburbs, Ms Hartland, talking about the terrible truck trips through the western suburbs, yet here she is proposing a bill which would potentially, if you were to take this legislation literally, add another 1300 truck

trips a day through the western suburbs, because that material would have to be dealt with at Webb Dock. That is where you have to take the water out of the dredged material in order to make it transportable. That is a fair few additional truck trips through the western suburbs.

This bill is simply another ruse to try to oppose this project, put another obstacle in its way, to massively increase the cost of this project. Its opponents have not been able to prove that it does not stack up economically the way we are going to do it, so they try to add in hundreds of millions of dollars of additional costs and make it absolutely unviable. The bill cannot be supported. It is poorly thought through and is poorly drafted, frankly, because it has consequences that are enormous for this project, which ultimately is a critically important project for this state.

We cannot afford to have inefficient shipping going through the port of Melbourne. We have to compete internationally. The transport of our manufactured and agricultural products out of the port of Melbourne is essential to the economic viability of this state. That is why the government is committed to this project. The government has done so by ensuring that it thoroughly goes through the proper environmental safeguards, that it gets the environmental tick off from both the state environment minister and the commonwealth environment minister. The project is already 20 per cent under way as I understand it and is proceeding within the environmental safeguards that have been set. It will continue to be monitored, and it is a project that all members of this house should support.

Mrs Coote (Southern Metropolitan) — I am very pleased to speak on this bill. My colleague Gordon Rich-Phillips painted the Liberal Party position on this bill and put it very succinctly. Let me just reiterate: the Liberal Party is very supportive of the port as a viable economic gateway for this state. We are on the record and have been for a significant time as supporting channel deepening as a method of making certain that we are an important economic hub for this country. As such I think it is important to understand that much of the debate and in fact many of the comments that Mr Viney has put forward are certainly things that we as a Liberal Party would agree with. I am not always in furious agreement with Mr Viney, but I do in fact concur with some of the points that he made.

I want to make a very short contribution today, but I want to get onto the record my personal point of view on this bill. One of the points that I totally disagree with Mr Viney on is the fact of the thrust of this bill. I personally think Ms Pennicuik is to be congratulated on

bringing this bill forward. I think this debate is important. It is important for us to continue to have a look at these issues all the way through this project. Certainly we can talk about the environmental impact statement and we can talk about the scientific monitoring, but it is important that we have proper checks and balances on this. The Leader of the Opposition in another place, Ted Baillieu, is on the record as saying he feels we should have a big, red stop button. It should be there for all to see so that when things are not done properly we can stop the process where it started, reassess it and make sure that we can move ahead where the environment is not damaged irreparably.

My concern here — Ms Pennicuik has raised it in debate on the bill she has presented to the Parliament — is the issue of the bund, off the area of Beaumaris and Mordialloc. Every day in the newspapers, on the radio or on television we read, hear or see stories about greenhouse gas emissions, the environment or the poisoning of our rivers and streams. This government is exceedingly good at putting out advertisements. In fact I think the latest one is some sort of platypus and some sort of fish that are being affected by nutrients washed into the sea by stuff that we litter from our gardens and our cars. So the government is aware of the pollution that takes place, and it is promoting a large advertising campaign along those lines: healthy rivers, healthy streams, healthy bays.

So what is it doing here? It is going to dig a huge hole and put into that hole all the toxic wastes that have accumulated in the Yarra River for hundreds of years. This is totally unacceptable from my point of view. I do not believe we as a community should be looking at this type of technology at this point of time. Mr Viney did not get his maths right. I am concerned that he could still not get it right even with the help and assistance of Mr Koch. But I would have to suggest that we are not talking about toxic waste coming out of the Yarra River for the next 30 or 40 years. This, presumably, is going to have a finite amount of time. We should be thinking about trucking this waste to somewhere where it can be safely deposited in landfills so we can all feel safe.

I do not believe that putting a 50-centimetre cap over a channel full of toxic waste is going to be viable into the future. It will be too late in 10 years time when we have children who have been contaminated with some of this toxic material. It will be too late for us to wind back the clock. That is my own personal point of view. As I have said, the Liberal Party is opposing this bill. I too will be opposing it, but I am certain that the points of view that have been put forward in the bill and in debate should

be commended, looked at and monitored. I think all of us should take note. I do not believe the Greens have brought this bill to obstruct this process, but I think it is a timely warning for each and every one of us in this chamber to understand what we are dealing with here and to look into the future.

Mr KAVANAGH (Western Victoria) — I have decided to support Ms Pennicuik's motion and therefore feel obliged to give a brief explanation of my reasons. First of all the first time that I ever heard anyone describing a need for environmental protection in political debate was the late, great Senator Jack Little of the Democratic Labor Party, who, when I was about 11 years old, ran a campaign arguing in favour of protection for Port Phillip Bay. He emphasised in debate the need to protect that precious resource of Melbourne. The Environment Protection Act provides protection of the bay and limits what can be done in the bay. It seems to me that Ms Pennicuik's motion is an attempt to strengthen, not merely to apply, the regulations that already exist.

Mr Pakula and Mr Viney both spoke with some concern about the amount of material that would have to be disposed of in places other than the bay if this bill were to become law. However, it should be noted that hopefully only a small proportion of the material that is dredged will need to be disposed of in alternative ways even if this bill does become law. Therefore some of those concerns of Mr Pakula and Mr Viney seem to be quite exaggerated. I am concerned about the argument that Mr Viney put that this bill could prevent any kind of placing of material in the bay if it were possible that it could harm any sort of wildlife in the bay. But it seems to me that that is perhaps a very strict interpretation that is not fully warranted even by the words of the bill. For those reasons I intend to support the bill.

Mr ATKINSON (Eastern Metropolitan) — The Liberal Party has expressed concern about the environmental monitoring of this particular project. There has been a consistency in the Liberal Party's position on this matter. Obviously the party has recognised an economic imperative in terms of the dredging of the bay, but believes the environmental controls ought to be sound and provide assurance to the people of Victoria — not just today but into the future — that this project will not cause any injury or deterioration of the bay environment. In fact the Liberals have had a fairly consistent position of supporting initiatives that provide for an improvement in environmental conditions and the state of the bay over a great many years.

Whilst I understand the Liberal Party's position in terms of the economic imperatives of this project, in the context of the environmental issue I believe it is important that the bill be passed, and I will be supporting it. I understand the position of my colleagues, but I think there is a considerable folly in the process that this government is pursuing with the dredging of the bay, particularly at the mouth of the Yarra, where it is dredging sludge, only for it to be buried back in the bay. It is total folly. It seems to me that it is akin to taking asbestos out of a building and then putting it in a backyard somewhere, so that you still have the exposure to the toxic elements and you still have a lack of control of the poisons that are involved with that asbestos. That is a very good analogy for what we are doing in the bay at the moment.

I do not accept the environmental protections. I think that in this day and age we ought to be more enlightened. There is no way that that material should be dumped back in the bay. It should have been taken offsite; it should have been processed and cleaned; and it ought not be an issue that we should have thought twice about. If there were a cost associated with it we should have borne the cost because the bay is as important as that to Melbourne and to Victorians. I will be supporting the bill.

Mr D. DAVIS (Southern Metropolitan) — I am pleased to rise and make a contribution to debate on the Port Services Amendment (Disposal of Material) Bill, and indicate that the comments made earlier by my colleague Gordon Rich-Phillips summarised succinctly the position of the opposition. I compliment Ms Pennicuik on her motivation in bringing forward this important bill, and I understand that it plays a significant role in highlighting the concerns that many people have about the dredging of the bay.

I admit the bill relates to broader issues than simply the bay dredging, but that has been the catalyst for this bill coming forward. I commend the focus on dealing with the noxious or poisonous materials that will be dredged up, and the Liberal Party has expressed on a number of occasions its concerns about the dumping of material in the bay and the system of containing it for the long term in the bund structure that has been discussed.

The Liberal Party has also expressed its concern about dredging at the mouth of the bay. In this chamber recently the party brought forward a bill to increase transparency and the amount of information that would be available on the bay dredging process, and it was determined, through that bill, to ensure that all of the government information that was collected was made

available in as close to real time as possible. This was a sensible, practical step in ensuring greater transparency, greater accountability and greater checks and balances. As Mr Rich-Phillips said earlier, it would have enabled the stop button to be pushed at any point where information came forward that something was going astray. I am disappointed that the government did not come forward with support for that bill at the time.

The concerns the opposition has about the bill are about its breadth. We are concerned that the definitions in it may lead to an effective restriction on all activity of this type. There are obviously lines to be drawn and decisions to be made, and it is our judgement on this occasion that this bill is too broad although, as I said, I completely understand the logic and motivation behind it.

Equally, I know that there has been communication from a large number of people in the community, and I have examined all those communications, including some from members of the Liberal Party and others from a broad cross-section of the community. The points that are being made in each of those cases have validity but, as is often the case in this chamber, we have to make a decision on balance about where we believe the best outcome is.

I am also aware that this chamber has dealt with the matter of the economic case through the sending of a reference to the Standing Committee on Finance and Public Administration. I look forward to the report of that committee because it will look at the economic case, and I understand the material that is being put before it is of value.

I put on record in that context my concerns that have been expressed to business groups about the government's mismanagement of this channel deepening project. It is an important major project for the state, but the costs of the project have escalated from \$102 million to almost \$1 billion. It is a massive increase in costs that should have been more properly managed by the government.

I note also that the costs of the project that will be borne by the Port of Melbourne Corporation will be passed, in large measure, straight back to port users, and that will be a significant cost on each and every container that moves through the port of Melbourne. So the need and incentive to keep the costs of the project down through good management are significant, and I make the point here today in the context of Ms Pennicuik's bill that the environmental aspects of it are a significant amount of the cost, and if there is to be some slip-up or error or mismanagement of the environmental processes, the

costs could balloon out significantly and the damage done to the bay could be significant in the long term.

For those reasons the Liberal Party brought forward that transparency bill that I referred to earlier to ensure that there was a greater handle on preventing environmental damage, but environmental damage should not be seen as distinct from economic costs because if there is any slip-up environmentally, that will flow through into clean-up costs and related matters.

On those points I add to the comments of Mr Rich-Phillips, but make the point very strongly that the Liberal Party respects the points made in the second-reading speech here but on this occasion cannot support the bill.

Ms PENNICUIK (Southern Metropolitan) — I will take a little time to respond to some of the points made in the debate on the bill that I have brought to the chamber. But firstly, I acknowledge and thank the speakers who have made a contribution today — Mr Pakula, Mr Rich-Phillips, Ms Pulford, Mrs Peulich, Mr Thornley, Mr Hall, Mr Viney, Ms Coote, Mr Kavanagh, Mr Atkinson and David Davis — and I thank Mr Kavanagh and Mr Atkinson for indicating that they will support the bill.

I just wanted to touch a little on points made by basically every speaker, because they made different points. Some of them were erroneous, and I would like to correct the record on those. I was disappointed with Mr Pakula's contribution because he did not really talk about the bill. He spent a lot of time denigrating me and the Greens and the people in the Blue Wedges Coalition, and he implied that I bring this bill to the house for a political motive.

As I have said in the chamber before, I have been involved with this project since 2003 — a long time before I became a member of this chamber. I have worked with community groups in coalition both with people in the Blue Wedges and others who are not in the Blue Wedges who are concerned about this project because of the flaws in the process of assessing the project which have led us to the situation we are in today.

Mr Pakula says my bill is flawed because it is based on the Environment Protection Act which allows disposal of dredged material if it complies with the state environmental policy. That is not entirely true. As I mentioned in the second-reading speech, the state environmental protection policy, which is a policy that underpins the Environment Protection Act, states that disposal of dredged material in the waters of Port

Phillip Bay should be minimised and that disposal to land should be used wherever practicable.

The only reason that that is deemed by the Port of Melbourne Corporation (PMC) to not be practicable is on cost alone. There has been no other reason given. In fact, when I first heard about the project in 2003, I was a member — and still am a member — of a community group in my local area. We asked people from the Port of Melbourne Corporation to come and speak to us because we had been alerted that there would be adverse impacts on the St Kilda penguin colony from channel deepening. At that meeting I asked the question, 'Why will the contaminated material not be disposed of to land; why is that not being looked at?'. I was told straight away that it was because it would cost too much.

I bring the bill to the house not because I want to stop the channel deepening project; it is well known that I do want to stop the channel deepening project, but that is not the purpose of the bill: its purpose is to prevent the placement of millions of cubic metres of contaminated material in Port Phillip Bay.

I am not sure what Mr Pakula was getting at when he talked about truck movements. He said there was an onus on me as the mover of the bill to say where any dredged material should be placed on land. I do not accept that. The onus is on PMC to have done a proper assessment of alternatives to the disposal of this very contaminated material.

Mr Pakula — They have.

Ms PENNICUIK — Mr Pakula spent no time in his contribution talking about contaminated material. He made no attempt to deny that that material was contaminated or to deny the extent of its contamination, and neither did any other speaker from the Labor Party or any other speaker in this debate, so we can take it as given — because no-one has denied it or challenged it — that the material is contaminated. In fact we can accept from the supplementary environment effects statement (SEES), technical appendix 37, that the level of polycyclic aromatic hydrocarbons, or PAHs, is 10 000 times the acceptable limit; dieldrin is 22 000 times the screening levels; arsenic is 66 times; and dichlorodiphenyltrichloroethane, or DDT, is 17 times. The level of poly chlorinated biphenyls, or PCBs, in flathead is 5 times the limit and in mussels is up to 2855 micrograms per kilogram, which is 500 times the limit; and the level of PAHs in flathead is up to 10 times the limit.

Mr Pakula did not talk at all about this, yet that is what the bill is about: it is about the contaminated material that is going to be removed, has started to be removed from the Yarra River and Hobsons Bay, and which will be taken out and put into what is called the dredged material ground not far from where Mr Pakula lives — off the coast of Mordialloc, Beaumaris and Black Rock.

Mr Pakula — It is as close to Werribee as it is to Mordialloc.

Ms PENNICUIK — It is in the middle of the bay, but it is offshore from you. I introduced this bill. Mr Pakula says it is flawed because it is based on the EPA act. I cannot follow that argument. I used the words straight out of the Environment Protection Act about what can be allowed to be put into the waters of Port Phillip Bay under the Environment Protection Act, and the disposal of the contaminated material that we are talking about in this bill does not comply with the Environment Protection Act. Mr Pakula says the bill is flawed because there has been a rigorous environment effects statement (EES).

There were environment effects statements in 2003, 2004 and 2005, and the process was found to be fundamentally flawed. That is why another one had to be done. As everyone knows, I have followed that and have raised in the Parliament the whole time I have been here the flaws with that process, where the community was shut out and where the actual SEES process did not look at wider ramifications of the channel deepening project. It only looked at digging the hole, and it did not look at how to safely dispose of the contaminated material. It just assumed that it was going to be put in the bund in the middle of Port Phillip Bay, which is an extension of the existing dredge material ground.

I will skip over to a term that was used by Mrs Peulich, which was 'a hole in the bay'. and I have to admit I have used the term 'a hole in the bay' because they are easy words to use, but it is not a hole in the bay: it is a mound in the bay. In fact, they have built a bund above the seabed, some of it with partly contaminated clay from the Port Melbourne channel, and the contaminated material will be put inside that mound, so it is not exactly dug in a hole; it is not safely buried away in a hole. It is in fact above the sea bed, so that makes it more vulnerable and more fragile.

We know that material can stay there for any time between 140 days and five years, and certainly will stay there from what I can read in the SEES from the time it takes, apparently, for it to settle. Mr Pakula says this has been used in Hong Kong and other places around

the world. This amount of contaminated material has not been placed in such a bund in a shallow bay anywhere in the world. This is not comparable with anything else that has been done anywhere else in the world.

Mr Pakula talked about the turbidity levels. I am glad he raised that issue because he said turbidity levels were fine. I raised in my second-reading speech, for example, that the environmental limit for NTUs (nephelometric turbidity units) in Hobsons Bay mud was 70. This is the environment limit in the environmental management plan (EMP) to which the port is operating and which I might add is their own limits; it is not the limit set by the Environment Protection Authority, which was missing in action when these limits were set; the Environment Protection Authority said at the SEES inquiry that they had no comment to make on the environment protection plan and that it was up to the inquiry and the panel to decide whether it was best practice or not.

We already know that the Australian Conservation Foundation has said it is not best practice and fails on virtually every level, but if the environmental limit of 70 NTUs in Hobsons Bay mud got into the fish's gills the fish would be dead well before it reached that level. I make the point that the background limit now is 2, but it is okay for the NTUs to rise from 2 to 70 — 35 times what it is. In fact the highest background levels anywhere at the few testing sites that the EMP provides for were 10 in the Hobsons Bay mud.

The limits that the environmental management plan lets them go to is from 25 to 70, which is much higher than background limits. We know that the bay is very finely balanced in terms of turbidity, and that raising turbidity limits by 35 times or 10 times or 15 times is extremely dangerous. Mr Pakula might say we are 16 per cent of the way through, but we have not done any of the dangerous dredging yet. We have not got to that.

The quarterly report that Mr Viney was talking about that has just been released is six weeks out of date anyway and does not include any of the dredging that has been done in the river. Mr Pakula also mentioned a meeting which was held, I think, in the Williamstown town hall. He said that people did not turn up to the meeting, but I have been advised that no-one turned up because the meeting was not advertised. I was very disappointed with Mr Pakula's contribution in that he did not address the issue of contaminated material going into the bay, which is the subject of this bill. He based his whole contribution on implying that I am somehow here as a political stunt, which is not the case. I am here to try and prevent something which should

not be happening from occurring — that is, the placement of contaminated material in Port Phillip Bay. Many people in the community are very concerned about this, and they rightly should be.

During her contribution Mrs Coote talked about what we should not be doing in this place and time, in 2008, when we know that other measures could be used. The Port of Melbourne Corporation could have looked at utilising other technologies, such as dewatering technology, even in terms of the amount of material which, according to the supplementary environment effects statement, and even Mr Viney's figures, can range anywhere from 2.4 million to 3.8 million cubic metres. The highest figure I have seen is 3.8 million cubic metres of contaminated material. The Port of Melbourne Corporation could — and this is what my bill asks it to do — test the material and find out which material is the most contaminated and is not suitable, under the Environment Protection Act, which provisions I mirror in my bill, for disposal in the bay. That material could be treated and disposed of on land.

It is very dangerous to be putting this stuff in a mound in Port Phillip Bay. The northern dredge material ground already has contaminated material in it and is having a mound built on it. Some 3 million cubic metres of contaminated material is being put into that mound and, as Mrs Coote said, a 50-centimetre layer of sand is to be put on top of it. There is already contaminated material there, which is bad enough, so adding more to it will make it much worse, because this material is highly contaminated. Tests have been conducted at that site. Mussels have been taken from other parts of the bay and placed around the dredged material ground. After only six weeks those mussels have shown elevated levels of mercury, cadmium and organochlorins and heavy metals, so this is not just an issue of human health; it is about the health of the bay.

Some fish with lesions on them were caught in the bay just recently. Nobody knows what caused the lesions, but it was probably exposure to some substance. Our bay is shallow and has finely tuned ecological health. A study conducted by the Commonwealth Scientific and Industrial Research Organisation (CSIRO), which was released in 1996, said that dredging should be minimised, and because dredging has been minimised since that time the health of the bay has improved and people have noticed that.

Some of the effects of this project may not be visible straightaway. They may be insidious and take a while to emerge. As I have said, toxins will be uncapped for quite a long time, so they will leak into the water column. Studies have found raised mercury levels in

dolphins already. Even after the dredged material ground is capped, the supplementary environment effects statement admits that capping the material will not prevent toxins from leaking out. They will leak out for 30 or 40 years, so it will be a slow drip of poison into the bay. I agree with Mrs Coote — and I have expressed this myself — that it is just not on to be doing this type of Neanderthal engineering in 2008, and it is only being done because of the cost.

Mr Rich-Phillips mentioned that the provisions of my bill would lead to the project being shut down. The project costs have gone up and up, so I am not sure how much it would cost to deal with this material in a proper way, which is under the state's environmental protection policies and the Environment Protection Act. However, I do not think it would cost anywhere near \$1 billion, which is what the project is estimated to cost. It could add a bit more to the cost of the project, but if we are looking at the cost of a project like this, then we need to consider externalities, not just the costs to the Port of Melbourne Corporation or the costs to importers and exporters. We need to look at the cost to the people of Victoria and the ecological cost to our bay, and neither of those costs has been included in the economic case for the channel deepening project.

I do not agree with Mr Rich-Phillips's reasons for not supporting this bill — that is, because it would add costs to the project. Those costs should be borne by the Port of Melbourne Corporation. We must remember that Port Phillip Bay is not a highway for ships — it is more than that — and it is not owned by the Port of Melbourne Corporation. However, the corporation is passing on those environmental costs to the community of Victoria and is not internalising them in the project, and I do not think that is acceptable. It is not an acceptable economic case for the Port of Melbourne Corporation to pass the bad things produced by its project on to the community and keep the project's so-called benefits to itself.

Ms Pulford also said that my bill is a campaign tool, and I totally reject that. She made the point that this project was critical for the economic benefit of the state. That has not been established at all. She also mentioned that exporters in her area are in favour of the project, but we heard from members of the Australian Horticultural Exporters Association, and they are completely against the project. Because they are exporters they do not want to use large ships; they want to use small ships that turn around quickly — up and down in a week. They do not want to pay for a project that they do not need. Representatives of the association appeared before the Parliament's Standing Committee on Finance and Public Administration and said they do

not need channel deepening. There is no problem for exporters because 40 per cent of the exports from the port of Melbourne are empty containers. There is no problem with exporters getting in and out of the bay; it is only importers who may have a problem. Also, the supplementary environment effects statement itself said that only 4 per cent of ships coming in and out of the port of Melbourne needed any sort of tidal assistance, so the whole basis for the project has no evidence to support it.

Contrary to what Mr Viney was saying, I was present at the hearings of the Standing Committee on Finance and Public Administration, and I heard the evidence presented to the committee by representatives from the Port of Melbourne Corporation, from the Victorian Employers Chamber of Commerce and Industry and from the Victorian Farmers Federation, and those people had no basis for their figures that claimed that 25 per cent of ships could not use the port — or 38 per cent or 44 per cent, whatever it was. When they were questioned, their figures just fell apart and they pretty well admitted that they were potential or possible figures, not actual figures. If we are going to undertake a billion-dollar project and put the bay at risk, then we should use the actual figure, which is that 96 per cent of ships can get in and out of the bay with no problem whatsoever.

I thank Mrs Peulich for her comments. I want to respond to the point she made, which I thought was a good one, that I should have fed this question of the economic case into the inquiry. In the debate on the motion to refer the matter to the committee, I did give a long list of things that I thought the inquiry should look into, and this was one of them. Mrs Peulich would recall that the motion that went to the standing committee was rather broad and short, but in my contribution in moving that motion I made the point that the cost of putting the contaminated material into the bay is a cost that has not been included in the economic case for the channel deepening project and that the Port of Melbourne Corporation had not looked at alternatives so that the people of Victoria could make an informed decision about which was the best way to go.

Mrs Peulich interjected.

Ms PENNICUIK — I am looking straight at the chair of the Standing Committee on Finance and Public Administration when I say this, so I hope he is taking it on board. I do not agree with Mrs Peulich that the economic case appears to be okay.

Mrs Peulich also talked about the proposed toxic waste dump at Nowingi, which was very good of her, because

it gives me a segue into talking about that project, which thankfully was opposed by the community and did not proceed. The chamber might like to hear that the size of Nowingi was just under 10 hectares and the size of the designated material ground into which this contaminated material is intended to go is 6 square kilometres, which is 60 times — —

Mrs Peulich interjected.

Ms PENNICUIK — Yes, I know, but you raised it, which reminded me to mention it. So what we are putting into Port Phillip Bay would be 60 times the amount destined for the Nowingi tip. People might say that it is emotive to call it a toxic dump. If it was called a dump at Mildura, it is called a toxic dump in Port Phillip Bay. It is exactly the same thing: it is taking contaminated material and dumping it. It is not treating it or doing anything to it, just dumping it.

Mr Thornley accused me of drafting a deceptive bill. He also said that the point of my bill was to prevent, not promote, channel deepening. Although I would love to prevent channel deepening, that is not the point of the bill. The purpose of the bill is to prevent the disposal of contaminated material. I reject his assertion that the bill is a deceptive piece of drafting. I went to great care to use the wording of the Environment Protection Act so that I could not be accused of making up whatever words I wanted to use.

Mr Rich-Phillips said it was not qualified. If you look at the explanatory memorandum, it does qualify the provisions in the bill. The words that Mr Rich-Phillips was talking about with regard to 'making the waters' or 'reasonably expected to make those waters' are in the explanatory memorandum. I went through all this with the parliamentary counsel, who assured me that the bill was drafted properly. I do not accept Mr Rich-Phillips's suggestion; we will have to agree to disagree on that.

I took great care to use the words that are in the Environment Protection Act. As I said in my second-reading speech, the channel deepening project is not complying with the Environment Protection Act 1970. People are not sure why that is, but it appears to be because there is an environment management plan drafted by the Port of Melbourne Corporation, not vetted or approved by the Environment Protection Authority. It is its own environment management plan with its own limits.

Mr Barber — Not licensed by the EPA, like everybody else.

Ms PENNICUIK — Yes, that is right. That environment management plan does not comply with any law. It is a plan the Port of Melbourne Corporation has devised to suit its own project. Due to the flawed EES and SEES processes, this has been approved by the state minister, who is part of the cheer squad for channel deepening — so that is a conflict of interest to start with — and by the federal minister, who has not turned his mind to the subject at all and who I presume has approved it because it is a Labor state government and he belongs to a Labor federal government. That is all I can see, because I cannot see how the federal minister can be assured that the Ramsar sites on the south of the bay are protected at all by this project. I think they are threatened by this project.

Because of that approval process it seems that somehow the Port of Melbourne Corporation does not have to licence its toxic dump and does not have to comply with part 5 of the Environment Protection Act. I disagree with Mr Thornley that dealing with this material has been looked at thoughtfully; it has been done completely without thought.

I thank Mr Hall for his comments and for his understanding that I bring the bill to this house because the dumping of contaminated material in Port Phillip Bay is unconscionable. That is why I have brought it to the house. I will keep doing whatever I can to try to prevent this action in Port Phillip Bay.

Mr Hall made the comment that MPs do not have the expertise to override EES processes and that we can be critical of those processes but we need to have a strong argument to override the decisions of an EES. I would say that the decision on an EES or the outcome of an EES can be wrong; I maintain that it is wrong in this case. A big mistake has been made. That is why I am standing here: to try to prevent that mistake going any further. I believe that is the job of MPs.

I have looked at the studies. I have looked at what the critics have said. The critics are reputable people. Graham Harris, who led the first CSIRO study, continues to point out the fundamental flaws of the environment effects statement process the project has been through and the fact that it does not look at the bay holistically. There have been little studies all in a row but they have not been integrated. He says that is a fundamental flaw. This is the man who led the seminal study on Port Phillip Bay; he knows what he is talking about.

Dr Simon Roberts from Monash University, who is working with the Australian Conservation Foundation, has come to the same view — that the environment

management plan is completely inadequate and that the SEES process was completely flawed. I have read all these things and am convinced that they are right and that the Port of Melbourne Corporation and the government are wrong; they have made the mistake. I do not agree with Mr Hall. I think it is my job to come here to try to change the law of this state to prevent this folly occurring. I disagree with him.

Mr Viney talked about this being the most stringent environment effects statement ever. I will not go over that, as that is just plain wrong. I will just say that and will not even go over that again. He talked about the first EES — he did not use the term ‘trial dredge’ but that is what he meant — and the recommendation. That was only 1 of 137 recommendations of the first EES — 137 very serious recommendations. It is very difficult for anybody now to tell from the SEES whether all those recommendations have actually been fulfilled.

He raised the issue of the trial dredge. The trial dredge was a complete fiasco and a failure. At the end of the trial dredge the Port of Melbourne Corporation told the community that 18 cubic metres of rock fell into the canyon, but the figure was in fact 6000 cubic metres. They are still rolling around now as we speak — three years afterwards — still causing damage in the canyon in the pristine areas down at the south of our bay. We have two national parks down there. The part of the national park that has not been so declared is where the shipping channel goes through. The only reason it is not national park — and it should have been national park; that was the recommendation — is that the shipping channel goes through there.

Mrs Peulich — Marine park.

Ms PENNICUIK — Yes, marine national park. The trial dredge was a failure and it is still causing damage now, so I do not know why Mr Viney would bring that up as some sort of accolade. Mr Viney tried to rely on the quarterly report as a way of saying that the project was going well. It leaves out so much that it is hardly worth the paper it is written on, and it refers to the period only up until the end of April; it does not even refer to the most serious dredging that has gone on since then.

Members might like to know that after the *CoZa* dredge takes some of the contaminants out of the Yarra River and puts them in the dredged material ground, it goes for a bit of a sail down to the southern end of the bay and runs its mechanisms through the clean sand at the bottom to get rid of the sticky sludge that has got caught in there during its escapades in the river with the contaminated material. I do not know where that

contaminated stuff that is being washed out in the clean sand in the south of the bay is going. It would be interesting to see what the environmental monitor has to say about that. So far he has been silent. If you do not raise these sorts of things and tell people about them, they do not know they are happening. I am looking at members opposite me; they probably did not realise that was happening. I do not know if anybody has taken the time to go down to Douglas Parade, Newport, just opposite Scienceworks where the *Goomai* dredge is operating. You can look at the Greens website to see it in action. It is something certainly out of the early 20th century. It is just a great big clasping thing that goes in and picks up all the black sludge and that all falls out over the top as the big handle drops it in the barge. All of that black sludge falls back into the river. I would hardly call that best practice.

Mr Viney also said that I just recently started to challenge the channel deepening project on economic grounds. That is not true; I have challenged it as being economically unviable the whole time. I go back to the point that it has never been established that the ships coming into Port Phillip Bay even need it.

Mr Viney also referred to clause 3 and talked about the words I used there. I again say that I used the words very carefully and they are the words that are in the Environment Protection Act. That was very deliberate — to make sure that the Port of Melbourne Corporation would comply under the provisions of this bill if the words were inserted into the Port Services Act, and that the Port of Melbourne Corporation and the Victorian Regional Channels Authority would be required to test any material they wanted to put in the bay, and if it was noxious, poisonous, potentially harmful or could make the waters that way, they could not put it into the bay. That is the case now for any other organisation or any other person — except the Port of Melbourne Corporation. As Mrs Coote said in her contribution, that is not acceptable.

I am not concerned if this adds costs to the project because, as I said before, those costs are being externalised to the community, and that is not acceptable either.

I will end my contribution there, except to say that I would like to make a clarification to my second-reading speech. Paragraph 23 says:

Many of its samples came from areas not part of the —
channel deepening project —

proposed works, and none were taken from the Yarra River or Hobson's Bay, where the bulk of the contaminated sediment is.

The clarification is: there were samples taken from sites in these areas as detailed in table 1 of technical appendix 36 of the SEES. However, the *Head Reports on Human Health and Social Impacts*, which was only released during the course of the SEES inquiry, relied on water quality sampling that was collected during a minor backhoe dredging operation, not the type of dredging operation that is actually going on, and none of those sampling locations were in the Yarra River.

I commend my bill to the house, and I thank those who have supported it.

House divided on motion:

Ayes, 5

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

Noes, 35

Broad, Ms	Madden, Mr
Coote, Mrs	Mikakos, Ms
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 (<i>Teller</i>)	Scheffer, Mr
Finn, Mr	Smith, Mr
Guy, Mr	Somyurek, Mr
Hall, Mr	Tee, Mr
Jennings, Mr	Theophanous, Mr
Koch, Mr (<i>Teller</i>)	Thornley, Mr
Kronberg, Mrs	Tierney, Ms
Leane, Mr	Viney, Mr
Lenders, Mr	Vogels, Mr
Lovell, Ms	

Motion negatived.

CANCER AMENDMENT (HPV) BILL

Introduction and first reading

Received from Assembly.

Read first time for Mr JENNINGS (Minister for Environment and Climate Change) on motion of Hon. J. M. Madden.

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

Second reading

Debate resumed from 24 June; 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.

Ms LOVELL (Northern Victoria) — When I was interrupted last night for the adjournment debate I was talking about my disappointment at the lack of funding for public housing in the budget. I wanted to note that in my own electorate in the Hume region we have 1271 families waiting for public housing, and in the Loddon Mallee region there are 1077 families waiting. These families are languishing on the public housing waiting list of the Premier, John Brumby, along with the 35 394 families statewide. But of most concern in Hume, and in Loddon Mallee and elsewhere in the state, are those who are on the early housing waiting list. These are people at risk of recurring homelessness. They may have a disability or a special housing need. In the Loddon Mallee region alone we have 334 families languishing on that list, and in the Hume region there are 385 families. As I said, these are the families most at risk. There is a huge waiting list and long waiting times — at least six months. As I said, these are people who are at risk of recurring homelessness; they do not know where they are going to sleep tonight or tomorrow night.

As we have been asked to curtail our contributions to this debate and also because I was able to make a lot of my budget response in the previous debate we had during budget week I will confine my remarks to just a few projects in the budget. The first is hospitals in north-east and central Victoria. I note that both Shepparton and Numurkah hospitals were snubbed in this budget. They are both waiting for stage 2 funding for their redevelopments and they have both been snubbed by this government.

I have invited the Minister for Health in the other place three times to visit Numurkah Hospital. Besides my three written invitations I even went so far as to speak to him personally and offer to make that a tripartisan visit to the hospital. I offered to invite Ms Darveniza and Ms Broad from the Labor Party and Mr Jasper, the member for Murray Valley in the other place, from The Nationals to join me. I noted with disappointment this morning, from looking at the front page of the Numurkah paper, that it will not be a tripartisan event.

The minister will visit on Friday with Mr Jasper, but I have not been invited, despite my persistent lobbying of the minister to visit the health service. Nonetheless I am pleased that the minister will finally visit the service, see the need for stage 2 of that redevelopment to go ahead and, hopefully, provide the funding — but I would not hold my breath.

The major issue in central Victoria is the need for a new hospital for Bendigo. Anyone who visits the Bendigo hospital would know at first sight that it needs a complete redevelopment. The government has stonewalled the Bendigo community — it has put them off, and put them off and put them off — and the community has had enough. In fact the Premier, John Brumby, and the Minister for Health in the other place, Daniel Andrews, have almost teased the Bendigo community. They have visited the hospital several times, and every time everyone thinks there will be a big announcement, but there are no announcements. The budget provided \$9.5 million for a revamp of the accident and emergency department, but this is just a drop in the ocean — Bendigo has been put on a drip feed. It needs \$600 million or more for a new hospital; \$9.5 million to tart up the accident and emergency department will not satisfy the Bendigo community.

The budget's provision for schools was also another disappointment to my electorate. We have seen the government announce some further funding for the Bendigo education plan, but we also know that the plan has an \$11 million black hole, because the government said it would spend at least \$72 million on it and so far we have seen only \$61 million allocated for it. We hope the government will not cut corners. We already know the project is over time. We do not want to see corners cut; we want to see the delivery of the schools that were promised to the community. Parents of students attending secondary schools in Bendigo are continuing to receive conflicting information from the Brumby government and the education department on the construction of the four new schools. These schools are for year 7–10 students, and they are supposedly to be delivered under the education plan. The plan had bipartisan support; the Liberal Party wholeheartedly supports it and wants to see it completed to the standard that was promised. However, since the state budget that left the \$11 million black hole in the funding for the plan, Labor ministers and other MPs have contradicted earlier guarantees that two of the schools would open by mid-2009. They now say all the schools will open in 2010.

This is because they are running late on the delivery of the first two schools. Construction on these two schools was supposed to begin at the start of 2008, and the sod

has only just been turned for the first school. The government will not deliver the second two schools early; it will deliver the first two schools late. It will not deliver the first two schools in 2009, as was promised, but in 2010. This is partly because of the mishandling of the appropriation of land for the new college to replace Flora Hill and Golden Square primary schools by the former Minister for Skills, Education Services and Employment in the other place, Jacinta Allan — who is now the Minister for Regional and Rural Development — which has put the project significantly behind time.

I request that the Minister for Education in the other place explain to the Bendigo community the cause of the delay of more than six months in the beginning of construction at Kangaroo Flat and Eaglehawk. I also ask that the minister guarantee the inclusion of the missing \$11 million in next year's budget and undertake that there will be no further delays. We want these schools delivered. We would have liked them to be delivered as promised, in 2009, but that is not going to happen, so we need to see them delivered in 2010.

The parents of students attending the existing five year 7–10 schools — that is right: there are currently five; the Brumby government is closing one school in Bendigo and only delivering four new schools — must be given information about what is happening with this plan, when they can expect the remaining funding to be brought forward and when they can expect those schools to be delivered.

Grahamvale Primary School is another school that received some funding in this state budget. In three separate policies of this government — the Victorian schools plan, the provincial Victoria policy and the Goulburn Valley and north-east policy — they were promised replacement buildings for their relocatable classrooms. This school is almost entirely built out of relocatables. It has one building that is called permanent — I would not call it that; it is a kind of semipermanent structure — which is the original school building. It was built for a school population of only 75, and is used as the administrative block. It is infested with white ants and is no longer appropriate for use by the school. The rest of the classrooms, the music room and library et cetera are all portable. This government promised to replace all the portable buildings. What it has given the school — or what it has promised in this year's budget — is \$2 million. That is not enough.

Grahamvale Primary School has 315 students. It was told by the education department to submit a plan for a new school for 315 students. At no stage was the school, or its architect, told that this would be a staged

development. The school's plans to rebuild the school would need about \$5 million; it has only been allocated \$2 million. The problem is that the school does not have enough land to build in stages. If it has to build in stages the children will have no safe environment in which to play. The school council is very concerned that the school will become a construction zone with a very unsafe environment for children over a number of years. The footprint of the schoolyard is just not big enough for it to be done in a staged development, but the education minister does not understand this. When she came to Shepparton to open the ASHEletics carnival, it would have been nice if she had gone to Grahamvale Primary School, had a look and seen for herself that the staged development cannot possibly be done on the school grounds at the size they are at the moment. If the government is to complete it as a staged development, it needs to acquire more land around the school. For the minister to be flippant with our local paper and say that she will ensure that it can be delivered as a staged development is rather ignorant, given that she has not looked at the school site. This school needs to be redeveloped all at once.

Even more disappointing was that a member of the school council told me that after the funding was announced the school was disappointed. It invited Ms Darveniza out to see the school for herself so she could see it could not be redeveloped in staged developments. I am told that Ms Darveniza's comments to one of the members was 'Why don't you just do up the administrative areas and make it look nice from the street?'. This nearly sent the school council into convulsions. Any money it has it wants spent on the children and not on administrative areas. It does not want to just tart up the school so it looks good from the street. It might look good for the government, but it will not deliver a better educational outcome for the children at Grahamvale Primary School, the children that the school council and the teaching staff are concerned about.

I call on the government to provide the full \$5 million so this school can be built all in one go and not in staged developments. Even as I speak there is only \$2 million on the table. There is no promise of future funding. How long is the school going to have to wait for these portable classrooms to be replaced? Another school in my electorate is still waiting. There are three schools, and Katunga Primary School is still waiting for its announcement. Mooroopna North school received some funding last year. No, it is Lockwood South Primary School that is still waiting for an announcement of the replacement of its portable classrooms. I have a very large electorate with a number of schools. Sometimes it is embarrassing when

you cannot recall exactly which school you are talking about when you are on your feet and trying to talk without notes, but Lockwood South Primary School is most definitely still waiting for an announcement of any funding for the replacement of its school buildings

Another disappointment in the budget was that there was no announcement of any funding for the Odyssey House facility at Molyullah. This is a facility that has won international awards for the drug and alcohol program that it delivers. Unfortunately when I called last year for funding from the state government it said no. We moved a notice of motion calling for funding, but the state government ignored that. The facility had to close on 7 August last year because it was waiting for more funding. When some funding came through from the federal government it was not nearly enough for the centre to remain open, and indeed in this morning's *Border Mail*, Odyssey House has said that it is contemplating selling off the facility at Molyullah. That would be a tragedy, because it delivers an award-winning program for young people with drug and alcohol problems. In the Hume region 85 per cent of our children between 16 and 18 years of age are drinking to a level which is dangerous to their health. These are vital services that we need, and the state government should look at topping up that funding. I call on the Minister for Community Services as a matter of urgency to top up the funding that has been offered by the federal government to ensure this service can reopen and can deliver those vital programs that are needed in the Hume region for drug and alcohol-affected young people.

This budget is all about spin. It is about taxation; it is about going back into debt. It is a typical Labor government budget. We are returning to the times of the Cain and Kirner years, and the budget particularly ignores the needs of country Victoria.

Ms PULFORD (Western Victoria) — I have a couple of comments in response to some comments from opposition members. Ms Lovell said this is a typical Labor budget. In many respects it is a typical Labor budget because it places great priority on the things that are most important to Victorian families. Earlier in the debate opposition members seemed to be running a line that the budget lacked vision and the government lacked vision, but the budget clearly supports the vision that the Brumby Labor government has for Victoria, and that is a state with world-class health services; a state with safe streets; a state where Victorians can be confident in the security of their water supplies; a state with robust and thriving regional and rural areas; a state where every school has been modernised and every child is meeting their utmost

potential; and a state that has industry that is confident to invest in the future and able to provide secure quality employment to Victorians.

I would like to congratulate the Treasurer, John Lenders, on his first budget. This budget is a great jobs budget, and it is a great baby boom budget. Costs are reduced for business, including WorkCover premiums and stamp duty, and from our frequent and ongoing dialogue with the business community we know these things will make it easier for it to invest with confidence and to provide employment opportunities for Victorians. The budget also provides a great deal for young families and for some of our youngest Victorians. It meets their needs. This arises because the government is taking action and is responding to unprecedented growth in the state's population.

From time to time we have been known to state our desire for Victoria to become a great place to live, work and raise a family, and the proof of the pudding is in the eating. We have huge numbers of people moving to Victoria and we have families that are growing, and this places pressure on our infrastructure and requires us to respond to the challenges that come with that growth in our regional centres and outer suburbs.

I want to congratulate the Treasurer on delivering a budget that honours all of the Brumby Labor government's commitments to continue to invest and develop, and I want to say a few things about regional Victoria. In his contribution to this debate yesterday Mr Vogels said some things that are truly remarkable for a member of the toenails coalition. When last in government — and that is the best measure we have to judge what the Liberals and The Nationals would do if in government again — we had a Liberal Party whose approach to regional Victoria was akin to, 'Last person leaving please turn out the lights', and The Nationals in coalition that just did not stand up to it. It was there for all the decisions — to close the schools, to shut down the infrastructure and create a climate of real desperation throughout regional Victoria. It was quite remarkable. But happily things have changed.

The budget provides for first home owners. People in regional Victoria who want to build a home now can apply for an additional \$3000 bonus. This will support and enhance the building industry in regional Victoria, and of course make it much easier for young people hoping to break into the housing market to give them a leg-up and to enable them to compete. First home buyers and those who are building their first homes can now receive up to \$15 000 in state government grants.

The Brumby Labor government is providing working families in regional Victoria with the best possible health services to help bridge the gap between city and regional and rural health.

Through this budget the government has committed \$110 million to the natural resource investment program. The funding will support volunteer groups, agencies and regional communities to undertake activities that address some of our key environmental issues and respond to climate change. This includes \$8 million to complete the critical Future Coasts project, which will provide us with a better understanding of the impact that climate change will have on coastal communities. Our very large regional electorates in eastern Victoria and western Victoria certainly have many coastal communities among their very diverse communities. This also includes \$33 million for the solar hot water rebate scheme, which is due to start in a week's time on 1 July. Homes in regional Victoria will be able to claim a rebate of up to \$2500 from the government for the installation of a solar hot water unit.

An amount of \$110 million will go towards a large-scale pre-commercial carbon capture and storage demonstration program, which is part of the government's energy technology innovation strategy. This demonstration program will build on the \$6 million the Brumby Labor government has allocated to the Otway Basin trial carbon dioxide storage program, which was launched in April.

Our commitment to securing our state's water supplies continues and the budget makes certain additional commitments in this regard as well as continuing the work that has been under way now for a number of years in developing a grid, upgrading infrastructure, assisting and supporting people to reduce water use and recycle water. The budget delivers \$865 million in funding for some key water projects, including \$10 million for the 53 kilometre Hamilton–Grampians pipeline, which will transfer up to 2 billion litres of water savings from the Wimmera–Mallee pipeline to the Hamilton system to provide water users in that part of western Victoria with a secure supply; \$99 million to fast-track completion of the Wimmera–Mallee pipeline, which will save more than 100 billion litres by replacing 17 000 kilometres of open channels with 8800 kilometres of closed pipes — a truly remarkable infrastructure project that this government is delivering, having taken action on responding to the needs brought about by our record low rainfall and our experience of this drought, which is the worst drought in recorded history. The budget also provides \$18 million for regional councils over four years to reduce the impact

of water unbundling on council rates. We know that to help pay for the significant water infrastructure that is being built throughout the state water bills will increase, and in regional Victoria water projects receive large subsidies from state and commonwealth governments to reduce the impact of those projects on bills.

In the area of housing, as I indicated, the budget provides an additional \$3000 bonus to first home buyers who are building in regional Victoria. Combined with the \$7000 first home buyers grant and the \$5000 first home bonus for newly constructed homes, this means that families buying their first home receive significant support from the government.

There were significant commitments made in the budget in the area of housing and community engagement to a project in Horsham North in my electorate that is very dear to my heart. The week of the budget I had the pleasure of being in Horsham again with the Minister for Housing in the other place, Richard Wynne, for the regional launch of A Fairer Victoria 2008. A Fairer Victoria is now worth \$4 billion, with the budget delivering an additional \$1 billion to it. What the minister announced that day in Horsham, as part of A Fairer Victoria, was \$1.8 million for the Horsham North community engagement project. This is a wonderful project that is being very well received by the community of Horsham North.

A Fairer Victoria is the government's commitment to addressing disadvantage and creating opportunities for those families, individuals and communities that perhaps have in the past missed out on some of the prosperity that our state enjoys. A Fairer Victoria has two basic ingredients for building its objective of social and economic inclusion, and they are simple and straightforward — strong people and strong communities. The wonderful thing about the Horsham North engagement project is that it is a very grassroots community initiative, which grew out of and continues to be supported by the enthusiasm of local people. Projects like this one and our very successful and quite wonderful neighbourhood renewal program show us that of course local people in local communities are the ones best placed to identify their needs and, in working with government, to seek very targeted support and assistance in the areas where they most need to come up with solutions for local problems.

That \$1.8 million in Horsham North included \$1 million for further housing in Horsham, \$500 000 for improvements to housing specifically in the Horsham North area, with the balance devoted to several other initiatives that result from work that

government has done with the Rural City of Horsham and the community at Horsham North.

The budget provides the single biggest investment in ambulance services in Victoria's history, and I note that the Minister for Health in the other place, Daniel Andrews, today announced the membership of the new Ambulance Services Victoria board. This record investment will see two additional rescue helicopter services. One will be an emergency retrieval service, which will be specially kitted out to deal with emergency retrieval of very sick infants, in particular premature babies, and to assist in meeting their most specific needs; and of course the other one will be based in Warrnambool, resulting from a very long and hard-fought campaign by people in south-west Victoria for an emergency service helicopter to be located in that part of the state.

Credit must be paid again to the people who ran that campaign over a long time. I am pleased to acknowledge the member for South-West Coast in the other place and multiple members for western Victoria, and certainly many families who have been affected by very tragic circumstances as well. That was a great announcement.

It sits very nicely in a wholly restructured ambulance service that will provide services to all Victorians without delineation as to where they live. That merger of the three existing ambulance services can only make for better services.

As part of this significant investment across the state, ambulance stations will be refurbished or rebuilt in areas including Anglesea, Avoca, Ballarat, Hamilton and Timboon, and there will be upgrades to services including additional paramedics in Anglesea, Apollo Bay and Timboon.

The budget provides \$8.3 million over four years to employ 20 additional paramedics across regional and rural Victoria, over and above a recent campaign to recruit an additional 100 paramedics to country Victoria, and members have probably seen the recruitment ads in their local newspapers. Extra crews will be added to stations on major country transport corridors including Woodend and Kyneton.

In response to the increased use of ambulance services by pensioners and health-care card holders the Brumby Labor government is to allocate an extra \$2.1 million to provide 19 400 additional transports, which will benefit regional Victoria, which has a disproportionately ageing population in some parts of the state.

The Brumby Labor government's investment in ambulance services has increased by \$112 million since 1999, and in so doing delivered 25 new branches across the state, including 9 in country Victoria and upgrades to 48 stations, including 35 in rural areas. It is a massive injection into funding for ambulance services to meet increased demand and provide the best possible service we can. As part of that package the provision of those two new emergency retrieval services to provide people in regional and rural Victoria with access to the best emergency facilities as quickly as possible is fantastic, and I welcome that.

In the area of health services, the budget provides a one-stop health shop for Trentham. It is an \$8 million investment for a new nursing home with 15 high-care residential aged-care beds, a community health centre, an adult day centre and consulting rooms as well as primary care services.

There will be a redevelopment of Ballarat hospital's mental health services, and I commend the work of Ballarat Health Services and their approach to mental health service provision throughout western Victoria. They have had some considerable success using evidence-based practice to deliver good mental health services to people in my electorate, and I congratulate them on the fine work they are doing and look forward to continuing to work with them in the future.

The budget provides \$5.5 million to reconfigure the mental health adult acute unit at Ballarat hospital, to improve access and client amenity and to refurbish Ballarat's Queen Victoria building to accommodate community mental health facilities.

The budget includes \$70.1 million for the second phase of South West Healthcare's Warrnambool hospital redevelopment; that funding includes a new inpatient building and associated facilities, and is a demonstration in this budget of our commitment to delivering on that election promise.

In the area of education \$7.3 million will be allocated through the budget to improve year 12 completion rates through more support for vocational education and training (VET) in schools. Mr Thornley knows this is an important issue, and it is dear to his heart. My electorate of Western Victoria has a higher than average number of people whose highest level of schooling is year 10 or below, and there is a great deal of evidence about the impact of drought on young Victorians' capacity to continue further education.

Success in applying for positions in higher education institutions is no problem, but there is an alarmingly

high rate of deferral of these places and a low take-up rate after deferral. Certainly studies undertaken by higher education providers in the area find a strong correlation between this and the impact of the drought, and so this is an area in which there is certainly more work to be done.

The VET in Schools program is an example of how the Brumby Labor government is developing opportunities and choices within our public education system for rural students, and this is in addition to \$47.7 million invested over the next four years to continue the Victorian Certificate of Applied Learning, which is that program for year 11 and 12 students who intend to go to TAFE to undertake an apprenticeship or go straight into the workplace after school. The budget includes \$39 million to modernise nine schools in western regional Victoria, including schools at Bacchus Marsh, Colac South West, Daylesford, Lara and Horsham West.

The budget recognises the demands that are being placed on our infrastructure in the area of roads and public transport. Regional Victoria's roads, rail, freight and bus networks will receive, through the budget, \$755.6 million; which includes \$110 million towards the duplication of Princes Highway west from Waurn Ponds to Winchelsea, to cater for increased car and truck travel, and to improve timeliness and reliability. It is a wonderful thing to see the progress of the Geelong ring-road and the corresponding growth that is occurring outside of Geelong in many of those communities that will benefit from the great improvement to accessing major highways from that part of the state.

The budget also includes \$40 million to build a new duplicated section of the Western Highway from Melton to Bacchus Marsh to improve safety and travel times, and certainly I look forward to the completion of those works — it is a bit of road I spend quite some time on.

Of course \$22.6 million has been provided for maintenance and operation of the new V/Locity train carriages — and I spend a bit of time on those as well. By providing people in regional Victoria with access to better roads and improved public transport services the state government is committed to helping communities outside Melbourne to grow and continue to develop, but also to have good access and connections for all the reasons we need people to be able to move freely around the state, including for roads, for markets, for our businesses, and for our exporters in particular, who provide such great employment opportunities to people in these regional cities and towns.

The budget is a really good reflection of this government's commitment to plan short term, medium term and long term for Victoria. Mostly my comments have been about our commitment to regional Victoria. The opposition parties certainly like to think they have a great commitment to regional Victoria but I would always urge members of the public to contemplate what it was they did when last in government; they were very dark days indeed.

With those remarks, I would like to urge all members to support the appropriation bill and to support the motion to take notice of the budget papers.

Mr FINN (Western Metropolitan) — I rise and, in doing so, would very much like to congratulate the Treasurer on his first budget. I would like to say what an outstanding contribution to this state this budget is, but I cannot because if I did, that would be a lie, and never would a lie leave these lips!

Sadly, this budget is not flash. This budget is a dud — yet another Labor dud from a Labor government that just has not got a clue. I was sitting here listening to Ms Pulford for quite some time, and I was thinking, 'Wouldn't it be wonderful if I could get up and celebrate a Labor budget and say what a wonderful thing this is for the people of Victoria?'. But I could not do that because that would be misleading the house in a fairly substantial way, and that is not something that I would involve myself with in any way, shape or form.

It is not such a great pity that Mr Viney is not here — because he is here. I was listening to Mr Viney's contribution last night. I was enthralled at Mr Viney's ability to rewrite history. We all know that those in the ALP are extremely good at rewriting history. Mr Viney obviously has a masters degree — —

Mr Viney interjected.

Mr FINN — In revisionism — indeed! Last night Mr Viney told us about what the Kennett government did between 1992 and 1999. He told us about the schools, the hospitals, the nurses, the police and the teachers. He went on and on, as he so often does. But the most important thing he did not tell us was what the Kennett government did between 1992 and 1999.

He did not mention that the Kennett government saved Victoria from financial ruin. He did not mention that when the Kennett government came to government in 1992, Victoria was not just on the ropes — Victoria was flat on its back. It was on the verge of being put into the box, carried out and put in a hole; that is how bad Victoria was in 1992. He did not mention that, and he did not mention who was responsible for that. He

did not mention that it was the last Labor government that did that to the state — the Cain and Kirner governments, the decade of darkness as it is known from one end of Victoria to the other. He did not mention anything about that.

He did not mention the loss of the State Bank of Victoria; he did not mention the Pyramid Building Society collapse. He did not mention any of the financial disasters that befell Victoria as a result of the Cain and Kirner governments. So when Mr Viney or members of the Labor Party get up and talk about what happened between 1992 and 1999, they really should put the whole thing in context, and realise, and I am sure most Victorians realise — at least, those who remember it — just how bad things were in this state in 1992. Yes, the Kennett government had to make some pretty tough decisions. Those of us who were in that government found it extremely difficult. It was not an easy time to be in government, but we bit the bullet; we got on with the job.

Mr P. Davis interjected.

Mr FINN — As Philip Davis says, we were cleaning up the mess: I am glad he has entered the chamber at this time because he reminds me of those advertisements prior to the 1992 election that featured the Guilty Party, and the Guilty Party of 1992 is still the guilty party of 2008, if you look at this budget, because we are going back to where we came from.

This government is dragging Victoria back into the financial black hole, and quite frankly, that is not something that gives me any joy at all. It is appalling to think of the opportunities over the last nine years that have been missed for Victoria at a time when Australia has been booming, when we have had the best federal government — the Howard-Costello government — in this nation's history. Opportunities have been missed in Victoria by this government that just cannot get its act together. Now we have Kevin07 leading us into Recession08, and where is that going to leave Victoria? Where will that leave Victoria? Back where we came from prior to 1992 — and that is something that must strike terror into the hearts of any of us who experienced those very dark days indeed, because the tragedy is that the ALP thinks debt is good.

The ALP is addicted to debt, which I just cannot fathom. They just cannot help themselves. It does not matter how much money they bring in; it does not matter how much money they have at their disposal; it does not matter the level of taxation that they slug the Victorian taxpayer with; it does not matter if the sky is

falling with gold — they will still go into debt. They are totally addicted to it, which I find extraordinary.

An honourable member interjected.

Mr FINN — But my mortgage is getting smaller. Our debt in Victoria is getting bigger, and that is a fairly sizeable difference.

Mr Guy interjected.

Mr FINN — It may well be going up under Kevin Rudd. I will have to check that. The one thing that we do know the Labor government will not adhere to is something that I am quite fond of — that is, value for money. As I have said in this house before from time to time, members of the government get up here and tell us they have spent \$200 million on this or \$300 million on that or \$1 billion somewhere else, but they never tell us what we get for that money. They do not care what we get for the money. They do not care about the outcomes. All they care about is spending money. That is what they are on about.

They get up in here and tell us, 'Yes, we have 1400 extra police in Victoria. We have put money into the police force', but they do not tell us that there are no police on the streets. They do not tell us that crime in the western suburbs has gone through the roof, because you do not see police on the streets any more. They do not tell us how many police have walked out in disgust as a result of the mismanagement of the Chief Commissioner of Police. They do not mention any of those sorts of things, but they will go on and on about how much they have spent — not their money but our money, the taxpayers' money — not that they would care one iota about that at all.

Here we have a government that believes debt is good and value for money is bad. If anybody can tell me that they are ethos to live by, then I would be staggered to hear anybody seriously suggest that that is the way we should be going in Victoria. I do not want to go back to what we had before. I do not want to go back to what I called the decade of darkness. As it might turn out, it could be a little bit longer, although after 2010 this government will not be around, so it will not matter.

When Mr Viney and members of the government get up and lecture us about the measures that had to be taken — there was no joy on the part of the Kennett government in any of the measures that it took —

Mr Pakula interjected.

Mr FINN — None! Let me assure Mr Pakula that there were none. When government members get up

and tell us about the measures that had to be taken by the Kennett government, they should be as frank and as honest as they possibly can be — and I know that is pushing a very unfortunate substance up a very steep incline — and tell us why that happened. It happened because the Kennett government was saving Victoria and Victorians from financial ruin. I am afraid to think of where Victoria would be today if the Kennett government had not taken the measures that it took between 1992 and 1999. I well remember those headlines back in the mid and late 1990s that proclaimed Alan Stockdale the miracle man of the Australian economy. He got a basket case and turned it into the strongest economy in Australia, and that is something that we on this side of the house are proud of and it that I, as a member of that government, am particularly proud of.

Members of the government would do themselves some credit if they got up in here and told the truth. They should tell us that the Kennett government saved Victoria.

Mr Pakula interjected.

Mr Guy — He reckons Jolly was better than Stockdale!

Mr FINN — Mr Guy tells me that Mr Pakula has just made the remark that Rob Jolly was better than Alan Stockdale. Yes, Rob Jolly was better than Alan Stockdale — at losing money, at sending institutions broke and terrifying the general populace. Yes, he was so much better than Alan Stockdale at all of those things, but when it comes to managing an economy, give me Alan Stockdale any day. Give me the Liberal-National Kennett government any day in preference to the Cain-Kirner or the Bracks or Brumby government, because we know where they are going.

I ask members of the government in future, when they get up in here bleating away about years gone by, to tell the truth. They should tell the people of Victoria and this Parliament that it was the Kennett government that saved Victoria, and that the Kennett government was the best government this state has ever had. No government faced the problems that the Kennett government faced, and no government has ever overcome the sorts of problems that the Kennett government overcame between 1992 and 1999. I say to you, President, thank god for Jeff Kennett and Alan Stockdale! Let us never go back to the dark days that we experienced prior to the election of the Kennett government.

There has been much discussion over recent weeks in this house about problems in the western suburbs. I mention the western suburbs and, for the benefit of those who are not in the house, Mr Pakula, a representative of the western suburbs, shrugged his shoulders and slumped back a little bit as if to say, ‘Oh no! Here we go again!’. The last thing Mr Pakula wants to talk about is the western suburbs. He does not want to know about the western suburbs. He would be much happier if we were representing the former seat of Hotham in this place — we all know that — but let me tell him that he has been elected to represent the western suburbs, as have I, and I am going to talk about the western suburbs ad nauseam if I have to, whether Mr Pakula likes it or not.

We have covered the problems in the western suburbs in some detail over recent weeks in this house, but the arrogant neglect with which the Brumby government covers the western suburbs is particularly prevalent in Werribee. Werribee is not a bad spot; it is a growing area, and the Wyndham municipality is one of the fastest growing municipalities in Australia, and certainly services are in no way keeping up with the growth that is occurring within that municipality.

Within the Werribee area the train service is absolutely disgraceful. The government tells people to get on trains to come into town and get off the roads. People would get onto trains if they could actually get onto them. That is the problem: the trains are jam-packed and are like cattle cars — we know that; we have discussed that.

We also know about the West Gate Freeway and what a debacle it can be. Just this morning a small accident on the West Gate Freeway caused traffic to bank back well past Laverton and Werribee. I understand that the blockage extended almost halfway to Geelong. Unfortunately this is not unusual; it occurs on a regular basis. What is this government doing about it? Nothing! What is this government planning to do about it? Nothing! There are no plans and no ideas to fix these problems on the West Gate Freeway. I beg the government to put some thought into how we can solve these problems on the West Gate, because hundreds of thousands of people are affected on a daily basis. When you add up all the man-hours of people stuck in traffic jams, morning and night, you are presented with a huge waste of human resources, and I do not think that any of us could be happy about that. I have a great deal of difficulty in understanding why the government would tolerate that happening.

The day before the budget was presented I had a meeting with some community leaders in Werribee,

including John Nicol, who is president of the Werribee Football Club. I was down there a couple of weeks ago to see the Tigers play Coburg, so I had a win that day.

Mr Pakula — Who were you barracking for?

Mr FINN — When you go to see Werribee play Coburg and you are wearing a Tigers scarf, you know there is a fair chance you are going to have a win. I was not thrilled with the fact that Werribee was beaten that day, but that is something we could discuss at another time.

However, at the meeting that was held the day before the budget was handed down I was assured by Vin Keogh, John Nicol and others that the issue of Cottrell Street, Werribee, would be addressed and solved in the budget, and they were extremely confident that the money would be there to solve this problem. But when the budget came down was there anything in it for Cottrell Street, Werribee? Not a cent! The people have been duped again and they have been dumped on again by this government. That is something that those people should remember and carry with them. Every time they get stuck in Cottrell Street and that level crossing becomes jammed they should remember who is responsible for that. They should remember that it is John Brumby's gift to the people of Werribee. I am sure that they will do that, and I will at every opportunity remind them of who is responsible.

Another issue that I have raised in recent times which is getting nowhere at the moment is the future of the Werribee Racing Club. As things stand at the moment racing is finished at Werribee. As a result of the inaction of this government and the Minister for Racing in another place, Rob Hulls, there will never be another race meeting in Werribee. That is a disgrace. This is the government that closed the Werribee racecourse. I would hope that Rob Hulls would get his act together — although it might be beyond hope — and get the money that is necessary to upgrade the track so that we can resume racing at the Werribee racecourse very soon, but that is not going to happen, and for the people of Wyndham and history, that is a real tragedy.

My time is fast coming to an end, President, I am sure you will be very disappointed to hear. I could go on about the bridge at Laverton. Members here would have heard the expression 'a bridge too far'. In Laverton we have 'a bridge not far enough'. That is something that really has to be addressed. There is a bridge across the Princes Freeway that just stops and does not go anywhere. Why would you build a bridge like that? I am told there are speed cameras on it. That might be the reason. The government is now building

bridges to put speed cameras on them. That is really brilliant.

I could talk about the Western Autistic School, an issue which has now been solved thanks to a huge amount of pressure from members in this chamber and the local community. The government finally gave in, I think largely as a result of the need to appease the local community in the lead-up to the Kororoit by-election. I suppose we can be grateful about that, but we had to very much bludgeon the government into submission on that issue. I could talk about police and the need to get police out on the streets, away from their computers, away from their paperwork, and back fighting crime. I do not know of any policemen — and I know a lot of police, and many police are very good friends of mine — who joined the police force to become typists, but that is what most of them are now. They do very little crime fighting; they do a lot of typing and a lot of paperwork. That is something that needs to be addressed as a matter of urgency by this government. I do not expect it will, given that this government shows on a daily basis that it does not give a damn about the Victoria Police or law and order in this state.

The west has in this budget been done over again. We have again received precious little in this budget. I suppose it is something that we have come to expect over the years. It is something that people in my neck of the woods have become totally sick of. They are totally sick of it and they are preparing to do something about it beginning this Saturday in Kororoit.

It is not just the west that will suffer as a result of this budget. As I said earlier, this budget is leading Victoria back to the dark, miserable years of the period in the late 1980s and the early 1990s and the John Cain and Joan Kirner governments. All Victorians will regret this latest Labor disaster that it calls a budget.

As I said at the beginning, I wish I could say this is a great budget, but it is a dog of a budget. That is the bald fact of the matter. There is nothing we can do to hide that. I regret for the sake of all Victorians that this government cannot get its act together.

Mr SCHEFFER (Eastern Victoria) — I would like to begin my contribution by also congratulating the Treasurer on his first budget. In his presentation to the Assembly the Treasurer made it clear that the priority of this 2008–09 Victorian budget is to maintain responsible management of the state's finances at a time of emerging global and consequently national uncertainties. I think the events of almost two months

since the budget was brought down have confirmed the importance of the Treasurer's priority.

The uncertainty arises from massive threats and challenges presented by climate change and the complex impacts that this is having on almost every aspect of the human and natural environment. The uncertainty is evident in the instability of the global financial markets that could affect the real economy, in the pressures of increasing inflation and the credit crunch, in the world food crisis and the energy crisis and, more specifically, the rapidly escalating price of oil in particular. There is concern that the global momentum that has been building to address climate change might be blunted by a weakened global economy. The next half dozen years are critical. The consequences of faltering on climate change could prove disastrous. The particular challenge for the Victorian government right now in that context is to invest in infrastructure that will meet these immense challenges of climate change. The 2008 budget focuses on infrastructure development in transport, in the environment including water and energy, education, health, housing, families, redressing social disadvantage and economic disadvantage and inequality.

The budget also places a very high priority on regional Victoria and the supports and services necessary to encourage Victoria's growing population into settle into regional areas.

In my contributions to previous Victorian budget debates I have drawn attention to the policy coherence of successive Labor government budgets and the focus on meeting commitments that have been made by the Victorian Labor government during election campaigns. This is an important point to make again, because some commentators — admittedly a minority — often react to the budget by lamenting the fact that a grab bag of local causes were not funded. In Eastern Victoria Region the *Great Southern Star*, for example, ran a headline of 'Bugger-all' with the by-line 'Budget anger as Brumby ignores South Gippsland'. The headline was a grab from Ken Smith, the member for Bass in the other place, who, together with Peter Ryan, is quoted as saying that South Gippsland and the Bass Coast had missed out from this budget.

The government's correct decision not to invest in the reopening of the South Gippsland rail service also came in for some unreasonable and ill-founded criticism. But there was no mention that the Kennett government, supported by The Nationals at the time, had closed the service in the early 1990s owing to low usage and degraded infrastructure. The Transnet consultancy report that the Department of Transport commissioned

found that the \$72 million cost to reinstate the passenger services in Leongatha could not be justified. The study showed that only 20 per cent of the sample surveyed thought that restoring the rail line was a main priority. The evidence indicated that the cost of returning passenger services to Leongatha would be extremely high and the anticipated demand low.

Importantly the study found that rail would not fully address the transport needs of the region. The bus and coach service will provide the most effective transport service for South Gippsland and the Bass Coast. There will be improvements to services from Leongatha to the Bass Coast, including Phillip Island. There will be more frequent services to the townships on the South Gippsland Highway and the Bass Highway. There will be upgraded links from Leongatha, Wonthaggi and Inverloch by way of Koo Wee Rup, and a new cross-corridor connection between Koo Wee Rup and Pakenham.

What is the strategy in the 2008 budget? Budget paper 2, *Strategy and Outlook*, sets out the government's five financial objectives and strategies. It provides an overview of the current economic conditions in Victoria and identifies the impact of national and global conditions on the state. Budget paper 2 outlines the current budget position and gives an assessment of how the government's policy objectives are expected to impact on the financial position of the state. Budget paper 2 contains a summary of the government's economic reform agenda to grow the economy.

The government has decided to set a new operating surplus target of at least 1 per cent of revenue each year. The absolute figure of \$100 million that was set when the Bracks Labor government came to office is now less in today's terms than it was eight years ago. Budget paper 2 states that for the next budget year, 1 per cent of revenue amounts to some \$378 million. However, the paper states that the Treasury is forecasting an actual surplus of \$828 million next financial year and \$907 million in the following year. That is well over the \$378 million or 1 per cent target.

The government has signalled its intention to maintain high surpluses that can fund infrastructure out of the surplus cash generated from operating activities and carefully targeted and balanced borrowings. The need for further significant investment in infrastructure is determined by the continuing growth in Victoria's population, and the resulting necessary infrastructure investment is the key economic driver for the state.

Public transport and the movement of freight in metropolitan regional Victoria, as well as infrastructure initiatives that will improve health, community and aged facilities, and the redevelopment and expansion of government schools and education facilities across the state are the drivers for further infrastructure investment. This infrastructure investment is integral to the wellbeing and development of the community and the economy.

Service delivery is a critically important component of the budget strategy, especially as it is a means to extend wellbeing and deliver greater equality of access to more Victorians. It is also encouraging to see in budget paper 2 that the government has now delivered or commenced delivery of all of its 2006 election output commitments. Victoria has either achieved or exceeded national benchmarks in education, children's services, health and community services, and public transport.

Broadly, the budget tackles the task of meeting future demand for services through boosting investment in maternal and child health and education and — importantly in regional areas such as Gippsland and throughout the peninsula in the east — the improvement of practical support to farming and other industries. Members would have seen the Future Farming statement that the Minister for Agriculture in the other place released earlier this year. Those kinds of policy developments are important in articulating and expanding the detail of the budget initiatives for farming Victorians and for regional communities, and Gippsland is an area that contributes enormously to the Victorian economy.

Meeting the needs of regional communities means putting resources into redressing socioeconomic disadvantage through investment in transport, for example, so as to reduce the social isolation that arises from a difficulty in getting to work, picking up the kids, visiting family and accessing services. As I travel around East Gippsland one of the issues that is raised with me repeatedly is that transport is critical with the complex geographical environments in which people live. An example is the Yarra Ranges, where it is very mountainous. While people might live as the crow flies fairly close together, it is complicated for people to get in touch and communicate with each other, and so localised transport networks are extremely important.

The government, through Transport Connections, is inviting communities to undertake community audits and to present and deliver their ideas so that all the combined and collective resources are in a particular area — it could be the Yarra Ranges, with a similar exercise going on in the Mornington Peninsula.

Because of the nature of the peninsula, its complex coastline and that narrow strip of land, it also presents very particular transport challenges.

Then there are areas such as South Gippsland, around Leongatha and down to Korumburra. Anyone who has travelled around that area knows that the transport connections are complex. That is why it is a better transport outcome to have articulated bus systems that can get people from one place to another rather than having a fixed-rail line at great expense, which most people do not see as being a priority and which will only have the capacity, because of its fixed-rail nature, to service a smaller percentage of people than would be possible through an articulated bus service. Isolation, the connection to transport, people visiting and connecting to each other, and accessing services are important issues for the government to understand.

The budget has also made further and significant changes to taxation arrangements to further realise the government's objective of establishing a fair and efficient tax system. One of the primary objectives of any tax regime is to raise revenue so that that revenue can be deployed to the greater good of the general community and to balance the services to people who may not have the private means to access them. That is the purpose of tax. But on the other side of the ledger, taxation also has to be affordable. It should not place people under a pressure that they cannot sustain. On the one hand taxes need to be fair and appropriate, but on the other hand there is also an important role in raising and pooling taxes so that the state can be viable. Tax is a critical part of how we manage public policy and how we alter people's behaviours.

The tax reductions included in this budget are delivered through amendments to payroll tax, land tax and stamp duty on the transfer of property. Those three taxes have been the subject of a lot of debate and consideration over time. In various ways they place pressures on the people who are required to pay them, and over some period of time there have been calls for relief: from employers in relation to payroll tax, from landowners and businesspeople in relation to land tax, and particularly from home buyers in relation to stamp duty.

Besides these tax reductions, the government has also extended the first home bonus by \$3000 for newly built homes in rural and regional Victoria. That raises the total assistance for first home buyers to some \$15 000. There was a federal government report on the effectiveness of home bonuses. As I recall, the bonuses came in for some criticism on the basis that they were not properly targeted. But the bonuses in the Victorian budget are specifically targeted and encourage the

construction of new homes for young couples who are probably in most cases entering the housing market for the first time. This particular boost will give a fillip to people in that situation. It is a very good measure and it has been widely welcomed.

This will not only make home ownership more affordable but will also boost the regional construction industry and employment, and it will support and encourage population growth in regional Victoria. If you drive around Gippsland and through the Mornington Peninsula, the pressure on our road system is plain to see. With so many delivery trucks and commercial vehicles moving back and forth, you can see that behind each of those vehicles there is a service or there is a house being built which requires materials to be delivered. A lot of that transport need is a physical manifestation of the way that industry becomes more productive, and there is a greater need for materials each time people decide to build accommodation, whether they be in housing developments or housing renovations. The housing industry, as we know, is a critical part of the viability of the Victorian economy.

In the 2008 budget the government has kept a very clear focus on regional and rural Victoria, and it has invested heavily since its election in 1999 on the communities and industries outside metropolitan Melbourne. The objective has been to maintain and strengthen rural businesses and production in order to increase the number of jobs and attract people from within Victoria and those who come to this state from across Australia to settle in regional communities and contribute to community life and to the economy. That is why regional Victoria is humming. The government has also steadily and dramatically extended and improved both road and rail transport infrastructure, regional schools, health services and policing.

Hardly a week has gone by since my election in 2006 to represent Eastern Victoria Region when I have not had the opportunity to attend an opening or a launch of a new development somewhere in eastern Victoria — for example, the opening of a new or upgraded police station in Pakenham or Buchan, a new sporting or learning facility in a school in Mornington, a new bus interchange connecting communities to each other and to rail in Koo Wee Rup, handing over the keys for a new fire truck to the local Country Fire Authority station in Lang Lang, attending a funding announcement recently with the Treasurer for new facilities — in fact a complete rebuild — at the Morwell Community Health Service, joining the Premier and the Minister for Energy and Resources at the announcement of a new clean coal research initiative and, as part of the present budget, announcing

nearly a quarter of a million dollars worth of technical equipment grants for local secondary schools such as Koo Wee Rup and Pakenham secondary colleges.

As I said earlier, climate change is the big issue that confronts all of us, and rural and regional Victoria has particular challenges and responsibilities. The debate over water security is especially intense as we work through the complex issues involved. But the survival of regional communities and industries depends on us putting the right solutions in place. To this end the budget identifies \$117 million for the first stage of the construction of the desalination plant in Wonthaggi, which, while controversial at this point in time, will in the medium term and into the future be shown as being the right decision under the circumstances.

The brown coal industry is fundamental to the Latrobe Valley, and the people of Gippsland are fully aware of the complex issues that are thrown up by the production of electricity from fossil fuels. The government has been and is putting significant resources into clean coal technologies that will contribute to Victoria's climate change strategy. The budget provides \$110 million over six years for a large-scale demonstration of carbon capture and storage technologies through the energy technology innovation strategy, and \$72 million over six years to support a large-scale, pre-commercialisation demonstration of sustainable energy technologies. As well, the budget allocates \$54 million over five years to help households reduce greenhouse emissions and \$15 million over five years to investigate the impacts of climate change to help develop adaptation strategies. In the time that I have remaining, I commend the budget to the house. I think it is a great budget and a terrific document.

Mr P. DAVIS (Eastern Victoria) — I am delighted to speak on this occasion and when I discover what it is that the government would like me to speak to, I will proceed. On the assumption that there is no other business before the house I will continue with a speech on this budget, and I will put aside the other matters which I was anticipating I would deal with at this moment.

I was inspired when I came in here tonight just after the commencement of Mr Finn's contribution. It was a powerful rendition of the failings of the Bracks and Brumby governments. What inspired me was that Mr Finn reminded me of those great and interesting days in the Victorian Parliament when there was a change of government from the Guilty Party, the completely defeated Labor Party — defeated in the sense of having no understanding of the economy. Rob Jolly as Treasurer, Joan Kirner as Premier and John

Cain as Premier before her had failed to administer the affairs of the state in an effective manner or in a manner befitting any responsible government. They had managed to triple the debt of the state. It had taken more than 100 years for the debt of Victoria to exceed \$10 billion. It took only 10 years for that debt to treble. There was a recurrent deficit of \$2.5 billion a year; there were liabilities accumulating in terms of unfunded superannuation and WorkCover which doubled that amount. I think at the time the total debt, including unfunded liabilities, exceeded \$76 billion, and therefore any comment from the Labor Party, the government of this day, should be taken in the context of its failings over the longer term.

It would be fair to say that the Victorian governments under premiers Steve Bracks and John Brumby have had a great run; they have been in clover. Before that we had Jeff Kennett and Alan Stockdale with the support of their coalition parliamentary teams repair the damage done by the Guilty Party. The Labor Party is still as guilty as it ever was, and the profligate performance of the Labor Party in this budget and preceding budgets in the last nine years shows that the Labor Party does not have the capacity to understand the basic essence of public administration.

That great contributor to debate in this house, the former member for Geelong Province, Bill Hartigan, would often come in here and rail against the then Labor government's failure to understand the principles of public finance. He always said that, and he was right. Mr Hartigan lost his seat as a member for Geelong Province, but he left an indelible impression on those of us who were here to hear his analysis of the performance of the Labor Party both in government and in opposition and the failings of its policies while in government and in opposition.

It is clear that the budget that is before this house fails to recognise and address the risks that are emerging from factors in the broader economy — tightening credit, a rising Australian dollar, higher inflation, the prospect of a pullback in business profitability in sectors other than mining and the potential implications for employment — indeed, unemployment. We may have a better situation today than perhaps we had nine years ago, but that is not due to the current Labor government, it is due to the repair by the Kennett and Stockdale government and to the oversight of the national economy by John Howard and Peter Costello.

The reason Victoria has been able to sustain budget surpluses has not had anything to do with the good financial stewardship of the Victorian government; it is entirely due to circumstances that have been beyond the

control of this government. When we look at the increase in the rate of expenditure within the context of the budget we know that nothing has been learnt since the 1980s, and the damage that Labor was able to wreak on Victoria has been transposed onto contemporary members of Parliament. It is interesting that in this chamber only the Acting President, Mr Finn, Mrs Peulich and Mr Theophanous were present back in 1992. It is surprising how quickly the faces change. The four of us, I am sure, and Mr Theophanous, I am sure, in his quiet moments would recall how embarrassed he was at that time, but what a valiant job he tried to do in defending the legacy of the Cain-Kirner-Jolly governments. I suppose we should not forget former Labor Treasurer Mr Sheehan either.

In any event, we are in a position today where the Victorian budget maintains a high tax and high spending regime, again a reflection of Labor's core business. But in this context the board and management of Victoria Inc. are paying insufficient attention to prudent management and improvements in delivering value for money. This is a budget that, while it provides a substantial amount for infrastructure, does not do nearly enough to redress the years of inaction. We need to look at the fundamental infrastructure that exists in Victoria, which is in a state of disrepair. We simply cannot have the necessary basic framework in Victoria to meet the needs of a dynamic economy and community if this infrastructure is not maintained.

The budget fails to recognise and to in any measure address the growing financial pressure on individuals and households. Just as importantly it fails to address the growing lifestyle pressures people face as a consequence of underinvestment in basic infrastructure and community development. The government's rhetoric belies the fact that, as the majority of Victorians would readily identify, Victoria is becoming a tougher place to live, work and raise a family. The factors leading to this include interest rates affecting mortgages and therefore housing affordability and people's capacity to meet burgeoning personal debt; the cost of living, which includes not only fuel and food prices but also the cost of services which the government is directly responsible for, including education, health and utilities such as electricity, gas and water; the cost of congestion due to poor forward infrastructure planning and underperforming transport services; and poor urban planning — mushrooming remote suburbs that are effectively isolated because they lack basic services. How can you create a sense of community in places where people do not have the basics and where life is a matter of survival?

The figures in the budget demonstrate the government's cavalier approach to financial management. Like a foreign exchange desk cowboy, it has been trotting out numbers ad infinitum. But if we look purely at the percentages we see that since the fiscal year 1999 budget revenues have risen more than 88 per cent, and among the key taxes we have seen land tax go up 154 per cent, stamp duty up 194 per cent, police fines up 310 per cent, insurance up 106 per cent and payroll tax up 57 per cent. It is of considerable concern that the state's total expenditure has risen by one-third more than the increase in revenue. That is undoubtedly attributable to the GST windfall, but to see the amount of money passing through the state's cash register — some \$36 billion in the coming year — makes you seriously wonder on a couple of counts: where is it going? Where is the value?

While we are looking at a string of revenue increases that read like the scoreboard for the Australian test cricket team, it presents a sobering experience to compare the increases with the inflation rate. I should note that the Reserve Bank of Australia puts total inflation for the period from 1999 to 2007 at just 28.5 per cent. To put that in context, budget revenues have risen by more than 88 per cent in the same period. Victoria has been awash, if you like, with money; the state government has almost had a money tree.

I say to members of this chamber and former members of this chamber that it is important to note the performance of the government at the present time. In bringing in his first budget, the Treasurer, Mr Lenders, is to be commended on his effort to put his own stamp on it, but it is not a very good stamp — he should go back and get a new one. He has not learnt from the failings of his predecessor, who is now the Premier, that financial rectitude in public administration is everything. There is no excuse for profligacy with taxpayers funds, and that is what we have seen. We have seen underspending on long-term infrastructure, and we are therefore not seeing the benefits accruing to the long-term economic framework of Victoria.

To put this into some perspective, a comprehensive analysis undertaken by the Menzies Research Centre some two years ago, known as Statewatch, painted a picture of continuous deterioration in the performance of the states and territories, Victoria included. Statewatch's analysis takes us only to 2006, but the states and territories have steadfastly ignored the warning signs and maintained the downward trend since then.

The Statewatch research concluded on the basis of evidence from the budgets of all of Australia's second-tier jurisdictions:

Doing more to measure the effectiveness of state and territory outlays and to identify productivity gaps and wasteful spending should therefore be a priority.

In arriving at this conclusion, Statewatch pointed to a vast \$47.4 billion increase of revenue to state and territory governments between the fiscal years 2000 and 2006; the fact that most of the increase was spent on government services, and most of that involved increased employee payments — both higher wages and an increase in numbers; the fact that after a small initial improvement productivity has declined significantly since the fiscal year 2003; the increases in real unit costs in the areas of public hospitals, government schools and police; and its finding that the effectiveness of government service provision was generally flat or declining.

Statewatch also prophetically pointed to the prospect of the states increasing their borrowings on the back of their strengthened fiscal positions to increase spending on infrastructure. As we have seen, that has certainly been the case in Victoria. It also predicted, again with some foresight, that states would be likely to make greater use of private financing of infrastructure through public-private partnerships (PPPs).

Statewatch commented:

This too will raise real issues of efficiency, given still low efficiency in many areas of government-owned infrastructure, and a generally poor (albeit with some exceptions) record of structuring PPPs.

The Victorian government's record on major public projects in the main bears out Statewatch's concerns, and we have yet to see a firm set of principles that will ensure the transparency of PPP arrangements and guarantee that they are entered into strictly on the basis of delivering maximum value.

I will touch on the general issue of insurance taxes, and then I will highlight some issues specific to my electorate of Eastern Victoria, and especially Gippsland. Insurance taxes are a bane for all those who pay insurance premiums, and the levy on property insurers to pay for the operation of Victoria's metropolitan and country fire services is a continuing anomaly. This matter has been debated for years. Indeed it has been debated robustly in all the parliamentary parties — I know it has been debated in the Liberal Party — and it has certainly been discussed from time to time in the Parliament.

It is a matter of significant representation to all members of Parliament, particularly those representing country electorates. It is widely agreed that the fire services levy is inequitable; the issue is something that should finally be resolved. There was a review by the Treasurer around 2002 in the context of trying to exhaust and avoid public discussion of the matter. It was put into an internal inquiry in the Treasury department, the report of which surfaced some time after the 2002 election.

For an insurer, their class of business is weighted according to fire risk — 80 per cent in the case of commercial classes of insurance and 40 per cent for residential classes. Victoria and New South Wales are the only states that continue to apply a fire levy on property insurance. It means that we pay the dearest business and home insurance premiums in Australia. I think that is poor public policy. We also pay the highest state taxes in Australia on property insurance policies — by around two-and-a-half times in the case of home insurance, and a staggering four-and-a-half times for business insurance.

There is a further inequity in that country businesses and homeowners pay more in dollar terms in fire levies than people in the city, but they pay twice in effect because of the largely voluntary make-up of the Country Fire Authority (CFA). It is an absurdity. The fire levy is, frankly, archaic. We should consider the effort that volunteer firefighters make not only in protecting their own property, the properties in their district, the assets relating particularly to farming properties but also at times of state crises such as the 2003 and 2006 fires, which burnt 2.3 million hectares of Victoria's Crown land. Who were leading the fire response — no doubt, no less — for the CFA?

There were lots of people on the public payroll being employed as firefighters — seasonal firefighters and Department of Sustainability and Environment staff — who were making a big contribution, but so too were the CFA volunteers. For weeks and weeks volunteers made that contribution, but do they see any relief from paying usurious taxes in relation to their fire insurance? No, there is no relief whatsoever because the government just takes it for granted that the volunteers will turn out to protect the state's assets.

I wish to make some particular comments in relation to Gippsland and the budget. As members will recall, aside from recent significant fires we had a massive flood event last year which devastated Gippsland on 28 June, so it is almost 12 months on. A flood recovery program has been under way in East Gippsland to deal with some of the devastation. Frankly, it is not enough,

but there has been an effort by government to make a contribution. The floods turned people out of their homes, shut down businesses and severely damaged the tourism industry for an extended time, but it has also had a lasting effect on many people's confidence. It has affected them like a personal tragedy so that many still feel too uncomfortable to talk of it.

The government reacted promptly. The then Premier, Steve Bracks, visited the region, announced the establishment of the Gippsland flood recovery task force under the command of then Treasurer in the other place, John Brumby, and promised a recovery package of around \$60 million. In his wake, the then Treasurer and now Premier, Mr Brumby, inspected the region and added another \$10 million — at least another \$10 million, as he said at the time. Only last week the Minister for Roads and Ports was in the region crowing about what a success the program has been.

But let us examine it. If we rewind and have another look we see just how the people of East Gippsland have fared from the auction of promises. The budget papers mentioned the Gippsland flood recovery in passing, and referred readers to the government's mid-year financial report for the detail. It reveals that the sums that have been spent across all departments involved in the program add up to just \$38.7 million. When I saw that, I went looking for the other \$31.3 million which had been promised to Gippsland in the wake of the floods, assuming it would be allocated from this year's budget. But there was nothing — not 1 cent of the \$31.3 million, which quite clearly has gone missing — and no-one from the government has yet come up with an explanation.

This is classic Labor funny-money, tricky-money dishonesty. The government clearly announced \$70 million for a flood recovery program, and that money has not been allocated. It is a disgrace; it is a fraud. The government's performance on this matter is fraudulent. I could be passionate about it if I were not so disillusioned. I cannot believe that premiers of this state and responsible treasurers of this state would make those sorts of commitments to people who have been devastated by a series of natural disasters — bushfires, mudslides and floods — and not honour those commitments. It is beyond my understanding. As a member of Parliament I do not understand how anybody could come into this place and make great play of providing support to communities which have faced severe natural disasters, and then when it comes down to it just ignore them. What is worse, when challenged in this place and in the community and by correspondence, they simply ignore those questions and make no response. I just find it bizarre.

I have had personal experience of these matters, having chaired a previous government's flood recovery task force established by Premier Kennett following the floods in Gippsland in 1998. We were allocated some \$60 million. We set to work with vigour and we completed the bulk of the program by the beginning of the following year, just six months later, and early that February we reported publicly on the outcomes of all aspects of the program. In fact we committed and spent \$62.1 million — that is, we committed it and we spent it.

Hoping to learn of a similar performance, I wrote to Premier Brumby on 20 February to ask him to provide a progress report from his task force on the program to that point and the works that remained to be completed. In other words, I wanted an accounting. Four months later there is no report, not even an acknowledgement of my letter to him as head of the task force. There are no financial accounts beyond the global figures listed under the relevant departments in the mid-year report, and we have no idea of the fate of the missing \$31.3 million. Given the Treasurer's great claim to openness, transparency and accountability, we should see a little of it. He should come into this chamber and in due course, when responding to the contribution of members, he should take particular note — —

Mr Drum — He is too open. He is too transparent.

Mr P. DAVIS — He is not here. He cannot be too open and too transparent because he is not here. He is off doing some important thing. We know treasurers are very important people, and they are too busy to listen to the budget speeches made by members of Parliament who raise concerns about the government's policy and the administration of the budget. Of course somebody sitting on the other side of the house may take it up with him and ensure that the government has a response for what is clearly an abject failure of public responsibility.

As to what the budget has done more generally for Gippsland, it has fallen far short of expectations, and in fact it demonstrates blatant neglect. I had expected there to be support towards resolving a wide range of issues, including a shortage of doctors, health services under stress, the state's worst performing rail service, roads, tourism infrastructure, a chronic housing shortage, and struggling community services such as libraries. But those problems are still with us, and we still find ourselves pressing for solutions.

What we did find to our surprise was funding of some millions of dollars each for upgrades to the Maffra Secondary College and the Maffra Primary School.

However, the government found what it claimed was a typo in the budget, and the secondary college was not to get the money after all. It took a concerted outcry from the local community, and some highly embarrassing media coverage, for the government to honour the typo. Thank God for the typo! A fortnight or so ago the government said grudgingly, 'Okay, here is your money'. I am pleased that we will see both projects proceed in the coming financial year. Both are well warranted and will mean a great deal to the town of Maffra and its young people. Indeed it meant so much that it took no time at all to arrange a petition of nearly 700 people which was tabled in here in the last sitting week. I might say that that was a reflection of the outcry in that community. It is a very small community, and that was a strong representation of the views of the Maffra community.

I had expected that in the budget there would be a shake-up to repair the abject failure in the management of the timber industry, and of public lands and national parks, but again I have been disappointed, as I am continually disappointed. I remind the house at every opportunity of the abject failure of the government's performance in managing our public land. The timber industry is reaching a critical point. Public land management is grossly inadequate and our national parks are deteriorating. It has taken the federal government, via Tourism Australia and Parks Australia, to lead the way with the declaration of the Australian Coastal Wilderness, encompassing the great natural heritage of East Gippsland and southern New South Wales, as a national landscape. As a result it will be one of eight notable landscapes nationwide that will be widely promoted as a destination for international tourists. Meantime the state government is unable to keep the park walking tracks clear or control weeds that are overtaking some of our parks.

In short, this should have been a time for caution, given the uncertainty being felt in the global economy. It should have been a time when households received greater support to ease the pressure on them. It should have been a time for a plan of nation building scope to rebuild and renew Victoria's economic base. Yet the government has shown us no such prudence, no such care, and no such vision.

Mr DALLA-RIVA (Eastern Metropolitan) — I will make a short contribution to the debate in the brief time that I have. It is always interesting to talk about the state budget because, as a member of the Public Accounts and Estimates Committee, after a long period of listening to ministers drone on about their achievements and what they propose to put forward you come to the budget stage and you think, 'What are they going to

deliver in terms of real outcomes for the people of Victoria?'. Time and again we have seen this government make commitments and promises on the budgets and TEIs (total estimated investments) and the like but really fail to deliver anything. I will keep my comments on the budget brief and will talk in particular about the Eastern Metropolitan Region and some of the areas of concern in my region.

There is no doubt that the government has broken commitments previously. It made a commitment in 1999 to build a tramline extension to Knox City shopping centre. We have seen nothing in the budget or the forward estimates relating to that, and again the people of the east have missed out. I guess the government has now thrown its hands up and accepted that it has lost the eastern seats that it once held and has decided not to focus on them. There is no third railway track from Box Hill. Labor promised this in 1999 but there is no mention of it in the budget or the forward estimates for the next four years. Again, this is a disappointment.

There is no additional funding for completion of the duplication of Bayswater Road, and this is a feeder road to the EastLink tollway, which is already a pretty severely stressed road. It will become a traffic nightmare unless urgent action is taken to upgrade it. There is no funding to fix the Springvale Road rail level crossing. Despite the member for Mitcham in the other place, now a minister, sitting in a marginal seat, it appears that the government has forgotten about Melbourne's most notorious railroad crossing. Unless urgent action is taken there will continue to be serious accidents there.

The Box Hill Hospital is always one of the favourites. The government claims that it is intending to do something with it. What the hospital has been allocated, though, is a measly 1 per cent of what is needed — \$8.5 million over three years to tinker around the edges. It really needs \$850 million for a proper redevelopment, and we have been unashamedly focused on that.

It is interesting that we have seen in recent times the members for Mitcham and Forest Hill making statements in the local press about the state of the bus system and its inadequacy, yet those members have been there for a while. If they are so concerned about it, why has there been no budget increase for services in those two locations? I think they were hoping there would be some money, but what they were doing was more spin than substance, which is typical.

We see no additional services for the east, just record taxes. We have seen state tax revenue grow from

\$19 billion in 1999 to nearly \$38 billion this year in the forward estimates, and despite this massive windfall we see a failure to invest in roads and public transport. People in the west — in the east and the west; that was a Freudian slip — as much as people in the east are now waiting longer in their cars on a crammed road system than they ever were under the Kennett government. People are crammed into trams, trains and buses more than they ever were under the Kennett government, and Victorian people are paying more in taxes for the privilege.

I will finish with one further comment, and it relates to the debt that this government is leaving Victorians with. Government members talk proudly about the fact that in the forward estimates they anticipate in the vicinity of \$21 billion to \$22 billion. It always staggers me after eight years of prosperity when we have had all these achievements that the government says that its only record of achievement is to increase debt, which is reminiscent of the old Cain-Kirner government days. It will be up to the Liberal-National coalition to fix the mess, as we have done before. It is a shame that Victorians have to suffer under this government before they realise that the true economic managers of this state are the Liberal-National coalition.

Sitting suspended 6.29 p.m. until 8.04 p.m.

Mrs KRONBERG (Eastern Metropolitan) — In rising to speak to the budget debate I do so in the same state of mind as I do for a lot of bills introduced by the government — that is, with a degree of chagrin and disappointment.

Too often this government has displayed smugness and arrogance in its conduct of governing this state, and I think this budget, particularly insofar as it snubs the interests of the people of Victoria in general and the Eastern Metropolitan Region in particular, displays very stark examples of that.

If we look at the provision of transport infrastructure for Melbourne's east we have to say that frankly it is a disgrace. The people of Doncaster have been in a state of anticipation for 39 years. Back in 1969 plans were promoted that saw a rail line which would branch from the Hurstbridge and Epping lines at Victoria Park, and use the median strip of the then soon-to-be-constructed Eastern Freeway to connect Bulleen, Templestowe, Doncaster and East Doncaster to the metropolitan system.

The land for this venture was sold off by the avaricious and desperate Cain government in 1982. I remember this very clearly because my family and I were directly

impacted on as that poor government played the politics of envy, and scuttled those plans. People who invested in their properties in those areas have been waiting with a sense of anticipation since 1969, and there is still nothing in the plans from this government other than to upgrade a bus system. I have said once before that it is an offensive thing to do and uses extreme licence and perhaps a degree of cheek to call the bus system that serves the Doncaster area and connects people who have to commute to work in the central business district a 'rapid transit system'. I find it offensive that the government has hijacked that term, because a bus system without exclusive bus lanes is by no means a rapid transit system.

Once again this budget has no provision for any infrastructure of any permanent nature. The opportunity to connect the route 48 tram up to the newly developed and greatly enlarged activity centre, crowned on Doncaster Hill by Doncaster Shoppingtown, is still waiting to be connected, which means that the city of Manningham is the only municipality in metropolitan Melbourne that does not have fixed-rail infrastructure of any description. It only has this mythical rapid transit system.

If we look a little further at the development of the much-heralded Ringwood station precinct, back in February 2007 the Minister for Planning went out there and launched the famous four flags. Now the four flags have gone and nothing has replaced them. There is still no move whatsoever on the Ringwood station redevelopment.

The most acute example of snubbing the people of Eastern Metropolitan Region in the budget for the year cannot be better emphasised than by the fact that there is still no commitment to provide grade separation for Springvale Road, Mitcham Road or Rooks Road along the Belgrave and Lilydale rail lines. In spite of the fact that every study reiterates the fact that the Springvale Road intersection at Nunawading is the worst intersection of its type in the whole state — in fact it is the busiest in the state — and despite pleading by members on this side and undertakings and splendid endeavours by community groups, especially the Whitehorse council, which has backed a number of studies to urge the government to support this process, it is all to no avail.

In my communications with the transport minister — and I have reported this back verbatim to the community on every occasion — there is this cynical disregard for investing in infrastructure on the basis that EastLink, which, as we all know, is going to open this Sunday, is going to solve all of the problems. I think a

little bit of cynicism is worth reporting whilst we are talking about the opening of EastLink because already there is ample anecdotal evidence that the idea of eliminating the so-called rat runs is under way, and there is an active measure to operate changes to the traffic light sequencing along Stud Road in Scoresby.

What they have done is change the traffic light sequencing from a 40-second cycle to a 20-second cycle. If you are driving an articulated vehicle — for example, a B-double — barely one of them can get across the intersection in a 20-second interval. What is happening is that all the traffic is now backing up on the exit ramp of the Monash Freeway just to emphasise the problems there even further. This is a very cynical exercise, as is the government's supposed adoption, in a wholehearted fashion, of bike lanes to narrow down the roads that the people of Victoria pay for with their taxes. People are not allowed free passage around metropolitan Melbourne's road system, be they on secondary roads or arterial roads. The name of the game is to funnel everybody into the big revenue-garnering tollway road system. This is a disgrace. The Liberal Party prides itself in giving people choice. This government likes to trammel the spirit of choice and not allow people to exercise options in this life.

If we are looking for lowlights in the road system in the north-east of the Eastern Metropolitan Region, we only have to go to the seat of Eltham to see mean-spiritedness in its finest and purest form. The Shire of Nillumbik and Banyule City Council have a boundary defined by Bolton Street, Eltham, which is probably aptly described as a goat track without proper drainage, without a proper camber to the road, and without guttering and kerbing. For a long time it continues to be patched up. As traffic volumes increase along this north-south access because of congestion on Main Street, Eltham, it has been discovered that Bolton Street is certainly not up to it.

The councils tell me that they have approached this government for funding for the upgrade of Bolton Street. The government has told them that it will take care of Bolton Street, which is a street that divides Nillumbik and Banyule, as I mentioned earlier, or they will fund Para Road, which sits entirely in Banyule, so that means the relationships between Nillumbik and Banyule are at risk because this is a boundary road and they are being asked to choose one or the another.

The municipalities are being attacked, which is just another cynical exercise of cost-shifting so the government looks on the surface for people who do not focus closely on the detail, who in fact look at what is

not and what is put in and not read between the lines. It is just another strident example. At the moment, because I am very sensitive to what is going on in the Box Hill precinct, the insult to the communities that form the catchment around the Box Hill Hospital really takes the cake. I think that is probably the grossest insult to the people of Eastern Metropolitan Region.

This government had the temerity to offer 1 per cent of the capital works funding for that hospital. It is a redevelopment in Box Hill that is very much overdue. The last estimate was that \$850 million was required, and we all know that these costs are increasing exponentially, so we could imagine that the redevelopment costs by the time they have got around to it will far exceed \$850 million. But the cynical measure of providing \$8.5 million instead of \$850 million — precisely 1 per cent — really takes my breath away.

We still have a waiting list of 14 900 people — people suffering, people in stress, people anxious, with all of the family relationships that are affected by people on the waiting list — on the waiting list for Box Hill Hospital; some 1890 people have been on a waiting list for five years.

I did not set out to make a lot of statistical contributions in this response tonight, but I think those numbers need to echo around this chamber. We do not have to look far to see that Eastern Health has a problem not only with the massive waiting lists at the Box Hill Hospital but with the impact on staff morale and the people who are leaving and refusing to work at the Box Hill Hospital because the conditions are so appalling and still trapped in the 1950s. People do not want to work there, and I have to say we recognise the service and the duty of the people who are maintaining the best performance standards as medical practitioners, nurses and allied health professionals in spite of the way they are treated by this government, and in many instances working through deteriorating and very poor conditions in some areas. Anybody who has visited the Box Hill Hospital can attest to this — conditions are verging on Third World standards.

The Maroondah Hospital is known locally as the killing fields because of its problems with waiting lists and being unable to get over a range of problems which are manifest. These reputations echo right around Eastern Metropolitan Region. The government has to come to grips with this and stop playing the politics of envy, of saying, 'Yes, there are a number of members of the opposition who are sitting members for the eastern suburbs, so we can hold the eastern suburbs of Melbourne in sneering disregard on a continuous basis'.

There are people out there who are in great need; hopefully this government will review its approach, and open up its heart and the Treasury coffers to arrest these problems as soon as it possibly can.

Mrs PEULICH (South Eastern Metropolitan) — I also would like to make a few remarks about the substantial lost opportunity in this budget, on top of the previous eight budgets delivered predominantly by Premier Brumby, first of all in his role as Treasurer and now as Premier. There is the loss of opportunity for Victoria; the loss of opportunity for Victorian families; the loss of opportunity for the metropolitan region; and most importantly — echoing the previous comments I have made in my other contributions — the disappointment that we as policymakers, as people involved in the representation of other people's interests feel about the fact that so much revenue has been generated and so little investment has been made in our future.

These good times of prosperity, which are now coming pretty much to an end, for the time being will progressively deteriorate, unfortunately, and are presenting very significant challenges not just to the state of Victoria but to each and every family, certainly most of them in South Eastern Metropolitan Region.

It has been a long decade of inaction and lost opportunity. It is predicted that in three years time debt levels will have grown to 60 per cent of the state's current annual revenue, with 2012 debt levels being forecast to equate to approximately \$1.8 billion in interest repayments, which is equivalent to the entire expenditure on the police portfolio. Many Victorian communities are feeling very alarmed by serious increases in the levels of crime.

Members who have studied the humanities will remember Abraham Maslow, the father of humanistic psychology, and his hierarchy of needs. He proposed that the most basic human needs are food and shelter. Of course shelter encompasses housing, and housing affordability has been a dismal failure resulting from the multiple policy failures of this government which have seen the cost of housing and rent escalate and the provision of public housing for those in need diminish substantially. The prices of food are increasing as a result of the mismanagement of drought and of our water infrastructure. There is an appalling and frightening increase in the cost and availability of housing in Victoria, and there is a general waste of opportunity in terms of loss of investment in infrastructure. It is a very sad reflection on 10 years of prosperous times which have been mismanaged by this government. Of course it will take another Liberal

government to repair the damage that is yet again being replicated.

In my very first address to this chamber I spoke about the need for governments to deliver on physical capital or infrastructure and social capital, to do so with an acceptable non-punitive level of taxation and without unnecessary waste, and to do all of that by governing in an open, transparent, honest and democratic way. At the time I entered this chamber with some degree of optimism and hope, but nearly two years later that hope is fast evaporating through the loss of physical capital and the deterioration of investment causing substantial harm to our business communities, to families and to sporting communities and Victorians generally.

The Brumby government has benefited from record levels of tax revenue, yet it has failed to increase basic services to keep pace with a growing population, which has been dramatically underestimated by the Labor government. Mr Atkinson made a very good point yesterday, that the measurement should not be focusing on input but on what has actually been achieved with the expenditure of funds, which has doubled from 1999 to now in terms of the size of the state budget. The funding has increased in a whole range of areas, but the outputs in some areas are modest and in many others have been regressive.

Throughout the South Eastern Metropolitan Region major capital public works have been marred and not proceeded with as a result of cost blow-outs and delayed delivery of major projects. There has been a huge increase in the number of public servants, not including those involved in the front-line service delivery of health, education and law and order. As a result the coffers are literally still awash with money, but that is threatened by the changing economic times.

I will not go through the dollars and cents — the comments on debt and the horrendous ripping off of Victorians through the excessive collection of stamp duty, land tax, payroll tax, WorkCover premiums and so forth. That has been thoroughly canvassed by the shadow Treasurer and by a whole range of other contributors to the debate. That is all on the public record, and I would like to echo the concerns that have been expressed by many previous contributors to the debate, and I note the loss of opportunity that all that represents.

As I said earlier, because of the high debt figure that is forecast in this budget, in 2012 the state will be looking at repaying \$1.8 billion in interest. That certainly is a lot of money that could have been deployed on much-needed services and infrastructure and so forth.

In particular there is a whole range of very significant infrastructure projects across the south-east that have been delayed inordinately, and for which the community is suffering dramatically. I refer to growth communities which need railway stations such as those proposed for Cranbourne East and Lynbrook. Only the other day I was speaking to a fellow who said that he frequently sees people jump from the train at where the Lynbrook railway station should be, because to return to Dandenong or proceed to Cranbourne was going to cause substantial loss of time to those who do not have cars and do not park cars there. Those people risk their lives by jumping off the train at a place where the railway station should have been built a long time ago — when the Lynbrook estate was first developed. It is a very sad reflection on the poor way in which the safe Labor seats have been represented by members of the Labor government.

The fact that Victoria is experiencing high levels of debt and interest repayments clearly shows that this administration is heading back to the good old Labor days of Cain and Kirner. I mentioned my concern about housing affordability, which is a crucial issue in terms of meeting the needs of Victorians and their families. Housing affordability has been constrained by the artificial drawing of urban growth boundaries and the shortage of land for development. There are dysfunctional taxes, including land taxes, and higher rental costs have made housing a nightmare for Victorians. Good governments need to understand the importance of housing affordability and where it fits into patterns of neighbourhood life and enterprise and work and learning and what it takes to nurture all of those.

I would like to point to some of the material in the debates on housing affordability that have occurred in this chamber. That material should not be ignored, and I would like to cite some concerns, especially the figures that show a decline in construction. Almost 20 per cent fewer homes are being built than five years ago. Whilst Victoria's population is growing faster than ever, new ABS (Australian Bureau of Statistics) statistics have confirmed this dramatic decline. Underlying housing demand was around 46 000 dwellings in 2007, but only 38 000 dwellings were being built. Obviously there is a deficiency of 8000 dwellings across Melbourne. There is nothing sadder than hearing of families who are being shunted from pillar to post and finding shelter in all sorts of very dramatic and drastic circumstances. Often they do not know what is going to happen the next day. This deficiency is predicted to hit 14 000 by June 2008 and 33 000 by June 2009.

Labor's record stamp duties are a major concern, especially for the growth corridor, and are contributing substantially to the housing affordability crisis, as is land tax. With growing land tax small investors and self-funded retirees who may own two or three small properties are finding all too often that they need to sell one of their properties in order to be able to pay an excessive land tax bill, which means one less property available for rental.

Stamp duty revenue was up almost \$900 million to a staggering \$3.7 billion from last year's budget. Victorian homebuyers will pay the highest stamp duty of any state, with the median price of an owner-occupied house purchase of \$432 500 subject to nearly \$18 000 of stamp duty. Despite Labor's hype on land tax reductions, land tax revenue is up by a further \$300 million since last year, so it is all a big Labor lie.

The key ingredient underpinning the budget is Labor's planning policy. Labor's plan, which we have heard debated in this place, is encapsulated in Melbourne 2030, which is a plan to turn any suburb that has reasonable access to community services and transport into go-go zones, where third-party appeals are taken away and the minimum starting height for the construction of dwellings is four storeys, with no opportunity to take any appeal to VCAT (the Victorian Civil and Administrative Tribunal). This will generate greater revenue for local governments, so despite the fact that they are being stripped of statutory planning powers local governments are not screaming, because in the meantime not only are they going to have less work but their allowances are being increased by the government. Local government wants higher density, the government wants higher density because it means higher stamp duty collections, and the only stakeholders who are worse off are ordinary Victorian families.

The government has fallen down on the issue of planning. Despite its increase in population, Victoria had the lowest per capita spending on infrastructure projects of any state last year. Mr Rich-Phillips and the Public Accounts and Estimates Committee have demonstrated time and again the manner in which these figures are being inflated and the way proceeds of public-private partnerships have been included in those figures. I believe that a huge investigation and exposé into the manipulation of those figures needs to be undertaken.

I believe local communities will rebel and will certainly send their messages very loudly and clearly to this government, in particular in the electorates of Carrum, Frankston, Clayton and Mount Waverley, which

represent fairly densely populated and established suburbs with good access to these services, as well as the suburbs of Chelsea, Mordialloc and Mentone. All of these will be subject to the new planning zones and will suffer the consequences.

The government has a terrible record on law and order. From 2000–01 to 2006–07 in Casey there has been an increase in violent crime of 72.8 per cent; in Greater Dandenong, a 43.6 per cent increase; in Frankston, a 34.1 per cent increase; in Kingston, a 21.6 per cent increase, and in Monash, a 21.2 per cent increase. Across the region there has been a 40.2 per cent increase in violent crime. I will not go through and illustrate other categories of crime, but let me say, referring back to Maslow's hierarchy of needs, that the government has failed on the issue of affordability of housing and on keeping people safe in the community.

There have been drastic increases in the cost of essential services. The cost of water will double over five years. The cost of electricity will increase by 17.6 per cent and the cost of gas will increase by 7.5 per cent, despite the ALP promising to keep gas and electricity at a low cost.

After nine years of this government no additional body of water will augment our supply before the next state election. Water reservoirs are only marginally higher than they were 12 months ago — not even a full percentage point. A number of industries are hanging on tenterhooks, wondering whether we are going to go to stage 4 water restrictions.

The state's most senior water bureaucrat, Office of Water general manager David Downie, has revealed that the city will probably be on tough water restrictions until the \$1.8 billion north-south pipeline and the \$3.1 billion desalination plant are operational in 2010 and 2011. This is having a very substantial impact on industry and Victoria as a whole. There is short reprieve now in the wetter months; nonetheless I believe it will become more serious as the time progresses.

I will not go through the very long list of mismanaged public works and the cost blow-outs, including myki, the very fast train, the channel deepening, the Geelong-Melbourne pipeline and a number of others, but that is where the money has gone. I would like to focus on saying that Victoria has spent fewer dollars per capita on infrastructure in the financial year of 2006–07 than any other Australian state. Victoria has spent \$1386 on infrastructure per head of population; New South Wales spent \$1571; South Australia \$1606; Queensland \$3096; and Western Australia \$7791. Clearly Victoria is not paying its way.

There is a whole range of third parties who have echoed the disappointment and concern about increasing traffic congestion, massive overcrowding on public transport and roads that have resulted in that loss of amenity and inadequate infrastructure spending.

I have my shopping list of examples that express concerns on behalf of the community on a number of very important road projects that have not been funded, including Frankston and Cranbourne bypasses, Latham Road and Rutherford Road in Carrum Downs, and Clyde Road, Berwick — a commitment made during the 2007 federal elections. Surprisingly, these commitments are often made in election contexts! Clyde Road is a continuation of the upgrade between Princes Freeway, Berwick and South Gippsland Highway, Clyde. The government has made an absolute mess of the Dingley arterial. It is going to cost lives. It is not an arterial road. Traffic is being pumped into Old Dandenong Road. It is an old market garden area and the road is covered in mud. It is a slippery, wet, single-lane road. Somebody will lose their lives and this government and VicRoads will have blood on their hands. The government should get out there and fix it up. It has stuffed it up. The government has cut project funding from about \$280 million to \$25 million. It is a bandaid solution that is not working and will not work.

The Mornington Peninsula Freeway extension, Thompsons Road between the South Gippsland Highway and Westernport Highway, and the National Water Sports Centre are other disasters. They are wasted opportunities. Fix them up! Another example is the Clayton Road shopping centre and the grade level separation. Bruce Atkinson has spoken about how Victoria needs a program for grade separation of all of these railway crossings. The government is not going to resolve the traffic congestion issue unless it has a plan and begins implementing it, even if it is a 25 or 30-year plan. There is the Springvale Road junction, the third lane for the Monash Freeway, or the Hallam bypass — and the list goes on.

In a Royal Automobile Club of Victoria (RACV) special report of October 2002 a range of comments were made about what was required, including, on page 11, that a strong, well-patronised public transport system is vital for the sustainable growth of Melbourne, and that in developing areas it is vital that public transport be introduced at an early stage of land development to provide alternatives to the purchase of extra motor vehicles.

The RACV further states that when these new estates are built in close proximity to a rail line, serious

consideration must be given to constructing a railway station and interchange facilities in addition to road improvements in the early development stages. Labor has failed to do any of this and is constantly playing catch-up.

The report states also that train and tram services currently terminate short of Melbourne's most rapidly growing areas, are often difficult to access and are not well integrated with bus services. When you put a socialist in charge of public transport you end up with a disaster. That is what happened with roads for eight years. It is continuing with our trains. Between 1999 and 2007 the number of metropolitan area residents grew by 10 per cent, while public transport patronage rose by over 50 per cent during the same period, but only 10 rail carriages have been purchased in the same time.

The Cranbourne, Frankston and Pakenham lines are overcrowded. This will continue to be a problem, yet we see no resolution in sight. Transport congestion exacerbates climate change problems. This government trumpets its concerns about climate change. An article in the autumn 2008 issue of *Transport Research and Policy Analysis Bulletin* from the Department of Infrastructure says that transport is the second-largest emitter of greenhouse gases in Victoria, accounting for 20 600 kilotonnes or 16.4 per cent of the total state emissions, yet the government has done nothing to address the problem.

I refer to the health portfolio. There are concerns about health with hospital emergency departments being bypassed, affecting Frankston, Monash, Casey, Dandenong and Sandringham. They still continue to be issues. Some of the comments from health bureaucrats go to the heart of the problem. I would like to quickly quote them:

The state government must increase core health services and halt the rapid growth of its own central office staff ...

These comments were made by the Australian Medical Association (AMA) Victoria on 4 May 2008. Its president, Dr Doug Travis, made the comments:

With hospital capacity straining to care for Victorians, the budget priorities must be better patient care ...

Savings can be made from decreasing the money we pour into recruiting more and more bureaucrats.

What we really need from this budget is more beds, fewer bureaucrats and well-targeted programs ...

In that way the government might actually have a chance of meeting the health needs of a growing population.

On mental health, the government's own figures in *Mental Health Matters — Strategic Directions* show that only 40 per cent of people with serious mental illnesses are able to access treatment. Education, the government's no. 1 priority, has been a dismal debacle: lost opportunities, very few new schools built, a maintenance backlog growing to 30 000, and more kids leaving government schools to go to private schools.

I could go on ad infinitum. Unfortunately I represent an area that has no Liberal MPs on the ground, only Labor ones. I was interested to compare some of the Labor newsletters that went out to mark the budget. Let me say that they all have the same centre. There is no heart, there is no originality. Get out there, Labor members of Parliament, especially those representing the long-neglected south-east. Get out there, find the issues, fight for them. You might have a chance of being returned. What a loss of time and space, and what a lost opportunity for the south-east. With those few words, what a disappointment it is that the south-east has yet again been so badly neglected.

Debate adjourned on motion of Ms MIKAKOS (Northern Metropolitan).

Debate adjourned until next day.

WILDLIFE AMENDMENT (MARINE MAMMALS) BILL

Introduction and first reading

Received from Assembly.

Read first time for Mr JENNINGS (Minister for Environment and Climate Change) on motion of Hon. T. C. Theophanous.

ADJOURNMENT

Hon. T. C. THEOPHANOUS (Minister for Industry and Trade) — I move:

That the house do now adjourn.

Water: desalination plant

Mr O'DONOHUE (Eastern Victoria) — My adjournment matter this evening is for the Minister for Agriculture in the other place. We have heard in the last sitting week and this sitting week about concerns expressed by the residents of west Gippsland and south Gippsland over the proposed desalination plant construction and the recently announced route for the overhead powerlines that would travel from Tynong

North in the north through to the desalination site near Kilcunda in the south.

A range of issues have been raised with regard to visual amenity, cost, greenhouse gas emissions and the effect on the environment. But the issue that concerns me this evening is the effect on agricultural output. In recent years the farmers of west Gippsland and south Gippsland have struggled as a result of drought, of creeping urbanisation and of changed land use. This has been evidenced through the fact that milk production in Gippsland has been relatively static in recent years. Dairy farmers have subdivided or sold their land to be subdivided in areas around towns such as Drouin or Warragul, and hobby farmers have moved into Gippsland and changed farm use from dairy to horses or to less productive uses.

There is a great concern when there is a prospect of losing more land to alternate uses. The prospect of overhead powerlines being constructed has the potential to dramatically impact on the output of the irrigated land in the north of the subject zone as a result of the possible prohibition of lateral and travelling gun irrigators, which will impact on the output of local potato growers, celery growers and other fruit and vegetable or vegetable growers. Further south along the proposed overhead powerline route some of the dairy farmers use irrigation. The possibility of easements and other things that impact on the free movement of stock and vehicles will also potentially have a detrimental impact on the output of that land.

The action I seek from the minister is that he conduct an urgent review and analysis of what implications the overhead powerlines may have on agricultural output along the overhead powerline route.

Office of Housing: Flemington estate

Ms HARTLAND (Western Metropolitan) — My adjournment matter tonight is for the Minister for Housing in the other place. It has been brought to my attention by Cr Rose Iser, a councillor at Moonee Valley, that residents of the Flemington housing estate do not have any Office of Housing personnel based at the estate. Flemington is the only estate of this size without an office. Cr Iser has been in contact with residents, who have discussed with her the difficulties they experience in providing paperwork to and making inquiries with the Office of Housing, as they are required to travel to Wingate Avenue, Ascot Vale. Cr Iser and I were particularly concerned to hear a story of a heavily pregnant mother travelling once a week with her toddlers to Wingate Avenue to pass on copies

of her husband's pay slips. If there were an office on site, this would not have happened.

For people who have cars this may not seem like a big thing, but when you are elderly or have several small children or are pregnant, getting from Flemington to the Ascot Vale office is quite difficult. There is a clear need for there to be an office on the estate, as there are many residents for whom personal contact with staff is important, and this must be facilitated. Staff being available on just one or two days per week would provide a service that is clearly required. I ask the minister to staff an office at the Flemington estate.

Bulleen Heights School: funding

Mr TEE (Eastern Metropolitan) — My adjournment matter is for the Minister for Education in the other place and relates to the Bulleen Heights School in my electorate. This school has about 180 students in prep to year 12, and 90 per cent of those students have autism spectrum disorder. This disorder may coexist with other conditions or disorders, including intellectual disability, speech and language disorders, anxiety, Tourette's syndrome and Down syndrome.

The school has a number of specialist facilities, including a multipurpose room, a gymnasium, a home crafts room, a vocational education and training room, a computer centre, a gross motor room, an ABA (applied behaviour analysis) consultancy room and a sensory room, as well as a secure courtyard area with adventure play equipment for students and other facilities. In addition, this month the school has received a Victorian government grant of some \$20 000 for equipment.

The school has also identified a need for a school library — a need that will increase after 2009, when the school is to become a specialist autism school. While I understand that there are competing local demands, I am concerned about this school and the needs of its students, so my request is that consideration be given to the provision of funding to the school for a library. As I said, this request must be balanced against the competing needs of other schools in the region. Whilst it is clear that the government cannot meet all funding requests made each year, I think this request warrants serious consideration.

I also request that, as part of assessing the needs of the school, the minister assist the school in developing its proposal. I think this can be achieved by the minister or the Parliamentary Secretary for Education attending the school and meeting with the principal. This would be a helpful way to ensure that the school's needs are

assessed, and a meeting would assist the school in developing its funding proposal. I ask that the minister attend the school or ask the parliamentary secretary to attend it, to work with the principal to map out the needs of the school.

Ambulance services: northern Victoria

Ms LOVELL (Northern Victoria) — My adjournment issue is for the attention of the Minister for Health in the other place, and it concerns a desperate shortage of paramedics stationed at the Yarrowonga, Cobram and Numurkah ambulance stations. My request is that the minister increase the number of paramedics allocated to that cluster of stations to allow for at least one extra full-time crew.

During a visit to Yarrowonga last week, the dire straits of the ambulance service was drawn to my attention. Yarrowonga should have two full-time paramedics but in recent times this has been reduced to one, plus a relieving officer. I am advised that interviews were being held this week to appoint a second officer. However, with paramedics attending around 800 cases per year, this still leaves a population of around 8000 people with a service that provides only one paramedic per shift. This means that if the paramedic is driving, there is no-one to attend to the patient. Hospital staff are frequently called on to attend patients while the paramedic drives, but this is unsatisfactory as they are not permitted to use the emergency equipment on the ambulance.

Numurkah also has only two paramedics providing single-officer shifts, and of the problems that face Yarrowonga exist in Numurkah. Cobram has five paramedics, who provide two shifts per day with two paramedics per shift. I am informed that if one additional full-time crew of two officers per shift were allocated to the cluster, this would adequately cover the shortage. Currently Yarrowonga and Numurkah cannot provide hospital transfers, as this would leave the towns without ambulance services for hours on end. Shepparton, Wangaratta and Cobram are having to cover the services in Numurkah and Yarrowonga, placing additional stress on rosters at these stations.

Regulations state that paramedics must have a minimum of 8 hours off after working a normal shift, but the shortage of paramedics means that they are having to cover their own rest breaks because relieving officers are rarely brought in, and paramedics remain on call during their rest breaks. Despite reports of the government recruiting additional paramedics, I am informed that the Department of Human Services has

declared that there will be no new appointments in Yarrawonga over the next four years.

I call on the minister to increase as a matter of urgency the number of paramedics allocated to the Yarrawonga, Cobram and Numurkah cluster of ambulance stations to allow for at least one extra full-time crew in this cluster.

Beach Park, Beaumaris: bicycle path

Ms PENNICUIK (Southern Metropolitan) — My adjournment matter is for the Minister for Roads and Ports in the other place. Beach Park, from Cromer Road to Charman Road on the Beaumaris foreshore, is a fine stand of indigenous coastal bushland. It is the longest section of foreshore reserve in Southern Metropolitan Region that is not concreted or built over. The Beach Park bushland reserve has an additional important status, as it is also part of the Beaumaris Bay Fossil Site on the register of the National Estate, and details of its indigenous flora are included in its citation.

As the committee of management of this permanent public reserve under the Crown Lands Act, Bayside City Council has twice approached VicRoads and the minister seeking a 300-metre extension to the section of Beach Road that is single lane each way. So far the council has met a brick wall. The Cain government converted this section of Beach Road to one lane each way for safety reasons. The extension of the single-lane section would augment the safety of Beach Road and allow for the edge of the bitumen, which at present is 1 metre wider than in other sections, to be combined with the existing narrow grass verge and then be incorporated into the extension of the existing Bayside bicycle path. This would avoid or greatly minimise any intrusion into the adjoining Beach Park bushland. If this minor change to Beach Road continues to be denied, the present missing link in the Bay bicycle trail either will not be built or will unfortunately be built in such a way that it will damage this significant stand of remnant coastal bushland reserve.

These parcels of remnant flora, wherever they are in Victoria, are more precious every day because we have already lost so much due to residential and commercial development and road building. The road configuration sought is simply an extension to an existing, much longer section that already borders part of the area in question. It could easily be a win-win solution.

I understand that the Beaumaris Conservation Society (BCS) has contacted the minister to request a meeting. My request is that the minister meet with members of BCS at Beach Park, Beaumaris and walk with them along the subject part of Beach Road, as Mr Thompson,

the member for Sandringham in the other place, Mrs Coote and I have already done, to see for himself the bushland in question and the proposed solution of extending the single-lane section of Beach Road to accommodate the missing link in the Bay bicycle trail.

Sport and recreation: Country Action grants

Ms TIERNEY (Western Victoria) — My adjournment matter is for the Minister for Sport, Recreation and Youth Affairs in the other place. It concerns two Country Action grant applications put forward by Diversitat and the Geelong Community Basketball Association. A number of Country Action grants awarded to organisations within Western Victoria Region have been instrumental in increasing the capacity of grassroots sport and recreation organisations in the electorate.

I am aware of two current applications. One, from Diversitat, is called the Geelong Ethnic Community Cultural Awareness Workshop for Sport; the second, from the Geelong Community Basketball Association, is called Basketball for All Abilities. Diversitat's Workshop for Sport is aiming to provide information to sports clubs within Geelong and Colac to attract, integrate and retain club members from culturally diverse backgrounds, including refugees and migrants. Basketball for All Abilities is an exclusive program that offers basketball and related activities for those of all abilities. These activities include tuition in basketball skills, such as bouncing, passing and shooting, as well as modified games to suit all abilities. They will be led by Geelong Supercats players and cheerleaders, giving participants a chance to get up close and personal with some of the best basketballers in Victoria.

These two projects not only increase the capacity of grassroots sport and recreation organisations in regional Victoria but also make sport and recreation accessible to people of all abilities and people from culturally diverse communities.

I therefore ask the Minister for Sport, Recreation and Youth Affairs in the other place, who is also the Minister Assisting the Premier on Multicultural Affairs, to seriously consider and support both these funding applications.

Central Highlands Water: conduct

Mr VOGELS (Western Victoria) — I raise for the attention of the Minister for Water in the other place, the Honourable Tim Holding, an attempt by a government entity to bully and gag a democratically elected council on small-town sewerage projects.

Central Highlands Water chief executive officer Neil Brennan wrote to the Moorabool Shire Council mayor, Cr Dianne McAuliffe, on 22 May, threatening to abandon long-promised sewerage projects in the townships of Gordon and Blackwood unless councillors cease making public statements on the projects.

Moorabool shire councillors have been justifiably concerned about the government's commitment to deliver these small-town sewerage projects after years of delay and inaction. The projects were promised by the government back in 2005 and have not been delivered. At current estimates it will be at least 2010–11 before these projects are completed. The shire has also been requesting that Central Highlands Water consider expanding the scope of the sewerage schemes to provide for future residential development in Gordon and to provide treated water from the Blackwood sewerage project for the use of the town — and that sounds like a very sensible move indeed. The shire has been very level-headed and patient about this issue. The shadow minister for country water resources, Peter Walsh, and I met with Cr Pat Toohey several weeks ago to hear the shire's concerns firsthand. Cr Toohey has been a very effective advocate for these projects on behalf of his constituents.

In response to the shire's reasonable representations and our meeting with Cr Toohey, Central Highlands Water has written a threatening letter seeking to gag and bully the council. I quote from the letter by Central Highlands Water chief executive officer Neil Brennan:

... CHW is seeking written acknowledgement from councils that they support the objectives of these schemes, that they acknowledge that these schemes, whilst containing flexibility to cater for the planned-for growth, are not funded to service undeveloped lots, and that they accept that undeveloped lots will not be specifically serviced.

Unless this agreement is received, CHW will have no choice but to suspend its procurement process ...

This is a blunt letter telling the shire to shut up or else.

The council has resolved to write to the minister to express concerns and request an explanation for how the authority can threaten to abandon a project promised by the Labor government.

The action I seek from the minister is to instruct Central Highlands Water to work closely and cooperatively with Moorabool shire and the Gordon and Blackwood communities to deliver the sewerage upgrade promised three years ago. Moorabool councillor Tom Sullivan said that he would hate to think the community is being held to ransom, and I am sure the minister would be of the same opinion.

Family violence: regional and rural Victoria

Ms DARVENIZA (Northern Victoria) — I raise a matter for the attention of Maxine Morand, the Minister for Women's Affairs in the other place. The matter I wish to raise concerns the new online gateway for government information on family violence that was recently announced by the minister, and I congratulate her for putting this project in place. The specific action I seek from the minister is that she or her department ensure that information is distributed to the many agencies, service providers and women's networks across rural and regional Victoria so that those women who are living outside the metropolitan area are able to access information about the crime of family violence and also up-to-date information about where they can go to seek help and advice. I also think it is really important that women from rural and regional areas who come into contact with or are victims of family violence have the opportunity to provide feedback to the minister about their circumstances, which could well be different from those of women in metropolitan areas.

The new website provides direct access for people who want to know more about the crime of family violence and also provides information about where people can seek help and advice. It is designed to provide information and educate families and the community about family violence — that it is not acceptable in Victorian communities — and to afford increased protection and support for victims of family violence.

We know that the best way to tackle family violence is by involving the community, support services, the courts and the police, and for the government to work together with these organisations. Family violence has a devastating effect on the community, being the leading contributor to death, disability and illness in women under the age of 45.

This new online gateway, which provides links to government departments and other agencies and organisations, will certainly improve access for victims of family violence and for community groups that are assisting people who are experiencing family violence.

Commercial Ready program: funding

Mr GUY (Northern Metropolitan) — My adjournment issue tonight is for the Minister for Innovation and concerns the scrapping of the Commercial Ready program by the Rudd federal government. The Commercial Ready program was an exceptionally important program to Victoria, particularly in light of the aim of successive Victorian

governments for the state to take and consolidate a position as the national leader in research and development, particularly in the biotechnology sector. As the minister would be aware, Victoria is facing many challenges from other states, particularly from Queensland. Victoria must do whatever is necessary to maintain programs, even at federal levels — —

Hon. T. C. Theophanous — On a point of order, President, I do not understand the matter raised by Mr Guy. He is asking the Minister for Innovation about the scrapping by the commonwealth government, in his words, of the Commercial Ready program, and I do not see why that has anything to do with state administration.

The PRESIDENT — Order! Mr Guy can continue, and I will make a judgement at the end.

Mr GUY — Thank you, President. Just to allay the minister's concerns, it has direct correlation with the state government that administers part of the program, and obviously state administration benefits from the biotechnology schemes in Victoria. I will be very brief so you can make a judgement at the end, President.

I want to talk about four key points in relation to the program and its importance to the state of Victoria. Firstly, products will not be commercialised. As many in this chamber will know, small biotech firms fail to get commercialisation of their research and development products without government support. There is a situation where small firms need extra capital to expand. Commercial Ready was exceptionally effective, and its demise will have a huge impact here.

Secondly, there will be a reduction in funding for early stage start-ups. Under this program there was an incentive for offshore money to flow into the Australian — and particularly the Victorian — sector. A portion of the start-up costs that the Commercial Ready program bore will now have to be found directly from the source, and this will place a large burden on small and medium firms in this sector.

Thirdly, Victoria will lose intellectual property to other nations. There is no doubt that if we have to force our small local biotech firms to find capital from other sources, they will find it overseas. Australia already loses a huge amount of intellectual property in a variety of fields. Given that, as we in Victoria know, biotech is a key industry for the future, we should be doing everything possible to encourage the retention of these ideas, and the people and the innovations they have found and represent. Victoria cannot afford to lose these firms to other states, let alone to other nations.

Lastly, it will diminish our national and international biotech reputation. The government invested in the synchrotron. It knows that Queensland, Singapore, the United States of America and other nations are after our biotechnology sector. We cannot afford to lose it. Ending this program will place our reputation as a leader in this field under significant threat.

Tonight I seek action from the Minister for Innovation. We need a group of Victoria's leading biotech experts to come together with the state government and industry groups to work as one to get funding for the Commercial Ready program as soon as possible, or at least a state-based program funded for Victoria. I seek action from the minister to convene this group as soon as possible, and to act on the loss of this important program or seek a replacement program as soon as possible.

VicForests: firewood contracts

Mr P. DAVIS (Eastern Victoria) — I direct a matter for the attention of the Treasurer in relation to VicForests. We have some major issues that are a problem for the industry. They are price, grade and mix of wood supplies and supply certainty, particularly given the time is approaching when existing timber licences will expire and mills will be subject to the vagaries of VicForests' ad hoc auction system.

One of the larger firms operating in East Gippsland, Auswest Timbers, has sent letters to VicForests arising from concerns about the direction the organisation is taking. Auswest points out that price rises based on the price review mechanism for sawlogs under the timber sales agreement are excessive, unreasonable, unfair, inconsistent with the position of the market and based on a flawed indexation mechanism.

In a further letter the company expresses grave concern that VicForests appears unlikely to honour its publicly stated undertakings to supply wood in accord with the historical species and grade mix of the sawlog intake. Every way it turns, the company is meeting intransigence and a stony silence. As its Victorian manager, Nick Murray, and Leonard Fenning from Fenning Bairnsdale told me, they are not being treated like valued customers; they are being treated with total disdain.

The management of wood supplies and practices of VicForests poses a major risk to the future of the timber industry in East Gippsland, which is the state's major source of quality hardwood. Substantial investment in the industry is required for it to have a viable, competitive future. Certainty of wood allocations over a

minimum period of 10 years is essential to underpin large, long-term investments. But the timber companies simply cannot invest while there is uncertainty over supply, while VicForests will not guarantee a mix that enables mills to get the high-quality timber they require and while it keeps arbitrarily putting up the price.

The investment is critical. Without it the industry in the region could continue to shrink or major processing components of the industry may have to be shifted to other areas, including New South Wales, where there is more modern and more efficient plant to handle it profitably. Either way that would be a disaster for East Gippsland where the timber industry is the principal employer and economic generator.

Therefore I ask the Treasurer to direct VicForests to change its current resource allocation and auction system and to remove the uncertainty that VicForests has created in respect to the quality, species mix and volume of sawlogs.

Public transport: regional and rural Victoria

Mr KOCH (Western Victoria) — My matter is for the Minister for Public Transport in the other place and deals with the inadequate access to reliable public transport for regional and rural communities across Victoria.

There is no doubt that rising fuel prices are hitting Victorians hard, and with predictions that average petrol prices could reach \$2 a litre in regional Victoria before Christmas the ramifications for regional and rural Victorians will be unprecedented. Country people are looking for ways they can reduce their reliance on fuel and have long called for access to affordable and reliable public transport.

Many people living in regional centres and rural towns do not have any access to public transport services and, where they exist, they are often infrequent and timed to suit the travel needs of passengers from urban centres. With massive fuel cost increases and less expenditure on roads and infrastructure, we recognise the importance of public transport that links jobs, shopping and leisure activities at a frequency and time that meets community needs.

Residents in smaller and isolated communities need a minimum daily link to regional centres as well as increased services on main public transport routes so they can reduce their reliance on private transport. Victorians both in smaller rural and in larger centres without access to public transport feel they are treated as second-class citizens when it comes to the provision

of even basic public transport; as a consequence they have no option but to pay the high cost of fuel.

Lack of public transport is consistently rated by rural and regional communities as one of the most significant barriers to accessing services, employment and social networks. The soaring price of fuel is causing widespread hardship right across Victoria, which reinforces the need for the state government to address access to improved public transport urgently, especially for those who have never had access to anything more than limited services.

Instead of ignoring the issue or trying bandaid fixes, the Brumby government needs to create an accessible, efficient and modern public transport system that meets the needs of all Victorians. If nothing is done, rural Victorians will have every right to believe that the Brumby government is city-centric and sees them only as second-class citizens. My request is for the minister to find solutions for non-metropolitan communities experiencing transport disadvantage and social isolation, so they can make better use of existing resources and new infrastructure.

Public transport: Prahran electorate

Mrs COOTE (Southern Metropolitan) — My adjournment matter tonight is for the Minister for Public Transport in the other place, and is in regard to the issue of increasing problems of and concerns with public transport services in the Prahran electorate.

People in South Yarra do not have far to come to the city. South Yarra station is one of the busiest hubs for public transport within the electorate of Prahran. Trains are supposed to stop at South Yarra station to enable people to go into the city in a timely fashion, but the reality is that the trains are so overcrowded that if they do stop, no-one can get on them. Trains are going through South Yarra station and people who are expecting to catch a train in a timely manner to go into the city to work are not able to do so. Anyone who gets onto a train today knows that it is usually overcrowded and totally inadequate.

As an aside about something that is not in my electorate, I heard recently of an issue in regard to Geelong trains where seats have been taken out and people have to take their own camping stools on the train from Geelong to the city, which I think is almost heading for Bombay standards; I find it extraordinary — but back on the track, so to speak!

Hon. T. C. Theophanous — Don't get political or you will not get an answer!

Mrs COOTE — I was just giving an example as a point of interest. Long, stressful twice-daily commutes take a significant toll on all aspects of people's lives. Recently released figures for the number of cancelled trains in Melbourne show that on the Sandringham line there were 47 cancelled services during May. It is very concerning for my constituents. A lot of people who have approached me are really concerned about the lateness and overcrowding on these trains. The action I am seeking this evening is for the minister, as a matter of urgency, to provide additional funding for the upgrade of public transport services in the Prahran electorate.

Healesville High School: funding

Mrs PETROVICH (Northern Victoria) — My adjournment matter is for the Minister for Education in the other place. Last week I took a step back in time when I visited Healesville High School. There were a lot of similarities between this school and my old school, Golden Square high in Bendigo, which I attended just a few years back. Unfortunately in this case nothing seems to have changed in my lifetime. Healesville High does not seem to have moved into the 21st century. Like many other government schools in country Victoria, it has been largely neglected for the last 10 years.

This school is in desperate need of funding for stages 2 and 3 to take place, which I think, if it were to happen, would be under the Building Futures program. Yet it seems that this school, which caters for students from a diverse range of backgrounds, does not even appear to be a blip on the education minister's radar — a radar, it would appear, that cannot pick up anything outside the Melbourne metropolitan area.

Last week I received in the mail a very glossy, 36-page booklet from the Minister for Education, reiterating that education is supposedly the government's no. 1 priority. It talked about all of the education programs the 250 government secondary schools in Victoria offered. I wonder how long it has been since the minister visited schools such as Healesville high school, Seymour Technical High School and Marysville Primary School, which I also visited this week and know to be in a pretty desperate state.

The action I seek is that the minister outlines the very best process for this school to ensure that it is included in the Building Futures program. I also request a much-needed visit by the minister and the local member. I am sure that once they have been to the school, the urgency of this request will be blatantly obvious.

Community services: Springvale resident

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I wish to raise a matter for the attention of the Minister for Community Services in the other place on behalf of 19 residents of Heather Grove, Springvale. This group of residents has sent me a copy of the letter that it sent to the officer in charge of the Springvale police station with respect to an issue that they are having in their street with a neighbour who has recently moved in. The letter runs to two pages. The relevant section indicates that many of the residents have been there for 40 to 50 years in their particular properties. It goes on to note:

This quiet street has become nothing but a nightmare and terrifying experience since the arrival of the new resident of —

the address —

These problems have escalated ever since the new residents have moved in to a crisis point.

The incumbent resident of —

the property —

has an adolescent daughter who does not appear to be attending school. This contributes to gatherings of teenagers in large numbers in the street on virtually a daily basis. Once large groups gather they not only engage in unsocial behaviour but illegal activity, whereby the police have been called to attend on numerous occasions. Unfortunately the police usually respond 2 to 5 hours later, at which point the culprits have dispersed after an incident.

It goes on:

These large gatherings continuously consist of activities such as chroming and drug-taking such as marijuana ... The constant consumption of alcohol by the youths always leaves the street littered with empty bottles.

It goes on to indicate the ongoing concerns that this group of residents has about this particular resident in this property.

My office has been in contact with Victoria Police, and the officer in charge has confirmed the problem with the residents at this particular address. The inspector has indicated police have attended no less than 20 times since 15 May this year — so it is a serious issue. The police have confirmed the girl in question is only 13 years old. It is Victoria Police's view that she is at risk in that property. The Department of Human Services has been informed; however, to date it has not taken action on this, and it is quite clear from the information Victoria Police has given my office that there is genuine concern about the welfare of this girl in this property quite apart from the activities that she is

engaging in with other people in the area during the day when she should be at school.

What I seek from the Minister for Community Services is to ensure that her department proactively follows up this matter and investigates the welfare of the girl at that property — and I am happy to give the minister the exact address — to ensure that this matter is dealt with expeditiously.

Responses

Hon. T. C. THEOPHANOUS (Minister for Industry and Trade) — I received a total of 14 inquiries, most of which I intend to pass on to the relevant ministers for direct response to the members.

In relation to Mr Vogels's comments, however, referring to a government agency 'bullying' and 'gagging', I think those terms are over the top and unnecessary in relation to what was obviously an open letter to a local council. The local council is quite capable of looking after itself. I believe that disposes of that particular matter.

Mr Koch spent most of his time having a shot at the current government's record on public transport, making claims such as the current government treats commuters as second-class citizens and that it is city-centric. I reject both of those comments and the thrust of his comments on behalf of the government, and I think that disposes of his political comments.

In relation to Mrs Petrovich's suggestions that the government has neglected schools for the last 10 years in regional Victoria and that the minister's radar cannot pick up anything about schools outside the metropolitan area, I reject both of those comments on what was again clearly a political shot at the government. In relation to the Healesville school that she referred to, I would suggest to that school that it get in touch with the education department to find out from a source that actually knows the best way to access the Building Futures program of the government. I think that disposes of that particular inquiry as well.

The PRESIDENT — Order! The house now stands adjourned.

House adjourned 9.20 p.m.