

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

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

**Book 14**

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**LAKES ENTRANCE****Wednesday, 15 October 2008**

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

**BUSINESS OF THE HOUSE****Televising and photographing of proceedings**

**The PRESIDENT** — Order! I advise the house that I have given approval for the proceedings today and tomorrow to be televised by WIN Television Victoria Pty Ltd. A photographer, Glen Hooper of Lakes Photographics, will also be taking photographs in the chamber during the sitting. An official photograph will be taken when the house resumes at 2.30 p.m.

**PROCLAMATION**

**The PRESIDENT** — Order! The Clerk will read the proclamation of the Governor allowing us to sit today.

**The Clerk** — The proclamation reads:

- A. By proclamation made on 5 December 2006 by me, David de Kretser, AC, Governor of Victoria, pursuant to section 8 of the Constitution Act 1975, fixed 19 December 2006 at 11.00 a.m. as the time for the commencement and holding of the first session of the 56th Parliament of Victoria for the dispatch of business, at the Parliament houses, Melbourne.
- B. Pursuant to section 8(1) of the Constitution Act 1975 the Governor is empowered to vary and alter the places fixed within Victoria and the times fixed for holding every session of the Legislative Council and of the Legislative Assembly.

I, David de Kretser, Governor of Victoria, acting under section 8 of the Constitution Act 1975 and all other powers vested in me:

1. hereby vary and alter the place for holding the first session of the Legislative Assembly:
  - i. from 15 October 2008 to the Monash University Gippsland Campus at Northways Road, Churchill; and
  - ii. thereafter, when the Legislative Assembly has completed its business on that day or on the following day if necessary, to the Houses of Parliament, Melbourne.
2. hereby vary and alter the place for holding the first session of the Legislative Council:

- iii. from 15 October 2008 to Bellevue on the Lakes at 191–215 Esplanade, Lakes Entrance; and
- iv. after 16 October 2008, when the Legislative Assembly has completed its business on that day or on the following day if necessary, to the Houses of Parliament, Melbourne.

Given under my hand and the seal of Victoria at Melbourne this 7th day of October 2008.

DAVID DE KRETZER, AC  
Governor  
By His Excellency's Command

**ADDRESS BY MAYOR OF EAST GIPPSLAND**

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

That this house invites Cr Mendy Urie, mayor, Shire of East Gippsland to attend on the floor of the house today to address the house.

In welcoming the mayor to speak at this regional Parliament, it is important to note that the state of Victoria has since 1999 in each Parliament sought to have sittings of the Parliament away from Parliament House in Melbourne, and we heard the remarks of the Governor of Victoria in his proclamation empowering this to happen.

The first of these regional sittings was in the 54th Parliament when the Legislative Assembly sat in Bendigo; the Legislative Council sat in Ballarat and then later went to Benalla. In the 55th Parliament the Assembly went to Geelong and the Council went to Colac. Now in the 56th Parliament we are sitting here today and tomorrow in Lakes Entrance and the Assembly is sitting in Churchill, both in Gippsland.

As parliamentarians we are delighted by the warm welcome we have received from the residents of East Gippsland shire and by the shire council at the reception last night. It is a great opportunity for us to see Gippsland — a great part of Victoria — and being a born and bred Gippslander, it is a delight for me to be here for a regional sitting of the Parliament. I look forward to the remarks by the mayor and two days here conducting our deliberations and interacting with the community in that time.

**Mr D. DAVIS** (Southern Metropolitan) — I am pleased to support the motion to ask the mayor, Cr Mendy Urie to address this chamber today. In doing so I place on record the generous welcome that has been provided by the people of East Gippsland to all members from the Legislative Council, including local

members Edward O'Donohue, Peter Hall, Philip Davis, Matt Viney and Johan Scheffer.

The shire council was very generous in its hosting at the reception last night. I also place on record our strong support for regional sittings. Many members of the Council have now been to four regional sittings: Ballarat, Benalla, Colac and now East Gippsland. It is wonderful to be close to the ocean, with the industries associated with that, and to strongly support the opportunity for the Parliament to associate with the people of East Gippsland in this way, in such a positive manner.

**Mr HALL** (Eastern Victoria) — On behalf of The Nationals I indicate our strong support for the motion by the Leader of the Government with respect to the invitation for mayor, Cr Mendy Urie, to address the Council this morning. I also take the opportunity to say to members, 'Welcome to my electorate'. It is a big electorate and we are only in a small section of it, but I think other members already appreciate the great diversity, interest and beauty of East Gippsland, which is something I am sure we will all take back with us to the city.

On the invitation for Cr Urie to speak to the house, I inform members that the task undertaken by the Shire of East Gippsland is a difficult one, given the size of the area it covers, but it does a magnificent job, and it is a credit to both the elected members and the professional staff of the shire council that they represent this area so well. I am thankful for the opportunity to welcome Cr Mendy Urie.

**Ms PENNICUIK** (Southern Metropolitan) — Briefly on behalf of my colleagues in the Greens, Greg Barber and Colleen Hartland: Ms Hartland grew up in the town of Morwell, East Gippsland. It is a privilege and a pleasure for us to be here, and we look forward also to the address by the mayor of the Shire of East Gippsland.

**The PRESIDENT** — Order! I will also say a few words. I start by addressing members, guests and residents of the Gippsland district and saying how wonderful it is to see so many people here today taking an active interest in the Parliament and its proceedings. I also acknowledge the traditional owners of the land, and I think some of them may be present here today. I would like to thank Mr Paul Coggan, manager of the Bellevue on the Lakes, and his staff for the use of this fantastic facility to hold the fourth regional sitting of the Legislative Council of Victoria. I have had the honour of participating in all of our regional sittings, and I can say without question that this is the best facility we

have used. I am sure by the end of this sitting we will all agree.

I thank the mayor of East Gippsland Shire Council and her fellow councillors and staff for their assistance in staging this sitting. I also take the opportunity to acknowledge the presence of the President of the Western Australian Legislative Council, the Honourable Nick Griffiths, and other visiting parliamentary officers from Western Australia and New South Wales.

This regional sitting is of special significance; it is the first time that the house has sat for two consecutive days outside of Melbourne. Regional areas like Gippsland play a pivotal role in the establishment, construction and evolution of what was described in 1855 as the most liberal constitution of any British colony. As a result it is important that we recognise the contribution of Victoria's regional representatives in this process. In the current Parliament, Eastern Victoria Region is represented by Mr Philip Davis of the Liberal Party, Mr Peter Hall of The Nationals, Mr Edward O'Donohue of the Liberal Party and Mr Johan Scheffer and Mr Matt Viney of the Labor Party.

In conclusion, I would like to reiterate my appreciation to the people of East Gippsland Shire Council for welcoming us, and I express my delight at being able to hold this fourth regional sitting of the Legislative Council in Lakes Entrance.

**Business interrupted.**

## DISTINGUISHED VISITOR

**The PRESIDENT** — Order! I inform the house that in the gallery we have the Honourable Eric Kent, a minister for agriculture in the Cain government and a former member for Gippsland and Chelsea provinces in the Legislative Council.

**Business resumed.**

**Motion agreed to.**

**Mayor escorted into chamber by Usher of the Black Rod.**

**Cr URIE** — The Honourable Robert Smith, President of the Legislative Council of Victoria, ministers, party leaders and members of the Legislative Council, fellow councillors, members of the media, ladies and gentlemen, I would like to begin by acknowledging the traditional owners of this land, the

Gunai Kurnai people. I pay my respects to their elders, past and present, and to the indigenous community.

It is a great honour to be able to address you and to speak on behalf of East Gippsland Shire Council and the people of East Gippsland. I thank you most sincerely for this opportunity. Recognising that many of you will have travelled for at least several hours to reach Lakes Entrance and the extraordinary effort and organisation required for the Legislative Council to make this visit, I wish to use this valuable opportunity to briefly try to paint a picture of East Gippsland so that you may know us better.

East Gippsland is the second-largest local government municipality in Victoria, covering 21 000 square kilometres. We have a population of 42 000 people, who reside in 37 individual communities. The furthest away is Mallacoota, which is approximately the same distance from Bairnsdale, our municipal centre, as you travelled from Melbourne to Bairnsdale. We have a beautiful and bountiful natural environment that extends from the Alps to the sea, and for the purposes of marketing and promoting the region, East Gippsland recently proclaimed itself to be 'naturally magic'. Our beautiful lakes, beaches, rivers and wilderness areas well support that promotional claim. It is interesting to note, too, that approximately 80 per cent of our shire is covered by native vegetation.

Our communities are resourceful, strong and resilient. We have well-developed education and medical services and facilities, and sport, the arts and cultural activities play an integral role in community structure and wellbeing. We also have a rich indigenous history and have the second largest indigenous community in Victoria.

Our economy has shifted from one being almost solely based on primary industry — namely, agriculture, timber and fishing — to being broader based. It now includes food processing and manufacturing as well as a strong and growing retail sector, developing service industries and buoyant building and construction and tourism sectors.

The population growth rate for the period 2001–06 was 1 per cent for East Gippsland compared to 0.6 per cent for the whole of Gippsland and 1.1 per cent for the whole of Victoria. Median household income in East Gippsland is \$653 per week. This compares with \$1027 for the whole of Australia. However, a 2007 Community Indicators Victoria study showed a strong sense of community connection in East Gippsland. The state average score in that study of satisfaction with

community connection was 70.7 out of 100; Gippsland as a whole was 76; and our score was 77.4.

East Gippsland is facing a period of great change, with both local and global factors playing a role. As we know, people are living longer, and this is generating an ageing population within our region. We also have older people moving into the area to retire as part of the seachange phenomenon. At the same time many of our young people move out of the region to pursue studies and careers in the city or overseas. Our demographic profile shows that by 2031, 42.5 per cent of our population will be older than 65 years. This is 19.2 per cent higher than the state average. Added to this is the fact that our ageing communities are widely dispersed and a long way from Melbourne. This will cause increasing problems for service delivery, particularly of health and community services and transport. Increasing fuel prices and our ageing population has and will continue to result in strongly increased patronage for our important regional rail service, both for passengers and freight, to a point where capacity will need to be expanded.

Climate change is expected to result in increased frequency and severity of extreme weather events. Our beautiful and rugged coastline is 280 kilometres long and has many small and medium-size settlements that are likely to be impacted by sea level rises. We are also vulnerable to bushfires and subsequent damage to our catchments and waterways, including the iconic Gippsland Lakes.

I would like to pause here for a moment and say that following the bushfires of 2006–07, and particularly after the floods of 2007, members of state Parliament from both the government and the opposition showed great interest in our plight and gave significant financial support for the response and recovery efforts. I acknowledge and thank members for that support.

Despite these serious challenges, the inevitable population shifts and the adjustments required to live in a very different world, we remain strongly optimistic about our future, and we see great opportunities for East Gippsland. We are mindful of the extraordinary importance of our wonderful natural environment and the fundamental relationship between the environment, our economy and the livability of our shire. We see ourselves as being well placed to secure new regional industries and to grow our population as well as develop our economy through further expansion of our food production industry and tourism growth.

To stay abreast of the changes and issues we all face and to provide the leadership, policy and finances

necessary to support these changes will require skilled input from all levels of government. We therefore look forward to continuing to develop a strong relationship and working partnerships with the state Parliament.

Again I thank you very much for coming to East Gippsland and affording me the honour of being able to speak to you today.

*Honourable members applauding.*

## PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

### Budget estimates 2008–09 (part 3)

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

**Laid on table.**

**Ordered that report be printed.**

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

That the Council take note of the report.

Before I do so, I extend my gratitude to East Gippsland, the shire and everyone, for the support to allow this sitting to occur.

The report being tabled today is part 3 of the report process for the Public Accounts and Estimates Committee budget estimates hearings. Some members may not be accustomed to the process and what I have just presented; this is about the work that the Council and members in the other chamber undertake in various forms. The PAEC is one of the committees that I am a member of. Mr Greg Barber, Mr Martin Pakula and Mr Gordon Rich-Phillips are also part of that committee, along with members from the Assembly, and the committee undertakes a series of public hearings into a number of matters, including the budget estimates.

Every year the government, as everyone knows, hands down a budget. Part of that process is for the Parliament's committee to review the budget and the budget funding. I notice that all ministers present themselves at Public Accounts and Estimates Committee hearings — —

**Mr Lenders** — Unlike pre 1999.

**Mr Rich-Phillips** — They attend.

**Mr DALLA-RIVA** — As Mr Rich-Phillips indicates, they do attend. Occasionally we might get a response from them that makes sense. The fact is that it is a rigorous debate. It is an important committee, as Mr Viney would understand, because when you have a budget — now it is in the vicinity of \$38 billion — it is important for the Parliament, comprising all the parties including now the Greens, to be satisfied as to how funds are to be spent.

Part 3 is the finalisation of the reporting process; this report contains the analyses and recommendations. The parts 1 and 2 reports are just transcripts of the approximately 10 days of public hearings. Many people attended the hundreds of hours of public hearings, and the many witnesses include, as I said, the ministers themselves, who are the main attendees in that process.

I put on the record my appreciation for the work that the committee does. It is a very intense period of public work, and there are many hours of intense work following the hearings. My thanks and appreciation go to Valerie Cheong, the executive officer; Kristopher Waring, the senior research officer; research officers Ian, Charlotte and David; and obviously the support that the Parliament provides.

One thing that sticks in our craw is that former Premier Bracks attended one of the PAEC's hearings and allocated an extra \$359 000 to the PAEC. I am sad to say that that funding still has not been provided to the committee. It is an issue that the committee will continue to push as the former Premier made a point of that funding allocation at one of the public hearings. Right across the committee we feel more funding should be directed to it so the committee is able to undertake its work more effectively.

However, apart from that it is a detailed report and members will find a good amount of material and information there. It is not necessarily all positive towards the government. There are some issues detailed in the report that I think members will gain much information from. Apart from that I am happy to present the report.

**Mr PAKULA (Western Metropolitan)** — I will fundamentally echo the comments made by Mr Dalla-Riva in his tabling of the report. I will go a little further and say that in my opinion the committee has worked exceedingly well this year. Members may recall that upon the presentation of last year's report there were some fireworks in the chamber and some disagreement between the government and the opposition in regard to it; in fact I think a minority report was tabled at the same time. There has been no

need for that this time. The committee has worked exceedingly well, as I said, not only during the estimates hearings, which were rigorous hearings in which ministers gave a very good accounting for themselves, but also in the compiling of the report. There was a great deal of goodwill and commonality among members of the committee in both the analysis of the estimates hearings and the recommendations contained therein.

As the chair of the committee said in his foreword, there are 49 recommendations in the report. The committee treats those recommendations seriously. We believe they lend themselves to better governance of the state. It is our fervent hope that the government will treat the recommendations with due seriousness and deference. We look forward to the response.

Beyond that, I echo Mr Dalla-Riva's comments about the work of Valerie Cheong, the committee's executive officer, and her team. They have done an extraordinary job this year, not only with regard to the estimates report but also with regard to the numerous reports and pieces of analysis that the committee has needed to produce throughout this year. They have done a mountain of work, with what I agree are insufficient resources, particularly given the commitment of former Premier Bracks to provide the committee with additional resources. With those comments, I commend the report to the house.

**Motion agreed to.**

## FINANCIAL REPORT

2007–08

**The Clerk, pursuant to Financial Management Act, presented annual financial report for the state of Victoria.**

## PAPERS

**Laid on table by Clerk:**

National Parks Act 1975 — Report on working of the Act, 2007–08.

National Parks Advisory Council — Report, 2007–08.

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

Ballarat Planning Scheme — Amendment C110.

Darebin Planning Scheme — Amendments C83 and C90.

Greater Geelong Planning Scheme — Amendment C89.

Greater Shepparton Planning Scheme — Amendment C91.

Latrobe Planning Scheme — Amendments C54 and C59.

Stonnington Planning Scheme — Amendment C86.

Road Management Act 2004 — Code of Practice for Management of Infrastructure in Road Reserves.

Statutory Rules under the following Act of Parliament:

Supreme Court Act 1986 — Corporations (Ancillary Provisions) Act 2001 — No. 117.

Supreme Court Act 1986 — No. 118.

Subordinate Legislation Act 1994 — Minister's exception certificates under section 8(4) in respect of Statutory Rule Nos. 117 and 118.

A proclamation of the Governor in Council fixing an operative date in respect of the following act was laid on the table by the Clerk:

Commonwealth Powers (De Facto Relationships) Act 2004 — Whole Act — 9 October 2008 (*Gazette* No. G41, 9 October 2008).

## BUSINESS OF THE HOUSE

### General business

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

That this house authorise the President to permit notice of motion 5, standing in the name of Mr P. Davis, and notice of motion 6, standing in the name of Mr Kavanagh, to be moved and debated concurrently.

**Motion agreed to.**

## MEMBERS STATEMENTS

### Tourism: East Gippsland

**Mr O'DONOHUE** (Eastern Victoria) — It is a great pleasure to be here in East Gippsland. East Gippsland has so much to offer as a place to live, to visit and to explore. Whilst access to the region has improved over time there is still much to be done to reduce travel times for both road and public transport users. The East Gippsland economy relies heavily on tourism, mainly from Melbourne. With the advent of low-cost airline travel to the Pacific, Queensland, Bali and other places, the state government needs to do more to make sure that East Gippsland remains an attractive

tourist destination. The government could do this by committing, with the federal government if necessary, to a timetable for the construction of the Traralgon bypass. Traralgon is a significant regional city, and it would benefit from the removal of through traffic as would onward-bound drivers. Rail services to Bairnsdale also need improvement in frequency and reliability. As we heard this morning, East Gippsland is naturally magic, but for more people to see that for themselves it must be more accessible.

### **Netball: Gippsland**

**Mr O'DONOHUE** — On another matter I was very disappointed with the announcement that Gippsland will not be represented in the 2009 Victorian Netball League. Netball is popular in Gippsland, and it is regrettable that such a significant region will not be represented in the peak state league. We need to be encouraging our young people to be more physically active; having access to elite locally based athletes provides accessible role models.

Finally, I would like to say how pleased I am that the Legislative Council is meeting here in Lakes Entrance. East Gippsland faces many challenges. I hope by being here this week those challenges will be highlighted to the government and the broader Victorian community.

### **Gippsland: regional sitting**

**Mr VINEY** (Eastern Victoria) — I would also like to join with Mr O'Donohue in welcoming the Legislative Council to the East Gippsland part of our electorate. It is a very beautiful part of the world, and I was pleased that Mr O'Donohue was almost on message: it is a great place to live, work and raise a family.

I am tempted to respond to some of the comments of Mr O'Donohue, but I will stick to my script — that is, to also thank the mayor of the Shire of East Gippsland for her welcoming comments and to thank the shire and the community, who have welcomed us here over the last 24 hours. I did take a few members from this side of the house on a very pleasant walk this morning down through Lakes Entrance and along a very small part of the Ninety Mile Beach.

I will conclude by saying to members that the Eastern Victoria Region is a fairly large region. I live in the central part of that region, in West Gippsland; it is probably the geographic centre. It took me longer to drive to a parliamentary sitting this week than it normally takes me to drive to Melbourne. That is the scale and size of the electorate. I welcome everyone to it.

### **Ambulance services: wages and conditions**

**Ms HARTLAND** (Western Metropolitan) — Everybody had a good walk this morning. I wish to read a statement on behalf of David Jones, the Ambulance Employees Association of Victoria and other officers who have gathered outside this morning.

Ambulances in Victoria are in crisis. We do not have enough ambos and the ones we have are tired and overworked. Response times are increasing, and that means a lesser quality service for Victorians. In country Victoria, an average ambo works the equivalent of 11 weeks overtime per year. Ambulance officers are getting sick from working excessive hours. The average amount of sick leave in Gippsland is the equivalent of 19.6 normal working days per year.

The officers want 10-hour rest breaks between shifts and better rosters to address fatigue; fair wages so we can attract and retain highly qualified ambulance officers; a balance between work and personal and family time; and an open and respectful working environment. Good outcomes on these issues can lead to better ambulance services by retaining more of the ambulance officers we already have and increasing their job satisfaction.

The ambulance officers call on Premier Brumby to fix this situation, because Victorians can no longer wait to have the crisis fixed in our ambulance service.

### **Lynton Barr**

**Mr HALL** (Eastern Victoria) — People will by now know that I intend to talk about commercial fishing during general business this morning. But in saying that, I do not want to underestimate the importance of recreational fishing to particularly this part of East Gippsland, because some would argue that recreational fishing has a greater economic impact than commercial fishing. I am not about to enter that debate, but I do want to recognise this morning the efforts of Mr Lynton Barr, one of my constituents from Swan Reach, who periodically produces an anglers newsletter which covers a whole variety of issues, like fishing regulations, environmental conditions and the like. Lynton puts the material together himself and distributes it widely across the angling sectors of this East Gippsland area. He does a fine job, and he does it without fee or reward, and I congratulate him for it.

### **Public transport: senior concessions**

**Mr HALL** — On a more sombre matter, I want to mention the fact that many of my constituents feel they

have been discriminated against with respect to travel concessions in Senior Citizens Week. A constituent and his wife fronted up to the Warragul railway station on the Friday of Senior Citizens Week and found they had to pay for their tickets to go to Melbourne, but once in Melbourne they were able to travel freely on public transport. He made the very valid point to me that if public transport is presumed to be free during Senior Citizens Week, which I thoroughly support, then that condition should apply to country public transport services as well as those in the city.

### **Parents: paid leave**

**Mr TEE** (Eastern Metropolitan) — This morning I wish to draw the attention of the house to a national paid parental leave scheme to which the Prime Minister has committed, and I congratulate him for his support. There are about 7000 babies born in my electorate each year. The majority of those have working mothers who would benefit from a paid parental leave scheme.

The scheme that is being proposed is recommended by the Productivity Commission and will provide some \$11 854 over an 18-week period, resulting in \$544 per week being paid to these families. This will be of enormous benefit to families in my electorate and indeed throughout the state. They will benefit by having some more money to pay the bills; they will benefit because mothers will be encouraged to stay at home during these crucial first months so that they can recover from childbirth, bond with their babies and establish good breastfeeding techniques. This is about ensuring a better work-life balance during these very busy times. Unfortunately this important initiative has really been left behind during the 10 dark years of the Howard government where the issue was completely dismissed and ignored, and as a result Australia is only one of two countries in the Organisation for Economic Cooperation and Development that does not have a paid scheme.

### **Sustainability and Environment: firefighting contracts**

**Mr P. DAVIS** (Eastern Victoria) — Philip Strickland and Nicole Ridder at Bairnsdale operate a contracting business, Strickland Ridder Pty Ltd, that provides machinery, equipment and crews. For some years they have regularly been contracted to the Department of Sustainability and Environment (DSE) to assist in firefighting in the forests and alps in Gippsland. They have often gone well beyond the scope of normal commercial arrangements to support government agencies and local communities at times of great risk. This has been done in good grace, but over

the vast alpine fire in the summer of 2006–07 the goodwill which had been built up turned bad.

The company did considerable firefighting work in the field during the fires. It was paid for it, but despite having documented authorisations signed by Mr Strickland and countersigned by various DSE officers to provide machines and crews on stand-by at Dargo for a month the department has refused to pay this bill of some \$27 000. The department claims Mr Strickland and Ms Ridder agreed that payment for the work actually done was full settlement, but at no time did they agree. It claims the invoice for standby time cannot be substantiated, yet Mr Strickland and Ms Ridder have a pile of countersigned forms authorising the work — those forms which I have cited and referred to the minister. In recent weeks, almost two years after the event, the department and the minister have agreed that payment is warranted for parts of one invoice for an amount of \$3869. The remainder is outstanding. Unfortunately this has destroyed the goodwill and trust and in future no commercial operator will put their efforts into fire recovery.

### **Virgin Blue: Mildura service**

**Ms DARVENIZA** (Northern Victoria) — First of all I wish to say how pleased I am to be here at a parliamentary sitting in beautiful Lakes Entrance. I would also like to let the Parliament know how delighted I was on Monday last to travel to Mildura on the inaugural flight of the new Virgin Blue jet aircraft. The Embraer E-170 jet will cut 20 minutes from the travel time from Melbourne to Mildura. Virgin Blue's investment in this new aircraft, and its vision in creating new regional air services, is a great vote of confidence in the strength of Victoria's regional cities. Cutting the flight times will make Mildura more attractive to business investors; it will make the travel time more convenient for tourists; and it will help to keep families connected as well as to help draw more tourists into the Murray region. This means more jobs and more economic growth along the Murray.

The 78-seat Embraer E-170 aircraft is faster, quieter and more fuel efficient than the propeller aircraft. I congratulate Virgin Blue on putting this new aircraft in the air and on providing a new regional jet service to Mildura from Melbourne.

**The PRESIDENT** — Order! I take the opportunity to explain to members of the public, in case they do not already know, that the 90-second statements are simply an opportunity for any member of the house to raise any matter they wish for a maximum period of 90 seconds. I hope that is helpful.

### Rob Guest

**Mr ATKINSON** (Eastern Metropolitan) — I thank the people of East Gippsland, and particularly the council, for their hosting of the Parliament. It is a pleasure to come here.

I take this opportunity to note with sadness the recent passing of one of Australia and New Zealand's finest entertainers. I had the opportunity to see *Wicked*, as many Melburnians have. It is a fabulous show and certainly a continuation of Melbourne's strong reputation in arts and culture and musical theatre in particular. Rob Guest was an outstanding performer in that show, as he had been in so many other shows previously. It is with great sadness that we note that he died far too young and is a considerable loss to our community.

### Springvale–Whitehorse roads, Nunawading: safety

**Mr ATKINSON** — I also take this opportunity to advise the house that I have received a multi-signed letter — it was actually constructed as a petition but is not in the correct wording — collected by a Mr Steve Raskovy of Ringwood in respect of the Springvale Road–Whitehorse Road intersection and his concern about the dangers associated with that intersection and the railway crossing on Springvale Road. His concern is that the government and the Whitehorse City Council ought to expedite a solution for that crossing. His multi-signed letter has 165 signatures.

### Sue Hester

**Ms TIERNEY** (Western Victoria) — I rise to make mention of a Colac resident, Sue Hester, who was recently awarded the volunteer involvement award at the Brumby Labor government 2008 sport and recreation awards. After being diagnosed with a rare disability at the age of 25, Sue Hester began volunteering as a netball umpire, coach and committee member. Today Sue Hester manages the Colac Access for All Abilities netball competition, which offers people with a disability a chance to be social, be active and to develop sporting skills. Awards such as these are just recognition for people like Sue Hester whose ongoing efforts are vital to the health of people with a disability and crucial to the survival of local sporting clubs. I would like to congratulate Ms Hester on this wonderful achievement.

### South West Sports Assembly

**Ms TIERNEY** — On another matter, I would like to congratulate the South West Sports Assembly which

was awarded the Go for Your Life community participation award at the Brumby government's 2008 sport and recreation awards. The South West Sports Assembly was awarded for its Up the Garden Path project, which brought together volunteers to design and build gardens at two aged-care communities in Warrnambool. Residents at the Lyndoch aged residential and community care centre and Abbeyfield House aged care now enjoy these gardens and participate in such activities as tai chi, walking and bocce in the gardens. I congratulate all award winners for their tireless efforts and in particular efforts in regional Victoria where, as we know, community sport and recreation is the lifeblood.

### Police: Ashburton station

**Mr D. DAVIS** (Southern Metropolitan) — My 90-second statement today relates to the Ashburton police station and the review being conducted by the government at the moment that almost certainly will result in the closure of that station. This is an important police station, which protects the community there. There is no doubt that crime has risen through much of that section of Boroondara and the sections of Whitehorse and neighbouring areas the station serves. The government has clearly decided it is going to pull resources back and close this important police station. This is not what Bob Stensholt, the member for Burwood in the Assembly, said when he was elected in 1999. He claimed he would protect police services and put more police on the beat in the Burwood electorate.

**Mr Viney** — He has.

**Mr D. DAVIS** — No, he hasn't! He pulled five out last year — —

**The PRESIDENT** — Order! Mr Davis!

**Mr D. DAVIS** — Five members were pulled out of the local area last year, and it has left the area without enough police. Now there is this nasty review that intends to pull the resources right out of the area and to close the Ashburton police station. We all know where those reviews end. We all know this is about a closure, and it is time Mr Stensholt came forward and protected his local area.

It is time he said to the Premier and to the police minister, 'I will not allow the closure of the police station in Ashburton'. It is about time he stood up; it is about time he developed a backbone; and it is about time the police minister put a stop to it.



### **Hon. Steve Bracks**

**Mr ELASMAR** (Northern Metropolitan) — I also would like to thank the mayor and the council officers of the East Gippsland shire for welcoming us. I was in attendance, along with my parliamentary colleagues and members of the public, at the unveiling of the portrait of former Premier, Steve Bracks, in Queen's Hall. It was a grand ceremony befitting a great Labor Premier of Victoria.

#### **Station Street, Fairfield: speed zone**

**Mr ELASMAR** — The new 40-kilometre speed zone in Station Street, Fairfield, is now operational and speed signs have been erected. This addresses part of the Darebin City Council's transport strategy for reduced speed zones in high pedestrian areas. This is very important for the safety of all pedestrians.

#### **Dawson Street Child-Care Cooperative: contaminated soil**

**Mr ELASMAR** — Contaminated soil has been discovered at the Dawson Street Child-Care Cooperative as work started on building a new extension. Moreland City Council is examining its options to clean up the site. I commend the council for its proactive actions in ensuring the safety of the little ones who play in these pits. The pits are now closed.

#### **National Police Remembrance Day**

**Ms LOVELL** (Northern Victoria) — Last Sunday marked the 20th anniversary of the tragic Walsh Street police shootings. On 12 October 1988 Victoria lost two of its finest young policeman, Constables Damian Eyre and Steven Tynan. The two men, just 20 and 22 at the time, were murdered when they were ambushed while investigating the discovery of a stolen car in Walsh Street, South Yarra. It is a day their families, friends and all Victorians will always remember for the worst and most tragic reasons.

The Eyre family from Shepparton are well known to me. I had spoken with Damian only a few days before his untimely death. He was so excited and proud to at last be achieving his lifelong ambition of following his father, Frank, and brother, Daryl, into the police force. The Eyre family, especially Damian's father Frank, a retired police reservist, have dedicated themselves to ensuring Damian's legacy lives on. Frank has worked hard to raise awareness of Victoria's fallen policemen and women — all 150 of them.

We remember these policemen and policewomen each day through Blue Ribbon Day and National Police

Remembrance Day. Constables Tynan and Eyre have also been commemorated by emergency departments at hospitals in their home towns of Bendigo and Shepparton, which are named in their honour. This has been made possible through the hard work and fund raising of the Victoria Police Blue Ribbon Foundation. I wish to acknowledge the families of Steven Tynan and Damian Eyre and the families of other fallen police officers whose loved ones have made the ultimate sacrifice to protect Victorian communities.

#### **Wulgunggo Ngalu Learning Place**

**Ms MIKAKOS** (Northern Metropolitan) — Firstly, I would like to express my thanks to the people of Lakes Entrance and from across East Gippsland for their warm welcome to members of the Legislative Council. I also pay my respects to the Gunai Kurnai people and their elders, past and present.

Today I want to focus on indigenous issues and the Brumby government's efforts to reduce the overrepresentation of indigenous people coming into contact with the criminal justice system, through the innovative Aboriginal justice agreement. Yesterday I and other members of the Drugs and Crime Prevention Committee of the Parliament had an opportunity to visit a unique residential facility near Yarram for Aboriginal offenders on community-based orders. I take this opportunity to thank the manager of that facility, Shaun Braybrook, for his time in showing us around.

The Wulgunggo Ngalu Learning Place will house up to 20 men from across Victoria, offer them training and education, life skills and an opportunity to connect with their indigenous history and culture. Each participant will have a case management plan that will tackle the causes of their behaviour. It is part of our approach in saying that if we are serious about crime we have to tackle the causes of crime. This is an excellent facility and I congratulate everyone involved, in particular members of the Aboriginal Justice Forum, the local regional Aboriginal justice agreement committee and Corrections Victoria.

#### **Essendon Airport: future**

**Mr DALLA-RIVA** (Eastern Metropolitan) — Here we go again: some job losses were announced yesterday and we see that the government has made a submission to the federal aviation review calling for the closure of the Essendon Airport.

Essendon Airport is crucial for country Victoria. It is crucial in the sense that it is a hub for emergency service aircraft to and from that location and country Victoria.

But what is the real reason behind the proposed closure? Why does the government not stand up and support the important aviation industry? About 1500 people work directly in that area, not to mention all the downstream and upstream jobs that are created because of that important airport. It is also important because it takes the pressure off Melbourne Airport. One of the criticisms you hear about Sydney Airport is that Sydney does not have a local airport that accommodates the smaller aircraft, away from the main airport.

What is the reason behind this proposed closure? The government does not care about the jobs. It does not care about that industry. What it cares about is that there is a big parcel of land out there it can flog off and that it can put the proceeds into its coffers and then get all the stamp duty and other funds. The government does not care about it, and it has never cared about it. We need to stand up for country Victoria and for Essendon Airport, otherwise it will go.

### Citizen Advocacy

**Mr LEANE** (Eastern Metropolitan) — It is great to be here in East Gippsland. I would like to compliment the workers and the tradies who did the work in getting this chamber ready for us. At Spring Street I have been suffering from desk and microphone deprivation for a couple of years, so I would like to thank those people for relieving that stress for me today, just briefly.

On a more serious note, I recently attended a certificate presentation in Box Hill for a volunteer group called Citizen Advocacy. Individuals volunteer to advocate on behalf of other individuals who have intellectual disabilities to certain agencies and other organisations to make sure these people get a fair go and do not get taken advantage of. As we know from television and radio, Pete Smith is a patron and he made a fantastic speech on the night.

I would like to commend Marj Munro and the executive of Citizen Advocacy for organising the night, and I commend them on the amazing work they do. This is just another fantastic volunteer group that operates in the electorate I represent, Eastern Metropolitan Region in Melbourne. I am sure that the mayor and councils of East Gippsland would know of many fantastic groups that do similar things in this area. I commend all groups in this area that also volunteer to assist people who may be a bit less advantaged than us.

## MELBOURNE WHOLESALE FISH MARKET: CLOSURE

**Mr HALL** (Eastern Victoria) — I move:

That this house acknowledges the importance of the commercial fishing industry in East Gippsland and calls upon the Victorian Government to work with the industry in establishing a new wholesale fish market following the impending closure of the current market in March 2009.

By way of explanation, it has been generally agreed by most in the chamber that we are going to try to restrict this debate to about an hour's duration so that members have a chance to raise issues of local relevance throughout the course of our two-day sitting here.

My contribution on this motion will not be lengthy, but in speaking I want to highlight the critical importance of commercial fishing in East Gippsland and give the government an opportunity to respond about a future fish market site in Melbourne.

Most of us love a good feed of fish and chips. Indeed all my colleagues who were at the same restaurant as I was last night sought the seafood items from the menu. Whenever we come to Lakes Entrance, that is a must-do activity — that is, to get a good feed of seafood and also, if possible, take some home with you. I know many of the retail fish outlets here in Lakes Entrance will provide members with a bit of ice to put around their fish as they take it back to Melbourne or their respective electorates. I remind members: do not miss out! Lakes Entrance is undoubtedly the best place to buy and consume seafood products.

I think it is obvious that this is the case. If you look out across the Esplanade from the front of this building, you will see a vast array of shipping vessels moored there, including ocean vessels and to a lesser extent some of the inland lakes fishery fleet. I said before in my 90-second statement that it is important we consider recreational fishing as well because recreational fishing and the impact it has on tourism in this area is also vitally important in providing for employment and the local economy.

There needs to be a balance between commercial and recreational fishing. There is always going to be some controversy about the effects of commercial and recreational fishing in trying to achieve that balance. I am not about to enter into that except to say that in this region, commercial fishers work with the tourism industry to try to have the least impact on recreational fishing, so in certain weeks during the year — for example, school holidays and when holidaymakers are attracted to Lakes Entrance — the commercial fishers

voluntarily scale back their activity. It is the same with the inshore trawl industry. I know that they do not participate on some days at peak times of the year in recognition that it may have some impact on recreational fishing. So I applaud the industry for taking those measures to try to make commercial and recreational fishing compatible.

In terms of acknowledging the importance of the fishing industry here in East Gippsland, it is worthwhile to consider the extent of commercial fishing across Victoria. One can obtain information in regard to that from an information bulletin published annually by the Department of Primary Industries, called *Fisheries Victoria Commercial Fish Production — Information Bulletin*. That bulletin lists the species that are caught commercially in Victorian waters, the quantities, and also the catch value for those figures.

I refer to the November 2007 DPI information booklet. It says that in 2007 there was some \$75 million worth of catch produced around the coastal areas of Victoria. In addition to that there was almost \$19 million worth of aquaculture arising from commercial fishing activities. It is also important to note that more than half of that \$75 million comes from the abalone industry, which has an estimated net value of around \$45 million per year. That total figure of \$75 million is dominated by the commercial quantities of abalone taken, and the price it attracts. It is amazing that most people have not tried eating abalone — I certainly had not until some years ago, when I started representing this electorate. Because most of it is sold overseas as a very high-value product, some of us may not have had the opportunity to taste it. If you travel to Mallacoota, though, there is a fishermen's cooperative there which will happily lead you in the direction of sampling some of that abalone product.

In terms of the context of this debate, too, it is important to acknowledge the number of people who have fishery access licences in Victoria. There are some 892 fishery access licences for both ocean fishing and inlet fishing in Victoria. That figure reflects the significant number — some 287 — of general ocean licences. There are about 91 scallop licences, 60 inshore trawl licences and 29 ocean wrasse licences. In terms of bays and inlet fishing there are now only 10 Gippsland Lakes commercial fishing licences.

The number of licences has been phased out over the years, with voluntary and in some cases compulsory buybacks of those licences. In recent years we have seen the government of the day compulsorily acquire commercial fishing licences in Lake Tyers, Tamboon Inlet and also Mallacoota Inlet, so there are only

10 commercial fishing licences for the Gippsland Lakes now.

In terms of the catch effort from the Gippsland Lakes and Lake Tyers, again from this information bulletin, the total catch value from the Gippsland Lakes and Lake Tyers was about \$1.6 million. Those figures highlight the fact that this is an important industry for East Gippsland and is one we need to manage and preserve well.

Most of us would also be aware of the cooperative that has been formed here called the Lakes Entrance Fishermen's Cooperative. It is located on Bullock Island, and members may have seen it as they drove down the hill from Kalimna, where there is a viewing point across to Bullock Island and beyond. The cooperative has been around for some time. It was first mooted in 1956 and was formally established in August 1964, when a building was constructed. That facility was refurbished in 1968, and the facility as it now stands was opened by the then Premier of Victoria, Sir Henry Bolte, on 23 October 1968. Of course additions have been made to that facility over the years; nonetheless, there are improved ice-making facilities there.

In Lakes Entrance we now have a fishermen's cooperative, which has ice-making machines. Seventy-three shareholders are a part of that cooperative and are ably led by Peter Clarke, the current chairman of the cooperative, and Dale Sumner, the current chief executive. It provides services for between something like 80 to 100 vessels per year and handles over 80 different species of fish. It employs 20 permanent staff and on average, 40 to 50 casual staff at various times during the year. It handles approximately 4.2 or 4.3 million kilos of fish per year. It is the largest supplier of fresh fish to the Melbourne wholesale market and is a major supplier to the Sydney fish market.

That gives me a lead-in to my issue of great concern — that is, the future of the Melbourne Wholesale Fish Market, which is why I moved this motion. I hope it will be supported by members of the chamber. A simple fact that illustrates the importance of the wholesale fish market to this area is the fact that of the 4.2 million kilograms of fish bought and processed through the cooperative in Lakes Entrance, 3.2 million kilograms are actually sold through the Melbourne Wholesale Fish Market. Some of the fish goes to Sydney, as I said, but about 67 per cent of it is sold through the Melbourne Wholesale Fish Market. The market is very important to the efforts of commercial fishing based here in Lakes Entrance.

The problem we have, which I hope to address and get some constructive comments from the government about today, is the facilitation of a new Melbourne fish market. The history of Melbourne's fish market dates back many years. Currently the market is located on Footscray Road in West Melbourne, but the state government has announced it will acquire that land because it needs it for the development of the port of Melbourne and to make way for some rail infrastructure, as I understand it. The current Melbourne Wholesale Fish Market site will be acquired by the state government.

The market is currently operated by Melbourne City Council, which has informed vendors at that market that they will be required to vacate by 30 March next year. The obvious question which I think we all ask is: what will happen to the wholesale fish industry in Victoria when that market closes? The answer is that nobody really knows. I guess more product will be sold through the Sydney fish market, which is not the best outcome for the Victorian economy. Also there will perhaps be some selling of fish product directly to retail outlets. Again, that is not seen by industry as the most desirable outcome. What we need is the establishment of a new fish market in Melbourne, which is essentially what this motion calls for today.

I have had representations from fishermen individually and also from fishermen's cooperatives about this matter; I have also heard from East Gippsland Shire Council, which wrote to me on 25 September on this very issue. In its letter it claims that the fishing industry based in Lakes Entrance is the largest in Australia, and I concur with that comment. It also says that approximately 76 per cent of the 4.2 million kilograms of fish caught in Lakes Entrance is traded at the Melbourne fish market.

So clearly there is a need for a new fish market. I put on the record that I understand there have been some differences of view in the industry as to the best location of a new wholesale fish market — that is conceded. But I think because this issue is time critical and closure is required by 30 March, the government needs to do something about it to ensure that we have an ongoing viable commercial fish market in Victoria.

This motion calls on the government to work with the industry. It does not condemn the government, and it does not make a financial demand, although in the comments I am about to make I will say there are some precedents for some financial assistance to be given. More importantly, Victoria needs a wholesale fish market, the industry of East Gippsland needs a

wholesale fish market, and we need to move quickly on this issue.

In terms of some assistance, I am well aware of the government providing some assistance for the relocation of the Wholesale Fruit and Vegetable Market to Epping. That process and the relocation of that market is now under way. I noted in a press release of Tuesday, 20 April 2004, that:

Agriculture minister Bob Cameron said the market was a key driver of economic activity and the government would allocate \$4.7 million towards final site analysis and design for the new location.

Subsequent to that the government has put in some additional funding to help with that facility. Those in the seafood industry tell me we are looking at of the order of \$18 million to \$21 million to relocate and rebuild a wholesale fish market in Victoria. I accept that is a reasonable sort of figure, and therefore my motion today calls upon the government to work with the industry towards establishing such a new market. My expectation is there would be some financial contribution from the state government to that new facility.

In summing up, and before other members respond, if government members want to continue to have that good feed of fish and other seafood products when they come to Lakes Entrance, they need to do something about it. It is high time the government took some initiative on this by working with this important industry for Victoria to establish a new fish market for all Victorian commercial fisheries. I commend this motion to the house.

**Ms BROAD** (Northern Victoria) — I also commence my remarks by saying what a pleasure it is to participate in the fourth regional sitting of the Legislative Council. Lakes Entrance is a outstanding location for a regional sitting, as were the previous three regional locations in Ballarat, Benalla and Colac. It is an important initiative of the former Labor Premier Steve Bracks, continued by Premier John Brumby, and it demonstrates the Brumby Labor government's commitment to bringing the Parliament to the people and to high standards of openness and accountability.

I wish to support Mr Hall's motion. I do so as a former Minister for Ports and Minister for Energy and Resources, which includes fisheries, and with some history of involvement in these matters.

The Bracks and Brumby governments have demonstrated Labor's strong support for the commercial fishing industry, including here at Lakes Entrance, since the government was first elected in 1999. This is a very

important industry for the Victorian economy. Here in Lakes Entrance alone, the fishing, boating and tourism industries are estimated to contribute around \$400 million per year to the economy, which is the reason the government has invested, and willingly invested, in supporting the industry.

People here in Lakes Entrance will know about the importance of the Lakes Entrance sand management program to keep the port open. Some \$31.5 million was included in the Brumby Labor government's provincial Victoria economic statement *Moving Forward* for the Lakes Entrance sand management program.

As well as that, we have invested some \$1 million towards a project cost of just over \$1.2 million for the local ports program at Lakes Entrance and a further \$1.5 million towards the project cost of the Lakes Entrance vessel service point — also very important to the fishing industry here at Lakes Entrance.

Those are just a few examples to demonstrate the support and investment which Labor governments have made here for the benefit of the fishing industry and also for the benefit of the Victorian economy and all of the people who have jobs in the fishing industry.

I also have some later knowledge and history of involvement around the question of the Melbourne Wholesale Fish Market. Whilst I held the portfolio of local government, I had some active involvement, together with Melbourne City Council, around what was going to happen to the current site of the wholesale fish market. I also had a strong interest in participating in those discussions as local government minister and in facilitating some complex consideration of these issues to ensure that the outcome provided for an ongoing wholesale fish market into the future.

This is a complex matter which has a long history. The site of the Melbourne Wholesale Fish Market is actually owned by the Melbourne City Council. It is operated by the Melbourne City Council through a company called Melbourne Wholesale Fish Market Pty Ltd, and as a result of these historical arrangements the city of Melbourne retains responsibility for the management of the market.

It is fair to say the current market, which has been there for a very long time, is not in a great state. In the interests of a not only commercially viable but competitive, high-quality industry, which produces a high-quality product for both domestic consumption and for export, there is a need for a much higher quality fish market in terms of the facilities that it provides, not to mention the working conditions of people at that market.

For a long time, stretching back well before the tenure of the current government, there have been issues around what was going to be done about the wholesale fish market. Since that time a decision has been made by Melbourne City Council not to continue the tender process, which it commenced in 2006, for expressions of interest in the development of the current site. As a result, in 2007 Melbourne City Council abandoned that process and tenants were given two years notice that they would be required to vacate that site.

Clearly tenants at the current fish market are faced with the reality that they are going to have to vacate the current site. This is a matter which the government has taken very seriously. That is the reason the state has previously indicated to traders a willingness to accommodate a fish market at Epping.

I will explain for the benefit of members and others who are listening who are not familiar with the industry that whilst at face value it seems logical to have a fish market immediately adjacent to a port, in reality that is not necessarily the best possible location for a wholesale fish market. In fact the most important issues in the location of a wholesale fish market go to its proximity to transport routes, and transport routes which are going to be suitable for international as well as national and Victorian trade in the industry. I explain that for the benefit of people who think that the location at Epping is not as near a port as the current fish market in Melbourne is, and therefore question the suitability of that site.

The Epping site allows for the relocation of a fish market with, I understand, the only limiting factor being that it must be 500 metres away from any residential site, which is not an issue at that location. It requires a 3-hectare to 5-hectare parcel of land, and that can be made available. Industry of course is an important stakeholder in all of these considerations, and it has taken a stance on this — that is, it is not its preferred location; its preferred location is at a suburban site. As you would expect, to find a suitable site of those dimensions for a wholesale fish market in inner suburban metropolitan Melbourne away from residential areas is a challenging objective. Certainly industry has found it to be so. I understand there are, however, some negotiations going on with a possible developer, and they are continuing. But none of us should underestimate the degree of difficulty involved in finding a suitable site in an inner suburban Melbourne metropolitan location.

I want to add my support for the motion. Again, the very high degree of importance the government places on the industry here in Lakes Entrance and more

generally across East Gippsland and across the whole of Victoria is the reason the state Labor government has demonstrated time and again its support for the industry, and continues to do so. A very important part of the industry is a wholesale fish market, and the Brumby Labor government will continue to provide assistance and facilitate discussions around a replacement for the current — very old and in much need of updating — wholesale fish market.

**Ms HARTLAND** (Western Metropolitan) — I will only speak very briefly to this motion. I thank Mr Hall for bringing it to the house, and I thank Ms Broad for her explanation.

I think the problem is that two questions have still not been answered, considering that the market will close in March next year, and there appears not to be a new site. Firstly, when the fruit and vegetable market had to be relocated, the government was actively involved in that relocation, and I still do not quite understand why that has not occurred in this instance. Secondly, if the market is to close next year, what are the plans, where is the new site, and how is this going to be managed?

Those are the questions to which we still do not know the answers, and I understand from Mr Hall that the date for the closure of the present site is March next year — only a few months away. I would like one of the other government speakers to address those questions, because it is still not clear in my mind what is going to happen with the fish market.

**Mr DALLA-RIVA** (Eastern Metropolitan) — Firstly, I thank Mr Hall for moving this motion. One of the things that concerns me, as the shadow industry minister, is that this is not an issue that has come up in the last couple of years. The former Kennett government, probably about two to three months before it lost the 1999 election, had a very clear mandate in terms of redeveloping that site.

I find it staggering that now, 10 years down the track since this government came to power, we are still having a talkfest about what we are going to do. It has now got to the stage where the Melbourne Wholesale Fish Market, a very crucial part of the fishing industry, is looking at moving to a location that can best be described as adequate. Even Ms Broad made the point that whilst there are no impediments in terms of the relocation to Epping, the reality is that a suitable site currently exists.

The problems are related to the Melbourne City Council and the covenant over that particular land. The fact is that the facility needs a new roof. There are

concerns about asbestos, and it is estimated that \$4 million to \$5 million of repairs are needed. But the government is saying, 'It is all too hard; we will just put it somewhere else and forget about it'. This is an important industry. It is the biggest fish market in Australia, and what this government is doing with its ineptitude and lack of vision is allowing yet another industry to wither on the vine. It is saying, 'We will let it just float about. We will let Sydney, Western Australia or South Australia take it'.

This is what has been happening right across various industries. We are seeing it now in the manufacturing sector — a very important and vibrant industry that has given much employment not only to the people who work in that sector but to the many union representatives who work in it. I find it staggering that we have the same situation occurring now in this very important, vital industry.

The fish industry is important for Victoria. It is important that a decision be made. It staggers me that it is now 10 years down the track since the former Kennett government was actually going to do something. I spoke today to some people to get some clarity on what was intended. It was going to be built; there were plans in place; it had been all ready to go. But what happened? Mr Bracks got elected and guess what he did? The first thing he did was say, 'Let's undertake a review', and that is what happened. Here we are, as I already said, 10 years down the track and still at risk of closing a very important industry.

**Mr Pakula** interjected.

**Mr DALLA-RIVA** — Mr Pakula might interject, but it is closing. Once it is removed from the site and it is set up somewhere else, essentially that capacity is being diminished. The fish market in Melbourne is a substantial wholesale market. It is crucial for us in Victoria to try to work hard at keeping these industries afloat — no pun intended! The fish industry needs some support. It needs the government to get off its hands, to go to the Melbourne City Council and say it is going to do something, not review it.

The government should have a vision, it should make a decision and should move forward, but we have this dillydallying, dithering, do-nothing review process, and in the meantime yet another industry is looking down the gun at closure in March 2009.

**Mr Vogels** — Five months.

**Mr DALLA-RIVA** — Five months from now, exactly, Mr Vogels. The former minister says, 'We can move to Epping. Let's see what happens there. We do

not need to move it next to a port or to the ocean'. Have some vision! This is what Victoria is lacking — it lacks vision. We are now in a situation where yet another industry employing thousands of people is looking at closing and going somewhere else. The sooner we bring on an election and people get an opportunity to vote us back in, the quicker we will be able to start repairing a lot of the damage the government is doing by doing nothing.

**Mr VOGELS** (Western Victoria) — I rise to support Mr Hall's motion. In May last year I visited the Melbourne Wholesale Fish Market with an Assembly colleague of mine, Denis Napthine, member for South-West Coast, to see how it operated. The fishermen there and the people who use the market are very concerned about the closure of the market in five months time. It was 18 months ago when I was there, but now there is only five months to go — but nothing is happening.

I know the government wants to move the fish market out to Epping, which is about an hour's drive from the actual central business district or where the fish are actually consumed. If you go to the fish market, you can see it is a hive of activity. There are about 500 people working there. The restaurants, supermarkets and fish shops in and around the CBD in Melbourne are there buying the fish. They do not want to be sitting out at Epping, an hour away, then to come down the highway from Epping. The fish will be off by the time they get to the restaurants. They will be sitting in the traffic for an hour or two, trying to get back to Melbourne where the fish are to be consumed.

In many cities across the world one of the attractions is the fish market. It is a great thing for tourists. It is a great thing for the people of Melbourne to be able to go to the fish market. Sydney has a fish market and I think there is one in London. I have not personally been there, but I hear they are fantastic tourist attractions. I heard Candy Broad talking about the fact that a big site has to be found, and that is the case.

I went for a drive because some people in the industry told me there were some excellent sites along the Yarra River, under the Bolte Bridge and at South Wharf. They lie vacant and are overgrown with thistles. There are plenty of areas along the Yarra where this market could be moved.

**Mr Dalla-Riva** — They have no vision.

**Mr VOGELS** — All you need, as Mr Dalla-Riva said, is a bit of vision. You need something to happen, and that is what governments are there for. The

fishermen are getting very concerned about where they will find a place to sell their fish come March 2009, and I would have thought this government should have been working with the industry to have a site — —

**Mr Viney** — We have.

**Mr VOGELS** — Where?

**Mr Viney** — We have been working with the industry.

**An honourable member** — Where is the site?

**Mr VOGELS** — Tell the industry, because its members do not know where they are going. They have no idea where they are going, and there are only five months to go. I personally believe an ideal site would be somewhere along the Yarra, close to water and close to the central business district. There is plenty of land available, as I said, under the Bolte Bridge and at South Wharf, and it is just lying there vacant. I commend the motion to the house.

**Mr VINEY** (Eastern Victoria) — As Ms Broad said, the government will be supporting the motion put by Mr Hall, because it accepts the absolute importance of the fishing industry. The importance obviously is part of the infrastructure necessary to support the industry as it concerns the wholesale fish markets.

I will be quite brief. I did not place myself on the list to speak, but after listening to Mr Dalla-Riva I thought it was important to clarify some of the issues that are in front of us here in relation to this matter. I do not mind having a bit of a debate, and members here will know I am more than happy to participate in general business motions, but I think it is a bit rich for Mr Dalla-Riva to come down here and grandstand about what the government does or does not do and to try to politicise the issue. The fact is that the government has been working with the industry — —

**Mr Dalla-Riva** interjected.

**Mr VINEY** — You had your say.

**Mr Pakula** interjected.

**The ACTING PRESIDENT (Mrs Peulich)** — Order! Mr Pakula!

**Mr VINEY** — The government has been working with the industry to try to find a solution to the fact that the wholesale fish markets need either serious amounts of money spent to upgrade or relocate them. The Melbourne City Council has made a decision that it wishes the markets to be relocated, and the government

has been working with the industry to assist it to find a solution. The essence of all of these things always rests ultimately with the industry to decide what it wants to do, and the government works with it to facilitate what it is trying to achieve. The government has indicated that there is a site available at Epping. I think Mr Vogels, having been a dairy farmer, would have heard of refrigerated trucks and knows about refrigeration. Moving fish around is not vastly different to moving milk.

**Mr Jennings** — Preferably not the same truck.

**Mr VINEY** — Not the same truck, Minister, but you can have a refrigerated truck to move the fish around.

**Mr Dalla-Riva** interjected.

**The ACTING PRESIDENT (Mrs Peulich)** — Order! Mr Dalla-Riva!

**Mr VINEY** — No government before us was prepared to build EastLink, the great government project. It was first on the *Melway* in 1967. Bolte never built it, nor did Rupert Hamer, Lindsay Thompson, Joan Kirner or Jeff Kennett. The Bracks and Brumby governments built that piece of infrastructure — —

**Mr Pakula** — And the Pakenham bypass.

**Mr VINEY** — And the Pakenham bypass and it has, for the first time, resolved the issue for Minister Madden of where the site should be for the Traralgon bypass. The government did the hard work to make the decision. Now we find with that infrastructure Epping becomes a very accessible option for Melbourne. It is working and will continue to work extremely successfully, and it will be a great location for any markets that want to move there. There is a site available for the wholesale fish market there. If the industry chooses not to go there, the government is more than happy to work with it to assist it to find a location it is happy with, but it is then a matter for the industry to work through that process. We will assist it and work with it. We have a site available. We will assist the industry and work with it towards that objective.

We recognise the importance of this industry to Gippsland and in particular to Lakes Entrance, so we are happy to support the motion. However, it is not a grandstanding opportunity, and I reject the attempts of members to make it one. Mr Hall has raised a legitimate and important issue, one about which I have already had discussions with the shire council. I was talking with shire council members again last night, having

written to the council a week or two ago after having a meeting a few weeks ago. I know the council is taking my correspondence to it to the industry here in order to talk through some of the issues. I have indicated and will continue to indicate to the industry that I — and I am sure Johan Scheffer is the same — am happy to work with the industry and the local operators here to make sure that their future is viable and secure.

**Mr P. DAVIS** (Eastern Victoria) — I am pleased to join in supporting Mr Hall's motion, which is not only pertinent to people in the East Gippsland region but, importantly, critical for the future of the fishing industry in Victoria.

Lakes Entrance and then Portland are the two most significant fishing ports in Victoria. It is important to understand that the Melbourne fish market does not only operate in respect of fish taken commercially in Victoria but also as a significant base for what I would describe as a fish exchange, involving fish caught in other states. The fish market is important for a number of reasons. Any marketplace is critically dependent for its effectiveness on a commercial arrangement that enables buyers and sellers to come together and agree on price. Fish, like many other primary products, has uncertainty about it because, compared with most other industries, the ability to manage the flow of production is at best uncertain because of seasonality, weather conditions and so forth.

What I am concerned about is the fact that the government does not seem to understand that under its watch there has been inertia for almost nine years. I remember in the latter period of the previous Kennett coalition government — it seems like the Stone Age now — the then Minister for Agriculture and Resources, Pat McNamara, who was responsible for fisheries at that time, and other members of the government discussed the options for relocating the Melbourne fish market. However, with the change of government — and I would not want to be accusatory of a former minister who had responsibilities for fisheries and who is sitting in this chamber — nothing has been done for nine years. It is more than timely for the government to intervene in such a way as to ensure that there is a viable fish market.

I remember the former general manager of the Lakes Entrance Fishermen's Cooperative, Tom Davies, having meetings with government officials on this issue prior to the change of government in 1999. This is not a new issue. It is not an issue that the current government can pretend is somebody else's responsibility, because it is under the watch of the Bracks and Brumby governments that there has been total inertia and no action.



In my own role as a local member and as an opposition spokesman with responsibilities for fisheries I have had a very close interest in this issue. I have had discussions over a long period of time, and in the modest way that opposition members can urge action, I have done so. But I have to say I am disappointed that it has come to this, that we should be here in Lakes Entrance, seeking, as members of Parliament, to highlight an issue so as to frankly embarrass the government to take some action, because that is what is needed.

We cannot force the government to take action, but we can embarrass the government. The way we embarrass the government is to set out plainly that the government has sat on its hands for nine years and taken no action. We are now at the point where there is a potential collapse in this state of fishermen being able to market their product. That is a disgrace; it is unsatisfactory, and I think the house will inevitably agree that it is important that the impending closure of the current market in March 2009 be treated as a matter of some seriousness and urgency. The government must take some action.

**Mr HALL** (Eastern Victoria) — I start by thanking the government and the Greens for their indicated support for this motion, and the Liberals for their support. By supporting this motion we all acknowledge that this is a time-critical issue that needs resolution immediately. It is my intention to pursue the issue with government through a series of meetings or otherwise to ensure that the importance that has been acknowledged by the government turn into real actions and progress on this matter.

I thank all who have spoken on the debate. I thank the government in particular for its support, and I look forward to hearing from the government just exactly what it intends to do and what action it intends to take to bring about facilitation of a new wholesale fish market for Victoria.

**Motion agreed to.**

## TIMBER INDUSTRY: EAST GIPPSLAND

**Mr O'DONOHUE** (Eastern Victoria) — I move:

That this house

- (1) notes the important role the timber industry plays in the East Gippsland economy, particularly to smaller communities such as Cann River and Orbost;
- (2) acknowledges the important role that a sustainable logging industry can play in forest regeneration, forest management and fire prevention;

- (3) notes the state government has not honoured its 2006 election promise to the Gippsland timber industry through its Our Forests Our Future policy and the unnecessary delay in releasing its timber industry strategy;
- (4) notes that the government's inaction is risking jobs and investment in East Gippsland; and
- (5) calls on the government to work with the East Gippsland timber industry to ensure it has a long-term and viable future.

I also indicate, as Mr Hall did at the outset, that to allow as many motions as possible to be debated we have agreed to limit debate on this motion to approximately 1 hour, so I will keep my contribution as short and precise as possible.

We are seeing in turbulent economic times that one of the keys to economic security and success is a diversified economy. East Gippsland has a very diversified economy, and it enjoys a healthy tourism industry. We have just heard of some of the challenges facing the very important fishing industry. The area enjoys food manufacture and production; a varied agricultural sector area, including dairy, beef and vegetable growing on the Lindenow Flats and elsewhere; and a range of other industries.

An important part of that mix is the timber industry. The timber industry is of historic significance to the area, but it is a continued source of employment for many people. In fact over 3000 people are reliant on the forest and forest-product sector in East Gippsland, representing approximately 15 per cent of those employed in industry in the region. The role that this sector plays in smaller towns such as Cann River, Orbost and others is much more important than those figures I have just outlined; it can be the lifeblood of the small communities and the reason for the continued success and viability of some of the small communities.

We should not forget that the Victorian timber industry more broadly contributes approximately \$3 billion a year to the economy and \$600 million in exports. In the context of the timber industry we should also recognise that Victoria and Australia import billions of dollars of timber products through furniture, from other manufactured timber products and from raw timber products.

In the context of environmental management and a sustainable industry, the comparison between the local industry and how timber products are sourced from overseas must be made. Timber production in many countries is done in a way that is much more environmentally dangerous than the way it is done here.

That must be kept at the forefront when considering the environmental impact of the local timber industry.

Over the last generation there has been a debate about access to natural resources, about the way we harvest timber and about issues such as cattle grazing on the high country. These issues have been presented very much in black-and-white terms — in the context, in a sense, that if you are pro the timber industry you are anti-environment, and if you are pro national parks you are pro the environment. As this debate has matured over time we have seen that this issue is much more complex than what has been traditionally understood.

I congratulate Mr Hall for moving a motion that the joint parliamentary Environment and Natural Resources Committee undertake an inquiry into the devastating 2006–07 bushfires. Some of the evidence heard through the course of the public hearings, which it can be found in the ENRC final report, demonstrates that this whole thinking is perhaps outdated. The lock-it-up-and-leave-it mentality that has prevailed at some stages during the term of this government, and has been seen in other places, can have a detrimental impact on the environment. It allows feral animals and noxious weeds to proliferate and flourish, and it allows undergrowth to accumulate, therefore providing additional fuel loads when a fire inevitably comes.

On the other side, we have seen that the forest industry and forest workers can play a significant role in maintaining fire access tracks, through selectively harvesting logs, reducing fuel loads in fires, selectively cutting logs and allowing other parts of a forest to generate. As I said previously, the old thinking of ‘Either you are an environmentalist or you are pro industry’ is old-fashioned. The forest industry and the forest workers know the environment perhaps better than anyone, and their future prosperity and livelihoods are intimately entwined with the protection and management of native forest as a long-term resource for their industry, sitting naturally with the role of the environment and the role the native forest plays in our environment.

Prior to the 2006 election the government released the *Our Forests Our Future* document. The critical underpinnings of that document were that it guaranteed no net job losses from the forest industry, and it specifically promised the Gippsland industry \$1 million towards the establishment of a state-of-the-art facility, known as a small-log line, to process smaller diameter sawlogs. Unfortunately after two years we are still waiting for the opening of such a facility. It is looking very difficult for the government to deliver on its promise of no net job losses, given that in this year alone we have seen the closure of the Dartmoor

sawmill with a loss of 120 jobs, the loss of a sawmill in Cann River recently and the closure of Black Forest Timbers with the loss of approximately 50 jobs.

The common theme that comes through in debate and discussion with members of the industry, and with people who are not necessarily involved with the industry but who take an interest in forest management, is that VicForests has fundamentally failed to manage its tender processes and to guarantee long-term secure supply to an industry that is heavily reliant on capital. For a forestry business to plan for the next decade and the next generation, it will need to invest millions of dollars to buy state-of-the-art equipment and develop a business that is state-of-the-art that meets modern environmental requirements and expectations. However, the VicForests tender process does not operate along similar lines. It has tended to be short term in nature, the tenders have been sporadic, the dates have been unknown, tenders have opened and closed without adequate consideration for those who wish to make a tender, and all this has led to uncertainty.

The Minister for Agriculture announced on 19 March that in response to this criticism he would commission a new timber industry strategy to provide greater certainty to those affected by the industry. Unfortunately seven months have now elapsed and still the government is yet to release its timber industry strategy (TIS). The Treasurer, as the minister responsible for VicForests, has often referred to the proposed timber industry statement or strategy in response to questions in the Parliament and in the media. In response to an adjournment debate matter on 25 June, Minister Lenders said:

The Brumby government will continue to work towards greater certainty for the timber communities through the release of the TIS.

Several months have passed and still there is no response from the government.

The combination of the botched handling of the tenders that VicForests manages, the lack of certainty of supply from these tenders, the failure of the government to release the timber industry strategy, and its failure to honour its commitments through the *Our Forests Our Future* policy all mean that the timber industry in East Gippsland is losing jobs, investment and long-term certainty. This uncertainty not only affects the economy but also reduces the capacity of those who remain in the industry to fight fires, to maintain our forests and to adequately protect our forests through the maintenance of fire access tracks and other means.

At the last state election the Liberal Party outlined a 30-year plan for the timber industry. An industry such as this requires long-term planning and long-term security so that appropriate investment can be made to maintain its long-term viability. I commend the motion to the house and look forward to support from all parties to put pressure on the government to deliver the certainty to the timber industry that is so critical to East Gippsland.

**Mr SCHEFFER** (Eastern Victoria) — The government will not be supporting Mr O'Donohue's motion. The timber industry is of course an important concern for the Brumby government because this industry, as Mr O'Donohue has observed, contributes approximately \$3 billion, or around 37 per cent of the net value of Australia's timber industry. It also accounts for around \$600 million in exports annually, representing almost 30 per cent of Australia's total wood product exports. So make no mistake about it, timber and timber workers, communities and forest ecologies all matter to the Victorian government.

Sensible timber policy brings together the twin concerns of industry and the environment. Both are important and the claims of both need to be addressed. Labor's timber policy has always intertwined with environmental policy, as with an increasing number of Victorian industries, and production must be managed in an environmental context in a way that it never has been before.

Dangerous climate change is at the forefront of everyone's mind, and the timber industry, which must be viable, is no exception. The government's 2002 policy statement *Our Forests Our Future* sets out the architecture of this government's approach to the timber industry. There has always been a commitment to work with stakeholders, the industry, timber communities and those who advocate for the environment. When I say this, like Mr O'Donohue, I am not saying these are mutually exclusive concerns.

As have other members of this chamber, I have attended meetings of the timber communities and environmental groups, and it must be said that everyone is concerned about the environmental impacts of the timber industry. Everyone is concerned about preserving the environment for ourselves, future generations and also for the plants and creatures that are part of the forests. There is no essential need for different groups to line up against each other. It is much better to find the common causes and understandings, build relationships around those matters we agree on and see how the differences over time can be resolved. This is the philosophy that underpins the government's

approach, and we can see this expressed in all our policies and processes.

Undisciplined criticism is easy. It does not require much to pull out something here and there that may not have worked as well as it should and try to discredit what might be an otherwise sound, comprehensive policy. It is much harder to negotiate a strategy to find a new way forward that will enable different interests to have a buy in — a stake in the outcome — and then to make it work over the long term.

The fact is — and nobody denies this — the resource must be sustainable over the long term. *Our Forests Our Future* started with that observation. It stated that we know the current levels of logging in the Victorian forest zones is unsustainable and that we might be at risk of losing one of our most valuable resources.

*Our Forests Our Future* recognised this back in 2002, as we recognise now that the forests play many roles in protecting biodiversity, water catchments — —

**Mr Finn** — On a point of order, Acting President, Mr Scheffer is clearly reading his speech, which is against the standing orders, and I ask you to draw him to order.

**An honourable member** — This from the man who read for 5 hours last week!

*Honourable members interjecting.*

**The ACTING PRESIDENT (Mrs Peulich)** — Order! It is every member's right to raise a point of order and have it addressed.

**Mr SCHEFFER** — On the point of order, Acting President, I am referring to copious notes.

**The ACTING PRESIDENT (Mrs Peulich)** — Order! I have noticed that Mr Scheffer has been relying on copious notes, and I am sure that in future he will abide by previous guidance provided by the President.

**Mr SCHEFFER** — As I was saying, back in 2002 we recognised that the forests played many roles. They play roles in protecting biodiversity, as water catchments, as sources of timber and non-timber products, as a generator of employment in many small rural communities, in nature conservation, in recreation, in ecotourism and as carbon sinks. So forests have a multiplicity of values.

Our policy is clear. This is an environmental issue and we have economic concerns, and they are inextricably bound up together. Yet in reading Mr O'Donohue's

motion, you would be forgiven for thinking that there was no environment, that this whole issue was only about economic circumstances and that this was an industry that operated in an ecological vacuum. If that were the case, there would not be a problem. There would be no need to conduct complex estimates of yields and no need to identify what level of yield is sustainable and what is not. There would be no need to undertake careful analysis of the data and the various complex methodologies that underpin resource estimates. The motion before us distorts and diminishes the issues and brings not a lot of credit to the opposition.

During the 2006 Victorian elections the government renewed its commitment to a sustainable forest and forest products industry based on ecologically sustainable practices. Two years ago we committed to encouraging the industry to invest in plantations to provide wood fibre for the forest and forest products industry and to act as carbon sinks while maintaining ecological diversity. We committed to manage harvesting to ensure trees were only taken from designated areas, to analyse silviculture practices to ensure ecological sustainability and to support efficiency and value-adding industries such as pulp and paper mills while reducing chemical and other resource inputs that would negatively affect the environment.

We recognise that timber, the forest industry and the environment are passionately contested areas, and that we had to find a way to balance the environment, the community and the need for jobs. We agreed to make sure that all the data relating to native forests in all their multiple uses is open, accessible and transparent. We also promised that the minister responsible for the environment and conservation would not be the same minister responsible for the timber industry. We promised to fulfil our international agreements and to work on fostering community understanding across the timber industry and, importantly, we committed to ensuring that the highest occupational health and safety standards would apply in the industry.

That was where we were in the election of 2002. In March this year, the Minister for Agriculture, Joe Helper, announced the development of a new timber industry strategy to guide the government and the industry in planning into the future. This is the first such strategy since 1986, the time of the Cain government, so it is not before time. The strategy is a whole-of-government approach and is integrated into the government's Moving Forward statement for regional Victoria. It involves the industry, the community and the relevant unions and already under way is a broad consultation process.

The strategy is aimed to secure the resource base through a framework that will provide greater certainty to the industry. In my conversations with people in the industry, this is what I hear most: the need for certainty so that they can plan and know whether or not they should invest further in their business. So the objective is critically important. Related to this are the objectives of sustainable investment, value adding and employment.

The strategy will assist in providing ways of assisting the timber industry to adapt to environmental, social and economic change, and we need to provide practical, on-the-ground support to forest managers and dependent industries to adapt to the implications of dangerous climate change, including greater and more intense fires and less water. The strategy will also provide support on the ground to assist the industry to access possible emerging markets in new areas such as renewable energy production and ecosystem services.

Before concluding my contribution I want to say a couple of things about the tender processes. The government believed that the harvesting and haulage contracts aims would bring greater certainty to the industry by providing for longer term contracts and a greater opportunity for the industry to invest in future businesses. Moving to the tender process was an important part of the move to the mill door sales process. That allowed the whole contractor workforce to move to a single consistent system of contract management, rate determination, performance management and, importantly, safety management. Those tenderers who were either partially or wholly unsuccessful in the first round of tenders were encouraged to participate in the second round. I understand the majority were awarded contracts in that process.

The tenderers were made aware at the outset that all potential contracts would not necessarily be let in the first round. By now all contracts are awarded, although some contractors will not be working directly for VicForests many will expect to find work directly with subcontractors to the principal contractors. The final outcome of this process demonstrates that it was not conducted at the expense of quality and safety standards or the contractors' financial viability. I understand that far from driving down prices it has resulted in greater overall costs for VicForests; and it did, however, allow greater transparency in the awarding of work and for the market to set the price, which was the overall objective. I think there have been some rough parts to that, but overall it is now facing the right direction and should be producing the kind of results that the policy intended.

It is clear on the evidence, as I have said before in the house, that the government is very clear about the importance of the timber industry to Victoria. We have a strategy to further develop a sustainable timber industry in the context of good environmental management, and the government is very clear about the importance of working closely with timber communities, the industry and environmental organisations to make sure that this industry is sustainable into the future.

**Debate interrupted.**

### DISTINGUISHED VISITOR

**The ACTING PRESIDENT (Ms Pennicuik)** — Order! Before I call the next speaker I would like to draw the attention of the house to the presence in the gallery of Mr John Delzoppo, a former member for Narracan and Speaker of the Legislative Assembly from 1992 to 1996.

*Honourable members applauding.*

**Debate resumed.**

**Mr BARBER** (Northern Metropolitan) — Mr O'Donohue has framed his motion in such a way as to make it as unobjectionable as possible. However, I think I have some disagreement with some of the terms — —

*Honourable members interjecting.*

**Mr BARBER** — I am going to disagree with some of the terms and some of the assertions that were put forward. The first of those is that when Mr O'Donohue talks about the timber industry, he simply talks about the native forest industry and therefore misses the big picture of an industry that is globally exposed.

I will start by talking about the wood products manufacturing industry — that is, any aspect of Australian business that uses wood fibre as its input. In doing that we come up with a very different picture. When Mr O'Donohue looks at his timber industry, the one involved for the most part in native forest woodchipping, he sees an industry in decline and therefore paints a picture of doom and gloom. However, when we go broader and look at the wood products manufacturing industry, what we see is an economic success story.

There is change going on within that industry. Life is about change. Economic success is always about staying ahead of change. Because the native forest

industry is dependent for the most part on the government to provide it with its supply, people like Mr O'Donohue blame the government and greenies if anything goes wrong in that industry. But in fact the industry is suffering only from a severe case of market forces, which have only recently been brought to bear.

It would not be alone in that. There have been many industries that have undergone massive change over the last 20 years. Necessary changes were forced through by the Hawke and Keating governments in the car industry and the textile clothing and footwear industry. To use more recent examples, under the Howard government we saw a major restructure of the Queensland sugar, fishing and dairy industries, which has turned those industries in many ways upside down. I wonder whether Mr O'Donohue still supports those particular Howard government packages or whether in his own electorate he simply wants to suspend the laws of economics. By the time I get to the end of my speech, I will be talking about some of the very successful industries that represent the future of East Gippsland.

You might imagine that all this conflict about forests is due to a shortage of wood resources in Australia. After all, when something is scarce people are more likely to fight over it. In this case the opposite is true: conflict over native forest logging has nothing to do with wood supply. There is no wood supply shortage in Australia, and there will not be in the foreseeable future, because of the maturing plantation resource that has been coming on stream for quite some time and is about to explode — call it 'the wall of wood'. Plantations now provide three times the sawlog volume and twice the volume of pulpwood of that currently extracted from native forests across Australia. What that shows is great growth in wood supply through to 2039 due to plantations that are already in the ground. That wood is coming — ready or not — and it is going to have a dramatic impact on the wood products industry.

Around Australia, as in the rest of the world, the logging industry is rapidly moving out of native forests and into plantations. Seventy-five per cent of this country's sawn timber now comes from softwood plantations, and that proportion is increasing. Back in the 1960s we would have been getting about 3 million tonnes of sawlogs out of native forests and about 1.5 million tonnes out of pine plantations. By the early 1980s those two curves had crossed — it was about half each. As I said, now about 75 per cent of the sawn timber comes from softwood plantations.

So the market is moving a lot faster than government policy. Much of what is considered commercial native forest out there is no longer economically viable to log.

A small number of native forest sawmillers have made efforts to value-add their product. That has been a function of previous timber industry strategies, where they were virtually bankrolled to go down that track. However, to this day most of their product is of a commodity nature — that is, wood chips, palettes, palings — so it is directly competing in those market niches where pine and other materials are now providing a cheap alternative.

The biggest market segment for sawn timber has always been the construction of houses, but it is here that pine has come to dominate. Only around one-third of hardwood sawn timber is being used for appearance-grade type products, and in virtually every category around housing construction — except maybe outdoor decking and outdoor fences — there is at least some pine being substituted. In the areas of trusses and other construction materials, pine has come to dominate.

That is the Australian market, but we are functioning in a globally exposed industry when it comes to wood fibre more generally. If the native forest wood availability were to fall significantly due to us protecting more and more areas, there would be no incentive or imperative in the international market, when you look at it globally, to log native forests.

Australia is likely to become a net exporter of paper products within a decade. By that time our small deficit in sawn timber products will be met from an increasingly large volume of pine sawlogs available from our trading partner New Zealand, whose production is likely to double over that period. The New Zealanders buy stuff from us — a lot of office equipment and petroleum products — and in return we have got to buy stuff from them, and what they have mostly got is pine trees and dairy products. Even though we have got a power of both, it is the nature of international trade that we are going to both move towards our best competitive advantage.

Given that wood is not in short supply, conflict in this case is really being driven by a small sectoral interest inside the native forest industry which wants to hold onto its long, traditional — Mr O'Donohue called it 'historical' — access to native forest logs from the bush at a subsidised price. He is raising the idea of 20-year licences again. As it is with any resource that is mostly in government hands, the industry becomes less about innovation and more about capturing politicians and the bureaucracy. That is why we see this as a predictable, as it is with many other industries, revolving door between the industry, the government and back again.

Through VicForests the Victorian government sells about half a million tonnes of sawlogs each year, which represents 4 per cent of all sawlogs harvested in Australia and 18 per cent of the total Australian native forest supplies. You can see that if more of that were protected, we would not expect to run down to Bunnings Warehouse tomorrow and see that the price of sawn timber had shot up.

Private growers of commercial hardwood sawlogs are actually in competition with the government. So the viability of small-scale sawlog growers in Victoria depends entirely on what the Victorian government does. There is the half a million tonnes of sawlogs that it can put onto the market or choose not to put onto a market at any time, but in the meantime the poor old farmer who is trying to get into the hardwood industry by growing a few sawlogs on a part of his or her farm is doing that with a complete lack of certainty about what the market will look like or whether there will even be a competitive market in 30 years time when those trees are available.

Therefore the low level of investment in hardwood sawn timber plantations on private land, which people are always pondering about and saying, 'How can we develop that side of the industry?', is completely rational. Who is going to invest knowing that they have to harvest in 30 years and down the road the government may open up more areas or close certain areas of native forests? The lack of competitive neutrality is one of the major reasons why so few private land-holders have entered into that business. Those who have done that have often done it with commonwealth tax incentives designed to pump prime an industry. The sorts of small subsidies that this government and other governments in other states have regularly dribbled out to those growers are not going to change the industry and the major market distortions that affect the industry.

Every industry and every part of the industry right down to here — the local part of it — is in fact in competition with trans-Tasman and Asia Pacific rim tree growers. However, employment in the wood products industry is likely to expand along the present trends that we have seen.

The annual report of VicForests, which I have here, indicates that close to half of its sales are that of woodchips; its revenue statement shows about \$51 million worth of revenue from pulp logs and about \$49 million from sawn timber. The woodchip volume for the last financial year of which we have information about fell from 1.2 million to 1.08 million cubic metres;

the sawlog component is just a bit hard to read but it seems to be about 580 000 to 500 000 cubic metres.

If I were analysing VicForests as a business that I were investing in, which as a taxpayer I actually am, except the shareholder in my case is Mr Lenders; he is the shareholder on behalf of Victoria — —

**An honourable member** — That is a worry.

**Mr BARBER** — I would be worried about this particular investment because as we have just heard — —

**Hon. J. M. Madden** interjected.

**Mr BARBER** — Thank you for that assistance, Mr Madden. Half of its revenue is coming from woodchips. Its woodchip customers are only two when you boil it right down. There are the woodchips that go to South East Fibre Exports in Eden which is owned by the Nippon Paper Group, one of the biggest pulp paper companies in Japan. There are other woodchips that go down the line and go out through Geelong but the majority of them, as far as we know, are sold to Nippon Paper Group as well. Then we have the customer along the way who does not take much timber from this area, but it takes a lot of woodchip from VicForests, and that is the Maryvale pulp mill. So you get two big customers buying the majority of your woodchips, and every forest logging coupe is underwritten by woodchips. We should treat each coupe as a profit centre. It is barely profitable to do it now and it would not be profitable to run it if you could not sell the woodchips, so the sawlog industry would become the dog that is wagged by the tail.

You have a business that is totally reliant on two customers really, and those two customers are signalling very clearly that they are moving out of native forests. Nippon Paper Group, along with the entire Japanese industry, in the early 1990s made up its mind to start investing in plantations. They established them all over the Pacific rim, and they continue to add more to this day. Initially they were investors in Australia; however, managed investment schemes have taken over and continue to put more and more blue gums in the ground which, as I said, are going to be harvested. They are already there. There is nothing we can do about it. Then there is the Maryvale pulp mill. It just announced a major rebuild of its pulp mill, but it was absolutely clear that that was occurring because it was in a position to start transitioning out of native forests.

This brings me back to my original theme about the wood products industry versus the native forests logging industry: that there are only significant investment and significant jobs, including the secure,

well-unionised, ongoing, safe jobs the Labor Party likes to endorse, in manufacturing outlets that use plantations as their wood supply. They are simply not going to bet \$1 billion on a native forest-based pulp mill. We have seen the way that has gone down in Tasmania.

VicForests, while being required to generate a commercial return by national competition policy and its own act and its own charter, in fact is a lot riskier than anybody knows because it only has two customers and they are rapidly moving out of native forests and into plantations.

The major employers in the industry, when we get down to jobs, are companies such as ANM in Albury, with 270 jobs; Carter Holt Harvey in Myrtleford, with sawn timber, plywood, hardwood pulp and softwood chips; and Dominance Industries in Wangaratta, with medium density fibreboard, 280 000 tonnes per annum. The sorts of numbers we are talking about here completely dominate the entire eastern Victorian native forest logging industry, let alone the portion of it that comes out of East Gippsland. There is Radiata Exports, Paperlinx and McDonald's in Yarram, and because so much wood is coming out of these fast-growing plantations and because the processing of that wood necessarily creates jobs, the number of jobs goes up quite steadily with the increased availability of wood.

Over the last decade in the wood products industry we have seen 20 per cent growth in employment. That is a good news story. It is similar to the growth rate in employment in the Australian economy overall, and 25 per cent of that is in Victoria, and it has followed the same trend. In the eastern half of Victoria there are about 4500 jobs in the wood products industry. That is 23 per cent of Victoria's total for this industry, so in fact three-quarters of the wood products industry is in the other half of the state where there is no native forest logging, and that is because it includes categories such as forestry and logging, sawlog milling, but it is also other wood product manufacturing and paper and paper products, and it is those latter ones that are the big employers.

In East Gippsland, where forestry jobs are predominantly based in native forests, there were 580 jobs in the 2001 census. I do not know where Mr O'Donohue got his figure of 3000 from, but since that time we know there have been cuts to sustainable yield necessitated by the long-term overcutting. They were the Our Forests Our Future reductions which the industry agreed with and supported, and there was a 50 per cent reduction. It was due to past overcutting of the resource. It was not due to new national parks getting created. That came from the

late 1980s when there was also a 50 per cent reduction due to past overcutting.

In Mr Koch's electorate in western Victoria there are headlines in the local paper, the *Mount Gambier Border Watch*, saying that the timber industry is facing a labour shortage. So if you say that your life's work is to work in the timber industry and you absolutely could not imagine yourself doing anything else, you will already find yourself moving from East Gippsland to West Gippsland, but the big growth opportunities at the moment are in western Victoria where the wall of wood is arriving.

Within one year of the introduction of the Our Forests Our Future package — the payouts and assistance provided when the necessary cuts to sustainable yield were made — 90 per cent of those displaced workers were employed, or they were in training or they had retired voluntarily, and only 4 per cent were unemployed, which was less than the national unemployment figure. That information is from the Auditor-General's review of that particular package. I am sure those workers were satisfied with the package they got because there are many other industries, such as call centres, which go out of business all the time and nobody actually gets a package.

Mr O'Donohue mentioned rainforest imports and said how terrible the logging is in other countries compared to ours. The idea that rainforest imports and Australia's current account deficit in wood products have something to do with each other is a myth that has been actively promoted by spokespeople for an industry which simply wants to point to someone else who is worse, or which says that we should log our native forests a bit more intensively in order to stop illegal logging in other countries.

Imports of rainforest timber products from countries with poor environmental records, such as Indonesia and Malaysia, actually represent a tiny part of our overall consumption. The 2002–03 figure, which is the best one that I could get, was that Australia's total consumption of sawn timber was 4.7 million metres cubed; the total imports of sawn timber from Indonesia and Malaysia into Australia were around 81 000 metres cubed. Those countries provided only about 2 per cent of Australia's sawn timber needs.

If Mr O'Donohue is promoting a ban on illegally logged rainforest timber from other countries, I am with him all the way of course, but it will not necessitate any major changes to the Australian timber industry, nor do we need to continue logging our native forests or open

up new areas to compensate for a reduction of that small amount of timber.

However, there are many good news stories in terms of industry growth in this region. This is a region I have travelled to many, many times over the last 20 years, and I have taken a keen interest in it. I have taken a keen interest in the forest issue. That, as members can probably guess from the discussion I have just led, has necessitated me understanding a lot about the economy of this area.

Among the industries I see that are now driving East Gippsland is tourism, which has clearly always been important but is now more important than ever before; it is booming. In all the materials we were given when we arrived here as members, I do not see that coming to see forests being woodchipped is a particularly important part of tourism. In fact it is the natural and sublime beauty of East Gippsland that is the major drawcard, and I see it on posters in tram stops all over Melbourne. They are pictures like the ones on the postcards I hold in my hand which I was given as part of the Inspired by Gippsland campaign. Here I see a beautiful picture of a mist-shrouded forest with tree ferns and an ancient buttressed ash tree. That is really the reason people come to Gippsland, and it is the basis of the ongoing sustainable competitive advantage for this region — just natural beauty. It is a commodity, unlike woodchips, that will always be highly valued, and it is in fact in short supply.

**Business interrupted pursuant to sessional orders.**

## ABSENCE OF MINISTER

**Mr LENDERS** (Treasurer) — I rise to advise the house formally that my colleague Mr Theophanous has stood aside from his ministerial portfolios pending the conclusion of police inquiries. He will not be in the house this week.

In his absence I advise formally that I am the Acting Minister for Industry and Trade; Mr Jennings is the Acting Minister for Information and Communication Technology; and the Minister for Roads and Ports, Mr Tim Pallas in the Legislative Assembly, is the Acting Minister for Major Projects. In this house I will answer for all portfolios in the Department of Innovation and Regional Development in place of Mr Theophanous; Mr Jennings will answer for portfolios in the Department of Primary Industries; and Mr Madden will answer for portfolios in the Department of Transport.



**QUESTIONS WITHOUT NOTICE**

**Manufacturing: government strategy**

**Mr DALLA-RIVA** (Eastern Metropolitan) — My question without notice is to the Acting Minister for Industry and Trade. I ask when the government will deliver on its promised manufacturing industry strategy, which is now over 650 days late.

**Mr LENDERS** (Acting Minister for Industry and Trade) — I thank Mr Dalla-Riva for his question and congratulate him. I announced that I was the Acting Minister for Industry and Trade and within 1 minute I had a question — I am impressed.

I will respond to Mr Dalla-Riva in a number of ways. The government made a commitment to a manufacturing statement, and it has delivered on manufacturing issues from that time to the present. What Mr Dalla-Riva and members of the house ought to be aware of is that when that commitment was made in a formal statement, we had a federal Liberal and National Party government that did not pay much attention to these matters.

*Honourable members interjecting.*

**Mr LENDERS** — Members opposite groan. The reason I say that is not to make a political point, which I am happy to make, but because something changed in November last year when a federal government was elected that was committed to dealing with manufacturing. For those who have not noticed — —

**Mr D. Davis** — Last year.

**Mr LENDERS** — Mr David Davis says, ‘Last year’, and there was a change of government last year. That government has brought down significant work on the car industry and significant work on the textile, clothing and footwear industry. This is a commonwealth government that is delivering in these areas. It has industry plans out there for consultation and will specifically respond shortly. The state of Victoria wants to work with the commonwealth government to address these issues.

Firstly, let us put into context Mr Dalla-Riva’s question about the statement itself. We will obviously deal with the statement he refers to in consultation with the commonwealth government, but there is more to dealing with manufacturing jobs than statements and pieces of paper. What this government has done, in collaboration with the commonwealth government, is to actually deliver.

Let us stretch our minds back to May this year when the Australian dollar was performing at approximately US\$0.97 or US\$0.98. Quite clearly, with a strong Australian dollar our manufacturing industry was under extraordinary duress, as it still is. We have seen the dollar devalued by 30 per cent in that time, and that is fantastic news for any manufacturer that exports. But let us go back to May and talk about the government’s strategy and its plan.

In its budget in May, this state government, with modest economic resources compared to the commonwealth — —

**Mr Drum** — Modest?

**Mr LENDERS** — Damian Drum says, ‘Modest’. Mr Drum promises every community to spend everything, and then he goes to the next community and says he is going to cut taxes. It is voodoo!

In May this government did three significant things to assist manufacturing at a time when the Australian dollar was worth US\$0.98. Firstly, it cut land tax rates. We cut the top rate of land tax, and we cut it to a rate of 2.25 per cent, not the 5 per cent those opposite raised it to when they were in government. Almost any Victorian manufacturer uses a lot of land, so it is a significant reduction in the burden on manufacturers.

Secondly, we cut payroll tax in this state, I might say again, from the rate of 5.75 per cent we inherited from the Kennett government. It is now down to 4.95 per cent. For every manufacturer in this state with a payroll of above half a million dollars, that was significant relief.

Thirdly, we cut the WorkCover premiums for a fifth time. For the manufacturers in this state: firstly, they see land tax come down; secondly, they see payroll tax come down; thirdly, they see WorkCover premiums come down.

And there is more. In the budget also —

**Mr Guy** — Where’s the statement?

**Mr LENDERS** — Mr Guy says, ‘Where’s the statement?’. If he listens to me, it will be clear that I am making a small ‘m’, small ‘s’ manufacturing statement. If he listens to me, he will hear there is more.

**Hon. J. M. Madden** interjected.

**Mr LENDERS** — Thank you, Mr Madden, I will, because there is more to be said. Those who read the budget — and I thought Mr Dalla-Riva, as a member of the Public Accounts and Estimates Committee, might

have read the budget — would have noticed that there was, firstly, an innovation statement my colleague Mr Jennings brought forward. The innovation statement — —

**Mr Dalla-Riva** — This is manufacturing.

**Mr LENDERS** — Mr Dalla-Riva says, ‘This is manufacturing’. I thought science, technology and innovation were the core to future manufacturing. Here is a \$300 million innovation statement out of the budget, and who is the main beneficiary? It is manufacturing.

I will conclude on the final one. Out of the budget my ministerial colleague Ms Allan in the Assembly brought down a skills statement. Let us just not talk about a skills statement — —

**Mr D. Davis** — Still no plan!

**Mr LENDERS** — Mr Davis says, ‘No plan’. I would have thought a statement that puts money — \$300 million over four years — into getting 172 000 more Victorians going through our TAFE system and our skills system is the thing. When I talk to manufacturers — and I have done it in my eight and a half years as an MP — and when I talk to the Australian Industry Group, the single biggest thing said to me is, ‘Skills, skills and more skills’.

This government has invested in manufacturing, it has invested in skills, in innovation, in tax rates, and it is working with the commonwealth. We have a bigger statement on manufacturing than those opposite have ever had. We will continue to work with the commonwealth when it responds to the car and the textiles industries.

**Mr D. Davis** interjected.

**Mr LENDERS** — Mr Davis says, ‘Haven’t you done the plan?’. I reckon it is pretty comprehensive: tax, innovation and skills. It is pretty impressive. I say to Mr Dalla-Riva that this government is delivering on manufacturing. There is a lot more to be done. We will continue to work with the federal government, employers and unions to get an even better outcome for Victorian workers.

*Supplementary question*

**Mr DALLA-RIVA** (Eastern Metropolitan) — This is small comfort for the hundreds who lost jobs only yesterday at Ford. Does the minister agree that due to his government’s inaction on this mythical manufacturing strategy, Victorian manufacturers have

absolutely no idea what his government’s plans are for this vital industry and that it seems to be making policy on the run?

**Mr LENDERS** (Acting Minister for Industry and Trade) — I know Mr Dalla-Riva is trying to score some political points in this debate, and oppositions do that. They try to discredit governments and they try to get some claim for themselves in doing that. What I will say to him, firstly, about his talking about 500 jobs is that what we have in Victoria today — and I have been in this portfolio for, I think, a day and a half now in an acting capacity, and I think Mr Dalla-Riva has been the shadow minister for a long time — is this: the Ford Motor Company made an announcement in August about reducing its workforce and how it was going about doing that over a period of time, and it put a figure to that. That is a difficult, awful position for the people involved, but it is one that Ford and its workforce and its unions are trying to work through in difficult times.

I think it is extremely unhelpful to come into this place and say, on the basis of an unsubstantiated report — one that neither the Ford Motor Company nor the union that was meant to be part of the negotiations have substantiated — that there are another 500 jobs involved. Firstly, it is unsubstantiated. This is what this opposition does. It comes in here and it bases its question on a half-baked media report. The Ford Motor Company is going through a difficult time. It is negotiating that with its workforce. It put a figure of 300 to 350 out there in August. To come forward and say there is another 500, without the company or the union substantiating it, is absolutely and grossly unfair to those working families in that company, and it is unfair to have this speculation fed upon and dramatised in this Parliament.

Secondly, I say to Mr Dalla-Riva about jobs in manufacturing that in the last year we have had more than 1000 jobs net a week created in the state of Victoria. As Mr Dalla-Riva well knows, here in Gippsland, offshore, we are having jobs created through gas, oil and a range of areas. We are having here, in this state — and anyone who drove down to Lakes Entrance yesterday, like I did, would have seen — roadworks from Melbourne to Lakes Entrance coming along where there are jobs going on.

We have seen retail companies invest in Victoria with new jobs. We have seen banking companies invest in Victoria with new jobs. We have seen logistics companies invest in this state. You just need to go to the north-east of the state to see the speeding up of the trains and the jobs growth.

We are seeing jobs go in some industries. These are difficult times that government, employers and unions need to work through with those individuals involved. But we are also seeing jobs growing and new industries in this state. This state is better positioned than any other part of Australia, I am confident to say, to deal with these turbulent global times, and the way to deal with it is to work forward with industries and others like we have and not make petty points about timing of documents being released. There is a strategy, it is out there, and we are going to continue to work on it.

### **Drought: government assistance**

**Mr VINEY** (Eastern Victoria) — My question is to the Treasurer. I refer him to the Brumby Labor government's ongoing commitment to make Gippsland and Victoria the best place to live, work and raise a family, and I ask — —

*Honourable members interjecting.*

**Mr VINEY** — It sounds like members of the opposition do not have that aspiration, but we certainly do. Can the Treasurer outline to the house how this government is delivering on that commitment, in particular through assistance to communities to deal with the drought?

**Mr LENDERS** (Treasurer) — I thank Mr Viney for his question and his interest in the drought package and where the drought is going. I am delighted to be here in Gippsland today at a regional sitting of Parliament where things are normal. I was here in Gippsland twice in the last year as part of cabinet when first we were dealing with the traumatic, or some might even say catastrophic, events the community had faced over the bushfires. Mr Viney was at that community cabinet with me.

Shortly afterwards, and it was a truly cruel irony, we were back here a few months later with a community cabinet dealing with the consequences of flood. Here in East Gippsland, in particular, we have certainly seen how climate change and drought — just an extraordinarily hostile climate — can cause grief to local communities. In one sense I am pleased to be announcing the drought package and the measures we have taken here, but on the other hand I am very sad we need to do this and that times are so turbulent that governments need to come to work shoulder to shoulder with communities as often as we do in these fairly adverse times.

The issues of exceptional circumstances, where they are declared, and communities responding to drought are

ones that increasingly we as a government and a community are having to deal with. The Premier has announced a further drought support package, which essentially deals with those large areas of water and municipal rates. In dollar terms they are large areas, but they also deal with support for CMAs (catchment management authorities) for small towns, some of the social areas around mental health and special support, and support for councils to try to assist them in dealing with these difficult times in communities.

Responding to drought is a collective community response. The largest single source of support is always the commonwealth, which has a much stronger budget base than any state does, but after that the state will always come to try to fill gaps in the package from the commonwealth. Most significantly we will work with local communities on what is the best and most effective way to do that. We have seen extraordinary resilience in our local communities, particularly here in the East of Gippsland. We have seen people go through that adversity of drought, fire, flood, drought — the cycle that continues.

I pay tribute in saying that the Premier and the government have come forward with a drought package yet again to assist in yet another year of extraordinary circumstances. In doing so I pay particular tribute to the local communities here, led so ably by not only the shire but also by the Country Fire Authority and all the other voluntary groups that have collectively come together to try to find solutions in these difficult times for their communities. What government can do is assist those communities, and I am pleased that the government has been able to announce another support package for what are truly difficult times for this community.

### **Planning: coastal strategy**

**Mr HALL** (Eastern Victoria) — My question without notice is directed to the Minister for Planning. The minister responded to questions on the Victorian coastal strategy on 1 March 2007, and in 2008 on 28 February, 9 April and 30 July. In particular, on 28 February he said of the revised strategy that it:

... incorporates a number of policy directions on better planning around our coastline.

My question to the minister is: why is the government refusing to release the Victorian coastal strategy 2008 and thereby leaving coastal planning matters in total limbo?

**Hon. J. M. MADDEN** (Minister for Planning) — I welcome the member's question. First of all, I acknowledge — because this is the first time I have

spoken today — that it is great to be here in Lakes Entrance. It is a great location, with great people. The only problem with sitting in the chamber today is that we do not have much opportunity to get out there and enjoy the amenity of the area, to breathe in the fresh air and enjoy the beauty of the coast we are surrounded by.

I welcome the question from Mr Hall, because here we have an opposition — a Liberal-National opposition — whose members have until recently been absolute and profound climate change sceptics. In recent times they have suddenly been born again in terms of climate change and its impacts. It is as if they have suddenly decided that climate change is an issue and now they want to get on board. First of all I make that point.

Secondly, I am very enthusiastic about the fact that in the not-too-distant future — in only a short time — we will be releasing the coastal strategy.

*Honourable members interjecting.*

**Hon. J. M. MADDEN** — I welcome the renewed enthusiasm of everybody in the Liberal-National opposition about the impact of climate change.

It is particularly important that the impact of climate change is reflected in the documents we provide to communities, to local government in particular and to landowners in relation to these matters, that the detail in the documents is absolutely comprehensive and that the information in them does not alarm people but informs them about what they will need to do, what they will need to consider and what councils and governments will need to do together to make sure that we do justice to the impacts of climate change.

I look forward to the enthusiastic response of the opposition in relation to the matters that will be raised in the discussions that come from this strategy. We have had a strategy for some time, but we are renewing it. We will release it shortly. It will indicate to the community, particularly local governments and planning authorities, the considerations that will inform them in terms of the strategic decisions going into the future.

*Supplementary question*

**Mr HALL** (Eastern Victoria) — The Victorian Coastal Council website advises that it received 174 submissions on this strategy and that it evaluated those submissions and put the strategy into the hands of government earlier this year. I welcome the vague time frame the minister has given in response to my question — that is, ‘It will be released shortly’. By way of supplementary question I ask the minister: can he guarantee the people of Victoria that the government

will not release that strategy on the eve of the Melbourne Cup, which has been the government’s practice with the release of many other reports so that they are under the veil of other major events occurring in that time frame and thus receive little scrutiny?

**Hon. J. M. MADDEN** (Minister for Planning) — I acknowledge Mr Hall’s question by saying I would like to think while we are sitting in this region today that we would show a degree of goodwill and not reinforce the scepticism that people might bring to this chamber which is reflected in the cynicism of the opposition in relation to many of these matters. In relation to all these matters, with any reports that are released, we have a reputation of transparency and consultation.

I also point out to Mr Hall that the opposition has been sceptical about these issues for a long time. The opposition did no planning on any of these matters when it was in government, and it — —

**Mr D. Davis** — That is absolute nonsense. The coastal council was created.

**Hon. J. M. MADDEN** — I take up the point Mr Davis yelled out across the chamber. Their federal colleagues did no work on the national front in their entire time in government. Here we have The Nationals in cahoots with the Liberal Party. It is Liberal-Nationals; it is never Nationals-Liberal, so we know who gets the first say and the foremost say.

I want to reinforce that whether opposition members are at the front of the queue in their party room or at the end of the queue in their party room, there is no planning from them on any of these matters. I welcome Mr Hall’s interest in these matters, but I am yet to see a policy position on any of these matters advocated on his behalf, on behalf of his constituents, coming from his party. When was the last time I saw a policy statement on climate change from the Liberal-Nationals opposition? I wait with enthusiasm — —

**The PRESIDENT** — Order! I have been reluctant to remind the house of the standards that I require, particularly during question time, because I simply do not want it to be the President’s show. We can see members of the public and schoolkids are here. There has been a lot of interjection from both sides and a lot of cross-chamber conversations going on. I want that to cease. I remind the minister to answer the question, to stay on song, and there is the issue of overt criticism of the opposition or questioner.

*Honourable members interjecting.*

**The PRESIDENT** — Order! I remind those on my left that it is not dignified conduct for a member to be removed from the chamber at any time, but I will use standing orders if I have to. Members are warned.

### **Tourism: Gippsland**

**Mr SCHEFFER** (Eastern Victoria) — My question is for the Minister for Environment and Climate Change, Gavin Jennings. I refer the minister to the Brumby government's ongoing commitment to make Gippsland and Victoria the best place to live, work and raise a family. I ask the minister if he can outline to the house how the government is delivering on that commitment by attracting tourism to Gippsland.

**Mr JENNINGS** (Minister for Environment and Climate Change) — I thank Mr Scheffer for asking the question. It is not the first time he has asked me a question about the Gippsland community and its rich cultural and natural assets, as the President well knows. I thank Cr Mendy Urie, the mayor, for inviting us to the shire today on behalf of the local community. I join her in acknowledging the traditional owners of the land on which we gather.

I know this is a community that is well versed in cultural heritage, is very engaged and, quite rightly, is extremely proud of its beautiful environment and its rich and natural assets, which the Brumby government is keen to support in a variety of tangible ways. As Minister for Environment and Climate Change, it is my great responsibility and a challenge to make sure that we protect some of these natural assets and that we do the right thing by our national parks. With our reserve system we make sure that we provide a welcoming environment for the, hopefully, increasing numbers of people who will go and witness those natural assets, immerse themselves in the natural and cultural history of this place, and just spend time in this local community contributing to the wellbeing of the local economy. That is very, very important in our collective responsibility. I am very pleased to say that we try to demonstrate that in a variety of ways.

Today I would like to refer to something that was identified in the recent Royal Automobile Club of Victoria list of the top 101 natural assets of Victoria — that is, the Buchan Caves. Those in the local community and far beyond who have travelled to the Buchan Caves know that it is a wonderful environment. The rich limestone caves and the formations have impressed countless generations of people who have visited those caves and discovered what a fantastic attraction they are for the local community.

We recognise that there is a need to provide safe and appropriate access to the Buchan Caves, so we have invested \$700 000 worth of activity that has improved the quality of the lighting and provided safety rails and ease of access for the people who come in their tens of thousands to this wonderful part of Victoria. It will increasingly become known as a desirable place to visit, as tourists succumb to and go in and out of this beautiful environment. The natural environment will be enhanced and shown off to its best by environmentally sensitive lighting. So we are out with the old, in terms of that old form of lighting, and in with a new form of low-energy, low-heat, efficient lighting.

**Mrs Coote** — You can't live, work and raise a family in a cave!

**Mr JENNINGS** — I think not for the first time in this question time the other side has demonstrated a degree of scepticism, if not cynicism, about this important part of the world and the importance of these issues in making sure we have a welcoming environment, a safe environment, so people can come through the caves and immerse themselves in their splendour with appropriate lighting and have their visit facilitated by safe handrails and tracks that go in and out of the caves. In fact that is what underpins the \$700 000 commitment that we have made to provide that. We have had an increased number of visitors to the Buchan Caves in the last year — over 10 000 visitors more than the year before — and we want to keep on increasing the number of visitors who come to the Buchan Caves, who visit the natural assets of this region and immerse themselves in the wonderful culture, the community engagement and the economy of this community. Our government is very committed to making sure that we provide, in a very tangible way, increasing opportunities for tourism to flourish in a respectful way and in a safe way, and the investment in Buchan Caves is designed to deliver just that.

### **Drought: government assistance**

**Ms LOVELL** (Northern Victoria) — I direct my question without notice to the Treasurer. On Monday the Premier announced the long-awaited drought support package of which \$58 million, or more than half the package, is allocated for water fee rebates to irrigators. However, these payments will only be made if irrigators receive less than 30 per cent of their allocations by 1 December. Last season this threshold was set at 40 per cent. With Goulburn-Murray Water predicting a fifty-fifty chance of northern Victorian irrigators receiving better than a 30 per cent allocation, it is possible the government will not have to pay for more than half of the Premier's promises. I ask: will the

Treasurer guarantee that if Victorian irrigators do not qualify for water fee rebates, this \$58 million will still be made available to directly benefit irrigators by way of other drought support initiatives?

**Mr LENDERS** (Treasurer) — I thank Ms Lovell for her question and her interest in these matters. Firstly, I will reiterate the point I made in my earlier response to a question from Mr Viney. These are drought relief measures put in place to deal with the critical situation that Victoria is in at the moment. They are not permanent measures. These measures are to deal with the immediate situation we have in front of us in Victoria at the moment, and are the basis for a drought package that has been put into place to assist in those areas of need where communities are economically, socially and environmentally stressed by the current drought.

I am not going to speculate on what future packages may or may not be delivered or in what areas they may or may not be. The Premier's announcement on Monday was to give certainty to Victorian communities about where exactly they stand in relation to this particular drought and where government could assist them in that manner. Certainty was put in place so that people could plan. In the last two years the government has normally made these announcements in the last week of October. We have brought them forward to give some more certainty depending on where things are to go. I am not going to start the business of hypothetically commenting on whether things are happening or are in or out.

What I will say to Ms Lovell though is I will be leading the cheering if people in the Goulburn system actually get a 30 per cent water allocation. That will be the best news that we have heard in the Goulburn system for several years. It will be a fantastic outcome if we get a 30 per cent allocation coming through. So first I would be delighted if we got to 30 per cent before starting to hypothesise about what may happen if that actually does eventuate and what the next step of the government will be. I look forward to 30 per cent or a lot more coming into the Goulburn system.

*Supplementary question*

**Ms LOVELL** (Northern Victoria) — Rather than providing a level of certainty to irrigators, the government's announcement has left Victorian irrigators under stress and uncertainty about their futures. Irrigators across Victoria will now be forced into the water market to keep their plantings alive and will not know until December whether they are eligible for the government's water fee rebate. If the Treasurer

will not provide certainty of funding to irrigators, will he confirm that the Premier's announcement is pure spin and the government is banking on not having to part with this \$58 million?

**Mr LENDERS** (Treasurer) — I must admit I am deeply disappointed by Ms Lovell's playing politics and saying a Premier's announcement of \$115 million to assist distressed communities is spin. I am deeply disappointed that that is the opposition's attitude and Ms Lovell's attitude. The rest of the opposition is not echoing any support.

*Honourable members interjecting.*

**Mr LENDERS** — What I will say to the house is this government has been applauded and supported by organisations like the Victorian Farmers Federation and local communities for acting on this issue and acting more quickly than governments have traditionally acted on this issue. We are committed both to long-term solutions in a time of climate change and they include the massive \$1 billion investment in upgrading the food bowl to reduce the lost water. At the moment we have 800 gigalitres of water a year out of a normal flow of 3000 gigalitres, more than double the urban use of water in the state of Victoria, being saved by this investment.

**Ms Lovell** interjected.

**Mr LENDERS** — The opposition does not embrace it. We have the long-term solutions and we are dealing — —

**Mr Drum** interjected.

**Mr LENDERS** — I will take up Mr Drum's interjection. There is no fudging of numbers — —

**The PRESIDENT** — Order! Mr Drum! I call Mr Drum specifically for his interruptions. I expect him to respond and to be quiet. Any further interruptions will result in the removal of whoever from the chamber.

**Mr LENDERS** — In response to climate change and drought, and regarding water, this government, firstly, has the largest capital works injection into water in northern Victoria in the history of this state. Any of those who read the works of Elwood Mead, the original chair of the State Rivers and Water Supply Commission, and the dreams that he and the Chaffey brothers had about how the north of the state could be drought-proofed know there is a bigger investment in infrastructure now under this Brumby Labor government than ever. As I was saying, there are

3000 gegalitres of water that normally flow through this system — —

**Ms Lovell** interjected.

**Questions interrupted.**

### SUSPENSION OF MEMBER

**The PRESIDENT** — Order! I will use standing order 13.02(1) to remove Ms Lovell from the chamber for 30 minutes.

**Ms Lovell withdrew from chamber.**

**Questions resumed.**

**Mr LENDERS** (Treasurer) — There are long-term capital works projects to free up water — 800 gegalitres a year are lost — and these projects will recover 250 gegalitres of those in the first phase and, if the commonwealth government supports the next phase, a further 200 gegalitres will be recovered. We are freeing up water for communities, for farms and for the environment. That is the long-term plan. The short-term measure in these areas is the drought relief package announced by the Premier on Monday, which was welcomed by regional Victoria.

### Climate change: economic development

**Ms PULFORD** (Western Victoria) — My question is for the Minister for Environment and Climate Change. I refer the minister to the Brumby Labor government's ongoing commitment to make Gippsland and Victoria the best place to live, work and raise a family, and I ask: can the minister inform the house about the latest research on jobs and opportunities for growth in a carbon-constrained economy?

**Mr JENNINGS** (Minister for Environment and Climate Change) — I thank Ms Pulford for asking me the question and providing me with the opportunity to share with the chamber and indeed anybody who might be listening in the local community the importance of embracing economic opportunities as they may come from a carbon-constrained future. Many people in the Australian community and in the global community are concerned, with the introduction of a price on carbon and mechanisms to deal with a carbon-constrained future, that there may be a downturn in economic activity. Many people in travelling around in their daily life and thinking about their future are very anxious about this matter.

From our perspective it is extremely important for us to share information based upon good knowledge, science, economic modelling, technology and what we assess to be the jobs of the future and to say that we in the state of Victoria view the future optimistically. We use that information, we use that advice and we use our spirit to try to make sure that we are enthusiastic about the future.

In terms of responding to the motion that still has not been concluded, I think, in relation to the forest industry in this community, we acknowledge that the forest industry and the pulp and paper industry are and will continue to be an important part of this economy. In terms of designing an emission trading scheme, the state of Victoria has been very keen to ensure that we do proper accounting and create opportunities through that scheme for the forest industry, particularly as it has a very important future role in sequestering carbon in forests, reforestation and environmental services through forestry operations. They are very important parts of what our economy will be in the future, and jobs will be associated with that. We understand the importance of being able to provide that certainty and confidence for communities.

Beyond that very important aspect of the economy and community engagement and job opportunities now and into the future, I wanted to reflect on some work that has been undertaken, commissioned by the CSIRO in conjunction with the Australian Conservation Foundation and the Dusseldorp Skills Forum. Those organisations have looked at what could be the impact of a carbon-constrained economy across Australia and of meeting our obligations to reduce greenhouse gas emissions. They are optimistic, and they see in the horizon of the next 50 years that we can grow the number of jobs through what has been described as green-collar jobs across the economy. They estimate that between 2.5 million and 3.3 million jobs will be created in dealing with the interface of new technologies and new demands upon our economy that will see the development of new skills and new opportunities. They see opportunities for many workers to be reskilled and retrained in meeting some of those technological developments and gaining the skills that will be associated with that into the future.

I will give a number of concrete examples in this region of how that is being demonstrated as we speak. Many people already understand in relation to developing renewable energy that great opportunities abound in the state of Victoria. Our government committed to the Victorian renewable energy target scheme to drive investment — \$2 billion worth of investment. We know that from time to time there may be some contest

of views about the desirability of windmills on the landscape; we do not live in denial about the contest of that idea, nor about community engagement about that decision making. But if you look at the investment that is in the pipeline for renewable energy you see that \$2 billion in Victoria and 2000 jobs will be associated with delivering on that renewable energy target.

If you look at the various schemes the Victorian government has supported in terms of driving better energy efficiency in people's homes and in businesses you see we have a range of programs which include the \$14 million Rebates for Being Green program, which requires skill developments and job opportunities for people who have expertise in energy efficiency auditing and can do something about it by retrofitting or installing energy efficient products in people's homes, in factories and in commercial buildings. We have had great successes in growing jobs.

One model was when we announced earlier this year a \$33 million program to install solar hot water systems throughout Victoria. An essential part of that funding program was to make sure we had plumbers available to install these pieces of equipment. We had a range of programs adopted right across regional Victoria to make sure we had those plumbers available and skilled up in the regions to deliver on those rebates.

In fact just recently we had two training opportunities in the Gippsland region and one more is coming in the near future. The programs at Cowes, Phillip Island, and Warragul had a significant uptake of people to participate in the skilling-up program. Indeed a program will be undertaken in Bairnsdale on 26 November.

We will see plumbers and other people coming in to make sure they have the skills required to become installers for the important parts of this equipment. We are not limited in our understanding of how green-collar jobs and green processes could apply in relation to some of the most productive activities in the region.

Recently through the sustainability fund I was very happy to support Sustainability Victoria funding a program undertaken by Gippsdairy, which will have a look at green cleaning technologies within that dairy. That project has been allocated funding of \$497 691, from memory, which will try to reduce the amount of water that is used in the dairy system. Everyone in this community knows how important cleaning a dairy is both in terms of how labour intensive it is, how water intensive it is and how important it is to make sure you have a clean dairy to ensure that you have a high-quality product.

If you think about the final overlay, in an ordinary year 28 tonnes of carbon dioxide may be emitted from a dairy, which is pretty big in relation to greenhouse gas emissions that could be reduced by being more efficient. We are keen to support Gippsdairy in developing that approach because not only will it be useful for their enterprise, but if it is successful, it could be used in other dairies right across this country and around the world as part of meeting our greenhouse challenge. Members of this community are demonstrating every day the talents, capacity and commitment to be part of a carbon-strained economy and to seek out opportunities for employment and job growth in this community in the future. We are very happy to support that.

### **Melbourne Markets: relocation**

**Mr D. DAVIS** (Southern Metropolitan) — My question is to the Treasurer. I note his numerous government statements over the last three years pointing to the \$1 billion investment for the relocation of the Melbourne Wholesale Fruit and Vegetable Market to Epping. I note also his statement released yesterday in which he indicates that the wholesale market will no longer proceed as a public-private partnership (PPP), an announcement of some significance. In that context I ask: will the minister explain to the house why the project is no longer proceeding as a PPP, and is it the government's intention to allocate part or all of the \$1 billion required to complete this critical project or is the project now dead in the water?

**Mr LENDERS** (Treasurer) — I thank David Davis for his question, which has been discussed at some length in this chamber, particularly when his predecessor, Philip Davis, asked a number of questions about the Melbourne Wholesale Fruit and Vegetable Market when I was major projects minister. I could go through the history and the iterations on where it has moved around, but I will not do that.

I am puzzled by David Davis's statement that I said we were not proceeding with the project as a PPP, because the wholesale market is an area that is being dealt with by my colleague Mr Helper, the Minister for Agriculture, who has the lead on this. This is a very complex project that is in the process of negotiation; he has been working through it with the various stakeholders. As we know, there are a lot of stakeholders in this area. As I recall, Philip Davis actually got up at 5.00 a.m. one time to visit these stakeholders with the shadow cabinet committee. I have been there also. There is a lot there.



What this government is committed to doing is having an appropriate wholesale market. We have made difficult decisions relating to land acquisition and use of land in the inner city at Footscray versus land out at Epping. That is a project that my colleague Mr Helper is working on. It is one on which this government will actually make the hard decisions. We will not go down a populist path; we will make the hard and long-term decisions. This is a complex project because of the stakeholders. I am reluctant to speculate much on this as it falls in Mr Helper's area —

**Mrs Peulich** — I'll bet you are!

**Mr LENDERS** — We have hundreds and hundreds of stakeholders who use the wholesale markets. There is a process my colleague Mr Helper is working through in order to deal with these stakeholders in a dignified way. I am not going to start playing political games in here and start speculating. I look forward to hearing what Mr David Davis's supplementary question is. I am sure it is designed to be helpful and supportive, and I look forward to it with bated breath.

*Supplementary question*

**Mr D. DAVIS** (Southern Metropolitan) — Just to assist the minister with the supplementary question, I draw his attention to page 220 of the recently released *Financial Report for the State of Victoria 2007–08*:

It was expected that a contract would be signed in 2007–08 in relation to the Melbourne wholesale markets relocation project, however this project is not currently proceeding as a Partnerships Victoria project and no contract has been signed.

Hence my question. Perhaps in responding to my earlier question and the supplementary, the minister might tell us — given that the project was originally due to be completed in 2010 and then 2011 — by what date the project will now be completed?

**Mr LENDERS** (Treasurer) — I thank Mr Davis for helpfully pointing to and quoting from the relevant clause in the annual financial report. Firstly, let me make quite clear what a Partnerships Victoria project is. When government proceeds with a Partnership Victoria project, it embarks on a path, but before it actually concludes, there is a range of steps to take to get the contract on the table and get the project to go forward.

For us, PPPs are a preferred procurement model if they ultimately show value for money for government. We allocate money for these projects, and money has already been allocated in the budget for the wholesale markets.

**Mr D. Davis** interjected.

**Mr LENDERS** — I am answering the question. David Davis is perhaps an interesting person to ask the question and answer it himself, but I prefer to answer the question I have been asked rather than have him ask and answer it for me.

What we have done is allocate the money for the move. We have acquired a site for the move, and we have a new use for the site of the existing market. This is historically not unusual. This is the fifth or sixth time that this market has moved, depending on where Melbourne is going. With any PPP project, you allocate the money and if that is a better form of procurement, you proceed down that path.

I will certainly take on notice the technical part of the question he has asked. But let me make it unequivocally clear: we have acquired the land, we have allocated the money and we are keen to proceed with this project.

**Skills training: planning**

**Ms BROAD** (Northern Victoria) — My question is to the Minister for Planning. I refer the minister to the Brumby Labor government's ongoing commitment to make Gippsland, and Victoria, the best place to live, work and raise a family. I ask the minister to inform the house of recent actions the Brumby government has taken to address the planning skills shortage in regional Victoria at a time when the regions are undergoing exciting growth.

**Hon. J. M. MADDEN** (Minister for Planning) — I thank Ms Broad for her question in relation to this matter. I know that as a member who represents the regions she is particularly interested not only in the need for experienced planners in the regions, but she is also enthusiastic, as we all are on this side of the chamber, about the enormous growth and potential for further growth in the regions. As most of us in this chamber would be aware, it is anticipated that Victoria will accommodate of the order of another million people within about the next 12 years. It is expected that around one-quarter of those million people will want to locate themselves in the regions. That is because regional Victoria is such a great place to locate oneself and because great prosperity is being offered there now. We anticipate that that will continue for some time into the future.

What members of the chamber may not be aware of is that this week is also Planning Week. Planning Week is an opportunity for us to focus on the great benefits that come from planning and from the planning profession itself. Earlier this week I had the opportunity to launch

Planning Week for this year at Queen's Hall and particularly to celebrate and acknowledge the skills of the planning profession in regional Victoria. We are seeing growth, but there is also a great demand for the profession, so we have to provide and plan for the profession as well as providing and planning for our own future.

In a former life I worked for an organisation on the wall of which was the motto 'Failing to prepare is preparing to fail'. Mr Drum might have had on the wall of his organisation 'Failing to plan is planning to fail'. Probably several places that we worked at had similar mottos located on the walls of the clubrooms. It might be something that opposition members might like to place on the wall of their clubroom. To continue to grow the state and continue to do justice to the planning profession you have to plan and you must have policies for those plans. I say to Mr Drum, Mr Guy and their colleagues: if an organisation does not have any plans, if it is not even planning to plan, I can understand why it might see itself as a relative failure.

*Honourable members interjecting.*

**Hon. J. M. MADDEN** — We are not only planning, we are backing up the plans with money, and we have allocated \$16 million to our provincial planning package to help councils undertake a range of long-term and strategic planning activities.

**Mr Guy** interjected.

**Hon. J. M. MADDEN** — Under that package we have introduced an initiative to strengthen and assure the future of strong planning in local government in provincial Victoria. I notice Mr Guy is very vocal about the fact that I am reading a few figures here. That is the difference.

*Honourable members interjecting.*

**Hon. J. M. MADDEN** — When we have a lot of figures, when there is a lot of money on offer, I want to be quite specific about where we are allocating it, because that is what we are doing. We are very specific about how we allocate it, because we have planned and we want to deliver on those plans.

**Mr Guy** interjected.

**Hon. J. M. MADDEN** — You might want to do the same at some time in the future, Mr Guy.

As part of that package there are two planning programs, the provincial Victoria local government internship program and the planning assistant training

program. Those programs provide \$160 000 over four years to complement the training of planners in the regions to address the regional planning skills shortage.

The planning assistant program aims to help local government find, recruit and retain planners because in times of growth good planners with a bit of experience who get a better offer take it. One of the great things about working in the regions is the lifestyle it offers: the ability to do a range of things within your own profession rather than being a specialist in a specific field and being confined to that. If you are a planner in the regions, you get to do all sorts of work with all sorts of people and to see the benefit realised locally and see the enhancement that you add to your community. We want to encourage that with young planners, to give them that experience and reinforce the positive aspects of working in local government in regional Victoria, and for young people considering the profession, we want to give them greater awareness of the opportunities in planning in regional Victoria. The internship program aims to skill people already working in local government, and we have got many locals in local government who want to stay working for those organisations and want to stay in their communities, but who want to step up to the mark. As part of this, we have encouraged many people in local government to take this opportunity.

It was my honour earlier this week to launch Planning Week and also, as part of that, to present certificates to the program's first 40 successful candidates and trainees. We are seeing our plans, our policy and our delivery turn out 40 participants who are helping to equip local government in managing the historic population change that is a part of the complementary role of the growth and prosperity in regional Victoria as an outcome of the Brumby Labor government and the great work of local communities.

I would like to put on record my acknowledgement of the contribution of the program partners: Regional Development Victoria, the University of Melbourne, RMIT University, La Trobe University in Bendigo and the Municipal Association of Victoria. I would like to make special mention of the Victorian division of the Planning Institute of Australia for the administration of these programs and the councils who have hosted students during their placements. This is a great initiative to address the regional planning skills shortage. We will all benefit, and the next generation will also benefit, from this great, positive work to make sure that Victoria, in particular provincial Victoria, is the best place to live, work and raise a family.

**Ministers: consultation**

**Mr BARBER** (Northern Metropolitan) — My question is to the Minister for Environment and Climate Change. It is not question about Gippsland, but it is a question about groundwater, which I am sure many people in Gippsland will be turning their minds to. In July this year the minister's colleague the Minister for Water gazetted under section 22A of the Water Act a notice to allow water to be taken from the Gellibrand groundwater management area — in fact to take 625 megalitres over 13 months. What consultation did the Minister for Water do with the Minister for Environment and Climate Change in gazetting that notice and what did the minister tell the Minister for Water about the possible impact on the natural environment and other responsibilities within his portfolio that could come to light if that pumping were to occur?

**Mr JENNINGS** (Minister for Environment and Climate Change) — Not for the first time Mr Barber has asked me an interesting question — in fact it has been a bit of a recurring theme in a certain crossbench part of the chamber, and is actually replicated here today — about the way in which I coordinate my ministerial responsibilities with my colleague the Minister for Water. It is an appropriate question, because in fact there is obviously significant overlay between the collection and distribution of available water throughout the Victorian community, which may fall within the responsibilities of my colleague the Minister for Water, and my responsibilities, which in some ways complement and potentially overlap with his responsibilities, in making sure we have environmental flows and we have appropriate distribution of water to support environmental values across Victoria while being mindful of the consequences of either diverting or taking water for alternative uses from where it may naturally fall or naturally be distributed.

In terms of the administrative arrangements that underpin decisions such as the one Mr Barber has referred to, there is ongoing consideration by the relevant parts of the Department of Sustainability and Environment that provide advice to both ministers. As a general rule we try to arrive at advice that reconciles the needs and interests the Minister for Water is focusing on in his obligations and those that may fall within my responsibilities. As a discipline we try to have reconciliation of the advice in the first instance, so that any action would be well informed on the basis of its consequences for the environment. That is the expectation the Minister for Water and I share; it is

something we would expect the relevant agencies to provide us with.

As members would appreciate, there are various other external agencies that are called upon to consider the implications, both in terms of what they might be for local water authorities and catchment management authorities and the way in which we can assess the impact on a variety of values, including environmental ones. Once all that input has been digested within the department, a piece of consolidated advice will come to the Minister for Water and me about how we can acquit our various responsibilities. That is the case with the matter Mr Barber referred to in his question. In terms of my ongoing relationship with the Minister for Water, I can assure Mr Barber and other members of the chamber that we have a frank and fulsome relationship in discharging our responsibilities in accordance with the advice we receive.

*Supplementary question*

**Mr BARBER** (Northern Metropolitan) — My question was in relation to the environmental impact likely to occur, but to elucidate the minister's answer, I will ask him whether he saw *Stateline* on Friday night where the adjoining and, to a certain extent, connected aquifer and pumping that has occurred was highlighted and the damaging impact on that particular river system was made obvious? Does he believe in the same way that there are any particular Victorian environmental requirements such as endangered species that are likely to be impacted by this new permission?

**Mr JENNINGS** (Minister for Environment and Climate Change) — My colleagues have urged me to give a simple answer, 'No, I did not see *Stateline*', and to rely on the evidence of witnesses in this chamber as the reason why I did not. But on Saturday, as it turned out, I did happen to have some obligations as well that kept me away from watching the television.

Nonetheless, in a substantive way I am happy to reflect on that evidence. I am happy to have a look at what the spirit of Mr Barber's question really is — to have a look at what might be the adverse consequences that have been either reported or alleged. I am happy to have a look at any evidence that is relevant to those matters, to reflect on them and respond to him accordingly.

**Gippsland: government services**

**Ms DARVENIZA** (Northern Victoria) — My question is to the Treasurer. I refer the Treasurer to the Brumby Labor government's ongoing commitment to make Gippsland and Victoria the best place to live,

work and raise a family, and I ask: can the Treasurer update the house on steps taken by the Brumby government to improve services in Gippsland?

**Mr LENDERS** (Treasurer) — I thank Ms Darveniza for her question in three parts on what the government could do to make Gippsland a better place to live, a better place to work and a better place to raise a family. I am delighted to comment on all of those.

Service delivery is particularly important and is one of the areas in which the government has invested heavily in East Gippsland during our eight and three quarter years — for Mr Guy's benefit — in government, not nine years and not 10 years. In 1998, if I recall, Jeff Kennett was the Premier, not Steve Bracks, but we have invested heavily, starting with strong investment in the Latrobe Valley task force.

As members will recall, this government dealt with the Latrobe Valley task force's many years of neglect and invested in a \$105 million package to address 50 recommendations for the Latrobe Valley. We have also restored the Bairnsdale rail line, which was closed down by the government before us. We have put in place the Latrobe Regional Hospital and brought that back after privatisation by the coalition. There has been \$163 million invested in schools since 1999 in the Gippsland area and, as Ms Darveniza says, to raise a family, investment in schools is a critical area — \$163 million in more than 40 schools across the area. When I was education minister and went to Toora, not that far, at a place in Gippsland — —

**Mrs Peulich** interjected.

**Mr LENDERS** — Eight months, actually.

This is a school that had been in place for over 100 years — an old mechanics institute dragged on a dray. Mr Viney was there. It was dragged on a dray 100 years ago and turned into a school. This was a custom built school — Mr Viney was there when I was at the school — to go into the future, a big investment into the future. We have also invested in roads, and those who came to Lakes Entrance on the Princes Highway yesterday would have seen the Pakenham bypass. On Princes Highway east there are works going on at the moment, and there are also the Bass, the South Gippsland and the Strzelecki highways.

There has also been a big investment in clean coal technology going into the future here in Gippsland, which are important things for the future. These are critical. Since we have been in government, more than 30 000 new jobs have been created in Gippsland. We have seen unemployment go down from 9.5 per cent,

when we got into government, to 3.7 per cent in Gippsland now. We have also seen the population grow by 5.8 per cent.

I grew up in Gippsland, and when I was a young person, on the question of live, work and raise a family, young people left Gippsland to go for jobs in Melbourne. The population was declining in many parts of Gippsland; certainly in the Latrobe Valley the population was declining. These measures play a critical part in restoring confidence, building population and delivering services; and this government is committed to doing even more to make Gippsland an even better place to live, work and raise a family.

**Sitting suspended 1.07 p.m. until 2.34 p.m.**

## TIMBER INDUSTRY: EAST GIPPSLAND

**Debate resumed.**

**Mr BARBER** (Northern Metropolitan) — Before the lunch break I was talking about the tourism industry in this area and saying that all members received a package of information when they arrived, showcasing the incredible natural assets of the area on which tourism depends. That is not simply about having nice forests to look at and a lake to run about on; it is about both the quality and quantity of water; it is about the livability of the local area; it is about all sorts of natural phenomena that make the tourism industry just as dependent on the natural environment as any farmer or other person who wins their living that way.

Farming is also one of the booming industries of this area. Those who are familiar with the part of Gippsland near the Snowy Flats would know there is an enormously successful dairy industry. In addition to primary production we are now seeing plenty of good, solid, regular jobs in the processing of those foods. There is another industry that is quite the cash cow — that is, retirees. On our tour yesterday we saw that some people who have retired in this area are certainly high net worth individuals and bring a lot of money into the local economy when they retire here. In its way that has contributed to the success of the area.

Alongside those booming industries in tourism, farming and retirement communities there are of course mini construction booms, accommodation booms and service booms that employ people from across the skill spectrum. There is one more industry that the area has the potential to benefit greatly from, and it relates back to the original proposition before us on the management of forests — that is, carbon capture and storage. Some ministers think carbon capture and storage is occurring

in central Gippsland and that it is about injecting carbon dioxide down into holes and making it stay there. But if members travel back to Melbourne and keep an eye on those mountain ranges on their right-hand side, what they will see is a massive precinct of carbon capture and storage through the mountain forests. The management of forests, as described in Mr O'Donohue's motion, needs to maximise that future industry.

The IPCC (Intergovernmental Panel on Climate Change) has identified the need for a better understanding of the way carbon is stored in forests, particularly through actual empirical studies that develop primary data sets. A report by Brendan Mackey and other authors recently published through the Australian National University, titled *Green Carbon — The Role of Natural Forests in Carbon Storage*, is one of the first efforts to get a handle on how much carbon is stored in native forests and how that has been changed by human activity and intensive land use activity.

Using natural forests as a way of storing carbon is far superior to using plantations and all those miles of blue gums that have been put into the ground in western Victoria. The reason is that natural forests have genetic diversity and functional biodiversity and they contain a whole range of species. Over time they are likely to be much better at surviving the impact of climate change than single-species plantations. They are resilient because after fire they can regenerate on their own, they can resist and recover from pest attacks and diseases and, when we get climatic changes in radiation and temperature and water availability, not to mention CO<sub>2</sub> in the atmosphere, they will be able to adapt to that. After all, the Errinundra Plateau and the rainforests of that area have been there since before the last ice age. The ice age was a time of cold and great dryness, and it led to massive changes in the flora of Australia. The Errinundra rainforests have been there for millennia, and with some adaptation I am sure they will survive and continue to evolve.

Carbon stock in forests that are subject to commercial logging, particularly monoculture plantations, is always going to be lower than stock in an old-growth native forest — 40 to 60 per cent lower, depending on exactly what forest type is being compared. Young forests fix carbon and grow very quickly in their early stages, but it is the total stock of carbon that is important, not how fast it is being absorbed — or not solely that. In effect when you log a forest you are taking that carbon out of the carbon bank, and it will be many centuries until you get to pay all of that back. Unless you are prepared to continually expand the plantation forest at stake, you are never going to stay ahead of that particular shell gun.

The analysis by Mackey in the report I mentioned earlier showed that the stock of carbon for intact natural forests in south-eastern Australia would be about 640 tonnes of carbon per hectare — that is, the biomass in the plants plus the soil. That can be added to the tune of about 12 tonnes of carbon per hectare per year. However, some forest types are much higher — up to 1200 tonnes of carbon per hectare — and in the case of mountain ash forests, of which we have some small quantities down this close but much of it is in the central highlands and the north-east, they get up to 2000 tonnes of carbon per hectare.

The carbon accounting models we have been relying on to assess the carbon stock in our forests have not been particularly strong. The default values have been around 200 tonnes per hectare, whereas this study found 640 tonnes per hectare as an average across south-eastern Victoria. Often the values that were being put into carbon inventories were about one-quarter of that which is actually found in south-eastern forests, and for some incredibly carbon-dense forests they were about one-twentieth.

According to this research those mountain ash forests are the most carbon-dense ecosystems on the planet. Tropical rainforests have nothing; they cycle their nutrients very quickly. But here with the constant growth over many centuries, the absorption into those big logs and then into the soil carbon, it just keeps going up. The study calculated that 14.5 million hectares of eucalypt forests contain 9.3 gigatonnes — that is, if it was undisturbed by intensive human land use activities. The IPCC default number, the number that most scientists have been assuming, is about one-third of that. That was a result of the way local data was collected.

In this case the researchers have been into a number of natural forests not disturbed by logging. What we are looking at here is an estimate of the carbon carrying capacity of undisturbed forests. The difference between that and our forests which have been cleared, which have been degraded, which have had their biomass reduced, is of course the sequestration potential. Their estimate is that the 14.5 million hectares of eucalypt forests in south-eastern Australia have the effect of retaining the current carbon stock of 25.5 gigatonnes of CO<sub>2</sub> and are equivalent to avoided emissions of 460 megatonnes of CO<sub>2</sub> per year for the next 100 years.

In simple terms, allowing those logged forests to grow back to their greatest sequestration potential would be the same as 24 per cent of the 2005 Australian net greenhouse emissions across all sectors. To put it another way, if we took all the forests in south-eastern

Australia and released them as carbon, sent them all up into ash, it would raise the global CO<sub>2</sub> by 3.3 parts per million, bearing in mind the whole greenhouse problem we have got so far is due to 97 parts per million. So on global terms these forests have a lot of carbon in them. Where previously we thought they were tropical rainforests, they are actually temperate forests. There is a great future there as part of a solution to climate change once we reduce our emissions from industrial sources and start paying back into the carbon bank via the forests that those who live here would see every day and others will see as they drive back to Melbourne, or take the train, as in my case.

That is in direct contradiction to the continued logging of forests under the model that has been practised in the past, which is on the way out in terms of global market trends for the wood products industry, as I described earlier. We should not offer a false hope to people — that is, the expectation that that industry will suddenly turn around. For that reason the Greens do not support the motion of Mr O'Donohue. However, we are always happy to have such motions brought before the chamber, because they give us an opportunity to highlight an issue that is, far from disappearing off the environmental radar, actually becoming more and more important every year.

**Debate interrupted.**

### DISTINGUISHED VISITOR

**The PRESIDENT** — Order! I draw the attention of the house to the fact that we have Richard Long, a retired MLC for Gippsland Province, in the gallery. I welcome Mr Long.

**Debate resumed.**

**Mr DRUM** (Northern Victoria) — I duly note that Mr Barber has raised some interesting points in his speech. He has presented a lot of facts around carbon capture within forests, and much of this is very solid knowledge. I will come at this from a slightly different angle. Mr O'Donohue's motion talks about the timber industry in native forests. We have to understand that this issue is not just about Victorian forests. The decisions we make in this Parliament will impact upon forests right around the world. While Mr Barber touched on the fact that only a small percentage of our timber imports come from the unregulated and unlicensed logging systems throughout Papua New Guinea, Indonesia and Malaysia, it is still a substantial amount.

We have to understand that we have the capacity. Mr Barber made some statements about how the

industry is suffering from market forces. The timber industry is not suffering from market forces; it is suffering from a lack of confidence and a lack of security about the future. The more national parks we create, the more areas we exclude selective harvesting from, the more we diminish the ability of timber companies to selectively harvest, do their logging and their value adding as well, and complete the full cycle — whether it be for building products, gardening products or furniture. There is tremendous capacity to increase the amount of selective harvesting that is taking place in Victorian native forests without damaging any of the forests of which we are so proud. In fact it is reported that our forests are growing much faster than they can be harvested — that is, they are improving.

The Victorian Environmental Assessment Council report clearly states that of all the forests that were recommended to be turned into national parks, those forests that were in the most pristine condition were the ones that had undergone a program of sustained selective harvesting. That is something that is clear for anybody who has read the report to understand: the forests that are in the healthiest condition right along that Riverina red gum area are the ones that have undergone a series of selective harvesting throughout.

We have to understand that in Australia we have a trade deficit of over \$2 billion, imports of over \$4 billion every year, and exports of around \$2 billion. Whilst we might feel good about ourselves in that we are able to lock up our forests and make sure we do not have any logging going on in this state, do we honestly think that, with the demand that is being placed on all the timber and paper products that we continue to use in the state of Victoria, importing the \$2 billion worth of products from somewhere else is a globally responsible, decision?

That is where I am coming from. I think it is grossly negligent to think that these timber and paper products are materialising out of thin air. With \$2 billion a year we have the capacity here in Victoria to increase our selective harvesting. This is good for our forests. Mr O'Donohue went to great lengths to explain that having a system of selective harvesting is the best chance of creating the healthiest forests that we possibly can.

In Australia and in Victoria we can choose to let the status quo remain. We are happy for all the forests of Indonesia, Malaysia, Vanuatu, Brazil and Papua New Guinea to be butchered, many of them by unlicensed and unscrupulous harvesting regimes; we are happy for that to go on — and we will just put our heads in the

sand and keep buying cheap furniture that is imported from China. We know exactly where China gets its timber products from.

If we are happy to put our heads in the sand and keep buying in all these timber and paper products, knowing that it is impacting on some of the world's most fragile forests, we can just keep the status quo. If we want to take a courageous decision, take the system in the most heavily managed and regulated forest industry in the world, which we have here in Victoria, and expand it to a situation where we become import neutral, then maybe that would be a courageous decision that would be in the best interests of our local economy, in the best interests of the health of our forests, and in the best interests of the health of forests right around the world.

**Mr O'DONOHUE** (Eastern Victoria) — I thank Mr Scheffer, Mr Barber and Mr Drum for contributing to this debate. I am disappointed to hear that the Greens and the government oppose my motion. As I said in my substantive contribution, the timber industry is a very important industry to the health and future of East Gippsland. As we have seen as a result of the 2006–07 fires, we need to look forward, put the old battles behind us, and understand that proper forest management and delivering the healthiest and best forests we can have means that they have to be actively managed.

I am disappointed that government members who oppose the motion did not highlight — in the place of selective harvesting, in the place of the skills of the timber workers, in the place of the fire access tracks that the timber industry manages and maintains, which are then used in times of fire and crisis — the additional spending they will be delivering to our forests to ensure that indeed those fire access tracks and safety requirements are maintained.

That has been the great concern about public land management practices under this government. It has announced new national parks, but it has failed to deliver the resources to adequately manage them, and partly as a result we have seen the forest devastated by the 2006–07 fires.

Mr Barber spoke at great length about the emission of carbon dioxide, CO<sub>2</sub>, and the impacts that logging has on the environment by the release of CO<sub>2</sub>. I did not hear Mr Barber comment on the thousands of millions of tonnes that were emitted as a result of 1 million hectares of forest being burnt in the 2006–07 fires, and I did not hear Mr Barber comment on the CO<sub>2</sub> that is captured in perpetuity in floorboards, tables, chairs and other wood products. The argument is much more

complex than as presented by Mr Barber. I am disappointed that the government and the Greens will oppose this motion, but I thank all members for their contributions.

**Motion agreed to.**

## PUBLIC TRANSPORT: DOCUMENTS

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

That this house —

- (1) notes that the Department of Transport documents ordered by the resolution of the Council on 10 September 2008 to be tabled in the Council by 4.00 p.m. on 7 October 2008, have not been received by the Council; and
- (2) requires the Leader of the Government representing the Premier to table by 4.00 p.m. on 28 October 2008 the invitation to tender documents prepared by the Department of Transport, provided to those invited to tender for metropolitan rail and tram franchises, as required by the resolution of the Council of 10 September 2008.

This motion is in relation to a couple of documents that I am seeking to have tabled in the Parliament. They are the documents provided to those companies short-listed to bid for Melbourne's trams and trains.

I believe all members of Parliament would be interested in finding out what service is going to be tendered out, given the difficulties that metropolitan tram and train systems have had lately. Since this information has been provided to both sets of bidders or their contractors or their lawyers and so forth, there is no particular commercial sensitivity associated with that. This matter arises from a motion that has previously been supported by the house, so I will not go into any more detail than that. However, we note that the Department of Transport has not tabled the documents according to the deadline previously provided. This motion now calls on the Leader of the Government representing the Premier and the government as a whole to table by 4.00 p.m. on 28 October 2008 the invitation to tender documents prepared by the Department of Transport.

If some natural mistake has occurred here, or if these documents are not complete and have not yet been given to the tenderers, then I would be very happy to hear an explanation from the government on that particular issue. When the original deadline had passed I had hoped that since the resolution of the house had not been complied with we could have had some simple ministerial statement or some such to explain why that

was, in which case I would not have needed to bring on this further motion. Not having received those documents in accordance with the order that the house has agreed to, I am now bringing forward this further motion.

**Mr PAKULA** (Western Metropolitan) — Like Mr Barber, I do not have a great deal to add to the comments I made in the house the last time this matter was debated, which was only a matter of weeks ago. Now, like then, the government does not propose to oppose the motion moved Mr Barber. Equally, I do not intend to reprise the contribution I made in the house on that day, but I reiterate what was probably the key point that I made in that debate. The key point in this debate, as it has been in most of the debates that we have had in the Parliament over these motions to produce documents, is that tenders are devised by government to ensure optimal outcomes for the people of Victoria, both in terms of the standards of the operation that the tender is devised to deliver and also in terms of the value for money that the tenderers are able to provide to the government and through the government to the people of Victoria.

It is evident that if tenders are to deliver those sorts of outcomes, the tenderers need to have confidence in the integrity of the tender process. If we do not have that confidence, we will not get the best companies tendering to deliver these services, and those companies will not put their best foot forward as part of that process. I do not believe any of that can happen if the tendering companies believe the Parliament or parties in the Parliament for political reasons are going to be trawling over the tender documents prematurely.

It is still the case that we are in a live tender process. I understand Mr Barber's desire to see the tender documents, but as I said, we are in a live tender process. It is at a sensitive stage and the tendering companies are still heavily involved in preparing their bids, and in those circumstances the position of the government today is the same as it was three weeks ago, which I think was when we first had this debate. That is, the government will certainly take under advisement the motion that will be passed — because it will not be opposed by the government — and if it is possible to release those documents in a way that does not impact upon the integrity of the tender process, that is what will be done.

**Motion agreed to.**

## GOVERNMENT: SERVICES

**Mr KAVANAGH** (Western Victoria) — I move:

That this house notes with concern the deterioration in the quality of services available to Victorians, including —

- (1) an overloaded and degraded public health system;
- (2) transport and other infrastructure pressures in Melbourne;
- (3) transport and other infrastructure pressures in regional and rural Victoria, particularly in western Victoria; and
- (4) a growing divide and disconnect between Melbourne and rural and regional Victoria.

The motion standing in my name proposes that the house express concern about the quality of services now available to Victorians. It refers in particular to an overloaded and degraded public health system, to transport and other infrastructure pressures in Melbourne, to transport and other infrastructure pressures in regional and rural Victoria, particularly in western Victoria, and to a growing divide and disconnect between Melbourne and rural and regional Victoria.

This motion was prompted by reports on Victoria's hospitals released only a couple of weeks ago at the beginning of October. There are reasons to be concerned not only about hospitals but about a range of services in Victoria, including transport, dental, ambulance and nursing services. In addition to the general quality of services to be concerned about there is the discrepancy between inner and outer Melbourne and indeed the difference between Melbourne and rural and regional Victoria.

The first point is that the situation is probably quite a lot worse than has been reported by the government. The *Age* of 22 September reported:

Victorian hospitals have been warned not to admit emergency patients to 'phantom wards' or falsify data to secure funding, despite health minister Daniel Andrews' insistence that these practices do not exist.

...

A survey showed that 19 emergency department directors ... found that almost 40 of them had been 'admitting' patients when they were still in waiting rooms, corridors or on trolleys.

The 'virtual wards' —

which do not actually exist —

were used purely for 'creative accounting' to receive funding and avoid 'performance watch', the doctors said.



The situation is probably quite a lot worse than is admitted by the government report. But even before the release of the report it was reported that more than 1500 people have been dying unnecessarily every year in Australian hospitals — not Victorian hospitals but Australian hospitals — because of overcrowding. Furthermore, for example, as reported in the *Herald Sun* of 24 September, a man in his 60s suffering from pneumonia had to wait three days in the emergency ward of a Melbourne hospital because of a lack of beds.

The government's report reveals disturbing information about Victoria's hospital system. The way of reporting has been changed. The *Sunday Herald Sun* complained about this on 5 October. It said that the previous way of reporting on hospitals in Victoria was clearly understood and was easy to understand, but a few years ago the government changed its system of reporting to make it as difficult as possible for anyone to read, let alone understand.

According to the report that was released a couple of weeks ago, waiting lists for cancer patients and other seriously ill Victorians have more than doubled in the past six months. This raises an extremely challenging situation for many people who know that they have cancer and yet they are being forced to wait for long periods before they can obtain treatment. It is bad enough to be in that situation of having an illness without having to worry about receiving any treatment for it.

The *Age* reports that more than 100 000 patients were not treated within target times in Victorian emergency departments last year and that the system struggled to cope with soaring demand. It breaks down those figures: 20 000 emergency patients, including stroke victims and those in severe pain and struggling to breathe were not treated within the set time of 10 minutes and so on; 98 000 urgent patients were not seen within 30 minutes; and 85 000 patients were waiting longer than 8 hours due to a lack of emergency beds.

The president of the Victorian branch of the Australian Medical Association said the hospital system in Victoria is drowning in patients. It does not have the facilities, it does not have the staffing and it does not have the equipment to look after Victorians. This is a dire situation indeed but the situation with services in Victoria is not restricted to hospitals. Public transport, roads, dental services and the ability to get a consultation to see a GP is deteriorating in Victoria. We all know about the chronic overcrowding on Melbourne's transport system with people unable to get a seat, the risk of cancellations and so on. This is repeated throughout regional Victoria. Not only is the

situation in Melbourne bad but it is even worse in regional and rural Victoria.

We know from newspaper reports that inferior health care, transport and facilities for the cities north and west have been left behind. The report shows how much worse the situation is in the northern and western suburbs of Melbourne than the better-off parts of Melbourne. Melburnians living in the western and northern suburbs of Melbourne are second-class citizens, starved of access to health care, transport links, public services and facilities. It is worse outside Melbourne than it is in the northern and western suburbs of Melbourne.

To substantiate this, in the outer suburbs of Melbourne only about 1 per cent of people are able to take public transport to work as compared with an average in greater Melbourne of 6.9 per cent. We all know that the facilities in outer Melbourne are not good enough, and this figure underlines that with startling clarity. We know that what happens in Melbourne is worse in Geelong, for example, where people cannot get onto a train and are subject to cancellations. If they can get on the train, they cannot get a seat. The timetable itself is not a convenient one and does not seem to have been intelligently designed for the people of Geelong. It is similar in Ballarat, which I have talked about in the house before. People are quite often forced to stand on high-speed trains from Ballarat to Melbourne. This is a situation that many people find intolerable. Meanwhile the highway system throughout Western Victoria Region is not up to scratch. There are vast improvements needed throughout the region.

Last year we talked about dental services throughout Victoria in a debate about fluoridation. Mr David Davis, I recall, stood in the chamber and spent hours going through the data on dental services throughout regional Victoria, and the figures were terrible. Although there have been improvements in certain respects — I understand Portland, for example, has recently had a big improvement in the quality of dental services available through public facilities — on the other hand the most recent report in Ballarat says there is an average wait of 52 months for public dental services in Victoria.

Ms Hartland this morning spoke about ambulance services and the pressure they are under throughout Victoria. It was also revealed just yesterday or the day before in Ballarat that home nursing visits have been reduced throughout that area because of funding pressures and deficiencies in resources.

I would like to speak mostly about the availability of the services of doctors, particularly throughout Western Victoria Region. Many doctors throughout western Victoria and I guess the whole state have recently closed their books. Many GPs will no longer see new patients unless they have seen them in the past. We are told that Victoria is facing a deficiency of 1000 medical staff, mostly doctors, by 2009. At the same time Queensland is actively recruiting Victorian doctors. For each doctor who leaves Victoria, the situation, especially in regional Victoria, will become much worse.

The government has taken some action. It has attempted to recruit doctors from the United Kingdom. However, the most recent report says that of the 2500 sought by 2014, so far only 35 doctors have been obtained from the United Kingdom. At the same time the doctors who are in Victoria are being recruited by other states and are leaving. A lot of these problems require large amounts of money, but I would like to make the point that it seems to me that they are not all about money. There are other policies that can be initiated and adopted that would have a big impact on the availability of GP services throughout Western Victoria Region and would not cost extra money.

Last week we debated the Abortion Law Reform Bill 2008. Unfortunately that bill legally forces doctors and nurses to participate in abortions, in spite of warnings from hundreds of doctors in Victoria that if the bill were passed, they would leave Victoria or take early retirement. More than 200 of them signed documents to that effect, and other individuals have been quoted in the press saying that they would leave Victoria if the bill were passed. Of course the bill has been passed, and in my view it is probably contrary to the government's own Charter of Human Rights and Responsibilities and contrary to the International Covenant on Civil and Political Rights.

However, the point for the purpose of this debate is that that was done despite knowing that it would cause even further damage to the ability of people throughout regional Victoria to see a GP. The government deliberately and with full warning, for ideological reasons, proceeded with a measure that will further degrade the provision of medical services, especially in regional Victoria. In addition we had statements that the passage of the bill would endanger the ongoing work of Catholic maternity and emergency hospitals in Victoria. Nevertheless, the bill was passed.

The government collects huge revenues from the people of Victoria; I think they are now almost double what they were when this government came to office less than nine years ago. It spends huge amounts of money

on the sorts of services I have been talking about, but there are good reasons to believe that the Victorian taxpayer is not getting very good value for money.

The motion does not use excessive or florid language; it is worded in measured and moderate language. It is merely a motion to express concern about the state of services in Victoria, particularly in regional Victoria, and I ask all members to support the motion.

**Mr P. DAVIS** (Eastern Victoria) — I welcome the opportunity to formally move the motion in my name, which is:

That this house notes the challenges facing country communities in respect of economic and social development and environmental sustainability, and in particular the communities of East Gippsland where fire, flood and drought have had an adverse impact in recent years.

In moving that motion I want to pre-empt my remarks by acknowledging where we are. It is a particularly appropriate motion for discussion this afternoon. As a preamble I would like to say that it has been a delight so far to be here in Lakes Entrance, and I am delighted to have played a very small part in assisting the Parliament to make a decision to come here. I remember some discussions some time ago when it was clear that the government's intention was to come to Gippsland. As is the way of these things, sometimes you do not necessarily put out a press release calling for something to be done; it is better to have some quiet discussions and provide good information, and I am pleased to say I did provide a little bit of information about the benefits of Lakes Entrance.

I am sure that we are all now enjoying the fact that in the wisdom of the Parliament, in the wisdom of the President, of the Speaker and the Premier, it was decided to go to the Latrobe Valley. We have ended up, frankly, with the elephant stamp, and we have had a good outcome. It has been made a more delightful experience by the reception we have received from the mayor of the Shire of East Gippsland and the staff of the shire, who have gone to no small effort to assist us here today, and of course the staff here at the Bellevue; I particularly thank its manager, Paul Coggan.

I would not proceed further in these general remarks without acknowledging the effort of the Legislative Council staff and the staff of the Parliament as a whole. They have done an outstanding job in putting all of this together. It is a delight, because it gives us the opportunity as members of the Council, particularly government members who do not necessarily have a close connection with this area — I am not talking

about the local government members; I do not want to upset anybody —

**Mr Lenders** — I was born here!

**Mr P. DAVIS** — I thought you said that you were born at Willow Grove.

**Mr Lenders** — That's in Gippsland!

**Mr P. DAVIS** — I will have to give you a new map because it is a fair way from Lakes Entrance.

**Mr Lenders** — But it's Gippsland.

**Mr P. DAVIS** — You could well say you were born in Australia; it is close to East Gippsland!

It is an opportunity to familiarise members with the exceptional environment in which we operate in East Gippsland and with its world-class natural attractions. But there are also many challenging issues that the communities of East Gippsland have to deal with. The challenges that have been touched on previously include the drought that we are presently in. We know that in recent years there have been major fires. The alpine fires of 2003 and the Great Dividing Range fires of 2007 have had a huge impact on the region. We know of the floods of 2007 and the incredible impact they had. But we have close-knit communities in the shire of East Gippsland, and they come together in a time of challenge. The region is remote from the capital, but nevertheless after today I know senior decision-makers of Victoria will visit here regularly because they have been exposed to the jewel in the crown of Victoria's natural assets.

That brings me to talk about the dependency on the key industries of tourism, timber, agriculture, fishing, retail and commercial services and public services such as education and health. The resource-based industries and tourism are often at the mercy of the seasons. Tourism has suffered a number of challenges, including in recent times real threats of adverse conditions associated with water quality in the Gippsland Lakes due to algal bloom. That is a challenge that hurts the image of the region from time to time. Sometimes I think more alarm is created than is warranted, but I guess the issue makes a good media story and some people seek to portray negative impacts rather than recognising the damage those adverse stories can do to the tourism industry.

East Gippsland is the focal point of two of the eight areas designated as Australian national landscapes, which presents an unparalleled opportunity. In June this year Tourism Australia and Parks Australia declared the Australian Coastal Wilderness, effectively the area

from Lakes Entrance to Bermagui, and the Australian Alps, spanning Victoria and New South Wales, as national landscapes. The internationally significant Croajingolong National Park is a focal point of the Australian Coastal Wilderness, which is of particular importance for the whole of the region but especially the far east at Mallacoota. The alps landscape is significant to the entire region, again because of access points on the Princes Highway as well as the high country towns including Dargo, Omeo and Benambra and the alpine resorts.

We need to understand the significance of these declarations, as in due course the areas will attract significant government funding towards the establishment of major visitor attractions, facilities and services. I am speaking advisedly here because the Treasurer is deep in thought listening to my comments about attracting government funding to support the development of tourism infrastructure. I know he will take note as part of the commitment to develop the economy of this region; that is inevitably an agenda item for him to address in due course.

National landscapes will also be promoted extensively throughout Australia and internationally. Steering committees have been established which are mapping out the development and marketing strategy for each of the landscapes. Their membership draws on local knowledge and experience of people in particular regions. The committee for coastal wilderness is headed by East Gippsland Shire Council executive Phil Rickards, and this afternoon I will have the pleasure of being further briefed by Phil on that project. I commend the East Gippsland Shire Council and its staff who are engaged in these processes which mean such a lot for the future of the region.

Phil Rickards and representatives of the other seven landscape groups have been called to a national forum in Queensland. I hope that is as enjoyable for him as our forum here in Lakes Entrance: importantly, you can mix a bit of work with pleasure. They are to report on their initial preparation and discuss their future plans.

We need to look at a broad collaborative effort for a plan to marshal resources on a large scale to ensure that the landscapes programs are implemented effectively and that our regional communities, in particular in East Gippsland, are able to capitalise on these opportunities.

The government's recently introduced nature-based tourism strategy 2008–2012 proposes to coordinate the efforts of Tourism Victoria, Parks Victoria and the Department of Sustainability and Environment in ecotourism, and I applaud that. Members of this house

will have heard me be not exactly derisive of but challenging to the Minister for Environment and Climate Change in particular, who is responsible for two of those agencies, with regard to efforts made to satisfy the on-ground requirements for services, staff and infrastructure to meet the expectations of tourism. The strategy talks of increasing the awareness and economic performance of the tourism industry, but it needs a practical approach to achieve tangible results. There is talk of an integrated approach only among Victorian agencies, but any approach must reach out into local communities on one end of the scale and to commonwealth agencies and peak bodies at the other end, because we need holistic tripartite government engagement.

Governments at the commonwealth, state government and local levels need to be at the table. It is all very well to have a strategy, but clearly from 2009 substantial budget allocations will be necessary. For East Gippsland the strategy proposes development of the wild East Gippsland walk, a project as yet undefined as to its detail, as well as accommodation, activity centres and interpretive centres. A phase 2 project listed in the strategy sets out three phases, but I believe that the declaration of the national landscapes should be elevated to the top priority. I believe we need to have cooperative promotion and emphasis on promotion, but incredibly we have this huge opportunity, because if you consolidate the visitor numbers of 2.6 million visitor days per year for the Alpine National Park and the Croajingolong National Park, you already have a substantial contribution to the tourism industry in the region. This indicates the potential.

I want to talk briefly about the coastal wilderness walk. One issue which is particularly important is that this concept encompasses both the coastline and potentially also some high country, but it has only been talked about for 20 years. More recently, at the instigation of the Orbost logging contractor, Ron Milliken, the Orbost and district community forum was convened in 2002 and secured funding for an icon walk study. The study now forms the basis of the shire's submission for government support for an icon walk, which is designed to promote the upgrading and developing of shorter walks than the previous infrastructure and visitor facilities, including ecolodges. Funding of \$1 million has been made available for the development of the Mallacoota scenic coastal walk and the Snowy River estuary walk at Marlo and the Tulloch Ard Gorge walk, but as far as we have gone to date, the shire's major proposal for a walk from Marlo to Eden remains outstanding.

I think it could go much further, and I would like to see the existing Bairnsdale to Orbost rail trail linked to Marlo through the Croajingolong National Park to Mallacoota and across the border to Eden, because there are sufficient iconic natural ecotourism sites to create a significant amount of interest. There could be an examination of an interconnected high country loop, such as the one that the Orbost forum proposed beginning at Orbost and running through the coastal national parks to Mount Genoa, across the state border and back through the Errinundra Plateau and McKillops Bridge on the upper Snowy River.

Tourism is therefore a potentially significant opportunity for the region, and members of this place will know now, having spent the last 24 hours here, that while there is already established infrastructure in Lakes Entrance, for it to be a benefit it obviously needs to have additional features to attract a wider audience, particularly international and interstate visitors.

There is also another issue which I would like to touch on which is important to me in the contact I have had with communities in East Gippsland over a long period of time, the smaller populations particularly, and I cite communities like Mallacoota and Omeo, for example, where things might be going as well as they can be in the current circumstances but it is fairly challenging because there have been tough conditions. It is important that they have the opportunity to have support for the voluntary efforts made by local development groups in those communities to mount effective development and promotional programs, to build and diversify their economic base and cater adequately for their local communities in terms of services, facilities and infrastructure.

We hear a good deal about what is being done from the point of view of economic development, if you like, at a state level. We hear ministers regularly virtually making ministerial statements at question time about what great achievements they have made, but often these smaller communities are ignored. Regional development policy and programs tend to focus on hubs rather than the smaller more remote townships that are left to fend for themselves without resources, without guidance or access to investors, developers and promoters that could give them a kick-start simply because of the lack of critical mass to be able to have people fully engaged in doing that community development function in an economic development sense.

The situation at present with regional development policy and programs is mixed and confused. At the end of May the government referred to the Rural and Regional Committee of Parliament an inquiry into

regional centres of the future. The inquiry is looking at means of encouraging new development in regional centres — the development of industrial and infrastructure requirements — and the issue is to promote social wellbeing in the regional centres and promotion of population growth. It is interesting that this last point of reference is contradictory in the light of the overall objective of the inquiry, which is to ensure regional Victoria can in fact meet the challenge of future population growth. It is interesting that those two agenda items seem to be in conflict.

While the inquiry proceeds, the government has pre-empted it with an announcement of a \$68 million package of regional development initiatives and established a ministerial task force to administer it. It has also published an updated program for regional development, *Moving Forward — Update*, covering the period from now to 2010. I will put forward a proposal that I think will address the shortcomings I have identified that smaller centres such as Mallacoota and Omeo face. Business and tourism associations in these centres do great work to identify and promote development opportunities, but they do so largely on the basis of voluntary effort from the local community's resources. These are remote locations but with a special distinction due to their historical links and the fact that they are centre points for significant tourism potential.

It is important to note that I have suggested already to the government that its regional development strategy should incorporate a program to support growth opportunities for towns that fit the category of Mallacoota and Omeo, and I am looking forward to the government responding positively to that. I have spent a lot of time talking about tourism and now I need to reflect very briefly on the other main industries in the region, which of course are the timber industry and the fishing industry — both of which have been subject to debate today — with agriculture also being a significant element of the economy as well as the provision of community services which are a government responsibility primarily.

With regard to social and community services I mention public transport specifically because there are significant challenges for the region with respect to public transport. The rail service between Bairnsdale and Melbourne this year has been one of the worst performing train services in the state, and even yesterday suffered the embarrassment of members and staff of the Parliament finding that when they turned up for their train trip to Bairnsdale, the service had been cancelled.

**Mr Viney** interjected.

**Mr P. DAVIS** — Mr Viney interjects, and I am delighted to take up the interjection. It is Mr Viney's task as a member of the government to make a commitment that the Bairnsdale train will run regularly, on time and reliably, but it does not. If Mr Viney wants to contribute to this debate, I suggest he picks up that challenge and makes a commitment to it. It may be okay for Mr Viney to regularly get on the train at Drouin and go to Melbourne and back to Drouin as a commuter but it is a different challenge for people who live in East Gippsland to get a reliable public transport service to Melbourne, and people are fed up with it.

He can explain to the house what the public transport arrangements are in East Gippsland. As far as the community here is concerned, the government has been in office for nine years, but it has not been able to deliver a reliable public transport service to the region, so I wish Mr Viney good luck in explaining that one.

I am delighted that there are a number of challenges which I can offer Mr Viney the opportunity to comment on if he wants to participate in this debate. There is the challenge of providing connections at a subregional level for students, apprentices and trainees in East Gippsland who need to attend school, university and TAFE courses further to the west, in Sale, in the Latrobe Valley.

There is a real problem for disadvantaged people and the elderly, and there is particularly a problem with respect to the Buchan Bus 'n' Freight Service, which serves isolated, remote areas in the region. This service is in jeopardy as a result of a decision to limit the government subsidy for the service and cut it back from three days to two days a week.

I do not want to belabour the challenges for this region because, like many country areas, East Gippsland has its challenges. There is the issue of the shortage of country doctors and specialists, a dire shortage of services for people with mental illness, and given the magnitude of the problem there is a clear need for a community program encouraging mental resilience and wellbeing. We should be talking about focusing on mental health rather than on mental illness. I am sure all members of the house would probably agree with that, although we have to accept that it is a significant health problem and requires far more services.

To conclude, it is fair to say that East Gippsland has suffered more than its fair share of adverse impacts from natural disasters and challenges, such as fire, flood and drought. I remind members about a matter I have raised previously in this place — that is, as recently as today, the unpaid invoices for firefighting services for

Bairnsdale contractors Strickland Ridder and Gillicks Buslines. That is just one of the failures of the government to satisfy the longer term trust of this community, that contractors who provide their services willingly to support government requests for assistance are treated in an honourable manner. I look forward to the government eventually resolving these matters appropriately.

I noticed that the Premier has still failed to provide a transparent account of works and programs undertaken through the Gippsland flood recovery program with a full acquittal of expenditure.

**Mr Lenders** — He has written you a letter.

**Mr P. DAVIS** — The Treasurer interjects, ‘He has written you a letter’. I have to say that I am sure the Treasurer had a hand in writing that letter because it seemed to me that the Premier provided the sort of advice that the Treasurer provides to this house, which is only half the story. I am looking forward to the other half, and I will pursue it until I get the full acquittal.

**Mr Lenders** interjected.

**Mr P. DAVIS** — I am a ‘glass half full’ man, but I want it to be full to the top — like the Cadbury’s ad says: ‘a glass and a half’. But I have to say that it is a vibrant and enterprising region. There is an enormous amount of individual entrepreneurship, and notwithstanding those of us who are commentators perhaps in some respects, the local communities are resilient. The people involved in business, whether it be related to a natural resource, agriculture or tourism, seem to take all of the challenges in their stride and ensure they keep their focus on the future.

I think it is important to give the region recognition, support, cooperation and goodwill and to translate all of those potentialities into practical effect. Therefore I urge members to support my motion.

**Mr VINEY** (Eastern Victoria) — I am pleased on this day in Lakes Entrance, East Gippsland, to be speaking on a couple of motions about services to Victorians and, particularly in Mr Philip Davis’s motion, to Victorians in this part of the world.

I indicate that the government will not oppose the motion of Philip Davis. We concur that there are challenges facing country communities, and I am happy to outline to the house the way that the government has been responding to those things and the way that we intend to continue to do that. We will continue to ensure that country Victorians are not treated as the ‘toenails of Victoria’, as former Premier Jeff Kennett

once described country Victoria, but we will continue to invest in Victoria for all Victorians across all regions. We will make sure that we secure a vibrant and strong social and economic future for Victorians in this state.

I will also indicate to the house that the government will not support Mr Kavanagh’s motion, which is, in my view, misdirected and simply incorrect. The suggestion in its wording — that there has been a deterioration in the quality of services for country Victoria and for Victorians generally under this government — is absolutely incorrect and rejected by this government.

I want to start by referring to the latter part of Mr Davis’s contribution when he talked about the unfortunate cancellation of the Bairnsdale train yesterday morning and the three members and one of the staff who were scheduled to come here to Lakes Entrance via the Bairnsdale route. My understanding is that they were able to catch the Traralgon train about half an hour later, and then there was a bus connection to Bairnsdale.

What I would say to Mr Davis — and he will not be surprised to hear it, because I have mentioned it before and I will continue to mention it because it is the opposition’s record — is that what he failed to mention was that there was a very unreliable service during the 1990s, because it never went to Bairnsdale. In those days I was working in another role and I happened to be in Bairnsdale on the very day that the last train came into Bairnsdale. I was doing some work with the city council in Bairnsdale.

I went down to the train station in one of my breaks, and what was interesting on that occasion was that the people of Bairnsdale had hijacked the train. They had taken over the train because it was the last train to come into Bairnsdale. Not only were people concerned about the train service; I remember little kids saying, ‘Mr Kennett, you closed my kindergarten’. What the country Victorians were objecting to then was the fact that it was the Liberal and National parties that closed schools, closed hospitals and closed down the Bairnsdale rail line. It was in that era that services across Victoria were under pressure. It was in that era that Mr Kennett sacked the 3000 nurses and closed 12 hospitals in country Victoria. It was in that era that Mr Kennett closed the 350 schools across Victoria, about 20 of which were in Gippsland — —

**An honourable member** — Twenty-one.

**Mr VINEY** — Twenty-one in Gippsland. So it was in that time that services were under pressure. It was in

that time that services were cut, nurses were sacked and 8000 teachers were taken out of the system.

To have a motion today suggesting there has been a deterioration in the services to Victoria since then is simply incorrect, because this government has invested \$4 billion back into the capital projects of the health system; this government has re-employed teachers, it has put in class targets for preps and years 1 and 2; this government has rebuilt the schools; it has spent \$45 million on 42 schools here in Gippsland.

In only the last budget we had \$2 million allocated at Alberton, \$2 million for Buln Buln Primary School, \$2 million for Eagle Point, \$2 million for Darnum, we had over \$9 million allocated to the primary and secondary schools in Maffra — I think it was \$4.1 million to the Maffra Primary School and over \$5 million to the Maffra Secondary College.

**Mr P. Davis** — Would you like to explain how that happened? Perhaps the Treasurer might explain it?

**Mr VINEY** — More than happy to. It was always going to be done. We managed to bring that forward through the good work of people like me and Mr Scheffer, and Mr Ingram in the Assembly. That was how it happened.

**Mr Dalla-Riva** — You're so good!

**Mr VINEY** — I have not heard Mr Dalla-Riva defending the actions of the Kennett government. He gets up and says which school he would not have wanted to fund, because it is the other side, of course, that has decided it is opposing all of the water infrastructure projects in country Victoria that this government is putting in place and the \$1 billion investment into the food bowl project, the investment into the desalination plant and the approximately \$120 million into the Gippsland Water Factory.

On the issue of the Gippsland Water Factory, The Nationals said Melbourne was stealing Gippsland's water and sending back its sewage. It is the investments of this government that have been securing water; for example, the investment of over \$1 million invested in the Murray-Goulburn Leongatha water recycling project. This is the government that has been securing water for Victoria, and which has been investing in our schools, hospitals and the infrastructure of the state.

It is this government that resolved the Traralgon bypass route. It is this government that has put in place the roadworks, all of the way up the highway, that people would have seen driving here — except the Greens, of course, who had to get on another train. It is this

government that has put the major works into the South Gippsland Highway and the \$20 million into the Princes Highway and east Bruthen realignment and which has upgraded the Great Alpine Road. This government has invested in the public transport system. The Bracks and Brumby governments put the money into the public transport system, so a fast rail project is now bringing — —

**Mr P. Davis** interjected.

**Mr VINEY** — Mr Davis said that I should explain ourselves on public transport. I am more than happy to. We have seen a greater than 40 per cent increase in patronage on the rail service to Traralgon since this government invested in its upgrading.

**Mr Lenders** — They mocked it.

**Mr VINEY** — They mocked it from the moment that Mr Bracks, when he was opposition leader in Ballarat, indicated that the government was going to introduce — —

**Mr P. Davis** — Eighty million dollars, you pledged. How much did you spend? Ask the Treasurer: over \$1 billion.

**Mr VINEY** — You know what, Mr Davis? What we decided to do was invest in Victorians because we believe in them. What you decided to do, when you were last in government, was to cut the services because you did not think they deserved them.

It is this government that invested into the regional fast rail service, not only the ones in Traralgon where we have had a greater than 40 per cent increase — we are now getting the middle carriage, the third carriage on those trains, because the service has been so popular. One new train a month is coming onto that system, with an expanded capacity. The same things are happening, as I am sure Ms Pulford will mention, in the rail service to Geelong.

Mr Kavanagh, who has finally come back into the chamber, forgot to mention in his rant about the lack of services that we put the fast rail into Ballarat, in his electorate, as well as to Geelong; we brought the trains back to Ararat and invested in the Warrnambool hospital. Every hospital across the state has had substantial upgrades. The people opposite want to suggest that the government has not been doing things in Victoria, but they do not have much to offer and have not for some time.

Let us look at the health system. We bought back the Latrobe Regional Hospital for \$1 after the Kennett

government's failed privatisation experiment. At the time we came into government the Kennett government was flogging the Austin Repatriation Hospital all around the world, but it could not get anyone to buy it and build a new hospital. Who did it? The Labor government did it. It was the Labor government that made the major — \$450 million — investment into the rebuilding of that hospital. There would not be a hospital in the state that has not had a significant investment.

Think of the new investment of \$21 million that has been announced for the Latrobe Community Health Service; a brand-new building will be built in Morwell to provide the vital community health services that are so critical in the community. Think of the \$11 million that went into the Latrobe Regional Hospital cancer centre or the new residential aged-care facilities that have been completed, also at the regional hospital, and we can see that the list is exhaustive.

Mr Philip Davis said the government had done nothing for small towns in this state. I suspect he was saying that in response to the fact that in question time the Treasurer announced a further \$10 million for the Small Towns Development Fund. I have a list here, but I do not have time to read it because of the amount of work which has gone into small and regional towns across Victoria which has been funded out of the fund. Just here in East Gippsland we have a tourist facility at Bemm River; the Dargo and Licola bore construction project; a project at Maffra; the Mallacoota streetscape and alfresco precinct project; the Metung shared path project and streetscape project; the Newmerella to Orbost connecting pathway project; another project in Omeo; another project for the Stratford Mechanics Hall; a project at Swifts Creek; and the Tabbara historic interpretation walk project. That is in the East Gippsland region.

The Small Towns Development Fund has also funded projects in the Latrobe Valley. In the Assembly seat of Gippsland South there are projects at Dumbalk's Memorial Park, at Loch, at Rosedale, at Sale's Victoria Park and at Yarram. In the Assembly seat of Morwell it has funded projects at Booloora — —

*Honourable members interjecting.*

**Mr VINEY** — I should have said 'Boolarra'.

**Mr P. Davis** — I think you should talk to Mr Lenders about how to pronounce Gippsland place names.

**Mr VINEY** — I am trying to read quickly, Mr Davis. You are getting into all the big issues!

The fund has also funded projects at Cowwarr and Tyers.

I turn to projects in the lower house seat of Narracan. I had the pleasure of opening the Drouin retail enhancement project, which is a great project. There is the Hallora community facilities project — —

**Mr P. Davis** — It's pronounced 'Halloora'. Try again.

*Honourable members interjecting.*

**Mr VINEY** — You are on the big issues! Mr Philip Davis does not want to go out to 'Reservwah' or 'Reservwar', or 'Koroit'. He is making all sorts of efforts, but let us get to the crux of this. It does not matter whether it is a small town, a big town, a regional town or Melbourne town because for anywhere in Victoria that you want to list we can give an endless list of projects this government has funded and services it has put back in to support Victorians to make sure they can reach their goals and realise that Victoria is a great place to live, work and raise a family. It does not matter how opposition members want to cut it. It does not matter whether they want to play around with the way names are pronounced. It does not matter whether they want to call it 'Bairnsdale' or 'Barnsdale'; it does not matter whether they want to call it 'Melborne' or 'Melbourne'. We are investing in Victorians because we believe in them and we know the best way to grow this state is to invest in our people. We know the best way to look after Victorians and to make sure the economy grows is to invest in their education, health, roads and infrastructure and to give them public transport opportunities that the previous government cut. We know that is the solution to providing a vibrant and great place for Victorians to live; we know that is what is important. We also know that what this side of politics is about is giving people an opportunity, giving people a hand up, and what the other side is about is saying, 'No, you have all got to look after yourselves; it is all up to you'.

There is no role for government from the conservatives, except when there is a financial crisis, of course — then there is a big role for government: socialise the debt and privatise the profit. That is what they are about. But what this government is about is investing in people and in the services and facilities they need. We are very proud of our record and we will continue to invest in Victorians, because we know it is the right thing to do.

**Mr BARBER** (Northern Metropolitan) — Taking together the motions of Mr Davis and Mr Kavanagh we have a pretty all-encompassing set of questions before



us — nothing much has been left out at all — from the challenges of economic, social and environmental issues in country communities to the transport and other infrastructure pressures in Melbourne and the services that go along with them. I believe that later we may get a couple of motions in reply from the government talking about all the things it has been doing about those things in recent years.

Rather than trying to address a set of motions that more or less talk about everything that is right and wrong in the state of Victoria and everything that has and has not been done about it, I will just talk about one part of it — that is, the issue of transport, because without transport you do not have access to all the other opportunities. In an electorate like mine, that starts at the Melbourne central business district, stretches all the way through the inner middle and outer suburbs, crosses the urban growth boundary and gets into parts of the world where the trams and buses refuse to go, we have a full set of issues in relation to transport. Whatever other opportunities are out there — from employment to basic human services, to entertainment, study, social activities and taking part in community life — you do not get started without transport. In Broadmeadows and many other parts of my electorate, your first qualification to hold down any job is that you own a car. If you lose your job, you are still going to be running that car to try to find another job and incurring all the costs that go with that.

Earlier in the year as part of our ongoing analysis, the Greens looked at the top 12 regional towns, starting with the city of Greater Dandenong as a city within a city, and moving through all the major centres. What we found from an analysis of the recent Australian Bureau of Statistics census data is that in all those towns, car ownership — the number of cars per household, car dependency — has been going up. In only one of them, in Ballarat, had public transport usage been going up as well. This latter increase was in relation to the journey to work, which is one of the questions in the census. In relation to Ballarat, it was a combination of both bus and train usage that had caused that increase.

In every other regional town, and certainly in the outer suburbs of Melbourne, people are becoming more dependent on their cars as their only form of transport. That is in the context where roughly half the population does not have a driver's licence. They are either too young, too old, too poor or have some sort disability. Their mobility is dependent on others or on making do with the limited public transport options that are there.

Half the world's population lives in cities now and that proportion is growing at all times. For all of our cities and regional towns there is one thing we need to do first and foremost — that is, decide that we can choose the sorts of towns and cities we want to live in. Decisions like this one, and I am simply referring to transport here, are decisions for us to make, not that they are made automatically, that there is no alternative and we will simply keep building more roads and buying more cars.

Inner suburbs of Melbourne are seeing a growth in public transport use and in some parts a static level of car ownership and they are benefiting greatly from that at a time when many other people are paying an increasing proportion of their household budget just to get around. You are working a day a week just to pay for the car that gets you to work.

Many of the things that we find most valuable about life in those cities and towns are being eroded as a result: clean air, street safety and open spaces. In Melbourne air pollution is now killing as many people as do motor vehicle accidents according to the Environment Protection Authority's own studies. There are fewer kids walking or riding bikes. Open space is becoming increasingly valued, but we are seeing parklands and waterways often taken away for road infrastructure or just made so unpleasant that we do not use them. Sixteen per cent of the household budget is going into getting around, which in and of itself is pretty much an unproductive activity. And there is the equity issue.

The outer suburbs are increasingly transport poor, and it is for that reason that some of those outer suburbs are said to be affordable in the sense of the price of their housing, as are many country areas. That is because in some areas I can name, property values have gone sideways for a period of years while other suburbs have been booming along. It is because of the lack of transport. People are smart; they know when they move to those suburbs that while they may be getting a cheap house, they are buying into the expense of running two, three or even more cars. When things change rapidly, as they have with petrol prices, there are winners and losers created out of that.

We are becoming more aware of the need to halt our carbon dioxide emissions and yet transport emissions are growing four times as fast as general energy use. We need a new approach to planning transport. It is tied integrally into planning our cities, and I am looking to the particular Vancouver model. Vancouver's equivalent of the Melbourne 2030 plan was developed quite some years before Melbourne's. It was supported and signed off by every council within its regional area.

There were indicators, such as urban density, public transport patronage, maintenance of green space and even the maintenance of farm incomes within those green wedge areas in Vancouver. These were all set up as benchmarks, they were tracked and they have been delivered upon.

The when, how, where and why we travel are keys to the sort of infrastructure we need. It varies a little bit between women and men. For women, about 17 per cent of all trips are for paid work, 54 per cent are for household-related activities and 25 per cent fall under the general category of consumption — that is, going out and doing things with income. For men, more like 30 per cent of trips relate to paid work and 41 per cent to household work. Work trips are typically about twice the length of trips for household shopping and so forth — about 25 or 30 minutes for a work trip, and about 15 minutes for a household trip.

When we try to come up with the right transport system for all our communities we need to bear in mind that the amount of time people spend travelling has been noted to be reasonably constant over time. People will change their living, working and travelling habits as much as possible to ensure that they do not spend more than an average of about half an hour each way travelling. It has been observed in many cities of all different sizes and over many years that this has been close to a constant.

For that reason, putting enormous investments into roads that allow you get to go faster simply allows people to live further and further away. That is good when it is to access cheaper land, but at the same time we are also paying for those roads. On the flip side we need to be aware that if we are designing public transport systems, we have to make sure they deliver people where they want to go in the time they want to go, because they are competing against the motor car.

In the case of Melbourne city, which is part of the subject of one of these motions, we find that 20 per cent of all jobs in Melbourne are within the Melbourne City Council area — not 20 per cent of all residents but 20 per cent of all jobs. Over one-third of all jobs are within the Melbourne City Council and neighbouring council areas. Half of the 1.2 million jobs in the broader metropolis of Melbourne are in the inner part of the city — roughly the zone 1 travel card zone.

There are another 200 000 jobs down at what could be called our second city, around Monash, Dandenong and Kingston. In fact 40 per cent of all trips are to the localised activity centres — the cities within the city. Therefore even in our broad, sprawling cities and in our

regional towns there is still plenty of concentration of jobs and other opportunities in activity centres. Thus it is not as hard as it might seem to design a transport system for those towns of any size. People want to travel no more than about half an hour to work. Certainly some people do a lot more than that, but there are also a few of us who do a lot less than that.

**Mrs Peulich** — An hour and 30 minutes to travel 29 kilometres.

**Mr BARBER** — Clearly if that number is blowing out, as it is in the case of some parts of Mrs Peulich's electorate, then that is a sign something has gone wrong. Individuals do not want to invest more and more of their personal time, let alone money, in transport. Transport is as much about economic productivity and efficiency as it is about anything else.

Few people use public transport in the Melbourne area. It is about 10 per cent of all trips, but that is dramatically lower in the towns we have surveyed, such as Geelong, Shepparton, Benalla and so forth, where it is falling more to levels like that of an outer suburb — 1 per cent, 2 per cent and so forth.

The government's later motions refer to things it has done in the past. There are a number of references to boosting, restoring, funding, securing and placing, which are all in the past tense. It is good that the government wants to get due credit for the things it has done, but in politics it is a bit like a Janet Jackson pop song because people are always asking, 'What have you done for me lately?'. 'Don't tell me what you did for me last week. I want to know what you are doing for me right now.'. That is the expectations gap. Somewhere in between —

**Mr Leane** interjected.

**Mr BARBER** — There are some profound political thinkers around. Thomas Paine was one and Janet Jackson is the other, but she was on about relationships between men and women. So it is with the public: a relationship like that cannot stand still. To quote Woody Allen, it is like a shark because it has to keep moving. After 10 years of this government what we are getting is something that looks like a dead shark. It has stopped moving, and what it needs is an injection, a bit of fresh blood into its political culture, and that is being provided by the Greens right now. The Greens can support all the motions that are being thrown around today because they are all self-evident in their facts, but the challenge will be to be always moving forward and keeping up with both the community's changing needs and the all-important expectations.

**Ms PULFORD** (Western Victoria) — I am not sure I will be able to do justice following on from the Janet Jackson quote!

**Mr Barber** interjected.

**Ms PULFORD** — I'll tell you what I want, what I really, really want!

Moving to the important topic at hand, it gives me great pleasure to speak on this motion. Government members very much enjoy talking about infrastructure investment, particularly in regional Victoria. Last week the Legislative Council had other important, difficult and contentious legislation to consider so Mr Kavanagh's motion was probably not going to do the topic at hand credit if it was a filibustering tactic, but I am pleased that in our regional sitting we are able to have a debate about regional services and to do it in a considered and thoughtful way rather than just seeing it used as a tactic on an unrelated subject.

The government's record in health funding is one it is very proud of. We have boosted recurrent funding for health services by 112 per cent. This year Victoria's health system will treat over 600 000 more patients than it did in 1999. Victoria's hospitals have admitted over 1.35 million patients in 2006–07 and our hospitals treated 2.25 million patients either in a bed or in emergency — over 500 000 more than in 1999–2000 — and 1.2 million patients have been treated in specialist outpatient clinics in Victoria. We are very proud that in the time we have been in government 8061 additional nurses and 1888 additional doctors have been employed to help us look after our citizens who need health care. Surgery was performed on over 15 000 more patients in 2006–07 when compared with 1999–2000, and 100 per cent of patients attending emergency departments across Victoria in need of urgent care received that urgent care. Category 1 elective surgery patients are treated within a 30-day standard with an average wait of 7 days, and 100 per cent of people in category 1 were treated within our targeted time frames.

But we always readily acknowledge there is more to be done, whether in health care, infrastructure, education or transport services. Because Victoria is a great place to live, work and raise a family, we are experiencing unprecedented levels of demand on many of our services and a great deal of our infrastructure.

The state budget this year will fund an additional 60 000 patients being treated in emergency departments, and an additional 60 000 elective surgery patients will receive treatment. There will be 33 500 more outpatient

appointments, and the government will be recruiting a further 592 general nurses.

I was pleased to join the Premier and the Minister for Health some months ago at the announcement of funding for two new emergency helicopters for the benefit of Victorians. One of these will provide emergency retrieval services for people in south-western Victoria, which is in my electorate, and the other helicopter will assist with patient retrieval. Members may have seen the feature piece in the *Sunday Age* about the quite amazing work that is being done by patient retrieval teams in transporting people from places in Victoria which are far away from some of the specialist services in Melbourne. Retrieval services play a very important role in addressing equity of service for Victorians.

In addition, the government has embarked on a massive capital works program by investing \$4.7 billion into our health system. This includes \$70 million for stage 1 of the Warrnambool hospital redevelopment; \$14 million for stage 1 of the expansion of the Werribee Mercy Hospital; \$14 million to build the Sunbury day hospital; and \$21 million — as has been referred to in earlier discussions today — for the Latrobe Community Health Service. They are some of the spending priorities throughout regional Victoria. Of course there are significant investments being made into hospital services and infrastructure in Melbourne as well.

Our government saved the Austin hospital and has rebuilt it. The Mercy hospital, a fine institution that stood in East Melbourne, has now been rebuilt and relocated to Heidelberg to provide the most specialised maternal health services. We have rebuilt country hospitals in Kyneton, Stawell, Ararat, Geelong and Ballarat, as well as the Royal Children's Hospital — and anybody travelling down Flemington Road can see progress being made on that.

**Mrs Peulich** interjected.

**Ms PULFORD** — I advise Mrs Peulich that there were plenty of patients in the Kyneton hospital when I had cause to spend a bit of time there late last year. The Liberal Party record on health is — —

**Mr Leane** — Terrible!

**Ms PULFORD** — Terrible — I thank Mr Leane. It closed 12 hospitals and sacked 3500 nurses. The investment by the Liberals during their period in government was of the order of \$1 billion, which is in contrast to the \$4.7 billion invested in hospital infrastructure by this government.

I turn to transport — and I enjoy talking about regional transport services. I am a regular user of the regional fast rail service between Ballarat and Melbourne. Our electorates, particularly those of country members, are very large in area, so on the occasions when my duties require me to go to Melbourne it is nice to have a break from being behind the wheel of the car and to travel on a train. The government has added 1000 train services since 1999, 105 of them earlier this year. Off-peak services have been improved, and the purchase of additional trains has been brought forward.

**Ms Lovell** interjected.

**Ms PULFORD** — There have been significant rail infrastructure works, significant —

**Mrs Peulich** interjected.

**The ACTING PRESIDENT (Mr Finn)** — Order! One speaker at a time.

**Ms PULFORD** — Thank you, Acting President. I know Liberal Party members get a bit testy when we talk about regional rail infrastructure because they are a little bit embarrassed about their record in this respect. The state government has had to make massive investments in regional rail infrastructure because of the spectacular neglect by our predecessors of our regional rail lines. Those that were not closed or sold were left to run into disrepair, and Victorians are voting with their feet.

*Honourable members interjecting.*

**Mrs Peulich** — You were probably doing work experience in her office!

**Ms PULFORD** — How old do you think I am?

**Mrs Peulich** — Obviously too young to remember what Labor did to the state.

**Ms PULFORD** — The challenges our regional rail services are facing now are a direct consequence of an improved timetable, new trains on new tracks and fare reductions. And now we have a new challenge in meeting capacity — it is such a fantastic service that now it is the early birds who get to ride in the greatest comfort. We are taking action on the challenge to have additional services and additional carriages. The last time the Liberal and National parties were in government in coalition in Victoria, the Liberal Party was astonishingly city-centric and The Nationals were pretty quiet about it. The Kennett government's cutting of services in regional Victoria was truly breathtaking. I am sure all members will recall the dripping tap ads from the 2002 election campaign.

*Honourable members interjecting.*

**Ms PULFORD** — I know there will be shrieks of indignation from opposite, but the former Premier did refer to Melbourne as the 'beating heart of the state'.

**Mrs Peulich** interjected.

**The ACTING PRESIDENT (Mr Finn)** — Order! Ms Pulford has the call. I ask members to listen to her in relative silence.

**Ms PULFORD** — In concluding his remarks about Melbourne being the heart, the former Premier did make that outrageous statement about the regions being the toenails. The Labor Party in Victoria absolutely rejects that assertion. We are committed to governing for the entire state. The opposition's record is not flash: 12 country hospitals were closed and others were privatised; \$7 million was cut from community health and \$17 million was cut from country aged-care services; ambulance services and country ambulance services were slashed by almost \$8 million; and education services were savaged. Those communities can remember what was done to them. There were 178 country schools closed. That should be contrasted with only 25 state schools closed throughout the rest of Australia in the same period. It was a frenzy of school closing.

There were 2500 teachers retrenched and IT spending in Victoria in schools had two tiers. Investment was steady throughout the period of the Kennett government in spite of an obvious growth in the need for IT spending in schools. Country schools were missing out in a massive way when Melbourne was receiving a 300 per cent increase in IT funding in schools. We know about the importance of IT funding in schools; it assists our schools to have the best possible IT infrastructure, because there is nothing worse than disadvantaging kids in regional schools to entrench disadvantage.

At the end of the Kennett government period, 68 per cent of young people in regional and rural Victoria were expected to finish school. That was just not good enough; it was an absolute abrogation of the government's responsibility to young people in regional Victoria.

Mr Viney talked about six passenger railway lines being closed. The Kennett government said it would spend one-third of its road funds on rural roads, but in fact \$28 million was spent from funding of \$180 million. That does not sound like one-third to me. We have managed the state's finances responsibly

throughout our period of government and have made decisions about priorities throughout.

The opposition members frequently travel throughout the state offering to cut taxes here and increase services there. We would always question just exactly which services they would plan to cut if they were elected.

During the period we have been in government we have been able to respond in times of great need. Previous speakers have talked about the assistance that has been provided to this part of Victoria when it has faced serious fires and floods. Since 1999 the government has been putting regional Victoria together again by rebuilding services that were slashed. The record of the Liberal Party and The Nationals when in government is one they should be ashamed of, particularly in the provision of regional services. As a member of this government I am proud of the work we have done in this area.

With those few words I will thank members opposite for their assistance throughout my contribution; I know they have a bit to be sensitive about in this area.

**Ms LOVELL** (Northern Victoria) — Rarely do you see someone come into the chamber and shoot themselves in the foot as adequately as Ms Pulford just did. The record of the Liberal Party and The Nationals in government is outstanding. I need to remind the government that it was the Cain and Kirner governments that sent this state bankrupt, and it was the Kennett government that returned it to a solid gold state with a AAA credit rating and left the Labor government with billions of dollars in the coffers so that it has been able to keep this budget in control. Of course it was this Premier, John Brumby, who only in the last few months said that country Victoria is too far away to care about. When the people of western Victoria — —

**Mr P. Davis** — What did he say?

**Ms LOVELL** — Mr Davis has asked, ‘What did he say?’. He said that country Victoria was too far away to care about. When the people of western Victoria were protesting because they wanted a rescue helicopter to get their sick and injured people to trauma hospitals in the city, the Premier said it was just too far away.

It was also this Premier who called people of northern Victoria ugly, ugly people and quasi-terrorists, and of course it is the Treasurer of this state, Mr John Lenders, who sits in this house, who said that this government would not invest in infrastructure in country Victoria unless there was a direct benefit to Melbourne.

**Hon. J. M. Madden** interjected.

**Ms LOVELL** — Mr Madden says I am making that up. Mr Madden should read the speech that Mr Lenders gave to the Municipal Association of Victoria. The Treasurer of this state delivered a speech to the Municipal Association of Victoria in which he said he would not invest in infrastructure in northern Victoria unless there was a direct benefit to Melbourne.

I would like to congratulate Philip Davis and Peter Kavanagh on bringing these motions forward. The motions highlight the challenges faced by country communities.

*Honourable members interjecting.*

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

**Ms LOVELL** — Thank you, Acting President. These motions highlight the challenges faced in country communities, including a lack of services, the growing disadvantage and divide between country communities and metropolitan Melbourne and, in particular, the challenges thrown at country communities through natural events such as bushfires, floods and droughts.

One thing that can be said about the Brumby government is that it is city-centric. It has little understanding of country communities. Its decisions are made in glass towers in Spring Street and Collins Street with no consultation with country communities.

Let us talk about Ted Baillieu. When country communities are in strife, Ted Baillieu actually goes to them, as he did to the community in Merrijig when people’s homes were threatened by bushfires in 2006. Ted Baillieu stood side by side with them and fought those bushfires to save their homes. Ted Baillieu has been to northern Victoria. He has spoken with the irrigators who are devastated by the Brumby government’s plan to steal 75 gigalitres of water from northern Victoria. Ted stood with them and talked with them. John Brumby and Tim Holding sneak into northern Victoria. They cannot announce they are coming because they know they will face protesters.

**Mr Pakula** — Sophie Mirabella will be there geeing up the crowd.

**Ms LOVELL** — Sophie Mirabella is a fine example of a good country member who is in touch with her community and who represents the people of Indi very well.

The Brumby government’s approach to water is a no. 1 example of its city-centric policies. This government’s failure plan for Melbourne’s growing water needs has

meant that it is now in need of a quick fix for metropolitan Melbourne. What was its first proposal for a quick fix? Its first proposal was to steal water from Gippsland. It was to take potable water from Gippsland, pipe that to Melbourne and in return send Melbourne's recycled water — its waste — to the Latrobe Valley. Understandably the people of Gippsland were not very happy about this plan. The government has not mentioned the plan for a little while now, so I challenge it to clearly state what its intentions are. Has the government abandoned its proposal to steal Gippsland's water in exchange for Melbourne's waste or is it still part of this government's plan?

The second proposal put forward by this government was to steal water from northern Victoria, and it is certainly pushing ahead with that one via its north-south pipeline. This is clearly an absolutely stupid proposal because there is no water in northern Victoria. In fact the minister himself, Mr Madden, admitted that the north-south pipeline will be a white elephant because there will be no water to pipe through that pipeline. That \$750 million will be wasted on a pipeline with no water to put through it.

**Hon. J. M. Madden** interjected.

**The ACTING PRESIDENT (Mr Somyurek)** — Order! I would throw Minister Madden out — but I cannot.

**Ms LOVELL** — The north-south pipeline is an environmental disaster. The Murray-Darling Basin Commission has already acknowledged that the Goulburn River is the river in the worst health in the entire Murray-Darling Basin and the sludge side of the river, the very area where the Brumby government planned to take that 75 gigalitres of water from, is the most degraded area of the Goulburn River.

This is an environmental disaster and any water that can be saved through improvements to irrigation infrastructure must be kept in the Murray-Darling Basin to assist with environmental flows and also to sustain those communities in the Murray-Darling Basin that are reliant on this system — by that I mean not only the irrigators but also the urban communities such as Seymour, Shepparton, Echuca, Bendigo, Swan Hill and Mildura.

Many communities in northern Victoria remain on level 4 water restrictions. Bendigo has been on level 4 restrictions for a number of years now. Melbourne has not even hit that, yet this government will take water from the system that supplies communities on level 4 water restrictions and pipe it to Melbourne.

The Treasurer, as I said before, admitted when he spoke to the Municipal Association of Victoria in his speech around budget time this year that he was only investing in infrastructure in northern Victoria because there is a direct benefit coming to Melbourne. It is appalling to think that this government will only invest in country communities if it provides a direct benefit to Melbourne!

Melbourne has many other options for its water through recycling and stormwater. This government should invest the money it is spending on the north-south pipeline — the \$750 million — in other projects that would supply a more reliable water source for Melbourne.

Health services are also struggling in country Victoria. We saw paramedics protesting out the front here this morning and a number of coalition MPs and other non-government MPs have spoken to them, but I wonder if any government MPs actually went down and spoke to those paramedics? They are not scary people, they are actually very nice people. They are country people, they are people who provide a tremendous service in our community, but I will bet not one government MP went down and spoke to them.

The issue that the paramedics were protesting about is not a new issue, it is an issue that has been around for a number of years, and it is an issue of underresourcing and also of overwork of our paramedics. The ambulance system in country Victoria is in crisis. Our paramedics are tired and overworked; because of this, response times are increasing and that means a lowering of the quality of services to Victorians. It is not really because the ambos are tired and overworked that the response times have increased, it is because they are understaffed and sometimes there are not enough people to fill rosters.

The average paramedic in country Victoria is working an equivalent of 11 weeks overtime per year. One paramedic out the front today told me that he had worked 11 days straight on a 24-hour shift without a scheduled break. The ambos themselves are getting sick from these excessive work hours. The average amount of sick leave taken by ambulance officers in Gippsland is the equivalent of 19.6 normal working days per year, and this is placing further pressure on their already overworked workmates.

Currently the paramedics are negotiating an enterprise bargaining agreement; the government is offering a wage increase that is below inflation. The paramedics told me this morning that many experienced ambos may leave the job and the government will struggle to recruit new paramedics. They have had 13 meetings to try to sort this

out and are getting nowhere with this government. I encourage the government to sit down and talk to the paramedics. This issue needs to be sorted out for the sake of all Victorians.

It is not only paramedics who are suffering under this government. As I said, our country hospitals are underresourced as well. Under the Brumby government, hospitals in country Victoria have a lower priority than those in metropolitan Melbourne. Even in northern Victoria I am aware of reports of inadequate funding and support for Latrobe Regional Health Service here in Gippsland. Labor has closed 14 maternity wards, most of which are in country Victoria.

In the Hume region a report was released in, I think 2004, entitled 'Hume region hospital services report'. That report — —

**Mr D. Davis** — A shameful document.

**Ms LOVELL** — Mr Davis is right — a shameful document! When it was released, that report was said to be a blueprint for the future delivery of health services in country Victoria. That report recommended closing acute and obstetric services at nine hospitals in the Hume region. The opposition exposed the government's plan, and the government was forced to abandon it, but it has not abandoned the principle. Instead, it is just ignoring health services in country Victoria and letting them run down.

Among the hospitals in my region that are suffering is Goulburn Valley Health. It has an 11-stage master plan that was developed some years ago. The first stage was completed many years ago, but there has been no further funding for stage 2 of that redevelopment. Stage 2 involves provision for day procedure facilities and operating theatres, and the hospital is desperate to get on with the second of its 11 stages.

The Numurkah and District Health Service also has a staged master plan. Stage 1 was completed five years ago, but there has been no money for stage 2, and things are becoming very urgent in Numurkah; the need for a complete redevelopment, a completely new hospital, in Bendigo is well documented. This government is teasing the Bendigo community. It keeps going up there, visiting the hospital and making it look as if it is doing something, but there has been absolutely no money and no commitment to a new hospital in Bendigo.

The examples of how this government teases — or should I say, misleads — communities were highlighted by the government's 2002 election promise to extend the reticulation of natural gas to a number of

communities. I remember in my area the promise was made on page 11 of the government's Goulburn and north-east policy document that a number of communities in the area would benefit from this program. Guess what? Not one community in the area covered by that document has been connected to natural gas. Promises were made to various communities like Nathalia — —

**Hon. J. M. Madden** interjected.

**The ACTING PRESIDENT (Mr Somyurek)** — Order! If the minister does not quieten down, I will call the President and he will deal with him.

**Ms LOVELL** — Promises were made to various communities like Nathalia, Wallan, Bright, Mount Beauty, Myrtleford, Beechworth and Tallangatta, but none of them was connected to natural gas. Locally, Lakes Entrance and Orbost have been snubbed by the government. The eastern pipeline runs within 5 kilometres of Lakes Entrance, yet the Brumby government has not connected Lakes Entrance to natural gas. Lakes Entrance is one of the largest communities in Victoria that is not connected to natural gas.

Our country road network is crumbling. The Auditor-General has identified a backlog of \$100 million worth of road maintenance in Victoria's arterial road network. Of the 22 000 kilometres of arterial roads in Victoria, 19 000 kilometres are in country Victoria. While Melbourne gets freeways, country Victorian roads are left to deteriorate under this government.

Unfortunately for country Victoria natural disasters like floods, fire and drought seem to be almost permanent fixtures. Since 2002, the year I was elected, my electorate has been in constant drought. We have suffered from horrific bushfires in both the summers of 2003 and 2006–07.

Last year the parliamentary Rural and Regional Committee, of which I am a member, had an inquiry into tourism. We heard from many of the operators in northern Victoria how both the fires and drought had impacted on their businesses and their communities. We also heard how the government packages had not provided adequate support to those communities.

Shortly after the floods here in Gippsland I visited the area with my colleague Philip Davis. At the time I was the shadow minister for tourism. We talked to tourism operators and heard how they were really hurting. They had lost two tourist seasons in a row — from bushfires and then from floods. They were losing their summer 2007–08 bookings because people were cancelling,

thinking that the floods had virtually wiped out the whole of East Gippsland.

The government package that was announced to support people in East Gippsland was a welcome first step, but they needed a lot more support. An example of this was the 'open for business' campaign, which was limited to a few print ads and really should have included a major television advertising campaign to bring the tourists back to East Gippsland immediately.

Unfortunately this government cares more about spin and appearances than providing support to country communities. We are seeing this again with the drought package announced this week. We know there is a fifty-fifty chance that over half the money announced last Monday will never be allocated to drought-affected farmers, and it will stay in the government's coffers. The government needs to take its head out of the sand and recognise that there is more to Victoria than just metropolitan Melbourne. I congratulate Philip Davis and Peter Kavanagh on moving their motions so we can highlight the government's lack of attention to country Victoria.

**Mr KOCH** (Western Victoria) — I wish to make only a small contribution to debate on these motions, which I thought we may have been speaking on last week when Mr Kavanagh actually gave notice of his motion. Both motions obviously are very worthwhile for country Victoria.

Before I make my contribution, I must say what a pleasure it is to be here in East Gippsland. As a regional Victorian from the other end of Victoria, having been born and bred in the Casterton, Coleraine and Nareen area, I appreciate very much the country down here. I appreciate very much the opportunity afforded to us by the mayor and councillors of the East Gippsland shire and of course the tour yesterday afternoon for my first run to Metung. Having earlier in my time jackarooed at Cooma, I used to go through this area on a pretty regular basis. I must admit things have changed a lot in the last 35 years — the size of the fishing fleet and, quite obviously, the standard of equipment being used these days is certainly a big step forward from when I earlier saw it.

In saying that, I will return to the motion before us. I think Mr Davis has certainly covered his motion very well. There would be little I would add to that other than my support. I will be speaking to the house tomorrow about the annual report of Southern Rural Water and will reflect on certain things in relation to East Gippsland.

I turn now to Mr Kavanagh's motion and specifically will endeavour to speak more on paragraphs (2) and (3) — namely, transport and other infrastructure pressures in Melbourne, particularly in regional Victoria. I think this is a very good motion. It is something that should be discussed on a more regular basis in the house.

There is little doubt that with growing populations and more job opportunities in regional Victoria, services are limited compared to what I believe the community expects, especially for the younger members of our community who are no longer leaving regional Victoria for employment and other opportunities in the metropolitan areas. These young people certainly want to see services equivalent to what they are rewarded with when they go to the metropolitan area, be it in the areas of health, education, transport or policing. Our metropolitan colleagues take for granted all of those things that we do not have the opportunity to share in to the same degree.

It is well known and from my point of view regrettable that the government appears to have no vision. It certainly has not demonstrated that it has a vision. We have no strategy for transport statewide. We have had five ad hoc programs presented by the government over the last nine years, and we certainly look forward to the announcement of the new transport strategy. We have had many reports for the government to be able to draw on — —

**Mrs Peulich** interjected.

**Mr KOCH** — Yes, especially as my colleague Mrs Peulich mentions, we have had many years to put these together. But even with the recent Eddington report, we have had very little comment on that, and I believe there are some areas in there that certainly should be looked at by the government. The report should be put on the table, put into a strategy and the government should move forward and offer a few of those opportunities, especially in the metropolitan area.

I very rarely go into Melbourne in what I would term as a peak hour. Yesterday would be probably the first time in five years that I have done so, and it took me 1 hour and 10 minutes to get from Laverton over the West Gate Bridge and into the city. I cannot believe the patience of people in the metropolitan area in their putting up with that day in and day out, the time spent in their motor vehicles, especially those people who travel from the Geelong area to Melbourne to get to their places of employment. A remedy to that is well overdue.



From a freight point of view and a passenger point of view on both road and rail, there is little doubt that there has been a movement away from the use of cars in the metropolitan area, and people have sought public transport to assist them in getting to and from their places of employment. Unfortunately that situation has not worked as well as we would have anticipated with a further movement of those people across to public transport; we are now seeing trains at maximum capacity, trains being cancelled at a minute's notice and people unable to arrive at their destination as they would like.

We have seen many promises for improving services in the inner and outer metropolitan areas, particularly with rail, which have not been kept. One that comes to mind is the Meeting Our Transport Challenges plan that was thrown up before the 2006 election. The Premier at that stage indicated to us that the Caulfield–Dandenong line, in Melbourne's south-eastern suburbs, would have a third track added all the way. Yet again we have seen the election come and go, the government successfully regaining office — especially when it had put this smoke and mirrors in front of the community — and the community believing the government of the day, but what have we seen following on from this success?

**Mr Viney** — You don't know anything about the Dandenong line. We are already investing in it.

**Mr KOCH** — What did the government do?

**Mr Viney** — You don't know what we are doing. You have no idea.

**Mr KOCH** — The government has downgraded it and only put sections of the new third track in place — not the whole new track, only sections of it. The community likes to give credibility to people it can trust, and yet again the government has obviously let the community down.

Last week in the Parliament we heard about the government's marvellous idea of putting five new tram stops in Burwood to assist passengers in alighting from and getting on trams and specifically to look after those who are disabled — who are not as fortunate as the majority of the community and I. All the work has been undertaken, but when it came to running the new trams out there, there was not enough rolling stock so out rolled the trams with steps on them. The community is no further advanced, because although the infrastructure has been put in place, we do not have the rolling stock. It makes it very difficult for people to accept what the government says on face value. It says

it will do a lot of things, but it has a major shortfall in completing those projects.

There is little doubt that my colleague the member for Polwarth in the Legislative Assembly, Terry Mulder, is across his shadow transport portfolio. On every occasion Mr Mulder has kept this government accountable in relation to the transport portfolio. We have been very fortunate to have someone as studious and knowledgeable as him in that portfolio. If he were not there, I am sure the government would continue to get away with telling the community untruths on every possible occasion.

*Honourable members interjecting.*

**The ACTING PRESIDENT (Mr Somyurek)** — Order! Through the Chair, Mr Koch.

**Mr KOCH** — Naturally, Acting President. The interjections from the other side continue to intrigue us all.

I turn to regional transport. There is little doubt that there are expectations in regional Victoria, especially about major transport corridors — I am speaking of the Western Highway west of Ballarat and the Princes Highway west of Geelong. The traffic loads on the Western Highway continue to increase between Adelaide and Melbourne. Not only does the amount of traffic increase but also the size of the transports gets bigger and bigger. Ten years ago we had articulated vehicles; now the majority are B-doubles. The government intends to investigate the use of B-triples on these major highways. I can assure the house that the Western Highway will become very unsafe for the travelling public, especially in wet and inclement weather, especially with the lack of passing lanes.

The federal government has offered to duplicate that road beyond Ballarat. The state government needs to get in touch with its federal counterpart — which we hear is so much better than any previous federal government, but of course there is no proof on the ground — and ask it to make the funds available and do something with the Western Highway.

The Princes Highway west of Geelong, down through Winchelsea towards Colac is an absolute disgrace. I travel that road regularly. Given its state and the traffic load, its reconstruction and, in some places, duplication is well overdue. We have heard that we will see duplication from Waurn Ponds to Winchelsea. At the last election the federal member for Ballarat made some promises in relation to funding it, but that has gone back to 'investigating' it. The state has made provision to do something there when the federal government

gets going. The sooner that happens, the better. Accidents on the west side of Geelong towards Winchelsea are always extremely nasty, and on many occasions cause a loss of life.

Another highway that I travel a lot is the Henty Highway, which runs north from Heywood to Lascelles. This is only a state-funded road; it is not federally supported.

I have raised in Parliament before the necessity for greater maintenance — more passing lanes, more wayside stop areas for transports and better maintenance of the edges of roads. To date nothing has been done. I was intrigued when I got correspondence back, after my adjournment debate matter which I asked some six weeks ago, from the Minister for Roads and Ports. He gave me an indication that in recent years the government had spent a lot of money on this section of road and that over the last two and a half years some \$17 million had been expended, \$15 million of which was for an overpass bridge in Portland, which was not even on the Henty Highway, and the rest was for some maintenance and passing lanes between Portland and Heywood, which are on the Princes Highway and are federally funded. Not one red cent beyond a bare minimum has been spent on maintenance north of Heywood and up through Hamilton, where we are seeing increasing loads due to Iluka's mineral sands activities. Of course next year we will see that particular highway used to export a lot of woodchips to the export port of Portland.

Hopefully we can get some money in the budget to be spent on that road; very little has been up to this date. There are many other roads. Local government has been denied the opportunity to attract the grants it requires. Most councils, after several very, very tough seasons, have seen their rate bases exhausted and eroded to a very large degree. They do not have the capacity to pull money out of the hat, as they did 15 or 20 years ago. The government must step in and give them greater support.

Another area of transport in country Victoria which is always sought and applauded when it is received is community buses in our larger towns and small cities. Recently we were fortunate to gain the services of a community bus in Hamilton. That came on the back of a promise in the 2006 election campaign. I have to say it caused much concern for the taxi businesses in Hamilton; they were the prime form of transport for many in our community, and they saw their businesses become almost unviable as a result of this. When the bus came along most people moved across to the free

bus. It certainly got the patronage that was always believed it would.

Regrettably after two years the service was reviewed. The bus route has now been changed, and the government is not quite sure if it will provide the funding for that bus to be as regular as it has been in the past. It is always disappointing when governments make such opportunities available to smaller communities where they get runs going, build up expectations and everyone appreciates the service, and then, out of the blue, with no consultation, they rejig the whole thing and start pulling the funding, hoping to, again, do a cost shift across to local government. As I have said before, local government just does not have the capacity to keep picking up the tabs after the government makes promises around election time and then lets communities down very early in the piece after these things are established. That is another area I would like the government to reconsider: to make sure these reviews go the right way and support the communities, not support the government getting out of the communities after making all its promises.

The last area I would like to touch on is air transport. My colleague Mr Dalla-Riva touched on it this morning with Essendon Airport. It is vital that Essendon Airport remains operative at its current location. Regional Victoria depends on Essendon Airport more than any other airport in Victoria. The freight and passenger movements out of Essendon are something that we use on a very regular basis. I have to say that airlines like Sharp Airlines, a small regional airline coming out of Hamilton, have done a great job over the last 10 years. That service has built a very good business, obviously from our point of view in western Victoria. It services Warrnambool, Portland and Hamilton. It is now into South Australia and will continue to grow. Essendon Airport is the main destination for it on the metropolitan circuit.

It is not the only airline. There are many other small country airlines that use Essendon Airport very regularly and very successfully. As I said before, we rely heavily on the freight movements out of there. But more than anything else it is in relation to essential services. The air ambulance, the State Emergency Service, the police air wing are all extremely important to regional Victoria, particularly the air ambulance.

**Mr Finn** interjected.

**Mr KOCH** — Yes, it is just one call short of the hospitals. I could not agree with Mr Finn more. I have had the instance 20-odd years ago where, from a family point of view, we were in very much a life-and-death

situation in relation to moving one of my children to the Royal Children's Hospital. There is no doubt in my mind that if Essendon had not been there we would not have our third daughter. It is imperative that we retain the services out of Essendon, and for the government to think otherwise would be a very sad day for regional Victoria.

The other issue that has been overlooked by the government more recently is abandoning Avalon Airport as an international airport and destination in Victoria. At the moment we have no plan B whatsoever if anything untoward were to take place at Melbourne Airport. Not only that, I think after all the work that the Linfox group has done in attracting an airline — AirAsia X — which I heard Mr Theophanous say in Parliament the other day he had brought to Victoria along with everything else, Avalon should be retained as an international airport. Linfox initiated that venture, not the minister. It got an international airline to fly out of Kuala Lumpur direct into Avalon.

That opening into Asia would have brought many Asian people into Avalon. It would have built up opportunities for Geelong, which we all know is very much feeling the pinch in relation to employment and the loss of manufacturing. It would have certainly opened up the tourism opportunities in western Victoria, particularly the Great Ocean Road, the loop up through Halls Gap and those other tourism opportunities that exist in western Victoria. Many have not done as well as we always hoped they would. For some reason the government believes Tullamarine should have a mortgage on tourism in Victoria and will not offer any other opportunities to tourism through the likes of places like Avalon. I would applaud the government if it was to give that further consideration and lift the opportunities to have that international airport at Avalon. It would do so much for western Victoria and Geelong particularly. I think it is a disgrace that the government has not done more to open that up and build on the opportunities it offers.

In conclusion, I think these are two very good motions. Certainly speakers on this side of the house and to a similar degree on the government side of the house have indicated the concerns across regional Victoria, mentioning how much more needs to be done to assist people in those communities as they go about their daily lives and to offer them the opportunities that our metropolitan cousins enjoy. If these motions succeed and there is some opportunity through the government and its budget process to give assistance to regional Victoria — and it does not matter whether it is in tourism, transport, education or health — I think it is terribly important that more money gets into regional

Victoria. The rewards are coming out of regional Victoria now, but unfortunately the rewards are not being returned to that part of Victoria. I seek the support of everyone in the house to get behind these two motions and make sure they get up.

**Ms DARVENIZA** (Northern Victoria) — I am delighted to get up and make a contribution on these motions and in doing so I will be speaking against the motions before us today. As I said, it is a pleasure to compare and contrast the performance of the previous Liberal-National coalition government in providing services to rural and regional Victoria and the metropolitan area in respect of health services with the work that the Labor government has been doing since 1999 to rebuild those many services that were actually gutted and devastated by the previous Liberal-National coalition government.

We do not have to look far to see where that devastation was. We can look at health, schools and education. We can look at jobs and job creation. We can look at rail and transport services, just to name a few. I want to speak briefly about a range of these services. I want to pick up on the comments that were made by previous opposition speakers in relation to the recent drought assistance support program and the food bowl modernisation project, which is injecting \$1 billion of state government money and \$1 billion of federal government money.

**Ms Lovell** — On a point of order, Acting President, Ms Darveniza has just overstated the government's investment by about \$400 million.

**The ACTING PRESIDENT (Mr Pakula)** — Order! That is not a point of order. Ms Lovell is well aware of the rules about frivolous points of order.

**Ms DARVENIZA** — I thank Ms Lovell for that frivolous point of order, because the amount of money that is being spent on the food bowl modernisation project is in fact \$2 billion. It is \$1 billion from the state government and \$1 billion from the federal government. It is a very significant amount of money that is being spent on fixing leaking, creaking, antiquated irrigation infrastructure in northern Victoria, which is losing billions and billions of litres of water every time it runs. Anybody who has anything to do with that irrigation system in northern Victoria knows and understands only too well how antiquated it is and how desperately in need of upgrading it is. Normally the people responsible for maintaining and keeping the irrigation system in good order are the irrigators, but in this situation, because we need to ensure water security for northern Victoria, which is the food bowl of the

state and provides much food not only for this state but for the rest of Australia and for export, it is important that this infrastructure be upgraded and that farmers in those communities have water security and are able to continue to produce their food. That is why the Brumby Labor government is injecting so much money into the food bowl modernisation project. This is one of the largest infrastructure projects that has ever been undertaken by any state government of Victoria.

This is a great project. It is a project that we as a state government kicked off and one the federal government has come on board with. The federal government can see the merits of and value in this project. The farmers and irrigators in northern Victoria came up with the idea of the food bowl modernisation project; it was the idea they put to government. We have said yes and come on board, and the federal government has now come on board as well in relation to this very good infrastructure project that is going to ensure water security in that region.

Let me take up some of the other issues raised by Ms Lovell in her contribution when she talked about the drought package that was recently released and pooh-poohed it. I would like to take this opportunity to go through the package in some detail. I remind members that \$57.81 million of the drought package goes to direct farm support. This is for the rebate for fixed water charges and is something farmers have been asking for. As I move around regional Victoria, communities have been asking me to take the matter to the Premier and the minister to look at and to make a decision about. Rural water users who have been receiving less than 30 per cent of their allocation as part of their normal entitlement will be eligible for a rebate of up to \$1000 on their fixed water charges.

Another part of the drought package which is welcomed by farmers and by the Victorian Farmers Federation (VFF) is the \$15 million municipal rate subsidy. That provides eligible farmers receiving the exceptional circumstances relief payments from Centrelink with subsidies of up to 50 per cent on their municipal rates. As I said, that has been very welcomed by farmers, by local government and by the VFF.

Again, \$6 million of this package goes to on-farm productivity improvements. That is another area farmers have been asking for. If my recollection is correct, the VFF has been looking to extend the program for eligible farmers to implement on-farm infrastructure improvements to enhance drought proofing and increase their productivity. An amount of \$3.2 million is for drought extension support as part of this package. That includes \$2.15 million for drought

extension support to provide advice and tools to assist farm businesses and rural communities to make informed decisions about their future. That is particularly important when we are going through one of the worst droughts in living memory. It is support farmers have asked for. That was very welcome in the past and is welcome again.

There will be support for industry organisations, linking both private and government services. Additional assistance is provided for drought response coordination. It is particularly important to align existing regional drought working groups across local and state government, including industry. Also included in the package is \$1.04 million as part of the extension and support program for a case-management approach to support farmers through the drought and the adjustment process. The case management for farmers project will support farmers through adjustment and transition processes by building the capacity of the rural financial counselling services to deliver a case-management approach. It is targeted at the low allocation irrigation regions of Victoria where drought and rapid structural change in agricultural industries are presenting significant adjustment, transition and service delivery issues. The project will also fund direct employment for farmers and farm workers and people who are affected by the drought.

On employment support, \$10 million has been allocated as part of this project. If you believed what Ms Lovell had to say, you would think there was nothing in the package, that farmers had not welcomed it and neither had the municipalities or the VFF, but \$10 million has been provided for the Small Towns Development Fund. That is welcomed by those small rural towns and the councils in regional Victoria. Funding of up to \$300 000 will be available to the 48 Victorian rural and regional councils for infrastructure development projects. This Small Towns Development Fund has been operating for some time. It has been welcomed and put to very good use by those small towns. I have been very pleased to have been involved in a number of the announcements as well as talks with rural and regional towns about what their development projects might be. This is directed at those rural communities that are affected by the impact of drought. There is also the drought apprentice retention bonus with funding of \$1.9 million to support the retention of apprentices who are employed in businesses that are located in those EC (exceptional circumstances) areas.

Then there is \$2.885 million for drought, health and community services. Again, this is another area in which funding is very much needed, which you will see

if you travel around rural and regional Victoria as I do. We want to continue to build on the work that we have already done with communities in this area. We know that drought affects not just a business, not just a farm and not just the businesses that service a farming community but also has a very direct and real impact on individuals' mental health and wellbeing and that of their families.

This \$2.885 million goes towards supporting the sustaining community wellbeing grants program and supporting mainstream counselling services that are so important as well as providing emergency relief in the form of food, Christmas hampers, toys and things like that, which again is a very important part of assisting and supporting those people who are suffering the effects of drought.

The contribution that Ms Lovell made when she was speaking on this motion brushed over the very significant announcement made by the Minister for Agriculture and the Premier last week on the assistance that makes up the drought relief package; she simply did not do it justice. I wish I had longer to be able to speak in even more detail than I have done this afternoon on this motion, to outline the substance of the package.

**Ms Lovell** interjected.

**Ms DARVENIZA** — Ms Lovell is getting very excited over there. We can see that she knows that she simply brushed over it. She knows that she did not do it justice.

**Ms Lovell** interjected.

**The ACTING PRESIDENT (Mr Pakula)** — Order! Ms Lovell has already been ejected once today. If she wants me to call the President in and get him to do it again, I will.

**Ms DARVENIZA** — Ms Lovell chose to just brush over it, chose not to recognise in any detail what was substantively in this package and chose not to acknowledge and recognise how welcome it has been among the farming communities that are going through this drought, the municipalities and also the VFF (Victorian Farmers Federation). I think it was very remiss of her simply to brush over it in that way.

Let me talk just briefly about other services to rural and regional Victoria. The Nationals were silent partners when they were part of the previous coalition, when it was in government. What we saw was the guts ripped out of services in rural and regional Victoria, and The Nationals sat there as part of that government and

allowed it to happen. They allowed schools and hospitals to be closed.

In fact 12 country hospitals were closed and others were privatised. I think something like 3500 nurses were sacked and scrapped from our health system. I remember it well because I was part of the health system back then. I also remember that it was not just nurses — often we focus on the nurses — but many allied health professionals as well who were ripped out of the system. We did not just see nurses; we saw psychologists, we saw physiotherapists and we saw radiographers — a whole range of allied health professionals who were also ripped out of the system. We saw metropolitan hospitals — the western network was effectively bankrupt in 1999 when we took office.

**Ms DARVENIZA** — In 1999 when we took office the western network — —

**Ms Lovell** interjected.

**The DEPUTY PRESIDENT** — Order! I point out to Ms Lovell that there have been a number of warnings to members of the opposition. This is a debate, and members obviously have an opportunity to contribute to that debate, and indeed some members have contributed to that debate. We do not want those contributions subject to a constant barrage of interjections. Ms Lovell should desist.

**Ms DARVENIZA** — Thank you, Deputy President, I appreciate that direction. It is very distracting to have Ms Lovell squawking in the background, which is the way that she conducts herself most of the time.

**The DEPUTY PRESIDENT** — Order! That is not helpful either from Ms Darveniza.

**Ms DARVENIZA** — I will get back to the point.

*Honourable members interjecting.*

**Ms Lovell** — On a point of order, Deputy President, I am offended by Ms Darveniza's comments. I went through a barrage of abuse from the other side when I spoke. What I have said in relation to Ms Darveniza's comments is minimal compared to what I went through. I am offended by her comments, and I ask her to withdraw.

*Honourable members interjecting.*

**The DEPUTY PRESIDENT** — Order! Is the 'squawking' what Ms Lovell is offended by?

**Ms Lovell** — The squawking.

**The DEPUTY PRESIDENT** — Order! Would Ms Darveniza be prepared to withdraw that? I ask her to withdraw that.

**Ms DARVENIZA** — I withdraw.

**The DEPUTY PRESIDENT** — Order! Thank you. Ms Darveniza, to continue — without assistance.

**Ms DARVENIZA** — Part of this motion that we have before us today is directly related to health care; it is directly about our health system. I hope I can get to talking about the metropolitan health system, but I want to concentrate on the regional health care system.

As I said, we had a situation when we took office in 1999 where under the previous Liberal coalition government, 12 hospitals had been closed and thousands of health professionals, including nurses, from that health system had been sacked.

In education we saw 178 country schools closed. Again, nearly 3000 teachers were retrenched and apprenticeship and trainee numbers were absolutely slashed. We saw cuts to our transport system — six passenger rail services including the Ararat and Bairnsdale lines were closed. During 1996–97 the Kennett government breached its commitment to spend one-third of the Better Roads levy on rural roads, only spending \$28 million out of \$180 million.

I want to talk briefly about jobs. Since 1999 the government has helped attract \$8.6 billion in new investment to our regions, creating 138 000 new jobs. Compare this to the first six months of the Kennett government, when more than 8800 jobs were lost just in the Central Highlands-Wimmera region. Since 1999 our government has been rebuilding the services that were slashed in rural and regional Victoria under the previous Liberal-National coalition government.

The opposition comes in here and moves a motion like this, which criticises our government — a government which has built up regional Victoria since coming to office in 1999, which has governed for the whole state, not just metropolitan Melbourne but all of regional Victoria. It is a government under which we have seen outstanding increased levels of infrastructure spending in regional Victoria, enormous amounts of investment attracted and enormous population growth in our rural and regional centres.

Under this government we have seen those jobs created, and rural and regional Victoria has come to be seen as a great place to live, work, invest and raise a family. Members should compare that with the former

Liberal-National coalition, which absolutely decimated and ripped the heart out of rural and regional Victoria.

**Mr KAVANAGH** (Western Victoria) — During the course of this debate Mr Viney described my speech as a rant. Neither my speech nor the words of the motion can fairly be described that way. The words of the motion are measured, balanced, fair and moderate. They do not ask for the condemnation of the government, but merely for an expression of concern by this house at the state of services in Victoria. The facts concerning services in Victoria fully warrant such an expression of concern. We have just received news about John Valves in Ballarat; it has unfortunately announced that it is closing with the loss of 130 jobs in that city.

But apart from that, and more explicitly on the theme of services, earlier this month a report on the state of Victoria's hospitals and health care system justifies an expression of concern. There is a wait of up to three days for a bed in an emergency room for people who are in a critical condition. The time patients suffering from cancer are required to wait for treatment has doubled. Throughout Melbourne and regional Victoria the transport system is in obvious crisis. The availability of services is insufficient and the quality of those services that exist is very bad indeed. That is shown by chronic overcrowding not only in Melbourne but also, for example, in Ballarat and Geelong. As I mentioned and as Mr Koch went into detail about, the state of highways in western Victoria is sadly lacking and they need a lot of work.

We have heard of ambulance services in crisis, and we have heard in the last day or two of nursing services in Ballarat being cut back because of insufficient resources. People in Ballarat are waiting on average 52 months to obtain dental services from public clinics. Doctor services are already under threat throughout Victoria. Earlier this year it was predicted there would be a shortfall of 1000 doctors throughout Victoria by next year. However, what has happened since that prediction was made has made the situation even worse. That includes, for example, the aggressive and successful recruitment of Victorian doctors to Queensland. Also, as I said before, the passage of the Abortion Law Reform Bill last week will make the situation much worse than it would otherwise have been because of the threat of at least 200 doctors in Victoria saying they would leave Victoria if the bill were passed, and it now has been. There is of course the threat to maternity and emergency services that are presently provided through Catholic hospitals.

Mr Viney and Ms Pulford's contributions had a common theme, which was how much the government has spent. That was the main point they made: it was about the government's spending of huge amounts of money on services in Victoria. But that misses the point. The point is not how much has been spent but how much has been achieved. There was very little information from government members about what was achieved. There was an indication of train services that were restored, but that was as close as we got to an indication of what has been achieved.

I note that those train services went over budget by what I think was 1100 per cent or 1250 per cent — something of that order. Neither Mr Viney nor Ms Pulford mentioned those, but they do seem to be relevant facts in the course of this debate. Ms Darveniza talked about the north–south pipeline. I believe most people who are affected regard that not as a government service but a government disservice.

This motion is not an extreme one. It is not a rant. It is an expression of concern. There are reasons to be concerned about the quality of services in Victoria at the present time. Is the government saying that it is not concerned by what is happening to hospital services in Victoria? Is the Australian Labor Party not concerned about the quality of dental services in regional and rural Victoria? Is it not concerned about the quality of transport that is offered to people throughout Victoria, not only in Melbourne but in Geelong, Ballarat and other places? The conclusion is inevitable that, if the government votes against this motion, it is saying that it is not concerned about things that it ought to be concerned about.

**The PRESIDENT** — Order! It has been remiss of me not to have alerted the house earlier today to the fact that it is the birthday of Mrs Peulich. Mrs Peulich also tells me it is her 25th wedding anniversary — the great quinella!

The question is:

That Mr Kavanagh's motion be agreed to.

#### House divided on motion:

#### *Ayes, 18*

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

#### *Noes, 17*

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

#### Motion agreed to.

**The PRESIDENT** — Order! The question is:

That Mr Philip Davis's motion be agreed to.

#### Motion agreed to.

## HEALTH: REPORTS

**Mr D. DAVIS** (Southern Metropolitan) — I move:

That this house —

- (1) notes that the public health documents ordered by the resolution of the Council on 10 September 2008 to be tabled in the Council by 4.00 p.m. on 7 October 2008 have not been received by the Council; and
- (2) requires the Leader of the Government representing the Premier to table by 4.00 p.m. on 28 October 2008 a copy of the report or reports detailing the outcome of deliverables and key performance indicators as stated in the *2007–08 Statement of Priorities* for Barwon Health and for Melbourne Health as reported to the Minister for Health and the Department of Human Services, as required by the resolution of the Council of 10 September 2008.

It is of concern that when this chamber has ordered a series of documents be delivered to the chamber, documents of a specific nature that are in the possession of the government and indeed in the possession of those relevant health bodies — Melbourne Health and Barwon Health — that the government has chosen to flout the intentions of the Council in the resolution that was passed earlier.

I believe the chamber should request that the government produce those important documents. I make the point that those documents that examine the performance of two of our major health networks are important to the community and should be available to the community so that it can assess the performance of their local hospitals. The community as a whole should have much greater access. The government has wound back health information. We have seen the dumbing down of the *Your Hospitals* reports and the removal of data and key performance information from those reports.

It is worth placing on record today that the performance of both Melbourne Health, through the Royal Melbourne Hospital, and Barwon Health are inadequate. The data that is available publicly through the *Your Hospitals* report shows that Barwon Health failed four out of eight government benchmarks. There are 128 more patients on the waiting list than at the same time last year, according to the most recent *Your Hospitals* report. There has been an increase of more than 930 from 2006–07 to 2007–08 in the number of patients waiting more than 8 hours on an emergency department trolley; an increase of more than 900 from 2006–07 to 2007–08 in the number of patients waiting more than 4 hours to be treated; and a 53 per cent increase from 2006–07 to 2007–08 in the number of patients on the elective surgery waiting list for more than one year. We know that much of the data in the *Your Hospitals* report is inadequate. The opposition has obtained, through FOI, extraordinary information about the outpatient waiting lists and the fudging of these waiting lists. That is why the information reported as part of the statement of priorities reports is so important to the community.

The Royal Melbourne Hospital failed six out of the nine government benchmarks. There was a 133 per cent increase in 12 months in the hours spent on hospital bypass. We know that the hospital bypass figures are fudged and inadequate because of the hospital early warning system data. Only one in two emergency patients are treated in the emergency department in the clinically appropriate time at the Royal Melbourne Hospital. According to the *Your Hospitals* report, less than half of the semi-urgent patients received surgery within the clinically appropriate time; fewer patients than 12 months ago are receiving emergency or urgent treatment at an emergency department or semi-urgent or non-urgent elective surgery within the clinically appropriate time.

The statement of priorities reports are the government's new measurement benchmark and accountability system for our large public hospitals. The reports that are required by the ministry and the minister are critical and should be in the public domain. For that reason, this chamber sought to obtain those documents. It has demanded those documents from the government. The Leader of the Government has sought to flout that demand, and this motion strengthens the chamber's statement that those documents should be made available as a matter of urgency.

I call on the house to support this important motion on the provision of these key health documents about two of our key health networks.

**Mr VINEY** (Eastern Victoria) — My contribution on this motion will be brief. I said a few weeks ago in the house that I believed there were many ways in which members could obtain various documents from such an open and accountable government as this. It is a government that restored the Auditor-General, a government that made the Ombudsman an independent officer, and a government that restored freedom of information. It is a government led by a Premier who has indicated his strong support for reinforcing freedom of information processes. We do not see the need for the opposition to be constantly using the time of this house in debating these motions; nevertheless, the government accepts that the house has resolved to call for documents using this particular method. We think it is a significant overuse of that process to be asking for these kinds of documents in this matter. No-one has picked up the phone and asked the minister or put in a freedom of information request.

In relation to Melbourne Health, Mr Davis could even have picked up the phone and called his old mate Robert Doyle. Were they mates? I am not sure. I think Mr David Davis might not have been a big supporter of Robert Doyle. Robert Doyle is now doing a good job, appointed by this government, chairing Melbourne Health. I note that its documents are one of the sets of documents Mr Davis is after. I am not sure why. Perhaps it is because Mr Davis was not happy with the comments Mr Doyle and others made about his performance as a shadow health minister and the lack of policy development. Perhaps Mr David Davis wants to pay Mr Doyle back in his upcoming tilt at the Melbourne mayoralty, hoping there might be some data in these documents that he can use to embarrass Mr Doyle in that race.

**The PRESIDENT** — Order! Relevance, Mr Viney.

**Mr VINEY** — Nevertheless, as we said before, the government will consider the opposition's requests for these documents. If they comply with the general principles the government has outlined in relation to meeting our tests for commercial-in-confidence requirements and executive privilege, then other documents presumably will get to the opposition in due course after the government has considered whether or not they are appropriate.

**Ms HARTLAND** (Western Metropolitan) — The Greens will be supporting this motion. I found very interesting Mr Viney's comments that people can easily get this information under freedom of information or in questions in the house. That has certainly not been my experience, either in the short time I have been an elected member or when I was a community activist.



**Mr Viney** interjected.

**Ms HARTLAND** — If I could be allowed to finish, Mr Viney. When I was a community activist I found freedom of information requests continuously blocked by both governments. We believe the government should be clear and should be transparent on these issues. That is why the Greens will be supporting this motion.

**Motion agreed to.**

## GIPPSLAND: GOVERNMENT SERVICES

**Mr VINEY** (Eastern Victoria) — I move:

That this house notes the continued investment by the Brumby Labor government in Gippsland and in particular —

- (1) boosting health services;
- (2) restoring public transport to the region;
- (3) funding road projects that improve safety and access for the region; and
- (4) securing the region's water.

We have had a day of general business debate. Given that we have a little more time in the afternoon, the government would like to bring forward this motion and one Mr Scheffer will move later, both of which acknowledge the fact that the government has been investing in services for the Gippsland region as part of its commitment to governing for all of Victoria.

Perhaps I might start my brief remarks by highlighting that it was the Labor government that indicated upon coming into office in 1999 that education would be its no. 1 priority. That is no more evident anywhere than it is here in Gippsland, where the government has invested over \$45 million in 42 government schools in this region. We have done that because we believe education is the most critical starting point to give our young people a secure and confident future where they can participate, both in the economy and in the community, to achieve their maximum capacity. That is why we set goals for reducing class sizes, and that required employing teachers. We put additional teachers into every school, which has seen class sizes coming down in both primary and secondary levels. In the last budget we have seen investments into Gippsland schools of the order of just over \$17 million — at Alberton, Buln Buln, Eagle Point and Darnum, and including Maffra Primary School and Maffra Secondary College.

On coming into government we also found that our health services needed a significant investment. That is

why in our first year of office we were able to secure the Latrobe Regional Hospital and bring it back into public ownership and operation. That was as a result of a failed privatisation experiment. What has occurred out of that has been a securing of those services at Latrobe Regional Hospital, enabling us to invest further into that hospital, particularly with \$5 million to expand the emergency department. This has happened not only at Latrobe. We have seen investments of more than \$250 000 at Orbost Regional Health and \$100 000 for equipment at Yarram; Omeo received \$4.8 million; the Bairnsdale emergency department received an additional \$5 million; and residential aged care received \$4.6 million. The West Gippsland Healthcare Group in Warragul received \$6.7 million for development of its community health service and a further \$3.8 million for an expansion of its residential aged-care services.

In relation to public transport, as I said earlier today, we returned the rail service to Bairnsdale. We have upgraded the Melbourne to Traralgon service. We have not only upgraded it in terms of the quality of the track, but we have upgraded it in terms of the rolling stock, we have increased the number of services and we have improved the timetabling and reduced the fares. That combination has seen a greater than 40 per cent increase in patronage. It is so significant that we have now had to put a third carriage onto the V/Locity trains — an additional middle carriage — and we are bringing those in at the rate of about one new piece of infrastructure per month.

In roads funding we have seen upgrades to the South Gippsland Highway, upgrades to the Princes Highway with the Bruthen realignment and upgrades to the Great Alpine Road, as well as of course resolving the Traralgon bypass route.

Finally, I want to comment on our investment in water. On coming into government we were not faced with a water crisis, but we saw it coming and we started a program to encourage Victorians to use less water. We put a strategy in place to encourage people to use less water. We set in place a series of programs to reuse water. More recently we started on a massive program, one of the largest in Victoria's history, to create new water through a \$3 billion desalination project, to create new water through the food bowl irrigation project, which is for Melbourne, but also projects like the recycling project at the Murray-Goulburn dairy plant where \$1.57 million has been invested in that plant so it can increase its use of recycled water, thereby securing the water services which the desalination plant will further augment over the next few years. That is on top of the \$157 million that is to be spent on the Gippsland Water Factory in Morwell.

This government has invested heavily in Gippsland. We have invested in a range of other facilities and services in this region. I commend this motion to the house.

**Mr D. DAVIS** (Southern Metropolitan) — Mr Viney's motion misses some key points. He noted the continued investment of the Brumby government in Gippsland and in particular talked about a number of areas of service. All governments invest in services in regions, and they all do it in an incremental way. This government is no different. The previous coalition government invested massively in Gippsland. This government has continued with some steady investments in Gippsland, but nothing spectacular, you would have to say. I know my colleague Mr O'Donohue will have more to say on this in a moment.

If you look at services like health and the time people have to wait for services in the health system in Gippsland, you see that the waits at the Latrobe Regional Hospital are extraordinary. The government will not release the outpatient waiting lists for our major hospitals. It is determined to keep them secret. The opposition has increasingly encountered resistance from the government as it seeks to unveil these lists to find out what is really going on in our public hospitals. The shadow Minister for Health, Mrs Shardey, the member for Caulfield in the Legislative Assembly, has found it very hard to get to the bottom of what is happening with patients in this state. We know there are tens of thousands of patients on different secret waiting lists at many of our major public hospitals, including at the Latrobe Regional Hospital. We need to know those figures so we can find out what is happening there. The government has not been investing properly in these services, has not been allowing the community to see precisely what is going on and has not been putting enough resources into or managing these services adequately to ensure that waiting lists in our public health system will come down.

Mr Viney also talked about public transport in the region. I think the best answer to his comments on public transport was provided earlier by Philip Davis when he was speaking to his country services motion. He made the point very effectively that those in East Gippsland — but not those further up the line — were not well served. He made that point eloquently. I do not need to go over the detail of it, but he indicated very strongly that those who depend upon the service into East Gippsland do not have a reliable service. Members of this chamber who sought to catch the train to the parliamentary sitting here yesterday encountered a cancellation. That is all too typical of key country services. The motion refers to the government

'restoring public transport to the region', but I have to say that there are still serious concerns about public transport in the region. Much more also needs to be done on road projects, as has been said.

I will come back to a health issue in a moment, but I want to focus particularly on issues regarding the supply of the region's water. The hallmark of the government's approach to water at the moment is chaos and confusion. The government has been in power for almost nine years, and it has still not got water issues right. It is true that we have faced a significant drought, but the government has sought to deal with Melbourne's water challenges by taking water from country Victoria in a way that is quite wrong.

**Mr Pakula** — What would your plan be?

**Mr D. DAVIS** — For the benefit of Mr Pakula, our plan is to do some serious work in terms of a small dam on the one hand but also, importantly, some stormwater capture. Our plan is to do some work to capture some of the rain that falls on metropolitan Melbourne.

**Mr Pakula** — What rain would that be?

**Mr D. DAVIS** — Let me give you an example since you seek, through interjection, some points. The City of Bayside has a plan to introduce planning scheme amendments to increase the level of stormwater capture. This is a typical suburban municipality in Mr Thornley's and my electorate. Let me say that in terms of their water requirements residents know that 130 per cent of their water requirements falls on the City of Bayside every year, despite the drought at the moment.

The Minister for Planning, who is not in the chamber at this moment, has had on his desk for more than three years a request from the City of Bayside for a planning scheme amendment — or the previous minister and this minister have had on their desks for more than three years in aggregate a request from the City of Bayside for assistance with a planning scheme amendment that would capture water that falls in the City of Bayside. I know Mr Pakula knows that area because he lives very near it.

My point here is that there are options in metropolitan Melbourne rather than the options proposed by this government. This government, with its large desalination plant that it plans to put on the coast near Kilcunda at Williamsons Beach —

**Mr Pakula** — Where else would you put one?

**Mr D. DAVIS** — I have to say — and I have named the location, Mr Pakula — that the massive and

ill-thought-through project intended to be put there will require massive energy input, and that has not been thought through. A massive increase in costs is already apparent for that desalination plant, and the processes of environment effects examinations have been cut short in that case. It is very clear that the environment effects statements and the panel process that is under way now are inadequate to ensure that the environmental effects of that desalination plant are at a level that is acceptable to the community.

This is not a process that the community can have confidence in; it is a process that the community has every reason to be suspicious about. It is a process that the community — —

**Mr Pakula** interjected.

**Mr D. DAVIS** — I'll tell you what, Mr Pakula, you need to go for a bit of a meet and greet down through that area of the shire and see what people think. If you think that people are in favour of that massive desalination plant being positioned in that location in a sensitive coastal location, low lying, near to Williamsons Beach, near to the mouth of the Powlett River — —

**Mr Viney** — Ken Smith certainly supported it.

**Mr D. DAVIS** — I can tell you that Ken Smith has serious reservations, and I have to say very clearly that the opposition thinks the government has not thought through and has not costed this plan properly. My information is that the plan may well still face some trouble at cabinet subcommittee level. As it works its way through, it will face significant challenges.

**Mr Viney** — You've got an inside ear in cabinet, have you?

**Mr D. DAVIS** — You would be very surprised, Mr Viney, about the scuttlebutt that moves around. Let me make another point here. I want to return to the recent — —

**Mr Viney** — You had better be quick; you have reached an agreement on time.

**Mr D. DAVIS** — Mr Viney, there was no agreement about time on this matter. There was agreement that you would move this motion during government business, and that is what you have done.

I want to say something about the *Your Hospitals* report and the description about boosting health services. I refer to the 37 529 patients on the waiting list in Victoria and the 85 370 patients who endured a wait of

more than 8 hours on trolleys — these are the statewide figures. At Latrobe, a subset of that, 778 more patients were on the elective surgery waiting list than there were at the same time last year, and there has been a disturbing — in fact, 124 per cent — increase in 12 months in the number of patients who waited more than 8 hours on an emergency department trolley.

Let me again go through those statistics from the inadequate *Your Hospitals* report for the Latrobe Regional Hospital. There were 778 more patients on the waiting list than at the same time last year; there was a 124 per cent increase in 12 months in the number of patients waiting for more than 8 hours on an emergency department trolley; and the number of patients who waited for more than one year for surgery jumped from 2 to 80 in 12 months. The continued investment by the Brumby Labor government into health services in the Latrobe Regional Hospital has not returned the dividends required, with an increase in number from 2 to 80 in 12 months of those patients who waited more than a year for surgery.

We know the chicanery that is occurring with the outpatient waiting lists. We know about the fudging and we know about the slippery behaviour of the hospitals — the creation of virtual wards, the decision to move people to side waiting lists so they are not declared in the *Your Hospitals* report and in other reporting systems — and that is why we want to get to those reports for a couple of key hospitals as a priority, as we discussed during an earlier motion in this chamber.

I also want to say about Latrobe that the number of patients not given semi-urgent elective surgery within 90 days increased almost fivefold in just 12 months. That is a massive increase.

Labor has tried to hide the embarrassing *Your Hospitals* data, as we know, releasing it at inconvenient times on a number of occasions. It has failed to convince the community that the health system is getting better. In fact it is not; it is getting much worse, and that applies in Gippsland as much as anywhere else in the state of Victoria. Until the government comes clean with important health information, including the outpatient waiting lists in detail, and changes this process of hiding people waiting for long periods to a much more transparent one, and unless it makes this process fairer and creates something that the community can have trust in, the community will not be entitled to conclude that continued investment by this government in Gippsland or anywhere else in Victoria is actually improving our health services in the way that we require it to.

I would say to Mr Viney: governments are always investing. This government puts some investments in, like the one before and the one before that, and I have to say that when it comes to these health issues, the government has not serviced its community well down here. When it comes to key issues like water, the government has not done what is required, nor has it done so in a number of those areas.

**Mr VINEY** (Eastern Victoria) — Just briefly in reply and to sum up, what we have heard again from Mr Davis is another series of suggestions of conspiracy about hiding and manipulating data. As I have said in this house before, I have not rehired the DVD. I am really keen — because he is the greatest conspiracy theorist to walk into this house, and I must remind myself to do it this weekend — to hire the movie *JFK* again, because I reckon Mr Davis must have been one of the scriptwriters. He is a great conspiracy theorist. We do not know who he thinks was on the grassy knoll, but I reckon he would think of someone from the Bracks or Brumby governments!

Mr Davis says there have been no real outcomes from government investment in public services in this region. He needs to talk to the 550 000 extra patients treated since 1999, over and above the numbers being treated when we came to government. He needs to talk to the kids who are now in classes of much lower sizes, and he needs to talk to people in country Victoria who have seen a massive investment in our rail infrastructure and who can now get a train from Bairnsdale to Melbourne and back. He needs to talk to the people who use the improved roads, and he needs to talk to the people who now feel a lot more secure that they have a government which is actually securing Victoria's water for the future.

**Motion agreed to.**

## GIPPSLAND: GOVERNMENT SERVICES

**Mr SCHEFFER** (Eastern Victoria) — I move:

That this house notes the continued investment by the Brumby Labor government into Gippsland and in particular —

- (1) restoring police services that have improved community safety;
- (2) boosting emergency services funding, particularly fire services; and
- (3) placing education as the no. 1 priority in the region.

It has been a pleasure to have now almost completed the first day of sitting here with the Legislative Council in Lakes Entrance in the Eastern Victoria Region. I take

this opportunity to join with other members who have remarked earlier in the day on the great natural beauty of this part of Victoria and who have paid their respects to the people of the shire and thanked them for their warm welcome earlier today.

The meeting of the Council here in Lakes Entrance is a good opportunity to place on the record some of the many achievements of the Brumby government in delivering services and redistributing resources to the people of East Gippsland. Education, as my colleague Mr Viney remarked in his contribution on his motion, is one of the Victorian government's top priorities. Labor has now been in office for nearly eight years, and in that time we have allocated approximately \$145 million to modernising some 42 schools in Gippsland. We have put funds into primary and secondary schools, consolidated schools, P-12s and specialist schools in small towns and in the larger provincial towns and cities as well.

The funding has been directed to whole school replacements in some cases, to refurbishments, to adding auditoriums and general purpose facilities, to additional classrooms, to upgrading toilets and also to increasing IT capacity, which is important to all students but has special importance in regional and rural Victoria. Individual grants have ranged from millions of dollars in some cases to a few thousand in others.

Sometimes important upgrades do not cost a lot in monetary terms but make a very big difference to the children, families, teachers and school community. Education is important to the government, and good facilities are also important, because they express and impress upon young people that they are valued and that they matter. Education enhances the quality of life of our young people, empowers them to better understand themselves and the world, and strengthens their ability to find employment.

I cannot leave this issue without putting on the record once again that previous Liberal-National governments performed very poorly in this area. The Kennett government closed around 170 country schools, almost 20 of which were in the Gippsland area.

I also want to say something quickly about the Brumby government's commitment to public safety. It includes the very critical role played by the members of Victoria Police. Earlier this month, along with Mr O'Donohue and our colleague Ms Lobato, the member for Gembrook in the Assembly, I attended the annual commemoration ceremony at Pakenham for those women and men of Victoria Police who have died in service of the public. I take this opportunity here at

Lakes Entrance to reiterate our respects and acknowledge the fine work that our police do to keep communities safe.

Community safety can also be promoted through good town planning, ensuring that our streets and public places are well lit, that there are clear sight lines and that good public circulation is facilitated. Security cameras also play a role, as does a strong police presence. The government has invested heavily in policing since its election in 1999, and the resulting lower crime rate has been one product of that investment. I will run through some of the statistics.

In Gippsland East there has been a 13.2 per cent drop in the crime rate and an 11 per cent increase in front-line policing; in Wellington there has been a 32.8 per cent fall in crime and a 6.2 per cent increase in front-line policing; on the Bass Coast the respective figures are 32.2 per cent and 19.6 per cent; in Latrobe, 17.2 per cent and 19 per cent; and in Baw Baw, 18 per cent and 32 per cent.

Thus the evidence is there of the investment by the government in front-line police alone, and that is an impressive fall in the crime rate across that area. This does not even take into account the investment in our community development programs that build and strengthen social cohesion and a sense of belonging and personal investment in our community, all of which goes to reducing crime rates, since people have a sense of buy in.

The last area I wish to mention is the government's considerable investment in our emergency services in Gippsland. This again is an opportunity to pay tribute to the fine work the local firefighters, fire brigades, CFAs, SES units, volunteer coastguards and lifesaving groups do in the community.

In fairly recent times this part of the world suffered from ferocious bushfires and devastating floods. The phenomenal work and first-class organisation of our emergency services deserve very high praise, and everyone is indebted to them. The government recognises the importance of having a well-resourced emergency service response capacity, and it has provided appropriate resources. The government has made massive contributions to the refurbishment of local facilities, to the purchase of firefighting vehicles for local fire brigades and towards ancillary safety and resource equipment to complement existing infrastructure.

The government has heavily invested in education, policing and energy services in Gippsland. In conclusion, I refer to Mr Philip Davis's fairly sanguine

comments that all governments fund services, that all governments — this one, the previous government and the one before that — incrementally increase investment and that this particular government's fault or weakness is that it has failed to plan and failed to target. He said the Kennett government also funded and invested in services in Gippsland, but he fell short and the people of Gippsland know that; when they heard those words they knew how untrue they were.

I draw the attention of the house to the evidence. I said earlier that some 20 of the 178 schools closed during the Kennett years were in Gippsland alone. Each of those schools is in a community, and that community does not forget. The primary schools closed were Cabbage Tree Creek, Club Terrace, Mount Taylor, Munro, Sarsfield, Myrtlebank, Ensay General School, Johnsonville, Willung, Won Wron, Bingenwarri, Denison, Gormandale, Port Welshpool, Gormandale East, Port Albert, Carrajung, Albert West and District, Hazelwood Estate, Kurnai College, the Morwell Heights campus and Traralgon East. All those schools are part of the community. All those schools had students in them, but none of them exists today. To say that one government is much like the other is completely fatuous, and I reject that notion. This government has made a strong and material difference to communities in Gippsland, and no-one can gainsay that.

**Mr HALL** (Eastern Victoria) — I want to make some remarks in response to this motion moved by Mr Scheffer and note that essentially the motion is rather benign in that it simply asks the house to note the continued investment by the Brumby government in a whole range of public service-provided services. It is pretty hard to vote against, because by just noting something, one might note it in a positive sense or in a negative sense.

The first thing I want to say in response to the way this is worded is that when you talk about continued investment by the Brumby Labor government in a whole range of areas, I say initially, 'Well, so there should be'. I say that is just simply what any government of whatever political persuasion does — it should invest in a range of services for the people of East Gippsland or the people of Victoria more generally.

There has been increased investment, and it has been done by both the previous government and now the current Labor government. Members can walk up the street, turn left at the footbridge and on the corner of Roadknight Street they will see a fairly impressive police station. I was at the opening of that station, which was undertaken by the then Minister for Police and Emergency Services, Bill McGrath, one of my

colleagues in the then National Party. There are plenty of other areas in East Gippsland where we could point out investments by the previous government. Of course, whoever is in government will make continued investment in services.

Whether that is sufficient or not is really the question. What we should be asking and debating today is whether the investment by the government is sufficient to meet the needs of this community; in many ways it is not. If you go around the police stations of East Gippsland, above the single-man police stations — and there are some of those still in East Gippsland — or two-man police stations, I guarantee you would see that there are vacancies in every other police station in the Gippsland area. Orbost has a component of about seven police officers to be fully staffed; at one stage earlier this year it had two police officers and five vacancies, which ultimately were filled by police in the traffic operations group rather than from the normal police service. To some extent it has been attended to now, and I think there are a couple of appointments down in that area. Let it not slip by the notice of members that there are vacancies in every police station in East Gippsland above two-man stations.

I also want to refer to the second point in Mr Scheffer's motion, where he talks about boosting emergency services funding, particularly for fire services. One of those emergency services is Ambulance Victoria. Members would be well aware that this government has now amalgamated the former Metropolitan Ambulance Service and the Rural Ambulance Service into a single service. Probably most members would have been in contact with local ambulance officers who protested out the front of this building this morning and met with several members from all parties during the course of the day to discuss their needs.

Mr Drum and I have just left Mr Leane in The Nationals' party room, discussing these very issues with local ambulance officers. They put to us that the morale and situation at Ambulance Victoria is at a crisis point, because of the inability to find sufficiently trained paramedics to staff ambulance stations across Victoria. East Gippsland falls into part of that category where they have insufficient officers. What we are hearing from the ambulance officers today is the ridiculous work hours expected of them. I think if the occupational health and safety standards were applied to the letter of the law, many of those ambulance services would be shut down because of the hours that the officers are expected to work. Again it is because of the shortages in numbers.

The pay parity of ambulance officers compared with other equivalently trained professionals is terrible. One of the officers out there told Mr Drum and myself just a few minutes ago that there is a wage difference per week of \$266.40 between himself, a six-year trained ambulance officer, and his wife, a six-year trained nurse. After the same number of years of training, his wife earns that much more than he does.

He noted that the government is looking to attract 100 new paramedics into the state of Victoria. That is all good and well, but he made the claim that we are really sucking on a short straw in respect of this, because there is no serving officer from New South Wales or other parts of Australia who would come and work somewhere where there is no pay parity.

I want to quickly mention the third dot point in this motion — that is, placing education as the no. 1 priority in the region. I will respond to some of the school closure issues raised by Mr Scheffer. He nominated something like 20 to 22 schools in East Gippsland that were closed under the previous government. I do not deny that figure whatsoever, but the fact of the matter is that schools are closing under this government and have closed since it took office in 1999. I did not know this motion was going to be debated today, but if I had done the research before today and it was available to me now, I would perhaps be able to find those figures.

This government is looking at closing schools right across the Gippsland region. In Morwell, for example, there is a master plan to bring three or four primary schools together under a single umbrella. It will happen. When we talk about closing hospitals, as was mentioned by Mr Scheffer, I point out that the Traralgon and Moe hospitals were both closed because the previous government built a brand-new hospital, Latrobe Regional Hospital, in their place. I think the government takes a bit of licence when it criticises us for closing hospitals and schools, when it itself is embarking on this practice just as the previous government did.

I also want to talk about the government's skills reform package, which was mentioned before and was announced by Minister Allan just some weeks ago, and make the comment — as I have done in the house prior to this — about the introduction of increased fees for students to participate in vocational education and training (VET). That is going to hit areas like East Gippsland hardest because as the mayor pointed out to the chamber this morning, the socioeconomic and average salary level for adults in this region is very low. Consequently we are going to find that if significant fees are being imposed on students undertaking VET

programs, there will be less participation by young people living in East Gippsland. That is a real concern, and it is one that I think runs against the spirit of the proposal that the government is placing education as its no. 1 priority.

We could debate this all day but I simply say in response to Mr Scheffer in respect of this motion: yes, there is continued investment; and yes, there should be. The question is whether that investment is sufficient to meet the needs of East Gippsland. I say it is not.

**Mr SCHEFFER** (Eastern Victoria) — I will reply very briefly. I guess Mr Hall is right: we could debate this all day and we could go back and forth on what was funded here and what was funded there and what was not. Clearly governments are operating in a dynamic situation and that situation is one in which services need to be adjusted in order to account for shifts in population and demand. So there is always going to be some change. To me the issue is how that is negotiated through, whether it has a proper policy basis and whether it is worked through in consultation and conjunction with communities. My point about the Kennett government was not that it should not have changed things, not that it should not have adjusted things — that was its mandate, that was its charter — but that the way that it did those things damaged and fragmented communities. That is fundamentally the point, and that has taken a long time to recover from.

**Motion agreed to.**

## GREENHOUSE GAS GEOLOGICAL SEQUESTRATION BILL

*Introduction and first reading*

**Received from Assembly.**

**Read first time on motion of Mr JENNINGS (Minister for Environment and Climate Change).**

### ADJOURNMENT

**Mr JENNINGS** (Minister for Environment and Climate Change) — I move:

That the house do now adjourn.

### Red Hill Show: accreditation

**Mr O'DONOHUE** (Eastern Victoria) — My matter this evening on adjournment is for the Minister for Agriculture, the Honourable Joe Helper, and it relates to the issue of the Red Hill Show. The Red Hill Show is

critical for the Mornington Peninsula. As the peninsula has become urbanised and as development has taken place on the peninsula, the Red Hill Show has provided a continuous link to agriculture and agricultural issues for the people of the Mornington Peninsula. It is an event that is very well supported by the local shire and by the local community. It provides a great source of recreation for local communities. It brings a number of people to the Mornington Peninsula and is very important to the Mornington Peninsula tourism industry.

An issue has arisen for the Red Hill Show. The Red Hill Show has taken the decision to disaffiliate with Victorian Agricultural Shows Ltd, and as a result people who participate in the Red Hill Show can no longer gain accreditation to compete in the Royal Melbourne Show. Traditionally a number of people from the peninsula have used the Red Hill Show as one of the shows at which their participation contributes towards qualifying to participate at the Royal Melbourne Show.

The Red Hill Show committee is very concerned about this development. It believes it will have a detrimental impact on its drawcard status as a show and that it will result in lower participation in a range of different agricultural events. The action I seek from the minister is to intervene in this situation and investigate whether it would be possible for the Red Hill Show to be re-accredited as a show so that participants can qualify for the Royal Melbourne Show.

### Technical and further education: teacher salaries

**Ms PENNICUIK** (Southern Metropolitan) — My adjournment matter is for the Minister for Skills and Workforce Participation, Jacinta Allan. On 19 August this year I raised the issue of salaries in the TAFE sector. Victorian TAFE teachers have not had a pay increase since September 2006. Their salaries are as much as \$26 000 behind those of teachers in state primary and secondary schools. This makes it very difficult to attract people to work in the TAFE system and retain them in the system. Two months on, the situation has not changed. The skills shortage across trades and professions is chronic, so the need for more places in TAFE colleges for Victorians who want to improve their skills and qualifications is obvious.

The government is proposing to increase fees for TAFE courses and introduce fees similar to higher education contribution scheme fees, which will be a disincentive for low-income students. Its proposals to introduce competition between TAFEs and private registered training organisations will further undermine the TAFE

sector and disadvantage low-income students and retraining workers. The East Gippsland TAFE provides crucial training to students and skills to workers in the East Gippsland region. The TAFE is a major employer in the region, but teachers there are feeling as frustrated as other TAFE teachers all around Victoria. Low rates of pay, a lack of job security, workload issues and the impending changes to the sector are resulting in low morale and disenchantment amongst TAFE teachers. East Gippsland TAFE teachers are asking that negotiations between the Australian Education Union and TAFE directors be undertaken in good faith with the aim of reaching a mutually agreeable resolution to the current impasse.

The provision of high-quality delivery of TAFE programs in East Gippsland is being compromised by the failure to reach an agreement. On 4 August the minister's department in responding to a query from my office stated that the government has strongly encouraged the parties to bargain in good faith with a view to reaching an agreement as quickly as possible to deliver appropriate salary increases to TAFE teachers and resolve other issues raised during negotiations. However, it appears that the biggest impediment to reaching an agreement that will achieve a fair outcome for TAFE teachers in terms of parity of pay and conditions with other teachers is that individual TAFEs must fund any pay increases from their current budget allocations. The state government will not provide additional funding to TAFEs to cover any pay increase. This is due to the state government's wages policy framework and the need for productivity, although TAFE teachers and the TAFE system are already stretched to the limit.

My request to the minister is that she improve job security by reducing short-term contracts for TAFE teachers, increase staffing levels to reduce excessive workload levels and ensure that TAFE teachers have parity with government school teachers.

### **Horsham Special School: funding**

**Ms TIERNEY** (Western Victoria) — This evening my adjournment matter is for the Minister for Education in the other place, Bronwyn Pike. It is in relation to the Horsham Special School. I have had an opportunity to visit the school and two of the facilities and to meet staff, parents and of course students. I thank all involved in providing me with a very thorough briefing on the issues confronting the school. The school community identified a number of areas which require attention including the state of the existing buildings and the recreational areas.

Recently I have been contacted by the Horsham Special School council president Mr Max Cuddihy, who has requested that a senior member of this government attend the school to inspect the facilities.

Tonight my request is directly to the minister requesting that she attend the Horsham Special School or that she ask the Parliamentary Secretary for Education, the member for Eltham in the other place, to attend the school, to meet with its principal and to assess the needs of the school and its future.

### **Tourism: Heathcote**

**Mr DRUM** (Northern Victoria) — My adjournment matter is for the Minister for Tourism and Major Events, Mr Holding. I recently attended a meeting of tourism operators in the Heathcote region held at Lou De Castella's winery. The lack of recognition that is given to the township of Heathcote was highlighted. If you look at the goldfields map to find exactly where Heathcote is, you will not find it because it is not on the map. Heathcote is missing from the goldfields map.

When you go to the Bendigo region and inquire about Heathcote wines, in particular, you are told that Heathcote is about 30 minutes south of Bendigo. However, when travelling to Bendigo you only need to take a short drive out to get to Heathcote. Surely when travelling to Heathcote Melburnians could be advised to take the Northern Highway instead of taking the Calder; then in a little bit over an hour after leaving the northern suburbs of Melbourne they will be sampling the world-class wines that Heathcote has to offer and starting their wine tour with a visit through Heathcote in the first instance, rather than going to the goldfields and then having to find it.

The Jigsaw promotion boasts that you have to love every piece of Victoria and, as the recent report from the Rural and Regional Committee established, that is very true. It is hard to enjoy something and hard to love every piece of Victoria if you cannot find a specific town in the tourism promotions. I call on the minister to ensure that Heathcote is given due recognition as it attempts to carve out its own reputation as a destination for world-class wines, that its name take pride of place in any website promotion and that people are in fact given accurate information as to how they can get to places such as Heathcote to ensure that they have the best chance of taking advantage of its world-class wines.

### **Buses: Buchan**

**Mr P. DAVIS** (Eastern Victoria) — I direct a matter for the attention of the Minister for Public Transport



concerning the curtailment of the Buchan Bus 'n' Freight Service. This public transport and freight service has been operating three days a week for the past five years to provide an essential link between the remote communities of Gelantipy and Buchan districts and Bairnsdale. It operates on the 250-kilometre round trip with a commuter bus that takes up to 13 passengers, some of whom have come to know it so well and rely on it to the extent they simply flag it down by the roadside. It has capacity for freight; in particular, regular supplies of fresh meat and vegetables for the Buchan hotel and machinery spare parts for farmers.

People from as far as the mountains at Wulgulmerang come to Gelantipy to travel on the bus in preference to using their own vehicles. Many of the people living in the communities at W Tree area are regular travellers, and the bus delivers their weekly supplies of organic vegetables. The bush nursing centres at Buchan and Gelantipy depend heavily on it for supplies and prescriptions and the transport of patients to doctors appointments at Bairnsdale. Young people use the Friday and Monday services to enable them to spend weekends with friends in Bairnsdale. A number of schools conduct camps in the area and make use of the bus rather than arrange their own transport.

The operator, Drew Beavan, set up the service and has been running it at no profit. In fact he volunteers his time and has invested some of his own money to keep it going. To date he has received a state government subsidy of around \$50 000 a year that covers the bulk of the costs after deducting revenue from passengers for transporting freight and passengers.

Finally, with the need for this well-established business and with a business model to justify it, Mr Beavan recently put a proposal to the Department of Transport that included a small profit margin in order to provide a wage for him and his co-driver. The department agreed to a contract, but for only two instead of the present three days a week. The Monday service, which is the most important for those commuters, has been cut. Further, Mr Beavan would like to invest in a replacement for his ageing bus, but the contract is only for two years and does not provide sufficient security to enable him to take out a loan for a new vehicle. This is a sorry state of affairs. On a local initiative, at no cost to themselves, a group of isolated communities has managed to get a public transport service running that meets their needs at minimal cost to the state, and the heavy hand of government comes down to reduce it.

I therefore ask today that the Minister for Public Transport act to put into effect a lease that will enable an operator to provide a three-day-a-week service on a

commercial basis that ensures a viable and reliable service for patrons.

### **Regional and rural Victoria: obstetric services**

**Ms HARTLAND** (Western Metropolitan) — My adjournment matter is addressed to the Minister for Health, Mr Andrews. Changes in the way Victoria provides obstetrics services in rural areas is dehumanising our communities. A chronic shortage in midwives and obstetrically trained GPs is forcing women and their families to travel long distances and spend lengthy periods in regional centres away from their families to access services. Over a half an hour of travel for an expectant mother constitutes an increased obstetric risk. For someone living in Mallacoota the drive to the nearest obstetrics unit in Orbost is 147 kilometres. There is a concern over the future of the unit in Orbost as it is now largely reliant on overseas-trained doctors. The recent closure of the Daylesford obstetrics unit does not fill us with hope for other small and medium-sized units.

There is English research that shows that women who do not have access to local maternity services, including a midwife, and who give birth in hospital, are more likely to need a caesarean. While I applaud the federal Minister for Health and Ageing, Nicola Roxon, for the proposed midwifery reforms, such as Medicare funding for midwives and affording them admitting and prescribing rights, the actions speak louder than words. In the middle of a crisis for our midwives workforce, students are still paying full higher education contribution scheme fees for their course and rural maternity units continue to close causing emotional and financial distress to families.

For women to have access to appropriate maternity services in rural areas, we need a combination of GPs with obstetrics training, obstetrics units within reasonable distances in regional centres and midwives able to support women through their pregnancies, birth and after-care. Unfortunately the Victorian government seems to be failing in all three aspects. My request for the minister is for Victoria to implement a rural workforce training package that addresses the critical shortages of midwives and generalist GPs trained in obstetrics, and to implement the National Maternity Action Plan in the full.

### **Employment: ways2work website**

**Ms PULFORD** (Western Victoria) — My adjournment matter this evening is for the attention of the Minister for Industrial Relations, Rob Hulls. The Labor Party has always been the party that supports

working families and now that WorkChoices is almost dead the Brumby Labor government is working hard to encourage fair and productive work practices by assisting Victorian families to better balance their work and family responsibilities.

We have been working on implementing an election commitment to provide practical information to assist parents and carers, and their prospective employers through a new website called ways2work. The website provides information about returning from parental leave and family-friendly workplaces. It provides information about transferable skills and points users in the direction of care: child care, aged care and special-needs care. The website provides information about areas of skills shortage by region and has practical tips about how to prepare a résumé for those who have been out of the workforce, in many instances for quite a long time. The website has information about preparing for a job interview and information about rights, responsibilities and entitlements for people who have been out of the workforce for quite some time.

The employers' section of the website provides employers with information about the benefits they can derive by being a family-friendly employer and ways to identify how flexible work arrangements are in their workplace, as well as successful retention strategies. There are links to parents and carer resources and case studies of successful work-family balance experiences. The list of south-east Victoria's areas of skill shortages include nursing, secondary school teachers, motor mechanics, child-care workers, farm hands, truck drivers and others. I encourage people to have a look at it. The first stage of ways2work was launched by the Premier on 5 September. Funding of \$1.2 million over four years will enable us to continue to build this website beginning with translation of material — —

**The PRESIDENT** — Order! Does Ms Pulford have a matter? This is a speech.

**Ms PULFORD** — I am getting to my matter.

**The PRESIDENT** — The member should get to her matter quickly.

**Ms PULFORD** — I will be there in just a second. We will begin with translation of materials into languages other than English. This website is the first of its kind and I ask that the minister through — —

**The PRESIDENT** — Order! I do not believe Ms Pulford's adjournment matter has been properly structured or delivered. The member has simply given a speech outlining a whole range of issues that are found on a website. If she needs me to, I will explain chapter

and verse exactly what she is supposed to do and outline the technique for raising a matter on the adjournment. I do not expect any backchat either, just quietly. I note that the member has almost finished, so I ask her to wrap it up.

**Ms PULFORD** — I ask that Minister Hulls, through Industrial Relations Victoria, organise a forum in the Gippsland region for employers, parents and carers to provide information about the website and work-life balance issues.

### Calder Highway: funding

**Ms LOVELL** (Northern Victoria) — The matter I wish to raise is for the attention of the Minister for Roads and Ports. It concerns the Calder Freeway redevelopment and the transfer of responsibility for the old Calder Highway from the state government to the Mount Alexander Shire Council. The action I seek is for the minister to allocate additional funding to Mount Alexander Shire Council to enable it to maintain the old Calder Highway. The highway has always been the responsibility of the state government, but because of the Calder Freeway redevelopment project the Brumby government plans to shift responsibility for a 28-kilometre stretch of the old highway to the council.

The stretch of highway I am referring to is the part between Harcourt and Elphinstone. Considerable cost is anticipated to be associated with the maintenance and eventual replacement of this 28 kilometres of road. This additional responsibility will pose a significant financial impost on the council. Council estimates that each kilometre will cost \$250 000 to replace, meaning that road pavement replacement would cost the council around \$7 million. This is in addition to the annual routine maintenance cost of \$200 000 per year. There will also be ongoing costs associated with the maintenance and replacement of signage and other roadside facilities, litter clearance, line marking and so on. In addition there are two over-rail bridge structures at Elphinstone and North Harcourt, with an estimated replacement value of \$6.5 million. The council already has an immediate funding gap of about \$1.3 million for road infrastructure and is unable to accept additional assets without additional funding to meet the added impost.

The Brumby government has been earning a name for itself as a government that is eager to shift responsibility for government infrastructure to municipal councils without providing sufficient funding to assist councils with the maintenance of those assets. This is disappointing, given the current climate of financial challenge facing all rural and regional

councils. I request that the minister ensure there are ongoing discussions with the council regarding this matter and provide Mount Alexander Shire Council with additional funding if it is made responsible for this 28-kilometre stretch of the old Calder Highway.

### **Satellite technology: privacy**

**Mr TEE** (Eastern Metropolitan) — My adjournment matter is directed to the Minister for Local Government, Mr Richard Wynne. I am concerned about reports that some Victorian councils are using *Google Earth*, and *Google Street View* and other satellite technology to effectively spy on local residents. Councils are using the technology to look for breaches of council by-laws. They are looking for unauthorised home renovations and even looking for breaches of animal registration regulations. We know that technology in this area is improving dramatically, and there are reports that by using satellites people can now see backyard objects the size of an A4 piece of paper.

I am concerned about the unbridled and unrestrained use of this technology. As this technology and its use expands, we could end up with Big Brother spying on families and spying on the backyard barbecue. We could end up using this technology to snoop over neighbourhood fences. Therefore it is important to look at the issue now before it is too late and before the use of the technology becomes locked in and widespread. We need to look at the issue in a clear and dispassionate way, and we need to involve local councils as we develop clear and effective rules of engagement. We need guidelines that balance the needs of those councils with the rights of families to privacy.

Clearly those guidelines must involve consultation with local councils. Privacy is an important issue that is a human right. The guidelines will give comfort to local communities that Big Brother is not snooping over backyard fences in an unfettered and indiscriminate way.

### **Port Campbell National Park: penguin tour**

**Mr VOGELS** (Western Victoria) — I raise an issue for the Minister for Environment and Climate Change. It concerns a proposed dusk penguin tour at London Bridge near the Great Ocean Road in the Port Campbell National Park. In September 2008 Gavin Jennings, Minister for Environment and Climate Change, and Tim Holding, Minister for Tourism and Major Events, launched Victoria's nature-based tourism strategy 2008–12. This strategy was devised to stimulate and grow nature-based tourism by addressing the barriers that restrict means of attracting public and private investment.

Mr Jonathan Austin has put a submission to Parks Victoria to introduce guided tours of penguins returning to London Bridge. The opportunity to experience this phenomenon was restricted in 1979 in order to protect the penguins and their habitat. This outcome can be maintained by carefully controlling the guided tours and operating within stringent footprints monitored by Parks Victoria. The suggestion at the moment is to allow no more than 20 people on a single night.

Mr Austin has a background as a successful wildlife tour operator and previously worked as a Victorian fisheries and wildlife officer for 10 years. Mr Austin currently owns and operates the multi-award-winning *Seals by Sea* tour at Cape Bridgewater. *Seals by Sea* has featured on eight tourism-based television programs and is acknowledged within the industry. This is a very exciting project that would complement the tourism strengths of the region. It would increase visitations to the region beyond the Twelve Apostles, which is stated as a strategy within the Tourism Victoria strategic plan. Because it is held at dusk it would increase the length of stay and therefore the yield. The tour would be a drawcard to both domestic and international visitors. The action I seek from the minister is for Parks Victoria to assist this initiative in whatever way possible to enhance the Great Ocean Road experience for visitors by allowing a viable, sustainable and sensitive nature-based tourism attraction to occur.

### **Echuca: wharf**

**Ms DARVENIZA** (Northern Victoria) — I wish to raise a matter for the attention of Jacinta Allan, the Minister for Regional and Rural Development. The matter I wish to raise concerns the historic Echuca wharf. The wharf was built in 1863 and is the oldest and only red gum timber railway wharf left along the Murray River. It was in fact the largest and busiest inland port in Australia, second only to the port of Melbourne in the 1870s. The port of Echuca precinct attracts more than 60 000 visitors a year to the town, which, I understand from the council, provides employment for around 3000 people. I am also informed that it contributes approximately \$250 million to the local economy. Many of the visitors are attracted by the port's old-world charm and the heritage site. The Echuca site is listed on the national and New South Wales heritage lists and is under consideration for the Victorian Heritage Register.

A recent engineering assessment undertaken on the wharf has revealed that its current structural condition was deteriorating and that funding was necessary to upgrade it within the next two years. Recently, late in September, I visited Echuca with Minister Allan and

had the opportunity to view the wharf from a very good vantage point from a bank across the river and see the recently completed \$1.1 million first phase of the wharf refurbishment, which has been funded by the council. It really is a magnificent structure, not only the refurbishment but the historic part of the wharf as well.

I also had the opportunity along with the minister to meet with the Campaspe Shire Council to discuss the work the government has already been doing with the council to explore opportunities around the upgrade of infrastructure in the port of Echuca precinct, including a new visitor centre, quality interpreting experience and refurbishment of the wharf infrastructure to improve visitor safety and access for the paddle-steamer boats arriving and departing from the wharf. The specific action I am seeking from the minister is that she and her department investigate all options for funding the upgrade of the wharf to restore this wonderful historic attraction in Echuca.

### **Lakes Entrance Surf Life Saving Club: funding**

**Mr HALL** (Eastern Victoria) — I raise a matter for the attention of the Minister for Sport, Recreation and Youth Affairs, and it concerns some government funding to complete Lakes Entrance surf lifesaving facilities. Before I start on that matter I simply request the minister to add my name to a copy of the response to the Buchan Bus 'n' Freight service, a matter I was going to raise but was beaten to by my colleague Philip Davis. Never mind, I have plenty of issues I want to raise with the government.

I return to the matter of the Lakes Entrance surf lifesaving facilities. If members would like to have a pleasant walk down to the footbridge connecting the ocean with the inland lakes, they will note that at the end of that wharf on the other side of the footbridge is a structure which is Lakes Entrance's surf lifesaving facility. As far as it goes, it is a very good facility, but it is incomplete. If members look at it they will find a large slab of concrete connecting the existing facility on the beach side, towards the beach. That is just waiting for some infrastructure to go on top of it.

There is still no connection between the club facility and the tower, which members would also notice is a very significant structure. Lakes Entrance Surf Life Saving Club is the only surf lifesaving club in East Gippsland and it is very popular. It has something like 280 members and 140 nippers — nippers being the young children who train in such activities as would eventually lead them to functioning in a surf lifesaving club. The great thing is that it provides a very important

recreational outlet for young people in Lakes Entrance. Parents in the club are to be commended for that.

Over the long weekend in March the club staged the 2008 Westpac junior state championships that attracted over 1000 competitors and brought around 4000 visitors to Lakes Entrance, generating a \$1.2 million positive impact on the local economy. Life Saving Victoria has invited the club to stage the 2009 championships for both seniors and juniors. The club has had to decline because the new footbridge will be under construction at that time, but Life Saving Victoria would want the club to hold the senior and junior events simultaneously in 2010 and 2011. To do that the club really needs a complete building. My request to the minister tonight is to do everything possible to provide the club with financial support so that the fine structure over there now can be completed and Lakes Entrance in future years will be able to hold major surf lifesaving club events.

### **Police: Geelong**

**Mr KOCH** (Western Victoria) — I raise for the attention of the Minister for Police and Emergency Services a matter that relates to the Brumby government's cost shifting of resources to equip police in Geelong. The City of Greater Geelong, along with community leaders and those affected by street violence, have long called on police command and the state government to increase police resources and numbers in the Geelong region. In response to an earlier matter in relation to the Geelong community's request for a greater police presence to patrol trouble spots in the Geelong central business district, the minister claimed the state government increased police numbers by over 1400 across the state and that the Brumby government is committed to providing safe streets. The minister continues to push this line that Victoria Police is well resourced, particularly in the Geelong area, even though the police union continues to say there is still a shortfall of some 200 police in the Geelong region.

The minister says that police are using new technology, technical and strategic redeployment of members and maximising resources through critical path analysis of crime patterns with associated demographic overlay. I have no idea what that means. I am sure it is terribly important, but it is not doing anything for security in Geelong. The latest strategy is to deter further violent behaviour with Hummers supplied on loan by GM Holden. The minister will try anything instead of putting more police on the ground, even calling on car makers and local government to provide equipment.

We now find police have entered into a partnership arrangement with the City of Greater Geelong to use council-owned motorbikes for patrolling known trouble spots. Police have been provided with council motorbikes since August last year so that they can detect illegal activities, particularly those involving riders of unregistered recreational bikes on public lands and road reserves. This is another blatant example of the state government allowing local ratepayers to pay for services and equipment that should be funded and supplied by the state. The Premier and the Minister for Police and Emergency Services have consistently refused to properly equip and resource police or to increase the number of police in the Geelong region, and now local residents are paying through their rates to provide police with motorbikes.

Labor claimed it would do everything in its power to address rising crime rates in the Geelong region, but it has comprehensively failed in its obligation. The minister said the government is committed to providing additional resources and equipment to assist police in their work, but the government is forcing ratepayers to provide motorbikes for police in Geelong. My continued request remains for the minister to properly fund Victoria Police so that they do not have to rely on Geelong ratepayers to provide motorbikes for police to carry out their patrols.

### **Schools: classroom design guidelines**

**Mrs PEULICH** (South Eastern Metropolitan) — I raise a matter for the attention of the Minister for Education relating to the need for clear guidelines for the construction and design of classrooms and other school buildings, which are obviously vital for effective learning and teaching.

I have noticed that many schools are currently building multipurpose classrooms — it is certainly becoming more commonplace — and using a team teaching approach. This seems to now be taking off as the flavour of the month. However, concerns have been raised with me by a number of parents — and I believe this matter was raised with all members of Parliament by Deaf Access Victoria earlier in the year — about the suitability of these multipurpose classrooms for effective learning and teaching, especially for children with hearing loss, children from multicultural or Aboriginal backgrounds, children with special needs and children with poor language development.

Background noise and movement are huge impediments to effective learning and teaching, and clearly this is a much greater problem in very large classrooms. Classrooms are auditory and verbal environments, and

listening is the cornerstone of our educational system. The majority of learning takes place through speaking and listening in the classroom. Children spend approximately 45 per cent of the school day listening to their teachers and to other students asking questions or reading and so forth. Background noise and reverberations can affect the ability to hear sounds, especially at the frequency of speech. Generally speaking the bigger the room and the higher the ceiling, the higher the reverberation levels and therefore the poorer the ability to hear clearly, even for a normal listener. Many schools and halls — especially non-purpose-built schools — have high ceilings, large open classrooms and shared rooms that may be aesthetically pleasing but do not allow for effective learning.

Many other states have clear guidelines for the development and construction of classrooms and schools, but Victoria does not. Unfortunately Victoria does not have a lot of guidelines in relation to a whole range of activities that need to occur in schools. I call on the minister to make sure that appropriate guidelines are available to assist school communities, because school design involves the investment of large amounts of funds, and some of this might otherwise be misspent and not achieve the academic and developmental goals. Many parents are concerned; they need to be reassured that school design is undertaken with an educational purpose in mind. The sooner this is done the better. School communities need that sort of guidance, and they ought to be a part of the tender process. I call on the minister to ensure that appropriate guidelines are available.

### **Clearways: Stonnington**

**Mrs COOTE** (Southern Metropolitan) — My question for the adjournment debate this afternoon is for the Minister for Roads and Ports. It is about the clearways process announced by the Premier in April 2008. It would appear that the clearways process was flawed, and I have some major concerns about it.

Just to remind the minister of what the clearways process is about, it will apply to clearways within a 10-kilometre radius of the CBD (central business district) and is extended to the clearways that are in existence. It will be unmanageable and untenable for the small businesspeople involved.

In October 2007 the CEO (chief executive officer) of VicRoads, Gary Liddle, briefed Minister Pallas on the clearways situation and what the impact would be. Apparently the minister ignored the advice of Mr Liddle, and in April 2008, out of nowhere, the Premier decided that he would come out and make this

announcement. There was no consultation with anybody — the councils or the businesses concerned. This information has been obtained from an FOI request by the *Age*, and it is well documented that due process does not seem to have been followed.

On Monday night I conducted, in conjunction with the Prahran Electorate Council of the Liberal Party, a small business forum. Several people there were from businesses in and around Stonnington city, and they were particularly concerned about the issue of clearways and the impact on their business. I congratulate the people who conducted this very good — and very lively, I might add — public forum. People are extremely concerned, and they are particularly concerned that Mr Lupton, the member for Prahran, has been nowhere to be seen.

**Mr Jennings** — At a Liberal branch meeting? I'm not surprised!

**Mrs COOTE** — I will take the minister up on that. It was not a Liberal branch meeting. A number of people from businesses right across the city of Stonnington, members of the City of Stonnington council, and a number of interested businesses were there — and we can always recruit.

An article in the *Age* of 14 October quotes the Stonnington mayor Claude Ullin. In reference to the FOI documents, it reports him as saying:

The roads minister ignored advice from his own department about the importance of following due process and consulting local government. This information totally vindicates our position and is entirely consistent with the legal advice we have received that this decision to extend clearways is invalid.

Will the minister, as a matter of urgency, conduct a comprehensive consultation with the Stonnington Council and adhere to the outcomes? As Terry Mulder, the member for Polwarth in the Assembly and our transport spokesperson has said, 'John Brumby's methodology is to make an announcement, beat the community into submission, and then ask people how they are feeling'.

### **Crime: sentencing**

**Mr FINN** (Western Metropolitan) — I wish to raise a matter for the attention of the Attorney-General. I have, as the house would be aware — and I am sure you would be aware, President — over a period of time expressed concerns about the leniency of sections of the judiciary in handing down sentences from the bench.

There is a public perception growing that justice is not being done in courts. I have spoken to police, who are

actually screaming with frustration at this point. They work hard, they get the arrests and they lay the charges — only for the alleged offender to go to court and for their matter to be either dismissed or to be handled very lightly by the bench.

I too was screaming yesterday when I was on my way down here to Lakes Entrance and heard on the radio about one such incident involving a young girl — a 10-year-old girl — in my electorate who had been sexually assaulted in her bed. Somebody had broken into the house in Sunshine and had actually assaulted her in her bed. The perpetrator of this heinous crime had been given a nine-year sentence with a minimum of seven. By the time this 10-year-old girl turns 18, the offender may well be out on the streets again. I was absolutely horrified when I heard that this had happened. I immediately thought to myself, 'Is the impact on this young girl's life really worth just seven years in jail?'. I believe there is something very wrong with a system that allows that to happen.

I ask the Attorney-General to instigate a full ministerial inquiry into sentencing in this state. I personally think it is long overdue. There are enormous concerns in the general community about the way sentences are handed down, about the length of sentences and the way that the courts handle the criminal justice system. The Attorney-General really should take the bit between his teeth and instigate, hold or conduct a full ministerial inquiry, because it is my very strong view that it is long overdue that justice be injected into the legal system. That is the very least that the people of Victoria, certainly victims of crime, deserve.

### **WorkCover: interstate medical services**

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) — I wish to raise a matter for the attention of the Minister for Finance, WorkCover and the Transport Accident Commission. It relates to the availability of medical services for Victorian WorkCover Authority (VWA) claimants who move from Victoria to interstate jurisdictions.

When a person is claiming medical services as a VWA claimant they are required to receive medical services from registered health-care practitioners. The difficulty for claimants who move interstate is locating practitioners who are registered by the Victorian WorkCover Authority. I had an example brought to my attention of a claimant from Victoria who moved to South Australia and then, while needing medical services, sought to obtain from the VWA a list of appropriate registered health-care providers that they could seek consultations from in South Australia.

The VWA, through the office of the member for Williamstown in the Assembly, has indicated that the list of registered health-care providers is voluminous and as such could not be provided in hard copy format. The difficulty this has provided for the claimant is that they are basically searching for a needle in a haystack and have few options other than ringing around medical practitioners to find out if they are registered by the Victorian WorkCover Authority and can therefore provide appropriate services under the VWA scheme.

What I seek from the Minister for Finance, WorkCover and the Transport Accident Commission is that he arrange for the VWA to publish on its website a list of all registered health-care providers under the VWA scheme, particularly those located in interstate jurisdictions, so that claimants who have moved out of Victoria can access medical services under the scheme.

### **Knox: residential zones**

**Mr GUY** (Northern Metropolitan) — Tonight I raise an issue for the Minister for Planning concerning development occurring in the city of Knox in Melbourne's outer eastern suburbs. Recently I was alerted to an interesting newspaper article in the *Knox Leader* of 23 September where I noted a member representing Eastern Metropolitan Region, Mr Leane, was calling for a moratorium on all development in Knox until neighbourhood character studies have been completed by the council.

Development moratoriums are an interesting topic particularly here in Gippsland where the minister has recently placed one at the request of the Wellington shire on areas along the Ninety Mile Beach. This is despite the moratorium closing off the rights of local people to build on their own land, even something as small as a garden shed. But Knox is suffering what many people across the metropolitan area are now dealing with — that is, a complete change in urban character thanks to Melbourne 2030. Melbourne 2030 has forced high-density development in smaller streets, such as Kathryn Road, developments that are very much out of character with the existing urban and street character of the suburb.

It is only when listening to the concerns of local residents and viewing maps that give an indication of the changes happening to some of the smaller streets in Knox that you can appreciate the concerns that many locals have with such enforced change and a one-size-fits-all Melbourne 2030 policy and what it has brought to those local communities. But worse — and what I fear more of is planned for Knox — is development that will be out of step with this urban

character that is planned through the new residential zones (NRZ) document.

The government's NRZ plan will destroy the semblance of urban character that the suburb has through the mandating of high-rise, high-density dwellings with no corresponding upgrades in road, rail, water or power infrastructure. The NRZ plan will change the way the suburb looks. The plan contains three new zones, two of which mandate high-rise. This plan will devastate many areas of Victoria. It will devastate Knox. Leafy urban areas that are such a drawcard for people to live in Melbourne's east will be a thing of the past.

Tonight I ask the Minister for Planning to listen to the people of Knox, to listen to the local residents and to local members on both sides of the house who understand that inappropriate development in this area is getting way out of control, and to do one good thing for the people of Knox — that is, to scrap the planned new residential zones document.

### **Public transport: disabled access**

**Mrs KRONBERG** (Eastern Metropolitan) — My adjournment matter is directed to the Minister for Public Transport. It concerns the thoughtless, insensitive, humiliating and unbelievably cruel treatment of an elderly disabled woman on 15 August at the Heidelberg station. This 65-year-old woman was returning to her home in Melbourne's north-eastern suburb of Montmorency after her work as a volunteer at the Colostomy Association of Victoria. She experienced the very uncomfortable and potentially highly embarrassing consequences of having her colostomy bag fill to bursting.

This poor lady, who is already suffering the effects of terminal cancer, was refused access to the station's locked disabled toilet. An ignorant and obviously untrained employee of Connex decided that the height of this woman's discomfort and anxiety was the perfect time to assert his petty officialdom by saying she was not permitted to use the disabled facility because — unbelievably — she was not in a wheelchair. Then, after pleading with this hapless station employee's manager, the woman was able to gain access. But her humiliation was not over. The manager, clearly unable to climb down from the untenable and thoroughly unjustifiable position he had put himself in, put a condition on her entry to the toilet. Not able to help himself, he told the lady she would have to vacate the disabled toilet if someone in a wheelchair arrived.

This raises many issues and brings into focus far too many shortcomings of our public transport system and the service provided to the public. Codes of conduct for performance in the public transport system and services to customers must meet community expectations and must be reasonable. I ask that after the minister investigates the staffing, customer service policies and practices and provisioning of Connex facilities, he tell me and the community what measures he is prepared to take to protect our disabled citizens from such insensitive, cruel and totally unreasonable behaviour when they are travelling on the public transport system in metropolitan Melbourne.

### **Licola Wilderness Village: government assistance**

**Mrs PETROVICH** (Northern Victoria) — My adjournment matter is directed to the Minister for Environment and Climate Change, and it is about the Licola village and its need to be protected from future natural disasters. Given that we are in Gippsland this week, it is fitting that we acknowledge the important role the Lions Licola Wilderness Village and its school camp have played in the lives of more than 40 000 children and adults. People from various backgrounds, including those who have faced personal and social disadvantages, numerous primary and secondary school groups, elderly citizens and international visitors have all experienced the benefits of this unique environment. As I have heard on more than one occasion, Licola is a place for self-discovery. It is often described as a catalyst that has changed the lives of many people.

As a member of the Parliamentary Lions Club, I am enormously proud of what the Licola village has delivered. Thanks to the foresight and dedication of a small determined group of Lions, this old sawmill was given a new lease of life some 30 years ago. Mind you, it did not happen overnight. The sawmill was derelict and overrun with weeds, blackberries, snakes and far from inviting when it was first purchased. The concept to turn it into a unique place for community groups was then embraced by Lions clubs throughout Victoria. It took some five years, from 1969 to 1974, and a lot of hard, back-breaking work, to bring the village on stream.

Since it was turned into this youth camp, Licola village has faced its own adversities, particularly in relation to natural disasters — fires and floods. In recent years it has been used as the base camp and operations centre for more than 600 firefighters. But just last year it was ravaged by the Gippsland floods in June. It lost its powerlines and outdoor education equipment, with a damage bill of the order of \$500 000. Despite the role

Licola has played in the lives of so many Victorians, this government has only managed to put its hand in its pocket for less than 10 per cent of the funding needed for its restoration and rehabilitation. The government has also failed to secure the village against the forces of our climate, in particular future floods and mudslides.

The action I seek from the minister is to provide as a matter of urgency for a permanent levee bank to be built to protect the Licola village from further damage.

### **Manufacturing: government strategy**

**Mr DALLA-RIVA** (Eastern Metropolitan) — The adjournment matter I raise tonight is for the Minister for Industry and Trade, and it relates to the ongoing situation I have raised a number of times about the action necessary for delivering the manufacturing strategy plan. I raise it in the context that today, at 11.00 a.m., a significant manufacturing company in Ballarat, John Valves, closed its doors and went into administration. One hundred and thirty Victorians lost their jobs today. They will be home tonight wondering what on earth they will do.

While we are all upset about their particular plight, it draws into question the government's lack of commitment to this plan. It gives an example of how, if the strategy plan had a clear direction in terms of a procurement policy on which manufacturers could base their bidding processes, we would not have seen such stupidity as the situation John Valves is in, where it had the goldfields super-pipe delivered all the way to its front door and yet the valves that were supplied for that particular project were supplied by foreign companies.

It astounds me that we have spoken about this and debated it a number of times, but today another company has closed its doors when it could have had clear direction and guidance on the government's procurement policies through such a plan. Do we actually engage Victorian companies when it comes to major projects undertaken in this state? Do we have a policy for where the work goes?

For the sake of people in the manufacturing sector I implore the government not to allow a situation such as that which occurred in Ballarat today. I ask the minister to take the necessary action to deliver this promised manufacturing strategy plan so that manufacturers and Victorians have certainty about what they are doing in the future, and where.

### **Schools: Catholic sector**

**Mr D. DAVIS** (Southern Metropolitan) — The matter I raise for the adjournment debate tonight is for



the attention of the Minister for Education. It concerns the funding of our important Catholic education sector. In the Southern Metropolitan Region there are many Catholic schools that do fine work in providing education and a choice for parents and children as they educate them.

As many in the chamber will know, the Liberal Party has put on the table a package of \$394 million over four years which is earmarked, in consultation with the Catholic Education Commission, for teacher salary increases, for students with a disability who currently receive just one-third of the funding of disabled students at a government school, programs for needy Catholic schools in disadvantaged and low socioeconomic areas, investment in capital works and maintenance for Catholic schools to repair existing facilities, teacher and principal professional development, access to the internet and support for Catholic schools in complying with state government accountability requirements. We have put forward a comprehensive package, and we have sought to increase funding to around 25 per cent of the cost of educating a child at a government school to deal with their long-term sustainability.

Recently the government sought to respond with a package that in my view is completely inadequate. It is a policy that saw the government commit only \$38.9 million of capital funding for Catholic schools across our state. The amount of money is far less than is needed, and it is not focused on the broad range of needs.

I ask the minister to review the government's position, because the amount of money provided is clearly inadequate. I ask that she do this after discussion and debate with the Catholic Education Office so that she understands the requirements for a sustainable package to ensure that Catholic schools are properly funded and provided with the choice and alternatives required. As I said, the government's contribution is clearly inadequate. I seek that the government, as part of the review and after discussions with the Catholic Education Office, increase funding to Catholic schools to match the coalition's promised funding and to place that funding on a sustainable level for the long term.

### Responses

**Mr JENNINGS** (Minister for Environment and Climate Change) — I am happy to say — and everyone will be relieved — that I will refer all these matters to the appropriate ministers for their consideration. There are no written answers.

Two matters have been raised for my attention. Donna Petrovich raised a matter for me to have a look at the value and contribution that levee banks could make if placed around Licola village to protect it in future, and I am happy to have a look at that matter. John Vogels raised a matter in relation to the potential for a penguin tourism activity to occur at dusk at London Bridge, and I am very happy to talk to Parks Victoria about that.

Edward O'Donohue raised a matter for the attention of the Minister for Agriculture seeking his support to ensure that the Red Hill Show maintains its accreditation as a feeder to the Royal Melbourne Show.

Gayle Tierney raised a matter for the attention of the Minister for Education seeking her support and for her to visit the Horsham Special Development School.

Damian Drum raised a matter for the Minister for Tourism and Major Events. Until Mr Tee spoke, I was going to encourage a Google-based solution to this matter, making sure that we locate Heathcote and that visitors to Heathcote can find it in a timely and appropriate fashion.

Philip Davis raised a matter for the attention of the Minister for Public Transport. I am happy to cc (carbon copy) my response to Mr Hall, because when I talked about Buchan earlier today I noticed his interjection, that I did not respond to at the time, about the Buchan Bus 'n' Freight service. Mr Davis wants to ensure that the leasing arrangements provide for a three-day-a-week service for that community.

Colleen Hartland raised a matter for the attention of the Minister for Health seeking his support to review the welfare and rural workforce planning issues relating to obstetrics and midwifery services throughout Victoria.

Jaala Pulford raised a matter for the Minister for Industrial Relations seeking him to convene a forum for opportunities to discuss the importance of ways2work information being distributed to local communities in the Gippsland region.

Wendy Lovell raised a matter for the attention of the Minister for Roads and Ports seeking his support to ensure that Mount Alexander Shire Council receives financial support for its ongoing contribution in assuming responsibility for the old Calder Highway.

Brian Tee raised a matter for the attention of the Minister for Local Government, and it was his comments that made me think that Google solutions are perhaps not the ones that we all should galvanise around. From a civil libertarian perspective, and apparently for the welfare of cats, we want to make sure

that local government does not intrude inappropriately through the mechanism of Google-based map opportunities. He sought the minister's assistance to try to ensure that local government does not abuse the power that is now available to it by invoking the participation of the privacy commissioner in that work. I am sure there will be subsequent calls for that to be applied to other jurisdictions as well, but let us leave that for another day.

Kaye Darveniza raised a matter for the attention of the Minister for Regional and Rural Development seeking her support to provide for the redevelopment of the Echuca wharf.

Peter Hall raised his fallback position in relation to providing support — —

**Mr Hall** — Equally good.

**Mr JENNINGS** — It is equally good because it provides support for 140 nippers to make sure that they can participate in the activities of the Lakes Entrance Surf Life Saving Club and that that can be supported through a safe, secure and well-fitted-out environment.

David Koch raised a matter for the attention of the Minister for Police and Emergency Services and I think not for the first time talked about police resources in Geelong. I will let the minister respond to that matter.

Inga Peulich raised a matter, and I want her to know that despite the background noise I heard her contribution. I appreciate the importance of providing our children with classroom settings where background noise is not a feature of their daily life and that guidelines are created for the construction of classrooms that try to ensure that all of our children can participate to the maximum degree.

Andrea Coote raised a matter for the attention of the Minister for Roads and Ports. I thought he was going to be invited to a Liberal branch meeting, but no, it is a forum to discuss with the Stonnington City Council the implementation issues surrounding the clearways policy.

Bernie Finn raised the eyebrows of the President, who thought he was going to launch an assault on the judiciary. He refrained — only just, I think — but encouraged the Attorney-General to make sure that his review of sentencing arrangements is effective. I can let Mr Finn know that the Attorney-General has already undertaken the review through the auspices of the Sentencing Advisory Council, but Mr Finn may call on the Attorney-General to have a look at the effectiveness of that mechanism.

Gordon Rich-Phillips raised a matter for the attention of the Minister for Finance seeking that the Victorian WorkCover Authority provide for claimants a list of registered practitioners who would be available to provide service to claimants in this and other jurisdictions across the country.

Matthew Guy raised a matter for the attention of the Minister for Planning seeking that he reconsider the proposed residential zones document in the city of Knox.

Jan Kronberg raised a matter that I think all of us in this chamber would be dismayed to hear of — the circumstances of a resident who was waiting for public transport at Montmorency station and did not receive timely and appropriate access to facilities on that station. If access is being denied to people with disabilities, beyond those who are clearly in a wheelchair, then that is something I am sure the Minister for Public Transport will be sensitive and alive to responding to.

Richard Dalla-Riva raised a matter for the attention of the Minister for Industry and Trade seeking the earliest intervention in terms of providing support from the government for the future of the manufacturing sector.

Notwithstanding the \$38 million that has been provided by the Victorian government in recent times to Catholic education, Mr David Davis wants further support provided by the Minister for Education to the Catholic schools sector.

**The PRESIDENT** — Order! The house now stands adjourned.

**House adjourned 7.37 p.m.**

**LAKES ENTRANCE****Thursday, 16 October 2008****The PRESIDENT (Hon. R. F. Smith) took the chair at 9.34 a.m. and read the prayer.****BUSINESS OF THE HOUSE****Adjournment****Mr JENNINGS** (Minister for Environment and Climate Change) — I move:

That the Council, at its rising, adjourn until Tuesday, 28 October 2008.

**MEMBERS STATEMENTS****John Valves Pty Ltd: government assistance**

**Mr VOGELS** (Western Victoria) — On Wednesday, 30 July, I raised an issue for the Premier concerning a high-tech manufacturer in Ballarat, John Valves, which produces large valves suitable for fittings in contact with potable and treated water. The business was established in Ballarat in 1896 and up until yesterday employed 130 people. It has recently supplied valves produced especially for major projects in Sydney, Queensland and South Australia and has supplied valves for the Perth desalination plant. It has been approached recently by business interests from faraway Dubai looking to use its expertise.

At the time when the Victorian government was looking to undertake a number of substantial water pipeline projects you would have thought a good local firm like John Valves would be a shoo-in to attract business. It was not contracted to supply valves for the Wimmera–Mallee pipeline, which in relative terms is just next door to Ballarat. It was not even contracted to supply valves for the so-called goldfields super-pipe, which takes water from north of the Great Dividing Range almost to the doorstep of John Valves. It was given no opportunity to bid for work on the north–south pipeline or the Melbourne to Geelong pipeline and no doubt would not have been on the short list for the desalination plant. A business like John Valves relies on securing large projects so that it can keep its doors open, and I ask the question: if John Valves cannot secure contracts for Victorian government projects, will the Premier take responsibility when the doors close on 130 jobs in Ballarat?

**Asbestos-related diseases: apology**

**Mr SCHEFFER** (Eastern Victoria) — I commend the Victorian government on the apology the Premier made yesterday in the Legislative Assembly in Churchill to former power industry workers and their families for their pain and suffering caused by asbestos exposure at the former State Electricity Commission of Victoria (SECV). I pay tribute to the tireless efforts of the volunteer members of the Gippsland Asbestos Related Diseases Support group who care for those who suffer from this debilitating disease. I pay particular tribute to Vicki Hamilton, Dorothy Roberts, Marie Smith, Pam Nicholson and GARDS president Lyall Seear, who advocate so powerfully for those affected by these diseases.

I also acknowledge the great support for an apology that came from the Gippsland Trades and Labour Council and the wider union movement whose members have advocated on behalf of the sufferers of asbestos-related diseases. The exact number of victims of asbestos-related diseases is not known, but we do know that thousands of workers and their families were exposed before the substance was finally banned in Victoria in 2003. Research confirms the anger and disappointment that many affected people feel towards the authorities under whose watch the exposure occurred. I hope yesterday's apology will give sufferers some solace and peace. The Premier's apology was profound and emotional for thousands of sufferers from asbestos exposure after working for Victoria's state electricity commission. The SECV was owned by the state of Victoria at the time the workers were exposed, and it is appropriate for the present government to apologise for the injury caused. The Premier's apology acknowledges that it is unacceptable for anyone to be exposed to deadly substances.

**Genetically modified crops: East Gippsland**

**Mr BARBER** (Northern Metropolitan) — According to last Friday's *Bairnsdale Advertiser* the East Gippsland Shire Council has resolved to request the Premier to make this region a genetically modified organism (GMO) free zone, and I commend it on that effort. There is the power within the Control of Genetically Modified Crops Act to declare certain regions to have a moratorium in relation to GMOs, and the council has also called for a public online register of where GM crops are to be grown. I can inform the council and also the house that I will be bringing forward a private members bill to allow for exactly that. In speaking to the motion Cr Rowe said:

This is about using your representative power to deliver what your community has asked of you and use the precautionary principle in relation to GM crops, the same precautionary principle we all now wish was exercised when releasing the fox, the rabbit, the cane toad and the prickly pear.

### **Technical and further education: regional and rural Victoria**

**Mrs PEULICH** (South Eastern Metropolitan) — The Brumby government's TAFE reforms will have a negative impact on regional and rural industry and reduce the access to training, and the cost and availability of training, in regional and rural Victoria. Students in rural Victoria attend TAFEs more than any other educational institutions, so it is disturbing that Labor's planned changes to the sector will make TAFE courses more expensive, threaten the future of TAFE institutes and lead to further skills shortages in regional Victoria.

Teaching and research in regional and rural Victorian TAFEs such as the Central Gippsland Institute of TAFE tend to have a distinctively regional focus to cater for local industry, with many of the courses focusing on industries such as agriculture, farming, mechanics and engineering — all essential to ensure that students can provide the skills for regional industry by building the professional infrastructure of regional communities as well as meeting local labour market needs.

If the average person has five to seven career changes in their lifetime, Labor's reforms will not meet the educational needs of our rural and regional communities, because those wishing to access new knowledge for retraining will not be able to do so unless they pay the full fees. Tripling the cost of TAFE and higher education contribution scheme-style loans will reduce access for school leavers and those seeking retraining to meet emerging employment needs, and leave our TAFE sector underfunded. The Brumby government's reforms will hurt the way primary industry deals with skills needs in the next 20 years and damage rural and regional Victoria's skills base. I call on the Premier, John Brumby, to reconsider the short-sighted reforms because they will hurt regional and rural Victoria.

### **Port Phillip Bay: channel deepening**

**Ms BROAD** (Northern Victoria) — The dairy industry is a major contributor to the Victorian economy and to the prosperity of families in Gippsland, employing 19 000 people on farms and in processing across the state. Dairy farmers ship around 350 000 tonnes of dairy product through the port of Melbourne each year. At present the shipping channel

to the port of Melbourne is too shallow to allow ships to be fully loaded, and farmers are facing higher export costs as a result. This is the reason for the Brumby Labor government's channel deepening project, a project supported by the Victorian Farmers Federation and business.

The importance of this project did not stop the Liberal-National coalition voting in the Legislative Council for another inquiry inspired by the Greens opposition to channel deepening. This is yet another example of the Liberals struggling to work out what they stand for. The Nationals used to support channel deepening, but as usual they rolled over and did what they were told by the Liberals. As the *Weekly Times* said recently:

It seems old habits die hard when it comes to The Nationals in coalition with the Liberals.

As happened in the days of the former Kennett government, The Nationals once again are being forced into an embarrassing compromise.

The last time the Liberals and Nationals were in coalition they ripped the heart out of regional Victoria, closing 178 country schools, 12 country hospitals and 6 country rail lines.

### **Transport: east-west needs assessment**

**Mr FINN** (Western Metropolitan) — I was somewhat underwhelmed today to see the leaked story on the front page of the *Herald Sun*. As a representative of the western suburbs, I got that same old feeling of 'Here we go again'. It would seem that the western suburbs are about to miss out. The government is distributing largesse to its marginal seats, and the western suburbs, despite all their loyalty to the Labor Party over all these years, are again going to get absolutely nothing.

The transport plans that the government is putting forward, the follow-on from the Eddington report, are of little value to the western suburbs. The tunnel linking the Tullamarine and Eastern freeways, which I am very hopeful will happen, will be of some passing value in easing traffic congestion, but the Sunshine to Caulfield rail tunnel may well end up being the white elephant of the century. What we need desperately in the western suburbs is a second Yarra River crossing. The West Gate Bridge is a basket case, and I invite members to come out and have a look at it for themselves if they are desirous of doing so. In the area of public transport what we also need is an urgent upgrade to increase the capacity of the North Melbourne railway station. You can have as many trains out there as you like, but if they cannot get through the station again it is of little value.

All we want in the west is a fair go. The government might like to be reminded that we pay taxes too!

### **Regional and rural Victoria: government initiatives**

**Mr EIDEH** (Western Metropolitan) — I believe we have all seen the media promotions that talk about Queensland being beautiful one day and perfect the next. But to me the real beauty of this wonderful nation can be found in the people and the communities such as this one in regional Victoria, particularly in beautiful Lakes Entrance. Where else can you find the heart and soul of a nation or a state than in a wonderful community such as this? I congratulate the Premier, John Brumby, and you, President, for holding regional sittings of this house in such an area. If Victoria is the place to be, it is in communities such as this. That is just one reason that Premier John Brumby has been so considerate of, so interested in and so supportive of regional Victoria throughout his parliamentary career and most particularly during his successful time in government.

This is why there have been so many initiatives designed to assist regional Victoria to grow, develop and prosper. The \$502 million *Moving Forward — Making Provincial Victoria the Best Place to Live, Work and Invest* statement is proof that this Victorian government is committed to regional Victoria and that we are listening. This is on top of the many policies that are aimed at all Victorians and the absolute commitment that this government continues to show to all the people of Victoria.

In closing, I thank the wonderful people of Lakes Entrance for being so inviting and so friendly, and wish them every success in the future.

### **Wannon Water: performance**

**Mr KOCH** (Western Victoria) — In recent response to a widening range of community issues, Wannon Water displayed a complete lack of accountability to its customers. Complaints have been poorly handled with little consideration given to addressing the problems to customers' satisfaction.

Concerns have included acknowledging the existence of asbestos water pipes with no plan for their replacement; the decision to pipe water from the already depleted Rocklands Reservoir to supplement Hamilton's supply, forcing major price hikes to pay for infrastructure; breaches in water quality standards without explanation; the failure of the Hamilton treatment plant that prompted a notice to boil drinking

water with no compensation for affected customers; excessive increases of its fire services charge without due consideration of how it would affect customers; overestimated water bills from unread meters; and the insistence on payment of service charges for unused or unconnected services. The list goes on.

In another example of inept customer service, concerns expressed by landowners in the Dunkeld area who did not wish to be connected to an extension of the water main were harshly dismissed by Wannon Water. Wannon Water insists these landowners pay almost \$13 000 for water infrastructure they do not want. In attempting to have the matter resolved by the Victorian Civil and Administrative Tribunal and faced with \$20 000 in legal fees, the appeal of these people, unfortunately, had to be withdrawn. Wannon Water's lack of accountability — —

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

### **Nhill College: facilities**

**Ms PULFORD** (Western Victoria) — It was my pleasure last month to officially open stage 2 of works at Nhill College. The Brumby Labor government contributed over \$1.3 million to a total rebuilding of the school in Nhill. The school community raised an impressive amount of \$22 000. The new works include state-of-the-art science facilities, a 2D art room, and graphics, technology and fabrics areas as well as general purpose learning spaces. It was wonderful to see how proud the students and staff were as they walked through their new facilities. It was a fabulous event, and I pay tribute to the retiring school principal, Mr Neville Trotman, for the vision he had for Nhill school students.

Since coming to office the Brumby government has proved its commitment to education throughout the state. In the 2008–09 state budget alone over \$138 million was committed to 23 regional and rural schools. Since the Labor government came to office 350 regional and rural schools across Victoria have received \$755 million, including \$145 million in East Gippsland to rebuild, renovate or extend 42 schools from Orbost Secondary College to Toora Primary School. I was proud to open the new facilities in Nhill and I am proud to be part of a government that is committed to governing for the entire state and supporting excellence in education.

### Melbourne Water: staff

**Mrs PETROVICH** (Northern Victoria) — I have no joy in reporting yet another shameful day in rural Victoria. Yesterday further bullyboy tactics were used by Melbourne Water and the Brumby government to gain access to a property just north of Yea in their attempt to progress the north–south pipeline, which 91 per cent of landowners do not support.

Melbourne Water has once again lied to honest, hardworking people to gain access to their farms. At a meeting with Andrew Miller and Martin Hunter at 6 o'clock on Tuesday night, a commitment was made to meet at 11 o'clock the following morning at Glendaloch, the property owned by the Millers and Mr Hunter for over 40 years. Melbourne Water officers agreed to provide the required occupational health and safety documentation and a copy of the insurance policy to indemnify landowners against legal action. They also agreed to provide the required biosecurity clearance documentation to guarantee protection against bovine and ovine Johne's disease.

I would like to elaborate on this, and it is a great example of how the Brumby government is not to be trusted. At 8 o'clock that morning Melbourne Water breached its agreement and the officers arrived at Glendaloch 3 hours earlier than the agreed time. The farmers are part of a market assurance program and their documentation is over 4 inches thick and contains many pages. The government's document is a single sheet, but unfortunately none of the documentation was provided. After the farmers had talked to the Melbourne Water people about their vehicle, which had been driving through cow excrement, the officers rinsed it down with plain water. I hope they are really proud of themselves. This government has called these farmers quasi-terrorists and liars.

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

### Transport: Eastern Metropolitan Region

**Mr TEE** (Eastern Metropolitan) — Today I would like to congratulate the Brumby government for its ongoing engagement with the community on Melbourne's transport needs. As we know, the government has encouraged submissions and ideas from the community in relation to our transport challenges. This has encouraged a fair degree of debate in the community and a number of ideas have come forward, some more popular than others. I noticed that Mr Atkinson is quoted in the *Maroondah Journal* as having called for a north–south rail line from Ringwood

to Dandenong, which he says would bring much-needed relief to train commuters. Unfortunately, a number of those train commuters seem to disagree with Mr Atkinson's call, and the Public Transport Users Association is quoted in the *Maroondah Journal* as saying that the north–south railway line can hardly be justified. The Public Transport Users Association said:

There are very few people who actually live in Ringwood and work in Dandenong or vice versa.

I see from an article in the *Manningham Leader* that, undeterred, Mr Atkinson is quoted as calling for larger tunnels on EastLink. He would like the Melba and Mullum Mullum tunnels to be larger, and again, as the article's headline says:

Donvale residents have lashed out at claims — —

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

### Sale Common State Game Refuge: walking track

**Mr P. DAVIS** (Eastern Victoria) — I raise a matter in relation to the management — or sometimes I say the mismanagement — of Parks Victoria. The people who work for Parks Victoria do an outstanding job within the constraints that apply, but those constraints are seriously limiting because of the lack of proper funding and, more importantly, the coordination of Parks Victoria.

I refer in particular to the Sale Common State Game Refuge, which was affected by the floods of 2007, both in June and October. The boardwalk in the Sale common was significantly damaged, but it was repaired by mid-2008. Track maintenance has generally been good, but the park note for the Sale Common State Game Refuge shows significant tracks which are now not maintained at all. The eastern edge of the walking track is in complete disrepair through lack of maintenance, and it is unfortunate that the Department of Sustainability and Environment publishes park notes that mislead the community in regard to accessing wetlands which are important for people who are interested in birdwatching of species such as water fowl and simply enjoying active outdoor recreation. I use this case as but one example of the need for Parks Victoria to commit itself — —

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

### **Roads: Gippsland**

**Mr PAKULA** (Western Metropolitan) — The Brumby government is working with the people of Gippsland to make it the best place to live, work and raise a family. Since coming to office in 1999 Labor has invested more than \$650 million in Gippsland roads. There has been \$238 million spent on upgrading roads like the South Gippsland Highway and the Great Alpine Road between Omeo and Mount Hotham, and work is currently progressing on stages 5 and 6 of the Bass Highway duplication project.

**Mr Finn** interjected.

**Mr PAKULA** — I urge Mr Finn to wait. Princes Highway East has benefited from \$40 million worth of improvements, and there is more to come with the state and federal governments having agreed to progressively upgrade Princes Highway east from Traralgon to Sale at an estimated cost of more than a billion dollars. The government welcomes the \$140 million that has been committed by the commonwealth to commence work on that road, and planning is well under way. New opportunities for Gippsland residents have been created with the completion of the Pakenham bypass, which has reduced travel times to Melbourne and improved freight movements to and from the region.

Lastly, I recognise the enormous local effort during the 2002 floods, which came on top of bushfires. The relief work included building temporary bridges in record time. Last month a new span on the Licola Bridge was put into position, delivering the final project as part of the Brumby government's \$20 million flood recovery roads and bridges program.

### **John Valves Pty Ltd: government assistance**

**Mr KAVANAGH** (Western Victoria) — I referred yesterday to John Valves Pty Ltd, which has been placed into administration. The company has been operating since 1896. I support many of the comments made by Mr Vogels this morning. Like Mr Vogels, I visited John Valves in the middle of this year and was told by company representatives that they felt it was not getting a fair deal from the Victorian government. Neither was it getting fair treatment from the commonwealth government, because protection at that level is very low — much lower than that provided in other countries that give protection to their industries.

In addition, the company felt it was not given fair consideration by the Victorian government for many projects in Victoria. Mr Vogels referred to a long list of them. Although the company was supplying other

states, it had not won a contract in Victoria. On behalf of John Valves Pty Ltd I asked the minister at that time to give the company better consideration.

I call on the government, firstly, to do what it can for the 120 to 130 workers whose future is now in jeopardy; secondly, to do what it can to guarantee better consideration in the future so that a new buyer may be found for the company; and thirdly, to provide better treatment of all industries in Victoria, especially in rural and regional Victoria.

### **Council of Australian Governments: reforms**

**Mr THORNLEY** (Southern Metropolitan) — I had the privilege of attending the Council of Australian Governments meeting in Perth a week and a half ago when all the governments in Australia were talking about what action is needed to address the potential consequences of the global financial crisis. I am proud to say that our government and our Premier advocated strongly, firstly, for a reduction in interest rates; secondly, for fast-tracking infrastructure, and thirdly, for a greater focus on new home development and a first home buyer scheme targeted towards new home construction to ensure that we give that section of the economy a necessary filler. I see that all three of those policy prescriptions advocated by our government have been adopted.

### **Foundation Boroondara: Kinder Plus program**

**Mr THORNLEY** — On another matter, I was very pleased to meet in my local area with Denise Whitelaw and Di Cummins from Foundation Boroondara and learn about its terrific Kinder Plus program, through which it seeks donations from local community members to support and place disadvantaged kids, four-year-olds, in kindergartens and plant a tree in honour of the donor, symbolising both the growth and development of the child and the generosity of the donor in a permanent way that also helps to reduce the impact of climate change.

Finally, I welcome the presence in the gallery today of students from Lakes Entrance Primary School. It may look as if we are having a big argument a lot of the time, but as Winston Churchill once said, 'Democracy is the worst form of government apart from all the others'. Welcome.

## STATEMENTS ON REPORTS AND PAPERS

**Rural and Regional Committee: rural and regional tourism**

**Mr P. DAVIS** (Eastern Victoria) — I seek to make a statement on the Rural and Regional Committee's report on its inquiry into rural and regional tourism of July 2008.

**Mr Vogels** — A very good report.

**Mr P. DAVIS** — I take up the interjection from Mr Vogels and say that it is a very good report. I congratulate the people involved in it. I note that this is the one committee that the government neither controls nor chairs, so I can say without hesitation that the outcomes from the report reflect a broader view than just the narrow government view, which most of the other reports seem to me often to reflect. The work that is done by all members of the committee is outstanding, and I know the report will stand the test of time.

Having said that, I specifically refer to a number of the report's observations and recommendations. The report highlights the opportunities for regions in the far reaches of the state, in particular East Gippsland, and it is useful to be reminded of the comments made by the representative of the Victorian Tourism Industry Council, Wayne Kayler-Thompson, which are cited in the report as part of the evidence, where he talked about nature-based tourism. Without quoting the extract in full, he made the point that there is a significant development of the interest in nature-based tourism and that we need to add value to Victoria's assets. The report states:

And yet Victoria has the reputation nationally, and certainly globally, that we do not have nature-based experiences of quality.

I take up that point in the context of being here in East Gippsland. We know that this region has rare beauty, and those members of the house who have had the opportunity to visit East Gippsland previously on their own account, or others who have visited here only in the context of this parliamentary sitting, will now perhaps better understand that this is the jewel in Victoria's tourism crown in terms of the natural attractions it offers, including the Gippsland Lakes and the adjacent national parks, particularly to the east.

I want to talk briefly about the need to develop significant walks infrastructure. I have previously in this house referred to observations about Western Australia — the renowned Cape to Cape Track, which is a seven-day walk of 135 kilometres. For those who

feel exhausted by the prospect of walking for seven days, it is a walk which can be done in small sections. For those who are more adventurous — like Mr Vogels, I am sure — and who would be excited about the prospect of a 1000-kilometre walk from Perth to Albany, there is the Bibbulmun Track. Can Ms Broad say whether I am correct?

**Ms Broad** interjected.

**Mr P. DAVIS** — Close. It is a 1000-kilometre walk from Perth to Albany, which is indeed an icon. Unfortunately Victoria has not taken the advantage of developing its natural features, but there is an effort by the local community. A group based in far East Gippsland in Orbost and further east has come together under the auspices of the Orbost and district community forum. As far back as 2002 it commissioned a report which concluded in 2006 and is entitled *The Far East Gippsland Icon Walks Ecotourism Infrastructure Study*. This report strongly defines the opportunities for eco-based tourism and for developing walks to attract visitors to the region to take advantage of its natural beauty. It also identifies a requirement to develop appropriate infrastructure, both public and private, including accommodation opportunities. The report includes proposals in relation to shorter walks as well as long walks, and the East Gippsland shire has taken this matter up. I note the shire has been seeking significant funding to progress the feasibility, progress the planning and progress the funding for the provision of some infrastructure; however, at this stage it has met with small success.

I raise the matter because it is a significant issue not just for the East Gippsland Shire Council but for the Victorian government, because the Victorian government has its Go for Your Life policy. The best way to implement such a policy is to support walking-based tourism.

**Victorian Catchment Management Council: report 2006–07**

**Ms BROAD** (Northern Victoria) — I rise today to speak on the 2007 annual report of the Victorian Catchment Management Council. I acknowledge and thank the chairperson, Mick Murphy, and the members of the council, as well as the executive officer, Patricia Geraghty, and the staff of the council for their contributions to the sustainable management of Victoria's catchments. I also acknowledge and thank Victoria's 10 catchment management authorities (CMAs), as well as the many organisations, individuals, land-holders and the many volunteers who have worked in partnership with the council and the CMAs.



The 2007 annual report marks the completion of a significant milestone, the first decade of the life of the Victorian catchment management framework. I commend the catchment management council for its commitment in 2006–07 to visit each CMA at least once in its three-year life to provide a regional focus for council meetings. I note that the council also continued to convene the catchment stakeholders forum to assist stakeholder communications and that there were 39 organisations represented in the forum over the period. This approach is very much in line with the Brumby government's commitment to participatory democracy.

The council's report indicates that the single most important activity for the council over the year was the preparation of the *Catchment Condition Report 2007*. The report was completed on 31 October 2007. It is the third report card on the health of our catchments and, as expected, shows there are existing pressures as well as emerging new pressures on our land and water resources which need to be tackled.

Many highlights of council activities are contained in the report. I would like to comment on just a few. Members of the council were involved with the Department of Sustainability and Environment in the organisation of the 2006 International Landcare Conference, which was attended by more than 1000 delegates and which also celebrated Landcare's 20th anniversary. Landcare has proved to be an enduring initiative of an earlier Labor government.

There are also many reports in the council's report on the drought employment program. There were many contributors to that initiative. Contained in the report are reports on the drought employment program, which is funded by the Victorian Labor government through a number of CMAs to assist rural communities experiencing unprecedented hardship because of the drought. This program funded an extensive amount of work to benefit catchments and gave many people an opportunity to provide for their families when few options were available. These included the Goulburn Broken CMA, which employed more than 70 drought-affected farmers as a result of funding of \$2.7 million; the North East CMA, which received \$1.3 million and employed 131 farmers; the Mallee CMA, which employed 93 people; and the North Central CMA, which received \$2.6 million.

According to the council's report, and certainly feedback I have received from many constituents and councils in my electorate of Northern Victoria Region, the drought employment program has been well received and is highly beneficial. For this reason I was

pleased that the Brumby Labor government was able to provide \$10 million for the CMA drought employment program in the \$115 million drought relief package announced by Premier John Brumby on Monday. This package again demonstrates that the Brumby government is taking action to stand by farmers and deliver much needed assistance.

### **East Gippsland Institute of TAFE: report 2007**

**Mr HALL** (Eastern Victoria) — I take the opportunity this morning to comment on the annual report of the East Gippsland Institute of TAFE. In doing so I acknowledge the fine work it continues to do in providing vocational and adult education throughout the East Gippsland region. Members would understand from the comments made by the mayor of the Shire of East Gippsland yesterday that East Gippsland is a vast region and there are challenges in delivering vocational education to all parts of it.

The East Gippsland Institute of TAFE has two major campuses, and one is at Bairnsdale. As people drove through Bairnsdale on their way to Lakes Entrance yesterday they could not have helped noticing the institute on the left-hand side as they drove out of the town. It is a striking building. There is also a main campus at Sale, which at the moment is in Fulham, with the possibility that it will be relocated to a more central business district position in Sale. The institute also offers six outreach centres scattered throughout East Gippsland at Swifts Creek and smaller communities of that nature. The institute will deliver training where and when required because of its flexible operations. It continues to provide, as I said, a most valuable service to the people of East Gippsland.

The annual report briefly outlines the history of the institute. That history goes back more than 100 years when there was in existence a school of mines in Bairnsdale; there were also technical colleges in Sale and Bairnsdale. They came together in 1986 to form what was then called the East Gippsland Community College. Now it is called the East Gippsland Institute of TAFE. It has an important history.

In 1987, when the institute first operated, it had 3000 students. Now in excess of 16 000 students undertake vocational training through the institute. Over that period of time the institute has been served extremely well by very competent people in both the management and the administrative parts of the organisation. I have been fortunate to work with at least three directors of the facility. The first one, who was the director of the East Gippsland Community College, was Peter Venker. Peter went on to become the director

of the Canberra Institute of Technology and has recently retired from that position. Ray Griffiths also served as director for a period of time. He is now the director at Kangan Batman TAFE. The current person filling the chief executive position at East Gippsland Institute of TAFE is Angela Hutson. Angela continues magnificent work in running this business for vocational training in East Gippsland.

They have also been served by some terrific board members over a time. If you look through the current list of the board, mentioned on page 5 of the report, you see people like Tim Weight, John Stephenson, Helen Murphy, Lyndon Webb, Barbara Fulton, Tony Barnett, Louise Hobson, Pauline Bommer, who is the current chair, Ian Dunkley and Kerrie Flannery. Some of those names are familiar to the TAFE organisation not just in this area but on a statewide basis. John Stephenson, for example, has served for all the time that I can recall, so that is in excess of 20 years, as a board member. He was president of that board for a period and also held executive positions with the TAFE College Councils Association of Victoria. He and people like Tim Weight have been chairmen of that board at various times and they have done an outstanding job. I am pleased to report that that outstanding work is being continued by the current chair, Pauline Bommer.

The employment figures for the institute are significant. It currently employs somewhere in the order of 256 full-time equivalent employment positions, and that is an increase of almost 20 over the number employed in the previous year. Pages 8, 9 and 10 of the annual report list the programs that are being offered by the institute. They are many and varied, but I want to highlight one course. If members are going back to Melbourne tomorrow, they should take some time to perhaps glance to their right as they drive through a forested area either side of the highway, because there is a place called ForestTech amongst the natural forest settings there. ForestTech is particularly designed to accommodate training within the timber industry. If people take the opportunity to have a look in, they will see some excellent examples of East Gippsland timbers being used in furniture. I have been impressed by some of the innovative designs developed by the students undertaking the advanced diploma of art in furniture design. They are well worth a look. That particular program is unique in its provision of vocational education in Victoria. I thank all those who continue to support the East Gippsland Institute of TAFE and wish it well for the future.

### **Outer Suburban/Interface Services and Development Committee: local economic development in outer suburban Melbourne**

**Ms HARTLAND** (Western Metropolitan) — Today I will speak on the Outer Suburban/Interface Services and Development Committee's inquiry into local economic development in the outer suburbs. I would like to say why I decided to be a member of this committee. The Greens members have all committed themselves to be members of at least one committee, and in Greg Barber's and Sue Pennicuk's case sometimes more than one, because they have been on temporary committees. In terms of environmental issues I believe the outer suburbs are quite important because they are growing at such an enormous rate, often with a lack of infrastructure, so the issues that were raised in this inquiry are quite important.

I start, as everyone who speaks on committee matters does, by sincerely thanking the committee staff who I worked with on the inquiry. They do a fantastic and enormous job, often with very few resources. They are Sean Coley, Dr Geoff Russell and Natalie-Mai Holmes. I would also like to thank Don Nardella, the member for Melton in the Assembly, who is on the committee, because this was my first committee and he was extremely helpful in walking me through what were often quite difficult processes.

The inquiry process was quite interesting, because we were able to meet a huge number of people in the outer suburbs and to look at really interesting issues such as green wedges, urban growth boundaries and car dependency. The latter issue is one I would have liked to have seen the committee do much more work on, because many people in outer suburbs are completely car dependent. In a great deal of the areas in my electorate such as Caroline Springs and Wyndham Vale petrol debt is becoming a major problem because people lack access to public transport. Other issues include the lack of fast broadband for people who want to work from home. Local councils are working to facilitate more home-based jobs and more local jobs so that people will not have to spend a large amount of their time transporting themselves to work.

The thing that came across to me repeatedly in nearly every submission the committee received from community groups, local businesses and local councils was that the lack of good public transport is a major economic barrier, especially to young people trying to get to traineeships, apprenticeships or go to school and who have to use three or four forms of public transport or have their parents drive them everywhere.

This is quite an important report. It raises a number of issues the government should look at. I am aware of other reports that have been completed and have then just sat on shelves gathering dust. I hope that does not happen with this report, as there are some very important points in it that should be reflected on.

**East Gippsland Region Water Authority:  
report 2006–07**

**Mr O'DONOHUE** (Eastern Victoria) — I am pleased to make a contribution on the East Gippsland Region Water Authority annual report for 2006–07. At the outset I congratulate Robert Fordham, the chairperson of the authority, and his board for the work they do, and particularly for the work they are doing during this most difficult year. The East Gippsland Region Water Authority trades as East Gippsland Water and has responsibility for approximately 10 per cent of Victoria. It services a significant population and encompasses towns such as Mallacoota, Cann River, Orbost, Lakes Entrance, Metung, Paynesville, Bairnsdale, Lindenow, Omeo and others. It covers a large geographic area and services many towns, creating some challenges for the authority.

Water is very important to Gippsland. It is important to the health of the Gippsland Lakes, to the region's beautiful environment, to the tourism industry that is supported by that environment and to the recreational and commercial fishing enterprises that also rely on the lakes. There is also significant irrigation in this area, dairy farming, the vegetable-growing area of Lindenow and the food manufacturing businesses it supports in Bairnsdale and elsewhere.

Gippsland traditionally has been lucky to enjoy regular, reliable rainfall — perhaps more regular and reliable than elsewhere — but even in Gippsland the regularity and reliability of rainfall is less than it used to be. Perhaps 2006–07 demonstrated that better than just about any other year. The water authority during that year suffered three natural disasters. It had the ongoing drought, which culminated in a scarcity of water. It then had the 2006–07 summer fires, which burnt 680 000 hectares of forest in Gippsland. Fortunately the authority had already installed 10 silt-buster water clarifiers and 5 water settlement dams adjacent to the Woodglen Reservoir, which meant there were fish and fresh water for the bushfire emergency period.

Then on the back of the bushfires we had the June 2007 floods, which put great pressure on the infrastructure of the authority and indeed caused a break in a pipeline serving 550 customers in the Lindenow and Lindenow South area. Whilst repairs to the pipeline were being

completed water had to be trucked to those affected communities which, again, put great pressure on the authority. I congratulate the authority on seeing off three natural disasters, for having done the forward work to prepare to ensure that drinking water, potable water, was available at all times to all customers, even if that meant it being trucked in to some communities.

The authority has also participated in other exciting initiatives. It participated in pioneering research to assess the effectiveness of shade-cloth covers installed over water basins to protect water quality and combat evaporation. These covers were erected at Omeo, Mallacoota, Swifts Creek and Cann River and resulted in an amazing 90 per cent reduction in evaporation, which is a great result and something that should be emulated in other parts of Victoria and indeed throughout Australia.

Moving forward there is a need for the sewerage system to be extended to Lindenow South and into Lindenow itself. This area near the Mitchell River, which, as I said previously, is one of the state's premier vegetable growing areas, has a water table which can rise during periods of extreme wet and can cause trouble for the septic tanks in the area. It would be of benefit if that area could be seweraged.

In summing up I again congratulate Robert Fordham, the chairperson, and the board for dealing with those three challenges they faced during the year, and I look forward to their ongoing hard work.

**Rural and Regional Committee: rural and regional tourism**

**Mr EIDEH** (Western Metropolitan) — I rise to address the house in this very special setting on the Rural and Regional Committee's parliamentary inquiry into rural and regional tourism. I have heard stunning stories about how Gippsland has developed from a community primarily known for its world-class butter and cheese that even Her Majesty desired, its wood-based industries, its dairy and other agricultural industries to also include tourism as a key part of economic, business and social life in Gippsland. That is why I read the report of the inquiry into rural and regional tourism with such interest and why I believe it is important that I discuss this report in this place on this day.

As the forward to the report begins, with the words of Damian Drum, a member of this house:

Regional Victoria has everything a tourist from anywhere on the globe might want.

We have vineyards of such standard that the French are envious. We have beaches that attract people from Europe and Hawaii. We have great fishing that stuns Americans. We have lakes, forests and wildlife that simply amaze, and they are protected and serviced by the great people of this region. Since we were elected to office the Labor government has committed to the rural and regional heart of our state, and this report stands as a testimony to that commitment.

I wish to congratulate the honourable members involved in this report: Mr Damian Drum as chairman; Ms Gayle Tierney as deputy chair; Ms Kaye Darveniza and Ms Wendy Lovell, along with Mr John Vogels — all from this house — and from the other house, Mr Russell Northe, the member for Morwell; Ms Kirstie Marshall, the member for Forest Hill; as well as the talented staff, without whom there would be no report.

There are a considerable number of recommendations in this well-considered report, and I will not for a moment pre-empt any decision by the minister or the government. However, some of the recommendations mirror policies already stated by the federal Labor government such as recommendation 5, which promotes the extension of high-speed broadband internet. Others make perfect sense and will most definitely be taken up in the government recommendations, such as improving signage on our roads to better show travellers how to reach tourist locations and to identify those locations to one and all.

Other recommendations deal with infrastructure, regional airports, subsidised coach services for particular categories of people, boat ramps, Parks Victoria, regional museums, extending a great range of Tourism Victoria projects and much more. Again, I will not pre-empt the considerations and forward planning of the minister and of the most able government in my lifetime, especially as I am absolutely certain that the many recommendations in this report have already been discussed and considered at the highest levels. The Brumby Labor government believes in the rural and regional sectors of Victoria. We believe in what this area and others across the state offer, and we are committed to our rural and regional cousins.

I commend this report to the house and congratulate the people of this community for their great achievements and successes.

### **Environment and Natural Resources Committee: impact of public land management practices on bushfires in Victoria**

**Mrs PETROVICH** (Northern Victoria) — I appreciate the opportunity to provide this brief report on the parliamentary Environment and Natural Resources Committee's *Inquiry into the Impact of Public Land Management Practices on Bushfires in Victoria* while we are here in Gippsland, because Gippsland was one of the main focuses of the inquiry, and the input from the people of Gippsland during our hearings was invaluable.

I hope this inquiry has changed the way many people — including, I trust, members of this government — view the way we can prepare our country to reduce the impact and severity of bushfires, and in particular how this relates also to flooding.

One of the key findings of the inquiry was that this government has failed to effectively manage our public land, particularly here in Gippsland and in the state's north-east. We now know that we need to significantly increase the amount of prescribed burning, and by 'significant' I mean a threefold increase, from 130 000 hectares to around 385 000 hectares. The inquiry proved that the government's lock-it-up-and-leave-it approach to managing public land is both foolish and damaging. Hopefully we now have a demonstration that prescribed burning is beneficial not only in reducing the threat of extreme fire events but also for maintaining ecological processes in forests and grasslands. It clearly demonstrates that with these checks and measures we will be able to protect water catchments, our biodiversity and the communities who live adjacent to public land.

The committee found that this government's exclusion of traditional land users from public land has been to the detriment of our natural resources and has resulted in a failure to keep up the active land management practices that these groups traditionally carry out. I am talking about the timber industry with logging; selective cattle grazing and a range of other traditional uses; indigenous land management and the firestick farming that historically was carried out. This has resulted in a decline in local knowledge, skill and resources and has had a negative impact on the ability of relevant agencies to manage fire on public land. The inquiry also produced some significant breakthroughs for the communities affected by fire.

One of the key recommendations in the final report was for the government to change its policy so that when water is taken from private dams to fight fires the

owners receive replacement water and adequate compensation. Previously there was a very untidy process for this to happen, and generally it did not happen, leaving landowners with stock and domestic water unable to find a way through this mess. This is something that people in regional Victoria have been requesting for some time, and I am glad to say that was one of the findings.

Likewise, the inquiry recommended that the state government amend its policy of not meeting half the cost of repairing fences when they were destroyed by fire as a result of it crossing from public land onto private property. These are significant wins for property owners in country Victoria and will make a real difference to how they can cope in the aftermath of a fire.

There are of course some issues that are still to be resolved, and the management of wildlife affected by bushfires still needs to be addressed. Currently there is no universal system to handle our native animals injured by fire, and they are left to volunteer wildlife carers who have to fund the nursing of these animals and very often bear the cost, both emotional and financial, of euthanasing them. It is also of concern to me, as a person who has a lot to do with the Country Fire Authority, that there is not a centralised IT and communications system shared by Parks Victoria, the Department of Sustainability and Environment and the CFA. It is a disgrace that in times of emergency there is not a system that would allow the transfer of information to those people who need to know what others are doing.

In conclusion, the inquiry has broken a lot of new ground, and hopefully it will result in better land management practices in Victoria. It is now up to the government to act. If it fails to acknowledge the work that has been done, it will be to the detriment of all Victorians and our biodiversity. Finally, I would like to acknowledge the outstanding contributions from communities around the state and to pass on to all those people a very big thankyou. I would also like to acknowledge the members of the community of Licola, who as a result of the 2006–07 fires had the worst dished out to them. I would like to commend their courage and Australian fighting spirit.

### **Office of Police Integrity: report 2007–08**

**Mr ELASMAR** (Northern Metropolitan) — I rise to speak about the Office of Police Integrity report 2007–08. The Office of Police Integrity was established in 2004. The purpose of the OPI, as I understand it, was to investigate and expose corruption within Victoria Police. Modern policing is changing every day. In order

to maintain proper order, the OPI has managed to keep pace with the evolving nature of crime within the ranks of police. I am pleased to say that after reading this report I am satisfied that we have an office well able to focus on the positives and still weed out the negative forces within Victoria Police personnel.

The culture of the brotherhood of the police is slowly changing, but without the dedicated staff of the OPI it most definitely would not. Paramilitary forces are notorious for covering up mistakes or even crimes of their so-called brothers in arms. It is an extremely brave officer who exposes corruption within the ranks. In the past any officer who blew the whistle was targeted for unprecedented cruelty and alienation. They were forced out of the force or remained on their current rank until they retired; in some cases I am talking about 30 years of discrimination.

I am a strong supporter of the OPI. It is worth every penny we, the taxpayers, spend on ensuring transparency and accountability to this Parliament. The government has taken the view, and rightly so in my eyes, that only a truly independent body, independent of the police force and the police department, can act without fear of revenge or retribution — a body which reports directly and is answerable to the Victorian Parliament. But we as a government must ensure the OPI is well equipped with the necessary resources to rigorously continue to perform its functions of detecting, investigating and preventing police corruption and misconduct. Acquiring new technology is also vital to maintaining the momentum and efficiency of the OPI. The OPI must continue with total independence to pursue corruption without fear or favour.

The Purana task force established by our current Chief Commissioner of Police, Christine Nixon, has shown how unbelievably difficult it is to uncover or expose corruption. Friendly or close personal relationships between law-breakers and our own police force will never be acceptable to the community nor should they be. A few rotten apples can no longer be allowed to spoil the reputation of the force as they have in the past.

Having said that, I want to stress this point as strongly as I can: the vast majority of Victoria Police members work hard and conduct themselves with integrity and honesty. They risk their own lives and safety in order for us, the community, to be safe. It takes an extraordinary individual to protect and serve with integrity and to disregard their own safety. I salute those men and women, and I say again what I said during my contribution to the OPI bill: it is essential that our police understand that the Parliament will continue to support them 100 per cent. I commend the report.

### **Southern Rural Water: report 2006–07**

**Mr KOCH** (Western Victoria) — I report today on Southern Rural Water's 2006–07 annual report. As we all know, Southern Rural Water is a government agency. It is the largest rural water supplier in Victoria and covers the area from the New South Wales border in the east to the South Australian border in the west and from the Great Divide to the ocean. It has a responsibility for licensing and regulating water use both above and below ground.

The customers of Southern Rural Water are mostly primary producers, but it also supplies water in bulk to non-metropolitan urban water authorities and Latrobe Valley electricity generators. Southern Rural Water has some 9000 customers, its largest customer being the Hazelwood power station, which has a sole licence of something of the order of 23 000 megalitres.

Southern Rural Water generates approximately \$23 million in operating turnover and invests up to \$5 million in capital works and its infrastructure on an annual basis. Its headquarters are in Maffra and it has major offices in both Werribee and Warrnambool, plus staff at field offices right across this large region. Southern Rural Water manages three gravity irrigation districts in the southern half of the state, and they are the Macalister, Bacchus Marsh and Werribee systems. It also manages underground aquifers, principally in western Victoria, with some 1400 customers across its whole region.

The effects of drought for Southern Rural Water, as for many other water authorities across the years 2006 and 2007, have been severe. During the irrigation period between late 2006 and January 2007 the continuing drought limited inflows into storages. That impact obviously saw low allocations for a start, but it did have a good result and built those allocations up to something of the order of 60 per cent across the eastern irrigation district. The same could not be said for the western irrigation business where we saw Werribee open with a 5 per cent allocation and Bacchus Marsh regrettably with a zero allocation.

Recycling certainly assisted in the western irrigation area. Having started with something of the order of 100 megalitres in 2005, this grew to 7500 megalitres by 2006–07 and continues to grow. We now see some 173 customers involved, or 83 per cent of market garden areas being covered by recycled water. I think it is important to note that we have not had any illness, which has always been a concern, from this greater use of recycled water, and I, like many people, see a much greater use for the recycling of water in the irrigation

districts. Unfortunately due to tough times Southern Rural Water again experienced a deficit of some \$5 million for the current year, which was a fivefold increase on the year before, and regrettably it continues to have losses of this magnitude. It is very difficult to manage, as we know, when there is no water in your water industry body. I have to say, though, that I am disappointed that we have seen the bureaucracy continue to grow at Southern Rural Water. In the last seven years it has expanded by some 50 per cent, with similar workloads.

The drought and the extraordinary bushfires that took place in 2006 and then the floods in 2007 certainly did make things very difficult for Southern Rural Water during that period. This side of the house was fortunate to have received an invitation from our colleagues Philip Davis and Edward O'Donohue to assist in those clean-up proceedings at Newry, where some of the damage, obviously, was devastating.

One of the things I would like to raise which is not in the report, which is a disappointment, is the lack of activity from the authority in gaining support for or pursuing the gathering of water off-stream on the Mitchell. Mr O'Donohue alluded to Lindenow and Lindenow South in an earlier report, and I think it is important that the authority does do more in this area and encourages government to get involved with that opportunity.

### **National Environment Protection Council: report 2006–07**

**Mr THORNLEY** (Southern Metropolitan) — I rise to speak on the National Environment Protection Council 2006–07 annual report, and in doing so I want to take the opportunity to acknowledge the wonderful natural environment that we have been blessed with in the Shire of East Gippsland and the surrounding region. As the mayor said yesterday, that wonderful natural environment is not only a great joy but is of central importance to both the quality of life of people here in these communities and to the economy in these areas. Issues such as climate change and rising sea levels are of direct concern to people who do not want to see those great qualities diminished.

The purpose of the Natural Environment Protection Council is to get cooperation between the states and the commonwealth government over things that affect the way we protect the environment. It is really a coordinating body. It does not have major executive powers, but it does try to ensure that we have consistent approaches to all of these things around the country, and that makes pretty good sense because the

environment does not recognise any of the boundaries that we draw on maps. It is one planet, it is one country, and if we are going to protect our environment we need to work together to do that, we need to work consistently together with a similar approach, and we need to make sure that we focus all our energy on the things that are going to make a real difference to the environment and not all our energy on all the red tape and regulations that surround that process. Making sure that we have a consistent set of regulations across the whole country does that, and that is really the primary purpose of the National Environment Protection Council.

It focuses on a range of important environmental issues, from uniform high-quality air and water — it should be a right for all Australians to have high-quality air and water available — to managing some of the hazards of living in an industrial age that may diminish our environment and our enjoyment of it. I refer to managing noise, managing site contamination, managing hazardous waste and recycling, and vehicle-related issues. Again, since this is about coordination between the states, I refer particularly to heavy vehicle and diesel vehicle emissions in terms of both carbon emissions, which of course are the critical factor in global warming, and other noxious emissions, such as hydrogen oxide, that affect air quality. That is what this body does.

I noted in Mr O'Donohue's speech yesterday on the timber industry he made the point that we are arriving in a modern world where we understand that protecting the environment and having a strong economy are not two things that are in conflict — that in fact they are interdependent. I welcome his statement in that regard. That has been our view for a very long time. It has not always been the view of those associated with the other side of the house, and certainly not the former Prime Minister, who was constantly trying to create a conflict between those two ideas. A number of these areas are good examples of that. When we look at vehicle emissions, the best way to reduce vehicle emissions is to have cleaner fuels and to use less of them. Using less fuel not only generates less emissions but saves money. That is true for all of our energy conservation activities. We can improve the environment and save money. Where we have to make modifications and change the way things work, whether that is vehicle technology, the clean fuel infrastructure required or a range of other related investments, that creates jobs.

When we get this stuff right, the old idea that protecting the environment costs money and jobs is replaced by the new idea that protecting the environment saves money and creates jobs. These are good examples of

that, and there are a number of others. A lot of the retrofit work to make buildings more efficient and use less energy creates jobs and saves money when it is done.

That is the framework I think we should assess the work of this council within. It is about making governments work together effectively, which is something we in the Victorian government have led through the national reform agenda and our involvement in the Council of Australian Governments. The National Environment Protection Council has had a very successful impact on a range of practical matters such as diesel vehicle emissions, used packaging materials, controlled waste movement between the states, and uniform assessment processes for site contamination. I commend the report to the house.

### **Auditor-General: *Maintaining the State's Regional Arterial Road Network***

**Ms LOVELL** (Northern Victoria) — I rise to speak on the Auditor-General's report of June 2008 entitled *Maintaining the State's Regional Arterial Road Network*. Victoria's road network is critical to this state. It carries more than 90 per cent of personal trips and more than 80 per cent of freight throughout Victoria. Most of Victoria's road traffic is carried on the 22 000 kilometres of roads and 6000 bridges that make up our arterial road network. About 19 000 kilometres of this arterial road network are in country Victoria, so this arterial road network is most important to country communities. The arterial road network is important for people living in regional Victoria because it is critical for their access to work and other services and in maintaining social links with friends and family. However, it is also important to us as we will maintain strong businesses in country Victoria if we have viable road networks to transfer produce to the rest of the state.

Unfortunately the Auditor-General's report identifies that under this government there is a \$100 million backlog in maintenance of the arterial road network and that is causing problems in country Victoria. As I said, the arterial road network is vital in maintaining our access to services, family and friends, work et cetera, and is most important for our businesses to transfer their produce. It is also very important to the tourism industry in bringing vital tourists to country Victoria.

I would like to talk about a few roads that are quite important in this local area and that have either been allowed to deteriorate or have not been brought up to the standard necessary to service this region. The first of these roads is the South Face Road, which needs sealing. I travelled on the South Face Road last year

with Gary Blackwood, the wonderful member for Narracan in the Assembly. The South Face Road was originally built as a timber haulage road but could potentially provide a much-needed tourism link from Mount Baw Baw to the Latrobe Valley. When I travelled on it last year it was a gravel road and needed to be sealed. The estimated cost of sealing that road was \$16 million.

There is also the Tamboritha Road, which unfortunately was closed in February 2007 following mud slides. Since that incident the road has been further damaged by two recent floods. The lack of access on this road has caused considerable inconvenience and had a severe impact on businesses in towns such as Heyfield and Licola, which supply visitors to the area.

Several roads are important to not only this region but also the region I represent, Northern Victoria Region, because they provide vital tourism links between Gippsland and northern Victoria. The first of these is the Omeo Highway. It is a wonderful scenic drive with its views of snow-capped mountains, but unfortunately 26 kilometres of the highway needs to be sealed to complete it. In its present condition the road becomes very slippery when wet and does not provide the access needed by tourists in the region.

We can also talk about the need for sealing the Dargo High Plains Road, which provides access from Dargo to the Alpine National Park and the Grant Historic Area. It is a strategic tourism link between Dargo and the alpine park and carries about 80 vehicles per day in non-peak season and more in peak season. It would cost only \$5.5 million to seal that route.

Jamieson-Licola Road is another strategic tourism link between Licola and Jamieson that also needs to be sealed. That would cost about \$10 million. It would provide access for tourists as well as timber and emergency service vehicles in the area.

Benambra-Corryong Road is another vital tourism link between Corryong and the Benambra-Omeo area in East Gippsland which also provides access to the Murray Valley Highway. About 70 kilometres of that route is unsealed.

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

### **Queen Victoria Women's Centre Trust: report 2006–07**

**Ms DARVENIZA** (Northern Victoria) — I am very pleased to rise to talk about the Queen Victoria Women's Centre Trust annual report for 2006–07. I

have always had a special interest in the Queen Victoria Women's Centre (QVWC), because it is at the old Queen Victoria Hospital, which was the first women's hospital and a maternity hospital as well. That is where I had my two children many years ago, so I have always had a bit of a soft spot for it.

I would like to start off by congratulating the trust chair, Catherine Brown, the 10 trustees and the very skilled staff who work for the centre. I would also like to take this opportunity to acknowledge the many volunteers who work not only to support the trust but for about 10 organisations that work out of and provide services from the Queen Victoria centre. Without those volunteers the excellent work that is done by the centre would not be achievable.

The trust is committed to building connections and establishing future directions and partnerships with organisations that support women. The centre is tenanted by a range of diverse, women-focused organisations. Partnerships with organisations working both within and external to the centre to deliver programs and projects that are relevant to women are encouraged. Accessible information is provided through the QVWC's information hub website. Significant events and celebrations regarding the accomplishments of women in Victoria are held, meeting facilities are provided for groups and organisations and the display of arts, especially for budding women artists, is encouraged.

The centre is involved in a whole range of activities. One of the things that was highlighted in the report was the celebration of the 110 years of women serving women. There were a number of significant events, including an open day, which was attended by some 200-odd women. A cocktail party and an art exhibition were also held as part of the celebrations.

The organisations that make up the centre are very important. They offer a whole range of services for women by women. I will run through them quickly so members can see some of the diversity that is provided through the women's centre. They include the Aboriginal Family Violence Prevention and Legal Service; BreaCan gynaecological and breast cancer support, which provides free and confidential information, support and referral services for people with gynaecological and breast cancer, and of course for their family; and CASA House — CASA stands for centre against sexual assault — is a service of the Royal Women's Hospital. The state government funds CASA House, which provides free and confidential services to the victims and survivors of sexual assault on a 24-hour basis.



Domestic Violence Victoria is a peak advocacy organisation committed to the rights of women and children. Emily's List Australia is also housed in the centre. It is a political, financial and personal support network for progressive Labor women candidates. URCOT conducts a wide range of research for organisations. The Victorian Immigrant and Refugee Women's Coalition is there, as is Vita Natural Health, WIRE women's information and the YWCA Victoria. As members are now aware, the centre houses a whole range of very significant organisations providing services for women by women.

## GREENHOUSE GAS GEOLOGICAL SEQUESTRATION BILL

### *Statement of compatibility*

**Mr JENNINGS (Minister for Environment and Climate Change) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:**

In accordance with section 28 of the Charter of Human Rights and Responsibilities (the charter), I make this statement of compatibility with respect to the Greenhouse Gas Geological Sequestration Bill 2008 (the bill).

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

#### **Overview of the bill**

The overriding objective of the bill is to encourage and promote greenhouse gas sequestration operations and provide for the regulation of such operations principally through the introduction of a system of titles.

#### **Human rights issues**

The provisions of the bill raise human rights issues.

#### **Collection and disclosure of information**

Part 14 of the bill contains a number of provisions authorising the collection and disclosure of information. A number of other provisions in the bill impose obligations on authority applicants and holders to produce, report and notify information. These requirements are included in the bill for the purposes of: informing ministerial decisions concerning the grant of authorities under the bill (see, for example, clauses 23, 38, 61, 63, 73, 75, 94, 148, 291); monitoring the development of operations (for example, see clauses 55, 56, 69, 92, 111); monitoring and enforcing compliance with the provisions of the bill (for example, clause 267); facilitating community consultation (see clauses 154, 156); and inspection of the greenhouse gas sequestration register established under clause 281 (see clause 286). Clause 299 creates an offence for officials disclosing information obtained under the bill. Clause 239(a) prevents the public release of the technical qualifications of the applicant and its

employees which is required to be submitted under clauses 23 and 75.

These provisions have the potential to engage the rights to privacy (s 13), free expression (s 15) and self incrimination (s 25(2)(k)).

#### ***Privacy***

Section 13 of the charter provides that a person has the right not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with. While most of the information collected and disclosed under the bill would not engage the right to privacy, some of the information may be personal information to which the right would apply.

To the extent that the provisions of personal information may interfere with privacy, the interference is not unlawful as it is provided for in the bill (and thus will be authorised under law). Further, the interferences are not arbitrary, as any interference will occur only in precise and circumscribed circumstances, and the bill provides safeguards regarding the disclosure of information collected under it.

#### ***Freedom of expression — s 15***

The right to freedom of expression in section 15 of the charter has been interpreted in some jurisdictions to include a right not to impart information.

The provisions requiring the reporting of information, are an important aspect of the regulatory function of the bill and are necessary to fulfil the objectives of the bill which include consideration of public health impacts. Accordingly, to the extent that the provisions impose any restrictions on free expression, they come within the express limitation in s 15(3) of the charter, as they are reasonably necessary for public health and/or the maintenance of public order.

Accordingly the bill is compatible with the right to freedom of expression in s 15 of the charter.

#### ***The right not to be compelled to testify or confess guilt — s 25(2)(k)***

#### **Provision of information by holders of authorities**

There are a number of provisions in part 14 of the bill that require the provision of information by authority holders on an ongoing basis (see particularly clauses 230, 231 and 232). Each of these provisions sets out the purposes for which the minister may require information, and does not include the investigation of criminal offences. However, it is possible that the provision of information under these provisions could disclose a criminal offence and/or later be used against the person in a criminal proceeding.

Clause 181 requires that the holder of an authority must report a 'serious situation'. It is possible that the reporting of a serious situation could involve the disclosure of a criminal offence. The report may be used against the authority holder in subsequent criminal proceedings.

Section 25(2)(k) of the charter provides that a person charged with a criminal offence is entitled not to be compelled to testify against himself or to confess guilt. At the time the person is required to provide information he/she will not have been charged with an offence. On this basis the right in

s 25(2)(k) of the charter would have no application. However, similar rights in other jurisdictions and the broader right to a fair trial (s 24) have been interpreted to provide some limited protection at the investigation stage.

Even so, the rights have not been extended so far as to protect persons from providing information necessary for the monitoring and enforcement of a regulatory regime. The Supreme Court of Canada has held that in accepting a licence, a person is presumed to know, and to have accepted, the terms and conditions associated with the licence, including the provision of information to monitor compliance with those terms and conditions. In the circumstances in which the information is provided there can be no concern about false confessions or ill-treatment of suspects, which the right is designed to protect.

Accordingly, I consider that the provisions do not limit the rights in ss 24 and 25 of the charter. Even if they did, I consider that any limitation would be reasonable and justifiable under s 7(2) of the charter.

#### Information gathering powers

Clause 233 provides the minister with the power to require persons to provide information, documents or things relating to a greenhouse gas sequestration operation. The power is not limited to authority holders. Clause 233(5) provides that a person is not excused from complying with the subsection on the ground that the information may tend to incriminate him or her.

As noted above, similar rights to the privilege against self-incrimination (s 25(2)(k)) and the broader right to a fair trial (s 24) have been interpreted to provide some limited protection at the investigation stage.

However, s 233(6) provides that any information produced under this section is not admissible in any proceedings other than proceedings in respect of the falsity of the information. In the light of that protection, I consider that the privilege against self-incrimination in s 25(2)(k) is not limited. Even if it were, I consider that such a limitation would be reasonable and justifiable under s 7(2) of the charter having regard to the importance of ensuring compliance with the terms and conditions of the authorities granted under the bill.

#### *Questioning powers — freedom of movement — s 12*

Clause 233(2)(b) of the bill empowers the minister to require a person to appear before him or her at a specified time and place and answer questions relating to the greenhouse gas sequestration operation or produce a document or thing. To the extent that a person is required to appear before the minister pursuant to this provision, that person's freedom of movement is limited.

#### The nature of the right being limited

Every person lawfully within Victoria has the right to move freely within the state; to enter and leave it; and the freedom to choose where to live. The exercise of this right is not dependent on any particular purpose or reason. It encompasses a right not to be forced to move to or from a particular location.

#### The importance of the purpose of the limitation

The limitation is important because it permits the minister to obtain information necessary to regulate the operation of greenhouse gas sequestration. The ability to compel attendance to provide relevant information is essential to ensure that the minister is capable of availing him or herself of all information pertaining to these operations; to enable the effective and efficient monitoring of activities permitted under the bill; enforcing its provisions; and responding to changes in circumstances.

#### The nature and extent of the limitation

The clause allows the limitation of a person's freedom of movement only to the extent that the person is compelled to be physically present before the minister for the purpose of providing the evidence or information. Before the minister can exercise the power he or she must have a reason to believe that the person has information relating to a greenhouse gas sequestration operation.

#### The relationship between the limitation and its purpose

The limitation on the freedom of movement of a person by requiring their presence before the minister is directly related to its purpose: to enable the minister to acquire relevant information.

#### Less restrictive means reasonably available to achieve the purpose

There is no less restrictive means of achieving this purpose.

The limitation is reasonably justified under s 7(2) of the charter. Accordingly, I consider that the bill is compatible with s 12 of the charter.

#### *Search and seizure powers*

The search and seizure powers granted to inspectors authorised under clause 251 in the enforcement provisions at part 15 of the bill, to inspect any premises and any thing on those premises, can be exercised for the clearly stated public purposes of: monitoring compliance with the bill; in response to an emergency; and to obtain evidence of a commission of an offence under the bill. Places of residence cannot be searched unless the occupier has consented or when there is a reasonable belief that there is an immediate risk of injury and damage to people, property or the environment, and (where there are reasonable grounds for believing that there may be evidence of a commission of an offence under the bill) a magistrate has issued a search warrant. Before conducting a search of a residence the inspector is required to produce an identity card and, where a search warrant has been issued, must announce his or her authorisation and provide a copy of the warrant.

To the extent that these provisions relate to private information and permit access to residences, they arise in the controlled and prescribed circumstances set out in the bill and are lawful. Procedural safeguards and oversight have been included in the bill in relation to the exercise of these powers. Consequently I do not consider that these requirements can be described as arbitrary.

Accordingly the provisions are compatible with the right to privacy in s 13 of the charter.

***Reverse onus provisions***

Clause 270 provides the minister with a power to issue an improvement notice against an authority holder he or she is satisfied is or has contravened the bill or a condition of the authority. Similarly clause 311 provides that the Environment Protection Authority (EPA) will also be able to issue an improvement notice where a holder of an authority is not complying with a monitoring and verification plan forming part of an injection testing plan. Clause 271 permits the minister to issue a prohibition notice against an authority holder when, in his or her opinion, an event is occurring or is likely to occur creating an immediate risk of injury, or damage to property or the environment. The EPA will also be able to issue a prohibition notice under clause 312. Clause 273 provides a right of review in respect of improvement and prohibition notices, which under clause 314 will extend to those notices issued by the EPA.

Clause 270(3) imposes a penalty of 240 penalty units for failing to comply with an improvement notice. Clause 271(4) imposes a penalty of 600 penalty units for failing to comply with a prohibition notice. Clause 271(5) provides that if the holder of an authority fails to comply with a prohibition notice, it is guilty of an offence for each day the failure to comply continues, and prescribes a penalty of 20 penalty units for each such day. The penalties are the same in respect of notices issued by the EPA.

Clause 274(1) provides a defence for failure to comply with an improvement notice if the accused proves that they did not contravene the act, or fail to comply with a condition of an authority in the manner set out in the notice.

Clause 274(2) provides a defence for failure to comply with an improvement or prohibition notice where the accused proves that they took all reasonable steps to comply with the improvement or prohibition notice.

By placing a burden of proof on the accused, clause 25(1) limits the right to be presumed innocent in section 25(1) of the charter, when the accused is an individual.

However, I consider that the limits upon the right are reasonable and justifiable in a free and democratic society for the purposes of s 7(2) of the charter having regard to the following factors:

**The nature of the right being limited**

The right to be presumed innocent is an important right that has long been recognised well before the enactment of the charter. However, the courts have held that it may be subject to limits, particularly where the offence is of a regulatory nature.

**The importance of the purpose of the limitation**

The principal means by which an improvement notice should be challenged is through the exercise of the right of review in clause 273. In those circumstances the validity of the notice will be determined on the civil standard of proof. The purpose and effect of the defence in clause 274(1) is to provide an accused who has not exercised the right of review with a further opportunity to challenge the basis for the improvement notice within the context of the criminal proceedings.

The purpose of the defence in clause 274(2) is to enable an accused to escape liability where the accused is able to

establish that he or she took all reasonable steps to comply with the notice.

The purpose of imposing a legal burden is to ensure the effectiveness of improvement notices and prohibition notices as a means of ensuring compliance with the act is not undermined.

**The nature and extent of the limitation**

The burden of proof is imposed in respect of affirmative defences only, and does not apply to an essential element of the offence.

**The relationship between the limitation and its purpose**

The imposition of a burden of proof on the accused is directly related to its purpose. Before the defences could apply, the prosecution would have to establish that the accused has failed to comply with an improvement or prohibition notice.

**Less restrictive means reasonably available to achieve the purpose**

Removing the defences altogether would not infringe the right to be presumed innocent. However, this would not achieve the purpose of enabling the accused to escape liability in appropriate circumstances. Although an evidential onus would be less restrictive upon the right to be presumed innocent, it would not be as effective in achieving the purpose of the provision.

Enabling an accused merely to point to or adduce sufficient evidence to raise the defence in clause 274(1) would undermine the effectiveness of improvement notices in ensuring compliance with the bill by authority holders. I consider it is appropriate that the issue of whether there is a proper basis for the compliance notice should be determined on the civil standard of proof, whether that is in the review process set out in clause 273 or in the context of the criminal proceeding.

The defence in clause 274(2) relates to matters that are principally within the knowledge and/or control of the accused. It would be difficult and onerous for the Crown to investigate and prove beyond reasonable doubt that the accused failed to take all reasonable steps to comply with the notice. I consider the imposition of a legal burden on an accused to prove the defence in clause 274(2) is appropriate to ensure that authority holders take all reasonable steps to comply with an improvement or prohibition notice, and represents an appropriate balance of all interests.

**Other relevant factors**

While the prescribed penalty can involve fines, it does not involve imprisonment.

The limitation is reasonably justified under s 7(2) of the charter. Accordingly, I consider that the bill is compatible with s 25(1) of the charter.

**Cultural rights — s 19**

Section 19(2) of the charter provides for Aboriginal cultural rights and, in particular, the right to 'maintain their distinctive spiritual, material and economic relationship with the land and waters and other resources with which they have a

connection under traditional laws and customs'. Those cultural rights are protected under the bill through:

- (i.) clause 10 of the bill which provides that nothing in the bill affects the operation of the Aboriginal Heritage Act 2006. The purpose of that act is to protect Aboriginal cultural heritage, which means Aboriginal objects, places and human remains. The act contains offence provisions for harming Aboriginal cultural heritage;
- (ii.) clause 150 of the bill which prohibits the issuing of an authority in respect of native title land unless the minister is satisfied that the relevant procedures under the Native Title Act 1993 (cth) have been followed; and
- (iii.) clause 208 of the bill which ensures that if the right to negotiate provisions of the Native Title Act have applied or an indigenous land use agreement applies, the provisions of the Native Title Act prevail over any similar provisions of the bill, unless the parties otherwise agree in writing.

In the light of these provisions, I consider the bill is compatible with the cultural rights in s 19 of the charter.

#### **Right to property — s 20**

Section 20 of the charter provides that a person must not be deprived of his or her property other than in accordance with law.

Clause 14 of the bill provides that the Crown owns all underground geological storage formations at depths of 15.24 metres or more below the surface of any land in Victoria.

The Crown does not presently own all underground geological storage formations. The effect of s 339(1) of the Land Act 1958 is that the state owns geological storage formations (naturally occurring or enhanced) that lie beneath parcels of Crown land (at any depth); and depth-limited parcels of freehold land, first alienated by the Crown after 29 December 1891, for purposes other than mining. Accordingly, clause 14 will provide that the ownership of underground geological storage formations at depths of 15.24 metres or more below the surface of the land vests in the Crown. It is arguable that this could amount to a deprivation of property for the purposes of s 20 of the charter.

However, as any deprivation occurs in accordance with the provisions of the bill, it is in accordance with law and does not limit the property right in s 20 of the charter.

Accordingly, I consider that the bill is compatible with the property rights in s 20 of the charter.

#### **Conclusion**

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because to the extent that some provisions do raise human rights issues:

- these provisions do not limit human rights; or
- to the extent that some provisions may limit human rights, those limitations are reasonable and demonstrably justified in a free and democratic society.

The Hon. Gavin Jennings, MLC

#### *Second reading*

### **Ordered that second-reading speech be incorporated on motion of Mr JENNINGS (Minister for Environment and Climate Change).**

**Mr JENNINGS** (Minister for Environment and Climate Change) — I move:

That the bill be now read a second time.

#### **Incorporated speech as follows:**

The Victorian government is committed to reducing atmospheric greenhouse gas emissions by 60 per cent by 2050 compared to 2000 levels. It is also committed to ensuring a safe, secure, reliable and affordable energy supply and enabling the value-added processing of Victoria's fossil energy reserves.

In a carbon constrained world, carbon capture and geological storage technologies are required to offset the continued use of Victoria's fossil fuels.

Economic incentives, such as a price on carbon dioxide emissions, are likely to be the longer term drivers for investment in carbon capture and storage. The necessary preconditions for that investment are: clear legal rights to explore for underground geological storage formations and to store greenhouse gases; and an efficient, transparent and credible regime for assessment, approval and operation.

The Brumby government is therefore pleased to introduce legislation today to facilitate and regulate carbon capture and storage in onshore Victoria, as part of the government's commitment to the reduction of atmospheric greenhouse gas emissions.

This bill provides investors with a clear signal that Victoria is committed to the development of carbon capture and storage. The legislation will also protect public health and the environment, respect the interests of private land-holders and provide mechanisms to ensure that the community, including relevant municipal councils, are consulted and their views taken into account as part of the decision-making process.

The bill creates a framework to facilitate and regulate the injection and permanent storage of greenhouse gases. This framework is based on an existing model established by the Petroleum Act 1998 and has been adopted because carbon capture and storage uses many of the same technologies as the petroleum industry. It is a model that industry is familiar with.

That said, the bill addresses a number of unique legal issues, such as the potential migration of the injected greenhouse gas substances and the management of long-term liabilities and monitoring and verification requirements associated with the permanent underground geological storage of greenhouse gas substances. Accordingly, the bill has been developed as stand-alone legislation, rather than as an amendment to existing petroleum legislation.

The bill is also consistent with, and complements the proposed commonwealth legislation to enable offshore

injection and storage of greenhouse gas substances, which will be mirrored, to the extent practicable, in legislation for offshore storage in Victorian waters.

I now turn to the key provisions of the bill.

### **Role of the Crown**

The bill establishes that the Crown owns all underground geological storage formations below the surface of any land in Victoria. This will allow the Crown to grant exclusive rights to explore for geological storage formations in a specific area, and where a suitable geological storage formation is identified, to undertake greenhouse gas injection and monitoring operations.

The bill also makes clear that on surrender or cancellation of an injection and monitoring licence the Crown becomes the owner of any greenhouse gases that have been injected into the geological formation.

### **Authorities**

The bill will facilitate primarily large-scale commercial carbon capture and storage activities. It establishes a system of titles for the injection and permanent storage of carbon dioxide and other prescribed greenhouse gases. These are:

- a greenhouse gas sequestration formation exploration permit;
- a greenhouse gas injection and monitoring licence; and
- a greenhouse gas sequestration formation retention lease.

The bill provides flexibility as to the duration, size and conditions associated with such permits, leases and licences.

### **Management of public health and environmental issues**

The bill includes special requirements for approval of injection operations.

Injection operations must not be approved unless the minister is satisfied the proposed operations will not present a risk to public health or the environment — this is a fundamental precondition for the approval of any injection operations under the bill.

To assist the minister in determining whether to approve any application for injection operations, the bill requires the minister to refer any applications for approval of injection operations to the ministers responsible for the Environment Protection Act 1970, and the Water Act 1989 and the Environment Protection Authority for comment, including the making of binding recommendations with respect to whether the proposed activities pose a risk to the environment.

### **Management of competing resource uses**

The bill requires the minister to assess the impact on other resource uses before determining whether to approve injection operations.

Where proposed injection operations pose a significant risk of contamination or sterilisation of other resources, the minister may approve the proposed operation if he or she considers it in the public interest to do so, notwithstanding the impact on the other resource.

Before making any public interest determination with respect to competing resource use, the minister must refer the matter to an independent panel or other relevant agency or department for recommendation.

A public interest determination is not required where the consent of the other resource title holder is obtained and the parties enter into a compensation agreement.

In this context, however, the minister must still be satisfied that the proposed injection operations do not pose a risk to public health and/or the environment.

### **Exemption from certain approvals and licensing requirements**

To minimise the regulatory burden on potential carbon capture and storage operators, the bill provides that such operators are not required to obtain certain approvals under the Environment Protection Act 1970 and the Water Act 1989 where an authority under this bill is awarded and the operator has an approved injection testing plan or injection and monitoring plan.

The bill also exempts exploration operations and, where there is an approved environment effects statement, injection and monitoring operations from the requirement to obtain planning approvals, where the consent requirements of the bill are followed. This is consistent with the approach taken in the Petroleum Act 1998.

### **Access to land and consent requirements**

Geological formations suitable for the permanent storage of greenhouse gases may lie under any land, public or private. Accordingly, the bill contains requirements modelled on the Petroleum Act 1998 and the Geothermal Act 2005 to ensure sound planning and the protection of the environment. In particular, the bill makes provision for thorough consultation with both public and private landowners as the case may be, consideration of their interests and, where necessary, the payment of compensation to the landowner.

Importantly, the bill:

- bans all carbon capture and storage injection operations in wilderness areas, reference areas, marine national parks and marine sanctuaries with the highest conservation values;

- requires an additional consent from the minister responsible for the National Parks Act 1975 for any activities which occur in land covered by that act;

- requires consent of the relevant minister to access restricted Crown land;

- requires consent of the private landowner and a compensation agreement for carbon capture and storage injection and storage activities on private land;

- provides for dispute resolution and appeals to the Victorian Civil and Administrative Tribunal on matters of compensation; and

- requires compliance with the Aboriginal Heritage Act 2006 and the commonwealth Aboriginal and Torres Strait Islander Heritage Act 1984.

**Community consultation mechanisms**

The bill imposes a duty on carbon capture and storage operators to consult with the local community, including relevant municipal councils, throughout the period of the licence and to prepare a detailed community consultation plan.

In addition, the bill provides for a formal community consultation process where an application for approval of injection operations does not trigger the environment effects statement processes.

**Operational requirements**

The bill provides a range of measures to ensure that greenhouse gas injection and storage activities are carried out in accordance with agreed operational plans, that title-holders have agreed rehabilitation bonds and that the government can rehabilitate sites where necessary.

**Surrender of injection and monitoring licence**

The bill requires the holder of an injection and monitoring licence to conduct post-injection monitoring until the licence holder can satisfy the minister that the stored greenhouse gas is behaving in a predictable manner and that the risks associated with permanent storage have been reduced to as low as reasonably practicable.

Under the bill, an injection and monitoring licence may only be surrendered where the minister is satisfied that:

the stored greenhouse gas sequestration substance is behaving in a predictable manner;

the risks associated with permanent storage have been reduced to as low as reasonably practicable; and

approval of the application for surrender will not result in any risks to public health or the environment.

An applicant for surrender will also have to prepare a long-term monitoring and verification plan for the minister's approval, and pay the agreed estimated costs of that monitoring, which will have been provided by the licence holder over the licence period.

**Management of potential liabilities following surrender of licence**

Following surrender of the licence, the state will be responsible for undertaking any monitoring and verification activities which may be required.

Similarly to the commonwealth offshore carbon capture and storage legislation, the bill does not alter the common law liabilities of a carbon capture and storage proponent.

**Enforcement**

The bill provides for a range of offences, penalties and enforcement provisions to ensure that carbon capture and storage exploration and injection operations meet community expectations for the protection of public health and the environment and that titleholders' rights are respected.

**The carbon capture and storage regulator**

For the first four years after commencement of the legislation, the Department of Primary Industries will regulate all aspects of carbon capture and storage injection and storage.

Thereafter, responsibility will be shared:

the Department of Primary Industries will continue to be the regulator responsible for acreage release and the award of licences and permits, including approval of applications for surrender of injection and monitoring licence; and

the Environment Protection Authority will become the regulator responsible for monitoring and verification.

**Conclusion**

It is early days for carbon capture and storage across Australia. As our understanding of Victoria's underground geological storage formations and carbon capture and storage injection and storage technologies grows, this legislation may evolve.

However, in introducing this bill, the government is seeking to establish a forward looking framework to encourage exploration, and the development of the carbon capture and storage injection and storage industry. This bill seeks to ensure that all aspects of carbon capture and storage injection and storage activities are conducted sustainably and in an open, transparent and consultative way which meets community expectations.

I hope that this bill is a first step towards a future where carbon capture and storage injection and storage operators contribute substantially to enabling Victoria to meet its climate change mitigation responsibilities, at the same time as enabling the ongoing use of the state's fossil fuel resources.

I commend the bill to the house.

**Debate adjourned on motion of Mr HALL (Eastern Victoria).****Debate adjourned until next day.****ENERGY LEGISLATION AMENDMENT  
(RETAIL COMPETITION AND OTHER  
MATTERS) BILL***Second reading***Debate resumed from 9 October; motion of  
Mr JENNINGS (Minister for Environment and  
Climate Change).**

**Mr HALL** (Eastern Victoria) — This morning I am pleased to have the opportunity to respond to the Energy Legislation Amendment (Retail Competition and Other Matters) Bill 2008. In a nutshell, this bill modifies the regulation of electricity and gas tariffs, and it also makes some modification to gas market rules.

It is rather ironic that we are standing here in Lakes Entrance debating this bill today when half of the bill is completely irrelevant to the people of Lakes Entrance and surrounding communities, because there is no natural gas reticulation in Lakes Entrance. In fact there is no natural gas reticulation east of Bairnsdale. The issues of natural gas management, regulation and tariffs associated with it are not applicable to this particular region of the state where we are now spending a couple of days. It is particularly galling to the people of Lakes Entrance and East Gippsland, because when they look out to the horizon from the front of this building, they are looking in the general direction of Esso-BHP Billiton's significant natural gas and oil infrastructure. That natural resource material gets processed in Longford.

In addition to that, in an area which is north of Lakes Entrance, only about half an hour up the road, another company also has significant oil rigs with oil and natural gas which is processed and brought ashore. That is called the Patricia Baleen development which has a gas processing plant at Marlo. On either side of Lakes Entrance there are gas processing plants and production plants, but there is no natural gas reticulation in this very town.

I acknowledge there has been a government program, both under this government and also under the previous government, to assist with the rollout of natural gas facilities. Currently Bairnsdale and Paynesville are on the list. But there is a natural gas pipeline running from Longford to Sydney, probably about 5 kilometres in the direction that I now face, and again there is no opportunity for people in Lakes Entrance, Orbost, Cann River or Mallacoota to tap into that natural gas pipeline. I say to the government in respect of this issue, while also acknowledging what has been put in already, that there needs to be further support for the continuation of the rollout of natural gas reticulation right throughout this region and other parts of Victoria.

At the moment people in East Gippsland rely on bottled gas, which is a particularly expensive option, but it is the only option they have if they want to use gas appliances. Otherwise they continue to rely on electricity for heating and cooking needs, which is an economic impost on people in this part of Gippsland compared to other parts of the state that have access to natural gas. Some people also rely on wood as an energy source for heating and cooking, and members would be well aware of policy changes which have limited the opportunity to harvest wood for heating and cooking purposes in recent years.

When we are debating this bill we need to keep in mind the circumstances of the local people. Yes, the electricity modifications and changes proposed in this bill are applicable, but by far the biggest areas of East Gippsland are not yet recipients of natural gas; therefore some of the comments we make in respect of those provisions are completely irrelevant to the people here today.

As I said, it is ironic that we are debating this bill today when it was not so long ago that this government cried loud and hard about the impost of the deregulation of gas and electricity tariffs in Victoria. During the term of the previous government I can recall when uniform tariffs were superseded by other regulatory procedures. The Labor Party, which was then in opposition, was the strongest opponent of deregulating electricity and gas prices. Now the Labor Party seems to be the champions of it, because this bill takes deregulation of tariff prices further and further.

The justification for the changes in this bill, as outlined by the minister in the second-reading speech, was that competition was effective and therefore further regulation was possible. The question that most of us would ask, as consumers of these products in Victoria, is: is there really competition in this industry and is it working? If you asked country people, I bet most would answer no, and their responses would be tailored according to the information they received about their tariffs. Every one of them, to a person, would say, 'My electricity bill has gone up and my gas has gone up; therefore I am not enjoying any benefit of competition'.

I would also suggest that most country people may recall receiving some notes in an envelope from different retailers of both gas and electricity suggesting the virtues of using their companies, but it is difficult for people to make the decision to swap or change or make use of various offers coming from retailers of electricity or gas when there is no sound, established, common criteria for comparing the offers that electricity or gas companies may be putting to consumers. I am sure, Acting President, that you and other members would have received such information from retailers and found it difficult to make comparative judgements about the merits of their particular proposals to you.

What the coalition's shadow minister, Robert Clark, has clearly called for publicly for some time now is the requirement of common criteria for offers that are put to the people of Victoria so they can fairly and reasonably compare different offers from different companies. I say to the government that that is the thing I think still needs to be done. It is not too late for it to be

done. It can bring to the Parliament legislation which would require the expression of offers for utility services in a common form so that people can make their comparisons. I repeat that call today.

Let me go to some of the main provisions of the bill. As I said in my opening remarks, essentially what they do is make some, what I describe as mechanical, changes to the way in which electricity and gas tariffs are structured and also make some modifications to the market rules applying to natural gas.

One of the main provisions stipulates that the standing offer for retail gas and electricity tariffs may only be regulated by the state government if the Australian Energy Market Commission has found that retail competition is not effective and recommends that price controls be retained or reintroduced. As I said in respect of that, there is a judgement made about the effectiveness of the competitive nature of electricity and gas retailers in any part of Victoria.

The bill also requires retailers to publish standing and various other offers on their websites, publish notices of changes in newspapers and advise customers in writing of changes. It requires the Essential Services Commission to publish standing and relevant published offers on its website and to report annually on the tariffs, terms and conditions under which electricity and gas are sold. That is an admirable concept, and certainly the coalition is happy to support the intent of the clauses which go to the changes I have summarised, but again I make the comment that there is no prescription about how that information needs to be presented on the websites of those companies. It goes to the issue I spoke of earlier, about the difficulty in customers interpreting the various offers put forward by electricity and gas retailers.

The bill also transfers responsibility for the approval of gas market rule changes and of fees charged to participants, and it provides for dispute resolution processes to be included in retail gas market rules. This is a common-sense provision which the coalition is again happy to support. The bill also amends the definitions of 'standard' and 'complex' gas installations for gas safety regimes and allows regulations to be made for electricity and gas safety regimes. It makes further transitional provision for the transfer of economic regulation of electricity and gas distribution. It is a riveting bill when you think about those mechanical changes! I do not think the audience nor my colleagues in this chamber would welcome a debate going into each one of those aspects. I do not think that debate would stimulate people to any great extent.

But there is an important provision which I want to make some comments on, and that is the provision relating to the rollout of smart meters, and essentially in this bill there are clauses which enable the orders in council to establish what are said to be — and I quote from the minister's second-reading speech:

... more efficient mechanisms for the recovery of costs for the rollout of advanced metering infrastructure.

The smart meters have been talked about for some time — again and again they have been talked about. It started in 2001, and it was suggested that smart meters would be available to all Victorian consumers of electricity and gas by 2004. Then that date changed to 2006; then that date changed to 2008; and that date is now mid-2009. They are yet to be seen, so it is with a reasonable amount of scepticism that we in the coalition wonder whether they are going to be delayed further. After all, they have been promised time and time again and are yet to be delivered.

Even in the latest comment from government with respect to the rollout of smart meters we are advised they are not going to be so smart after all. There is going to be a limited use of smart meters and perhaps restricted to the remote reading of meters. That might save the energy companies something but it will have little impact on customer cost. When smart meters were first proposed it was going to do all sorts of wonderful things, including giving consumers the power to tap into electricity and gas at a cheaper price at other times of the day, but it seems that technology has not developed and will not be developed to that extent according to recent government comments. The people of Victoria have been let down by the so-called smart meters fiasco. If the history is anything like the myki fiasco, which is another smart system for ticketing, then there will be some horror stories before the end of the day with respect to those smart meters.

I also have some concerns about the order in council to establish a more efficient mechanism. We all understand that Parliament does not have specific authority to knock back an order in council, so we are concerned about the cost transfer that customers may incur with the introduction of smart meters for electricity and gas. The people of Victoria should be rightly concerned about that. I do not want to have to pay extra money just so that an electricity or gas company can read my meter remotely. I would expect something more if I were paying for a service, and the government needs to do a lot of work so that the people of Victoria get value for money and are confident that a smart metering system is delivering some economic benefit to them. This is an issue that we in coalition will



watch very closely because the continued delays that we have had in the rollout of those smart meters for electricity and gas meter reading do not augur well for the government.

This bill is largely mechanical in nature. We are not convinced that the government fully understands the impact of these changes on country Victoria. Evidence of this is the fact that recently this government abolished the network tariff rebate which supplied country people with at least an equalising factor on the distribution cost of electricity. That rebate was implemented when retail electricity was privatised. It was there to ensure that the cost differential in the distribution of such commodities was shared equally across the state. It started at something like a subsidy of \$132 million per year to some retail companies, if my memory is correct. It has been reduced significantly by the Labor government and now there is none. Most country consumers would make the claim that competition has not been effective in reducing the costs to them, and with the abolition of the uniform tariff rebate the government has not played its role in making sure that the new pricing structure for commodities in country Victoria is fair.

I urge the government to take my comments on board. We will not be opposing this legislation because basically it takes the whole issue about tariffs for electricity and gas further along the unregulated path. Nevertheless the government and the opposition need to be diligent about monitoring the impact of these changes to ensure that the claimed benefits are shared by all Victorians and not just those in capital cities. With those comments I indicate that the coalition will not be opposing this bill.

**Mr THORNLEY** (Southern Metropolitan) — I rise to speak in favour of the Energy Legislation Amendment (Retail Competition and Other Matters) Bill 2008. This is a bill to make a more perfect market. It is part of a long series of reforms that this government has brought in to deliver the most competitive electricity retail market in the world. As former Prime Minister Paul Keating used to say, 'Competition is a Labor word'. This is something that we are fundamentally committed to: designing markets that deliver the best form of competition, which therefore delivers the lowest prices and the largest amount of choice to consumers. But, as Mr Hall quite correctly points out, choice is only useful if people can make an informed choice and are able to understand the various options put in front of them by the competitors and be able to choose the option that suits them best. Part of what is in this bill advances that cause.

Let me talk for a little while about the specifics of what we are doing here and what we are not doing. We are gradually stripping away the layers of 'thou shalt' and 'thou shalt not'-type regulation in the face of all of the evidence that shows that just letting the competition run is currently working effectively, so maintaining the standard tariff regime and the other matters is no longer necessary. We have seen, and all of the evidence shows, that electricity prices are cheaper for most consumers by somewhere in the region of 5 per cent to 10 per cent as a result of the level of competition which the current regime deploys, so we can remove those invasive forms of regulation. But the bill is quite clear that it retains a reserve power to reintroduce that regulation if, for whatever reason, the competitive environment ceases to be competitive or effective in that way.

I think that is exactly the right way to approach things. You design a market, you put a set of rules in place, you let the competition take place and you get out of the way. If that competition delivers a good result for customers, a good result in terms of the level of competition and a reduction in prices then you stay out of the way. If that does not work, you either look at changing the rules a little bit, or, if you need to, you come back and intervene. That is exactly the right way for us to be approaching this. The work this government has done so far has delivered better competition, it has delivered greater choice and lower prices, and this is another step further down that path.

What this bill does not do is remove any of the critical parts of that market framework to ensure that in a more competitive environment that competition is not undertaken in a way the disadvantages people, particularly people who themselves are disadvantaged. The financial hardship requirements will not change; the wrongful disconnection provisions will not change; and the energy concessions will not change. All of those things are a necessary safety net to ensure that a more vigorous competitive market does not somehow lead to people being taken advantage of. I contrast that to, for example, the retail financial services market in recent times where we have seen the practices of predatory lending and other forms of activity where competition has driven companies to do things that are wrong, that are exploitative and that take advantage of people's limited capacity to understand a complex transaction. We are now unfortunately living with the consequences of that worldwide. This bill is a part of a regime that makes sure we keep a safety net that ensures people cannot be exploited, but we otherwise get out of the way and let the competition run, deliver better choices and lower prices, while keeping in

reserve the capacity to re-engage with the process if that is not actually the outcome the market delivers.

I want to take up a couple of points that Mr Hall made, and we appreciate the support this bill will receive across the house. The point about needing to establish sound criteria for people to make decisions is a fair one, and it is part of ensuring that we have an informed consumer base. The only thing I would say is that we do not have to write all of that and everything you might do into the legislation. We are trying to get away from that sort of very heavy rule-book approach to things. There are a lot of things you can do. It is primarily about education and the provision of information. A lot of those things can be done in an executive way by creating environments where people have that information and by running information campaigns to ensure that people understand the choices in front of them, and that is exactly what the government will be doing. We have a campaign running in October and November of this year, and again in February 2009, to make sure people understand the quite complex choices they have but also the benefits they can get from really understanding the different offers available when they buy their electricity and making sure they have that information.

I note that in other environments where governments have sought to assist consumers — again, not by putting a vast regulatory rule book in place but by providing simple information such as websites which contain uniform information in areas like grocery and petrol pricing — those efforts have been howled down by people associated with those opposite as somehow wrong or ineffective, and now they are calling for exactly the same sort of thing to happen in electricity. It is good to give people good information which enables them to compare the offers from various producers, and the internet is an obvious forum to do that publicly. To run an educational campaign to help people understand how the different parts of the electricity pricing process work so that they can make an informed decision is also good.

Secondly, on the subject of smart meters, it is really important that we get that infrastructure in place. It is a classic example of what I spoke of earlier today — an area where we can improve environmental outcomes, save people money and create jobs. What is not to like about that trifecta?

Mr Hall is quite right that the creation of that smart meter infrastructure will certainly potentially lead to a reduction in the meter measurement costs for the retailers, and that has to be a good thing. Given that we have the most competitive electricity market in the

world, that reduction in cost will almost certainly lead to a reduction in prices. The smart meter technology also will create much greater ability for people in their own homes to understand what is going on with their electricity consumption and to find ways to minimise that. As that infrastructure is put in place eventually appliances and other mechanisms will be able to be linked in. People will also be able to have greater control over energy usage when they are not in their houses. The remote benefits are not just to the producers but also to the consumers.

It is really important that we get in front on this. We all know that electricity generation is the source of two-thirds of our emissions in this state. We are looking to the long-term changes that will significantly bring down the amount of carbon emissions per kilowatt hour of electricity generated, and in the meantime giving people the tools and the technology to enable them to reduce their own energy consumption will both save them money and reduce emissions. Putting all of that in place will create a lot of jobs for a lot of sparkies and a lot of tradies. The work we are doing in the gas area will create jobs for a lot of plumbers. These are again ways that we can improve the environment, save people money and create jobs. Surely that is a trifecta that we would like to deliver on.

Finally, to put this bill in context, as Mr Hall suggested the bill is a relatively mechanical bill. I do not think it is particularly controversial, and it is not being opposed. However, the bill does form part of a longer sweep of history that explains a little bit about how this government and the Labor Party view the role of competition and the role of market design. In the history of the Victorian electricity industry the easy thing was done first, which was selling off the generators to private owners. That was not a difficult decision to make. Most people would have been happy to do something that netted \$26 billion into the kitty. The hard thing was then to design a marketplace where real competition delivered real price benefits and choice benefits to consumers. Designing that market is the hard work. The easy part was the privatisation; the hard part was designing the market. When this government took office there was none of that. There was essentially a privatised monopoly, which is really the worst kind because it is not accountable to the taxpayer or the voter. It was a series of monopolies where there was no competition and therefore no accountability.

What we have successfully achieved is the introduction of the most competitive electricity market in the world. We have done the hard work of designing that market. We are now recognising the areas where that market can be further improved to make a more perfect market.

That is where this bill fits in. I am very proud to be part of not just this bill but of a long history of reform that this government has implemented in the electricity market. We will continue to do things that deliver to people better prices, more control, more choice, more jobs and lower emissions. If we can do things that are that good, we should keep doing them. I commend the bill to the house.

**Mr BARBER** (Northern Metropolitan) — Mr Thornley is right — creating a competitive market out of a natural monopoly like electricity is a very hard job. That is why this government has done such a bad job of it. The electricity market operates both as a natural monopoly and as a public good. This regulation that we are constantly seeing is all designed to regulate for competition where it would naturally not exist. Since the most important aspect of that is just now being implemented with this bill and later changes, we are yet to see the true results of it. What the government is doing here is conducting an experiment, and while it may think it knows a lot about designing markets and running them, it will not find out the result of this particular experiment until it is out there running.

This is just one in a series of bills that, essentially, continues a trend of the state government taking itself out of the job of regulation and handing off various bits of that task to other people. It is what this bill does not do that I have a problem with. Unfortunately I cannot vote against a bill for what it does not do, but I will repeat some of the comments and bring forward some of the same evidence that I brought forward when we debated an earlier bill about a year ago that was on the same theme.

For a competitive market to operate you need a few things: perfect information; zero transaction costs; and, certainly theoretically, unlimited access to capital at the same price whether as a borrower or a lender. It is not hard to see why in the case of electricity, and it is not only in theory but in the way it has been operating, those conditions do not really apply. There should be a big sign up saying, 'Wrong way — go back'. Instead Mr Thornley is glowing in his support for this course of action. That is understandable. I heard his little spiel. I cannot remember it exactly, but it was all along the theme of how we should be steering and not rowing and that light-touch regulation is better.

Obviously all that Ted Gaebler stuff in *Reinventing Government — How the Entrepreneurial Spirit is Transforming the Public Sector* changed Mr Thornley's life when it was published in the early 1990s. It was big at the time, so was Huey Lewis and the News, but I am no longer such a big fan of that band — —

**Mr Thornley** interjected.

**Mr BARBER** — I came close to buying one of its albums, but I did not. I did buy *Reinventing Government* and read it, and I certainly thought it was an interesting book at the time. I adopted some of the ideas myself, but the world has moved on. The market for electricity is not like the market for chocolate bars or home insurance or prepaid funerals. It operates in a fundamentally different way.

The principal focus of the bill is to make amendments to two relevant acts, following a review by the Australian Energy Market Commission (AEMC) that found that competition in both sectors is effective. Under the previous situation there was a retail code that set terms and conditions, and for the last six years the government has met with those retailers to determine the standing offer price. Standing offer is quite important. Standing offer is, in fact, the last important element here. The bill provides that the existing power to regulate the standing offer retail tariff still exists, but by my reading of the bill it can only be exercised if the Australian Energy Market Commission finds that retail competition is not effective and recommends that price controls be retained or recommenced.

Mr Thornley described it as a reserve power, but it is not one that can be exercised under any conditions where the government finds that the situation has become diabolical. The only situation, by my reading of the bill, in which it can do that is when the Australian Energy Market Commission finds retail competition is not effective and recommends that price controls be retained or recommenced. In effect the retailers determine the standing offer price and there is no meeting with the government any more. The retailers are required to publish standing offer prices and conditions on their websites and in newspapers — we did all this with the previous bill — and the Essential Services Commission publishes material on its site and reports annually. In other words, from what we were told in the briefing, it is described as making observations or looking at trends in the market.

We were also told — and I hope the information is correct — that there is no process for the Essential Services Commission, as a result of one of its reports, to recommend intervention by the minister. The minister's ability to intervene is limited to noting the annual report of the ESC and then asking the Australian Energy Market Commission to review whether competition is effective. That seems quite a convoluted, roundabout way of doing things — you are either in or out, as far as I can tell.

Coming back to the issue of information, or what I described as perfect information, there is no such thing as perfect in lay terms, but in economic terms 'perfect information' means that all the information that individuals would need in order to trade is exposed to the market and there is no particular secret information that is being held back by one party or another. The bill does not give me any confidence that retailers are required to provide information on tariff rates in a format that consumers can use to compare them with the rates and conditions of other retailers. It is hard enough with a mobile phone plan; you never know what exactly you are getting. You have to read a lot of fine print to understand it, and even then you can go over your cap and then suddenly, instead of getting a really cheap deal, you find you get a massively expensive one. I have been caught that way myself. All those possibilities apply to the electricity market, but to an even greater extent.

The Consumer Utilities Advocacy Centre produces regular newsletters on this issue, and I have looked at its July 2008 newsletter. In both 2006 and 2008 it conducted its own research to determine how easy it was for a consumer to find a product information statement (PIS) on a retailer's website and how useful they were as a price comparison tool. It put forward the position that these PISs are both hard to find and confusing in terms of the mix of terminology, inconsistent formats across retailers and incomplete product information. If it were a PDS — product disclosure statement — for a financial product or an investment in a toll road, we would be reasonably confident that those readers, the investors, were familiar with the information. They would have assembled enough money in their skyrocket in order to be able to get down at some sort of — —

**Mr Thornley** interjected.

**Mr BARBER** — I think that is exactly the point, Mr Thornley. Even with those products, there have been class actions and litigation about the information provided in a PDS being incorrect. Here we have a lone consumer, downloading and reading something from the internet that has terminology and formatting not regulated for their protection.

In the Legislative Assembly debate on this bill there was only one mention of door-to-door sales. It is basically seen as a consumer affairs issue and not an innate problem of this market. I come back to the fundamental tenet that consumers must be able to make informed decisions before they enter into contracts with retailers. It is not just a matter of making your own choice; we are talking about people turning up on your

doorstep, possibly at an inopportune time when you are not thinking about making a particular decision, and giving you a hard sell.

**Mr Thornley** interjected.

**Mr BARBER** — Thank you for that assistance, Mr Thornley — that was exactly the point I was making. We have great problems with those sorts of products in life insurance, but here we have an even more difficult situation in that people fundamentally do not understand or care about the product they are buying. That is the market for electrons. You switch on a light, you want it to come on, and you do not really care how it works as long as it works.

Mr Thornley believes it is going to be a case of retailers competing on price and that is how we are going to get lower prices, but I am arguing that the fundamental basis of competition in this — —

**An honourable member** interjected.

**Mr BARBER** — I can see the Huey Lewis and the News crack really got up Mr Thornley's nose, didn't it? There will not be competition on price when we have got door-to-door salespeople giving you information and using high-pressure sales techniques. The sort of competition we have got now is glossy booklets and gee-whiz factors being sent to your address, when you yourself do not really understand much about the pattern of your use of electricity.

This brings us to the smart meters issue. Everybody around the table seems to agree there have been problems with the rollout of smart meters, and the situation is less than ideal, yet some people are relying on smart meters as the basis of their argument. There have been issues of cost, delay and a poor range of functions that have eventuated as against the original promise of what the smart meters were going to do. We are left feeling suspicious — and the Greens do not have to be deeply suspicious to believe that the smart meters, a project which has been rolled out, by the way, in secret — —

**Mr Pakula** — How do you know about it?

**Mr BARBER** — What I am saying is that not every aspect of the rollout — the types of meters and rules and so forth — is revealed. There are various committees out there working on it that are all sworn to secrecy, and there are reference groups that cannot talk to the public. As a result there has been very little debate on the introduction of smart meters, because there has been no information about it to debate.

However, it is coming out that these meters are going to serve the interests of retailers more than those of consumers. Over the last few years there have been some massive ructions in the wholesale and generation side of the electricity market. They are not just the recent problems associated with the drought and the lack of water and rocketing prices, because a number of years ago we had the instance where — this has been a problem for retailers of electricity — on four or five especially hot days of the year, for just a few hours in the afternoon the price that we usually pay for electricity of around 17 cents per kilowatt hour rocketed up by a factor of thousands due to short-term demand which could not be met. This massive peaking problem of electricity has occurred only sometimes — an about four or five days a year. In those cases, because that cost could not be passed on to electricity customers, the retailers were getting hammered. Generators and wholesalers were quite happy about it, but the retailers were absolutely screaming.

Given those circumstances, imagine a situation where there is little regulation left around the price on offer, where people have poor information about it, where retailers have very good information about consumers' individual pattern of electricity use and people are turning up at people's doors having noticed that the person has a dirty great air conditioner on their roof and realising just from looking at the front of the house that the person there is probably home at 4 o'clock on a hot weekday afternoon and thinking, 'There is someone who is going to be a high user of electricity. We will target those households going down the street. We will sign them up to a plan, like a mobile phone plan, that says, "Your electricity looks really cheap except if you blow your cap", or, "In this case, if you use electricity at certain peak demand times you are going to pay an absolute fortune"'. And the consumers will not know about it. They will be hit by it in their first summer when they get a bill three months down the track.

One of the concerns about this sort of deregulation has been redlining — the unwillingness by retailers to service certain low-value customers. I am more concerned about the opposite of that, which is specifically targeting people on the characteristics of their household and signing them up to a plan with repercussions they will not understand.

The research by the AEMC (Australian Energy Market Commission) — which is the basis, I believe, of Mr Thornley's claim that we have the most competitive market in the world; it is a claim that has come out of the AEMC's findings — found that basically three host retailers supply 80 per cent of electricity customers and nearly 90 per cent of gas customers. Only 10 per cent of

electricity customers and 6 per cent of gas customers have contacted a retailer in the past five years to switch, and 70 per cent of customers that have switched have done so because of door-to-door marketing. It does not sound very much like a competitive market to me; it sounds like a market where people are almost completely disengaged with the product and only act more or less on impulse.

**Mr Thornley** interjected.

**Mr BARBER** — Correct, Mr Thornley. I am not the guy coming in here trying to design a piece of regulation to force competition and force choice onto electricity retailers. I am pointing out that it is a natural monopoly and that it has remonopolised to a greater extent since privatisation in the sense of both vertical integration and the number of people who are covered by particular retailers. Certainly you would have to argue that this is oligopoly competition, with 80 per cent of electricity customers under three retailers, and really two big ones.

In the material it put forward to the AEMC, the Victorian Council of Social Service reported that half of domestic customers who received offers did not understand them and that 89 per cent of customers who switched used one or no sources of information when making the decision. VCOSS concluded:

Clearly Victorian consumers are overwhelmingly uninformed and passive with regard to energy products.

That is my view. That is a reasonable proposition.

In light of that the environmental outcomes from this process are likely to be no better, because they feed into exactly the same issues I talked about earlier. Yes, there are some people out there who are now trying to get quite smart with their smart meters; they are taking a key interest in putting solar panels on their roofs and managing their own electricity. But the thing about those people, from watching the stories and programs that have been run — I think the ABC ran some sort of reality TV program where it encouraged people to be green in their homes —

**Ms Mikakos** interjected.

**Mr BARBER** — Sorry, Ms Mikakos, do you know the name of the program?

**Ms Mikakos** — No, but I did watch it.

**Mr BARBER** — She watched it as well. She knows the one I am referring to — through you, Acting President. They were individuals who were more or less doing it out of interest and as a hobby. They certainly

had the capital to invest in those sorts of things. That comes back to my previous argument about functioning markets — that is, in order to take advantage of some of these opportunities to protect the environment you will need access to capital. Most individuals do not have that. Renters are certainly not going to invest in fixed capital in a rented house, and their landlords are not going to make the investment because they are not the ones paying the electricity bills.

With these issues about a lack of information on how electricity is being used, how it is being sold, what you are paying for it and the opportunities to be taken from smoothing out those peaks — let alone the downstream investment in the distribution businesses, the poles and wires; that is certainly a true monopoly, and that is well recognised — there will not be, through this mechanism or any similar mechanism, great improvements to the environmental performance of our electricity system. You need only look back at the surging growth in electricity use over the time since privatisation to understand that.

I remember quite well the Texan chief executive officer of one of the companies that had just bought our retailers getting off the plane after landing in Australia and, when talking about the prospects of his new acquisition, saying, ‘I can’t believe how little electricity you Aussies use. Back home in Texas we use a much higher amount per household’.

Most of the process we have had so far in terms of deregulation and privatisation has simply been about new entrants coming in and pumping the asset for all it is worth. The environmental benefits that Mr Thornley alluded to are completely illusory, and I have little confidence that that situation is going to change with this bill being brought forward. It will be a more regulatory approach that will get us out of this climate crisis, and it will be through the sorts of measures that I have been describing.

**Mr LEANE** (Eastern Metropolitan) — I am very pleased to be speaking on the Energy Legislation Amendment (Retail Competition and Other Matters) Bill. Unfortunately for Mr Hall, who said he was sick of hearing about smart meters, I want to concentrate on the part of the bill that amends the Electricity Industry Act 2000 to enable orders in council to be made to establish a more efficient mechanism for the recovery of the costs of the rollout of advanced metering infrastructure in Victoria. The bill also amends the Electricity Safety Act 1998, under which I have a licence. I always like to speak on these bills. That licence allows me to work on electrical infrastructure,

and I do not rule out the possibility that I will be using that licence in the future.

Electricity is important in everyday life. It is everywhere we go. Ms Mikakos and I were talking about that mirror ball, which no doubt is connected to electricity and perhaps has been the thing that has inspired Mr Barber to talk about Huey Lewis and the News, and Janet Jackson. Maybe he used to boogie to their songs in the disco days. No doubt the schoolchildren who are in the gallery today would not have a clue about those particular artists. Just so they know, there was a popular music period known as disco where those particular artists might have been at their greatest height, and in terms of time relativity — just so the children gain an understanding of that timing — the disco period was probably just after the dinosaur age. Perhaps one of us should have called relevance on Mr Barber at the time.

*Honourable members interjecting.*

**Mr LEANE** — I think they are laughing inside. But to get back to the smart meters, I have to refute Mr Barber’s claims that smart metering is designed for the retailer rather than the consumer and also his claim that there is no advantage to the environment with this sort of technology. Where it has been installed in other jurisdictions it has been proven to cut power bills by between 10 and 30 per cent — and a reduction of 10 to 30 per cent on your power bill has to be a good thing. A reduction in power consumption of between 10 and 30 per cent also has to be a good thing for the environment.

I also have to refute Mr Hall’s claim that these meters are designed only for the remote reading of electricity consumption. When it comes to the functionality of advanced metering, the Liberal-Nationals coalition needs to get a bit smarter, because there are a number of things that these meters will do as a first stage. One of them is to remotely read consumption data, but it will be in half-hour blocks rather than the start–end data that is currently provided by standard metres. There is also an ability to remotely connect and disconnect power from premises, which will save that three-day period when you ring up and say, ‘I have just rented a house. I would like the power turned on’ or when you want to disconnect the power when you leave the premises. That would take away the situation where a person has left the premises and power is still available there for three days. If they had inadvertently left one of their electrical appliances on, rather than their being charged for that usage, the power would be disconnected from that point.

On a sombre note, as we are discussing generating companies, the original generating company in this state was the State Electricity Commission. I just want to take note of the Premier's apology to victims of asbestos who worked at the SEC in those days. According to an article in one of our mainstream papers regarding one of the SEC workers who was exposed to asbestos at the time, at least someone understands that it was not our fault. A number of decades ago in the electrical industry — as I know as a former electrical worker — asbestos was the wonder substance. Because of its insulating, heat-sinking qualities and its easy use, asbestos was the preferred insulator at the time.

Unfortunately, as the gentleman said in the article, no-one understood the health issues asbestos would create decades later. As an electrical worker, I have to say I am proud to be a member of a government that has acknowledged that it was not those people's fault. At the time, as I said, asbestos was not looked at as something that could affect people's health. It was looked at as a wonder material in the electrical industry because of its insulating qualities. I thank members for allowing me to divert to that, and I commend the bill to the house.

**Mrs PETROVICH** (Northern Victoria) — I rise to speak on the energy legislation amendment bill. I have spoken on a number of occasions about the effect of blackouts in Marysville in particular and in other areas in the Northern Victoria Region. These are a significant issue to the communities that are impacted on by the economic costs to business, the inconvenience and the health issues blackouts cause for many people, particularly the elderly during the summer months, which is when they seem to occur most. I would like to comment on the issue of better provision of this service, and I am pleased to see there will be better regulation as a result of the introduction of this bill.

The transparency issue affecting a lot of the activities relating to energy provision is difficult for the consumer to overcome. There seems to be myriad processes which are difficult for people to go through. Ascertaining responsibility for compensation for people who have experienced economic loss as a result of continual blackouts is a minefield for consumers endeavouring to recover the losses suffered by their businesses. One individual I have spoken about before lost their whole stock of product, amounting to nearly \$30 000 worth of goods, and to gain that compensation was quite difficult.

I also am pleased to see there is some focus on the green energy industry. Like many people in the community, I have received vast numbers of phone calls from a whole

range of suppliers selling their wares. I personally went through a process with one of the green energy companies that purported to provide green energy very cheaply in the Macedon Ranges. I was provided in great detail with some rhetoric about the benefits of the provision of green energy, which I support.

I am very keen to make sure that we have sustainable living in our communities, that our planet is protected and that CO<sub>2</sub> emissions are reduced. But there is also a philosophy in my area about wind energy and the appropriateness of that in relation to some of our view lines. When put to the test the green energy company admitted to me that there was very little green energy available in the state of Victoria and that the levy they were putting on their bills — we all want to support these industries — was actually going into research and development. I believe the community does not have available to it the appropriate level of transparency, because people think they are currently buying green energy.

Another area of concern to me is the rollout of natural gas. I live in the Macedon Ranges, and I am a strong supporter of that community. In fact as a former councillor on the Macedon Ranges council I was on the natural gas working committee and worked very closely with the state government at the time and a number of the gas providers to ensure that we got natural gas. The rollout was introduced with a lot of fanfare. I would like to draw attention to the \$70-million pot of money that was provided for that. I think about six regions were included. If you look at the extensive work that was required, you see that \$70 million was not really a lot of money.

A number of things have been brought to my attention through the work of a very hardworking and good community member in the Macedon Ranges, Sally-Anne Scrivener, and a number of other constituents. Sally-Anne ran a gas-related meeting last Saturday at the Mount Macedon Horticultural Hall. A number of people attended.

**An honourable member** — A lot of hot air came out of that meeting.

**Mrs PETROVICH** — There was a lot of hot air, but it was a beautiful day in the Macedon Ranges. The mount was God's country last Saturday afternoon. It was beautiful. Anyway, a number of people turned up to our meeting. The interesting thing that has occurred in the Macedon Ranges community is that a lot of areas have not been provided with natural gas. Roads that were promised would be part of the rollout have not been included, and it seems that the funding for those

areas has finished — there will be no more. As you can imagine, there is quite a bit of anxiety around that at Mount Macedon, particularly among people with houses that are under the cloud line, where the temperature gets down to below zero in the winter months. It is very cold there, and so there is a high usage of gas. The community is particularly anxious because the rollout did not include Mount Macedon. We are currently installing sewerage pipes and the trenches could have been used to accommodate a gas pipeline as well. There could have been some synergy there.

Many of the excuses used for not doing that related to interference with native vegetation. I can tell members that a whole lot of native vegetation has been interfered with as a result of the sewerage program. I am hoping that will be restored. There could have been some synergy between the authorities involved to assist the community. I will be raising this at another level as time goes by on the basis that the extension of natural gas to Mount Macedon is something that really needs to happen for the community there.

I believe there has been a rollout of gas in other areas, and I would like to highlight Portarlington in particular. Portarlington is a great area and one that I also know quite well. It was given priority on the rollout. If you are talking about economies of scale and the volume of gas that would be used to make a rollout viable for a provider, I would have thought that the Macedon Ranges would have been right up there as a large user of natural gas. If we are fair dinkum about looking after our planet and protecting our timber from uses such as the burning of firewood, then surely looking at that would have been a priority. This is not just an issue for Mount Macedon — —

**Business interrupted pursuant to sessional orders.**

## QUESTIONS WITHOUT NOTICE

### Taxation: levels

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) — My question is to the Treasurer. I refer to the annual financial report, and I ask: can the Treasurer confirm that state taxes in Victoria as a share of gross state product were higher than the national average for six of the last eight years, including the year 2007–08?

**Mr LENDERS** (Treasurer) — I thank Mr Rich-Phillips for his ongoing interest and particularly for the question he raises on state taxation levels in Victoria. There are a number of ways you can

measure taxation levels, and there are statistics that are used. Victoria certainly has lower taxes than New South Wales, depending on how you measure them. According to one measure we might have taxes above the national level; according to other measures we have them below.

I will be brief in my answer, because I am sure Mr Rich-Phillips, being a member of the Public Accounts and Estimates Committee, understands this very clearly. Firstly, you can measure taxes per capita or you can measure taxes as a percentage of gross state product — there are different ways of measuring or defining taxes. I am Treasurer of the state of Victoria, and if the state of Victoria received the revenue that the state of Queensland receives per person out of royalties we could get rid of payroll tax or stamp duty. To paint a picture of that, in the state of Victoria we receive approximately \$43 million a year in royalties; the state of Queensland, two-thirds our size, receives more than \$3 billion; in Victoria we receive approximately \$8 a head from royalties from minerals and in the state of Queensland they receive approximately \$900 per person for those royalties. That would be if you simply applied it from one area to another.

What I say to Mr Rich-Phillips is that you have to match apples with apples. What we do in the annual financial report is use the Australian Bureau of Statistics measure of these things. We use the government financial statistics to measure them. Mr Rich-Phillips will know we are a lower taxing than the state of New South Wales, the largest economy. What Mr Rich-Phillips also knows is that, if we got a fair share of GST and specific purpose payments revenue, we would be \$1.4 billion better off than we are at the moment.

I welcome Mr Rich-Phillips's supplementary question and I welcome some bipartisan support in getting a fair share of taxation for Victoria so we can deliver the important things to make this state an even better place to live, work and raise a family.

### *Supplementary question*

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) — The Treasurer can be assured of this house's bipartisan support on that, but I expect that as the years go on we will hear in due course that the problem is Colin Barnett rather than Peter Costello. My supplementary question to the Treasurer is: in view of the slowing of the Victorian economy, is the government now considering reducing state taxes in a midyear update?



**Mr LENDERS** (Treasurer) — This government has reduced taxes on numerous occasions —

**Mr P. Davis** — You always take more.

**Mr LENDERS** — Mr Davis says we always take more. One of the last measures introduced by the Kennett government increased land tax from 3 per cent to 5 per cent. This government has cut land tax on four occasions so that at the top level it is now 2.25 per cent rather than 5 per cent. This government inherited a payroll tax rate of 5.75 per cent; we have reduced it to 4.95 per cent. This government inherited a scale of stamp duty rates. This year in the budget we increased the threshold for every single rate of stamp duty by 10 per cent, plus we gave extra cuts to first home buyers and direct grants to first home buyers. This government inherited a WorkCover scheme that was so deeply in the red that it is probably where the name Red Sea came from! We inherited a WorkCover scheme so deep in red ink that we had to swim our way out of it. Now it is in the black, it is treating injured workers more fairly and for the last five years it has actually had cuts in premiums.

So I am happy to have a discussion with Mr Rich-Phillips and the opposition at any time about how we deal with taxes, how these issues are going, but I am not about to get up in the house today and speculate on where we are going into the future on any of these matters. There are serious global economic pressures that this government is working on with the commonwealth and international governments in seeking to deal with them. We are working with the private sector; we are working across the board to get a holistic solution to this. There are a lot of options but I am not going to rule any of them in or out here today.

### Schools: Gippsland

**Mr SCHEFFER** (Eastern Victoria) — My question is also for the Treasurer. I refer the Treasurer to the Brumby government's ongoing commitment to making Gippsland, and Victoria, the best place to live, work and raise a family, and I ask: can the Treasurer detail for the house how the government's investment in education in the Gippsland region is an example of the government delivering on that commitment?

**Mr LENDERS** (Treasurer) — I thank Mr Scheffer for his question. I find it quite extraordinary that when Mr Scheffer espouses the thoroughly positive aspiration of the government to make Gippsland a better place to live, work and raise a family, the opposition has an issue with aspiring to make Gippsland a better place to live, work and raise a family. I am incredulous. I will

answer Mr Scheffer's question, but I say unashamedly that I think it is very un-Victorian for anyone not to want Gippsland to be a better place to live, to work or to raise a family.

Mr Scheffer asked a question about how to make this place a better place to live, work and raise a family and what the government is doing in investing in schools. For several reasons I am absolutely delighted that this government is investing heavily in schools in Gippsland. The first and foremost is that it gives young Gippslanders a better opportunity to go forward in the 21st century — giving them the skills to get jobs and go forward in the 21st century is a very important aspiration. Secondly, it is a strong affirmation to Gippsland communities — building more schools and improving school facilities in Gippsland makes great community hubs. Thirdly, it is a great source of employment for teachers and school staff. It is also a great source of employment for the construction industry. At a time of global economic slowdown, to have this investment in schools in Gippsland is fantastic.

What we have done with the Better Schools Today program since we have been in government has been interesting. We have a blueprint for education which sets much more stringent goals for where we go forward, and there is a massive investment in Gippsland. It is a stringent investment.

**Mrs Peulich** — Rubbish!

**Mr LENDERS** — Mrs Peulich says, 'Rubbish'. I suggest she read the education blueprint; she might learn something.

There is a strong investment in building schools in Gippsland. I told the house yesterday that as the Minister for Education I went to Toora a bit over a year and a half ago. That is a place where over 100 years ago an old mechanics institute building was dragged into the town on a dray to be the school. More than 100 years later governments of all political persuasions had let that old mechanics institute sit there with a bit of adhocery — there is a bit of fibreglass and a bit of a lean-to on it. We now have a custom-made school, which is a strong commitment to that community. But we have invested across the length and breadth of Gippsland. Whether it be funding for Longwarry Primary School, Poowong Consolidated School, Heyfield Primary School, Nyora Primary School, Stratford Primary School or Loch Primary School, announced by the Minister for Education yesterday —

**Mr Viney** — Unlike the 21 they closed.

**Mr LENDERS** — I take up Mr Viney's point. This Labor government builds schools in Gippsland; the former government that we inherited the system from closed 21 schools in Gippsland.

**Mr Hall** — You are going to close three in Morwell.

**Mr LENDERS** — Mr Hall says we are going to close three in Morwell. If he wants to go to government business, notice of motion 6 on the notice paper, he will find a notice in the name of Mr Viney with a list of the 21 schools closed by the Kennett government of which he was a member.

**Hon. J. M. Madden** interjected.

**The PRESIDENT** — Order! Minister Madden!

**Mr LENDERS** — This government is about investing in schools for the reasons I gave. Firstly, it gives young Gippslanders a much better opportunity into the future. Secondly, it improves the skills of the state. Thirdly, it creates jobs for teachers and the construction industry. Fourthly, and importantly, it provides hubs in communities across Gippsland. This is an important part of making this state an even better place to live, work and raise a family.

### **Major projects: public-private partnerships**

**Mr D. DAVIS** (Southern Metropolitan) — My question is for the Treasurer. Given the government's recent spectacular failure to successfully attract robust private partners in significant developments such as the St Kilda triangle development and the Epping wholesale market development, I ask: has the Treasurer received any briefings on the impact of the financial crisis on the government's Partnerships Victoria program, and if so, will he inform the house of the results of those briefings and whether they enable him to provide an assurance to the house that the desalination project will in fact proceed as planned as a public-private partnership?

**Mr LENDERS** (Treasurer) — I thank Mr David Davis for his question and his ongoing interest. He raised a couple of issues. Firstly, he raised the issue of finding public-private sector partners to assist us in going forward on projects. This government has been innovative in getting private sector partnerships in place. As we have with the children's hospital and the women's hospital, we are constructing major hospitals in partnership where we get people coming forward. What we have seen from the point of view of the taxpayer is that we have had savings of 6 per cent, 7 per cent or 8 per cent on these projects, which means we can invest in places like Gippsland and in new projects.

Secondly, we allocate money for these projects going forward, so if we do not find a private sector partner that money is available for a traditional government sector bid. Yesterday Mr Davis raised the issue of the Melbourne Wholesale Markets. Of course if he goes to page 61 of the budget papers tabled yesterday, in the public sector asset investment program he will see that the money is allocated for that project whichever way it is built.

The underpinning of Mr Davis's question is: will we get investment in these major projects, and will it have an impact on delivering services in Victoria? As everybody in this chamber knows, we are going through a global economic slowdown. As everybody in this chamber knows, the world is going through difficult economic times. I guess the judgement the Victorian community will make on where we go on this will be based on how this state is positioned versus the others and how we respond to these issues. We have a very strong construction pipeline in this state which will deliver services and jobs going into the future. Speaking of pipelines and using as an example the Sugarloaf pipeline, it is a piece of infrastructure — —

*Honourable members interjecting.*

**Mr LENDERS** — Those opposite laugh. It is a piece of infrastructure that will move water around Victoria for the long-term benefit of this state. It is a piece of infrastructure that builds on the long term and creates jobs along its entire length.

**Mr Drum** interjected.

**Mr LENDERS** — Mr Drum says, 'Creative accounting'. More than a thousand people in his electorate, in these times of global economic downturn, will have a job because of this government's investment in infrastructure. I say to Mr Drum and anyone else who questions this that before they mock the project and talk it down they should look in the eye the working families in their electorates who will get a job out of this infrastructure project.

I say to Mr Davis that this state is better equipped long term than any other state in Australia because of the investment that has gone forward to date. It is equipped with skills; it is equipped with infrastructure. We will go forward in these difficult global times — —

**Mr D. Davis** — On a point of order, President, the question was very specifically about the desalination project and whether in fact it would proceed as a public-private partnership. The Treasurer has been talking for some minutes and has not yet mentioned that specific project.

**The PRESIDENT** — Order! As the Leader of the Opposition well knows, that is not a point of order.

**Mr LENDERS** — President, I have concluded my answer.

*Supplementary question*

**Mr D. DAVIS** (Southern Metropolitan) — Given the Treasurer's answer, is the Treasurer aware of any other projects under Partnerships Victoria where contracts may not be successfully secured?

**Mr LENDERS** (Treasurer) — Mr David Davis asks whether there are any other contracts out there.

**Mr D. Davis** — Are you aware, is what I asked.

**Mr LENDERS** — Mr Davis asked a question, and I thought the convention of the Parliament was that the person who asks a question lets somebody else answer it. If he seeks to ask the question and answer it, he had an opportunity to do so in a 90-second statement this morning.

President, I should not have to explain this to David Davis through you or to the house, but commercial projects are just that. Governments either request expressions of interest or there is a registration of interest. We go through contractual stages. There are always negotiations between government and private sector providers. That is what commerce is about. This is not the Soviet Union in the 1960s with a five-year plan. This is a modern, vibrant market economy where people actually contract. I am sure David Davis is not the last known person on the planet who wishes that the USSR would be formed again. We have a commercial economy. In that environment governments put out good work, you have good economies and the private sector responds. In this time of global economic downturn, of difficult conditions — —

**Mrs Peulich** — Oh, yeah!

**Mr LENDERS** — Mrs Peulich says, 'Oh, yeah'. The issue we have — —

**Mrs Peulich** — Do something about it!

**Mr LENDERS** — She says, 'Do something'. At a time when confidence is the issue, and when the President of the United States of America, the President of the European Union and the leaders of every G20 country on this planet are focused on managing confidence, it is a tad disappointing that the Leader of the Opposition in the Victorian upper house sitting in Lakes Entrance is being the anarchist in the crowd at

the cinema calling out 'Fire!' and trying to talk down confidence.

What I say to David Davis is that he should follow the lead of his federal leader, Mr Turnbull, and get behind governments that are seeking to restore confidence. We do it by talking sensibly; by engaging stakeholders; by trying to get business and consumers to invest in this state; and by being part of a global response to difficult times. Talking down the state, raising questions and putting people in fear of their jobs do not add to confidence.

**Mr Dalla-Riva** interjected.

**Mr LENDERS** — Mr Dalla-Riva says it is our job to be an economic anarchist. It is the job of every leader in this community, whether they be in Parliament, in local government, in the business community, in the welfare sector or anywhere, to assist in getting this community through global turbulence. I do not welcome questions that try to talk down the state, and I say to Mr Davis that he should get behind Mr Turnbull, back the program and get some confidence and construction into the state to create jobs for Gippsland and for the rest of Victoria.

**Drought: government assistance**

**Mr VINEY** (Eastern Victoria) — My question is to the Minister for Environment and Climate Change. Like my colleague Mr Scheffer I also refer the minister to the Brumby Labor government's ongoing commitment to making Gippsland, and Victoria, the best place to live, work and raise a family.

**Mr D. Davis** interjected.

**The PRESIDENT** — Order! Mr Davis is frightening the children!

**Mr VINEY** — Thank you very much, President, but he does not frighten me. I ask: will the minister outline to the house how the Brumby government is creating jobs and maintaining our natural assets during this drought?

**Mr JENNINGS** (Minister for Environment and Climate Change) — I thank Mr Viney for his question and for the opportunity to talk about the important support being provided by our government to this region and to other parts of the Victorian community at times of drought, which actually permeates all parts of the Victorian community. I think it is very important to understand that our government recognises that members of this community have every right to feel supported at times of drought situations and the

prevailing incidence of climate change scenarios that may mean that the drought continues. Despite the fact that many people on the other side of the chamber live in complete denial of this issue, it is something we have consistently tried to respond to.

In fact in the last three years over \$400 million of drought relief support has been provided by our government, including the package that was announced earlier this week by the Premier of \$115 million to support drought-affected communities, to provide some relief to those communities to deal with their circumstances and to provide confidence, economic activity and certainty for farming communities right across the state. Consistent with our support, over \$205 million was allocated earlier in the year to support the Future Farming activities of farming communities right across the state. The \$115 million released earlier this week includes money for water rebate relief, money for council rebate relief, money for small town investment facilitation, money to try to make sure that families are supported through the provision of counselling and other forms of support if they feel stressed, and money for food relief and to deal with a range of circumstances families may find themselves in.

The area I have immediate and direct responsibility for is an outstanding program which has been run through the catchment management authorities and which provides employment opportunities for farmers to come off farms and with other members of the community to engage in very worthwhile activities to restore the productive capability of land within catchments and to improve the waterways within those catchments. While in the last program we ran we provided funding of the order of \$10 million — we have announced that again this year; that is the equivalent of 200 or 300 full-time jobs — what we see is that because people may come off farms for a short period of time we have generated something of the order of 1600 part-time jobs to support the incomes of families who undertake that important work. We think it is a very important thing to provide additional support for those families, but it is also important to see the great benefits that accrue through the increased viability of catchments such as the rich catchments in East Gippsland. Across the state we have seen the eradication of blackberries and willows taken out of waterways. We have also seen pests, weeds and rabbits dealt with.

**An honourable member** interjected.

**Mr JENNINGS** — Rabbits! It is run wherever you might find a pest — and sometimes you might find them in the chamber. However, the catchment management authorities are not responsible for pest

eradication here. The pests are in the natural environment. This is not a natural environment for members of Parliament, but we are doing our best.

Beyond that, there are stock containment and fencing activities in an attempt to reduce the pressures that are applying in natural environment. That has certainly happened here in East Gippsland and in West Gippsland. Across the state we have seen more than 82 000 trees planted and the capture of about 470 kilograms of indigenous seeds. I know that is something that you, President, would find quite interesting — the capturing of indigenous seeds to enable the replanting of native vegetation across our catchments. We have seen a significant and quite extraordinary amount of action undertaken for stock containment. We have seen 549 projects which have involved putting in fences to contain stock in an area of over 92 000 hectares in Victoria, and 181 of those projects alone in an area of more than 27 000 hectares were undertaken in East Gippsland. They have been a very important priority for the catchment management authorities in East Gippsland and they have made a significant contribution to improving the quality and productive capacity of Victorian land right here.

I thank the East Gippsland Catchment Management Authority and the West Gippsland Catchment Management Authority for the outstanding work they have done at a time of stress, a time of drought and a time of ongoing climate change circumstances by providing useful work to farming families and individuals in this community. They will continue to do that through the commitment of our government to support catchment management authorities to provide drought relief programs, and \$10 million was announced as an essential part of the program this week.

### **Melbourne Markets: relocation**

**Mr P. DAVIS** (Eastern Victoria) — I direct my question without notice to the Treasurer. Given that the site of the Melbourne Wholesale Markets in Footscray is to be acquired for port expansion, that a relocation of the markets was planned and that the Melbourne Wholesale Fish Market site is to be acquired by VicTrack, is the government acting to include the Melbourne Wholesale Fish Market relocation as part of the Melbourne Markets' move to Epping if and when that relocation in fact occurs?

**Mr LENDERS** (Treasurer) — I thank Mr Philip Davis for his question and his ongoing interest in the wholesale markets. We had a debate in this chamber yesterday about the future of fish markets and where

this was all going forward into the future, and Mr Hall told us — and he got a good run on WIN TV — about how we all should buy fish and chips. Unfortunately there were bigger issues than where we should buy the fish and chips, although Mr Hall did very eloquently deliver his line on WIN TV.

The issue Mr Davis raised is where the fish market fits into the wholesale markets in Melbourne at the proposed site at Epping. As Mr Davis knows from the debate in question time yesterday — and it is a good question in question time — those issues were discussed in this house in great detail yesterday, the history of this and where it all fits into place. I am sure avid readers of *Hansard* will voraciously absorb that — before *Hansard* becomes a fish-and-chip wrapper, I would imagine.

These are commercial issues that are being negotiated. We had a discussion yesterday on that market. These are complex commercial issues that are negotiated by the government in its joint venture model, which obviously is done completely in accord with the users of the market as a way forward at Epping. I am not going to intercede any further in this matter and speculate on commercial discussions being had between my colleague the Minister for Agriculture and the joint venturers or some of the bodies and Victoria Fresh Markets, which is obviously part of that joint venture with Mirvac, which we have read about in the *Age* this morning. I am not going to enter into a running commentary on where commercial negotiations are going. They are commercial negotiations between parties and they are being managed from the government —

**Mrs Peulich** interjected.

**Mr LENDERS** — Mrs Peulich says this is just a cop-out for not answering the question. I would have thought Mrs Peulich, coming from the Liberal Party which preaches probity at this government all the time, would actually understand that commercial negotiations need to be done at arms length, and if Mrs Peulich is proposing that ministers start negotiating contracts on behalf of —

**Mrs Peulich** interjected.

**Mr LENDERS** — Mrs Peulich is offering me advice on answering the question. If the suggestion is that I as a minister should start negotiating contracts one on one with individual companies because the opposition asks me to do it, I would say that would be the most extraordinary way for commercial negotiations to be done. At question time ministers are

to respond to questions and are expected to answer them. These are commercial negotiations being conducted through my colleague the Minister for Agriculture's department. We are committed to a wholesale market. The money is in there. I mentioned in an earlier question that it is forwarded, it is allocated — the money is there for the markets. I am sure Mr Davis will ask a question designed again to be ever so helpful, and I cannot wait for his question. But what I will say to the house is that we are committed to the markets, we have put the money forward for the markets, and now we are appropriately negotiating the outcome with other stakeholders.

*Supplementary question*

**Mr P. DAVIS** (Eastern Victoria) — I am surprised by the Treasurer's obvious discomfort with a question which was in fact about the wholesale fish market. I ask, therefore: will the government work with the City of Melbourne, the wholesale fish market, traders and the Victorian fishing industry to maintain a central fish market, initially at its present Footscray site, and subsequently at a location that accords with the views of the fish market stallholders?

**Mr LENDERS** (Treasurer) — Two things, President. If Mr Philip Davis thinks I do not enjoy question time, he does not know me well. As he well knows and the house well knows, this Labor government has Parliament meeting 50 days or more a year. We meet everywhere — in Melbourne, Lakes Entrance, Churchill, wherever it goes. We are not afraid of question time. All I say is, 'Bring on question time; I enjoy it'. If there is any discomfort I have in this place, it is that this government is clearly more open, transparent and accountable than any government in the history of this state. We have given the Auditor-General and the Ombudsman powers they never had before. The only discomfort I have is that in our willingness to be open, transparent and accountable we also need to balance that with the commercial realities that I mentioned to the house before in response to Mr Davis's substantive question and Mrs Peulich's interjections. We will work with all stakeholders to get the best outcome possible for Victorian taxpayers as a whole, for Victorian consumers and for the stakeholders involved.

**Ports: government initiatives**

**Ms MIKAKOS** (Northern Metropolitan) — My question is to the Minister for Environment and Climate Change. I refer the minister to the Brumby Labor government's ongoing commitment to make Gippsland, and Victoria, the best place to live, work

and raise a family, and I ask: can the minister inform the house how the government is delivering on that commitment by investing in important ports and recreational infrastructure to secure jobs?

**Mr JENNINGS** (Minister for Environment and Climate Change) — I thank Ms Mikakos for her question and I look forward to the opportunity, when question time is over, to get out and have a look at some of the things that I am about to talk about. I congratulate the children on the wisdom of getting out into the natural environment of Lakes Entrance to enjoy themselves, because this is a beautiful port location. The Brumby government is very mindful not only of the fantastic contribution that ports make to the quality of life for our citizens in terms of getting access to waterways and trying to make sure, whether it be for commercial reasons or recreational purposes, that people have access to the water in a safe, timely and appropriate fashion, but we also understand the significant economic benefits that can derive from our ports across Victoria. Victoria is well blessed with a range of ports right along our coast, including 13 ports that are relatively small and perhaps sometimes forgotten but nonetheless are very significant to local communities. Those 13 ports generate something of the order of \$546 million worth of economic activity and contribute to the economic wellbeing of communities right along the coast.

Certainly that is the case in Lakes Entrance. I am a beneficiary of the great fishing industry and members of this chamber are great beneficiaries of the fishing industry, because in a good year about 9000 tonnes of fish comes through this port and ends up being consumed by our citizens across the state. We should all be pretty grateful for that, and that is a significant — —

**An honourable member** interjected.

**Mr JENNINGS** — No, I eat fish. I put my hand up for fish and I am very happy to be one of those fish consumers from across the state of Victoria. We can be very grateful that 40 per cent of our fish catch comes from this region. This port is extremely important to the local community, and we recognise that in a variety of ways. Members of this chamber would be aware that I have talked before about the significant commitment of our government. Over \$31 million has been allocated to make sure that we do not have the build-up of sand preventing access by the fishing fleet or preventing other people in this community from accessing the ocean. It is very important for us to make sure that those measures needed to keep the channel open are undertaken. We are continually vigilant about trying to make sure that we keep the port open.

During the course of this visit, on behalf of the government I am very happy to indicate that we have seen the wisdom of continuing the investment, so this week we are allocating \$3.98 million worth of investments for a number of port locations throughout the region to support ongoing access to waterways. A significant investment in Lakes Entrance is part of that announcement. Specifically, \$1.32 million has been allocated out of the Regional Infrastructure Development Fund through the prism of the Moving Forward package to support regional communities.

This week there will be a continuation of the work that has been undertaken in the eastern boat harbour. Stage 2 will be funded through this proposal, including the entrance to the east wharf. Significant works will be undertaken at Bullock Island and at Rigby Island and a rock groyne will be funded through this announcement today. For those of you who want relatively modest but nonetheless important investments, there will be some works undertaken to the Post Office Jetty as well. Members should try to go down and see the before and after situation. The children will be well versed on what the situation is before we make those investments and the works to be undertaken in the next year. We look forward to the success of those works because we understand how important the jetty is for this community. This community is not alone. Just down the road at Paynesville there is a significant undertaking, and \$535 000 will be allocated to investments there.

We understand that people want to get access to the waterways in Paynesville where we have seen significant recreational and accommodation opportunities. A lot of employment is coming out of the marine sector in Paynesville, and we want to make sure that is supported. To continue the projects we have funded under the flood relief program and to support the Hollands Landing community, \$428 000 will be allocated. A further \$150 000 will be spread between the proposal for slipways at Metung and Mallacoota to make sure there is some access to waterways in those communities.

We understand that there are significant lifestyle issues in relation to making sure that people have recreational opportunities. We want to attract tourism, we know there are people who want to get onto the waterway in a safe and timely fashion, and we certainly understand the need for jobs and the importance of maintaining infrastructure to make sure that we have commercial activities in this region. These things are vital to the wellbeing of this community, and the Brumby government is committed to continuing its effort to support that now and into the future. The

announcement today of \$3.98 million in funding will support those communities and support important infrastructure along our coasts.

### Gaming: Community Support Fund

**Mr O'DONOHUE** (Eastern Victoria) — My question without notice is to the Minister for Planning, who is representing the Minister for Community Development in the Assembly. The house heard from the mayor of the East Gippsland shire yesterday morning that incomes in Gippsland are substantially lower than the national average. Given that poker machine losses in the eastern part of Gippsland last year exceeded \$43 million and contributed to the Community Support Fund, can the minister explain to the house why East Gippsland and Wellington shires combined received only a paltry \$200 000 in Community Support Fund grants?

**Hon. J. M. MADDEN** (Minister for Planning) — I welcome Mr O'Donohue's question. Following the protocols of this house, I do not seek to answer on behalf of ministers in the other chamber, but I am happy to take that question on notice and have an answer provided to Mr O'Donohue directly from the Minister for Community Development.

Can I say in that context that the best way to support people in any community is to provide jobs, and that is one of the great themes of the Labor government — jobs, jobs, and more jobs. I can hear members of the opposition saying, 'What about more jobs?'. The employment figures came out today — and I notice we have not had many questions from the opposition in relation to jobs; we have had none about jobs in Gippsland. I would have thought that if opposition members were really committed to the prosperity of this region the first thing they would be asking about would be jobs. But of course we do not have any optimistic questions or optimism from — —

**Mr Barber** — On a point of order, President, the question had nothing to do with jobs. My point of order relates to relevance.

**The PRESIDENT** — Order! There is no point of order. I remind the house that there is such a thing as raising a frivolous point of order. Believe me, I know that from personal experience.

**Hon. J. M. MADDEN** — It just goes to show that not only is the Liberal and Nationals coalition in opposition not interested in jobs, but the Greens do not seem to be interested in jobs either. You would have thought — —

**Mr Drum** — On a point of order — —

**The PRESIDENT** — Order! Before I get to Mr Drum, I remind the minister about overt criticism. The minister is on the borderline of overtly criticising the opposition, and I ask him to be conscious of my previous rulings on that matter.

**Mr Drum** — Thank you, President, but you already addressed my point of order. I only question whether the actual border may have been crossed.

**The PRESIDENT** — Order! I thank Mr Drum for his assistance.

**Hon. J. M. MADDEN** — As I was saying, the best way you can provide for a local community is to provide jobs. I know the good news coming out of today's employment statistics, in no doubt difficult international economic times, is the fact that there are of the order of 1000 more jobs in this region than there were when the last figures were reported. We have not had a question about employment, but I am pleased to highlight to Mr O'Donohue that the best support that can be provided for a community is jobs, jobs and more jobs. The Labor Party is doing that through the Brumby government. We will continue to support communities through the provision of jobs, particularly in the Gippsland region.

#### *Supplementary question*

**Mr O'DONOHUE** (Eastern Victoria) — I can guarantee the minister that the Liberal Party and The Nationals coalition is very keen to support jobs. In that context can the minister explain to the house why country shires are consistently underrepresented in the allocation of the Community Support Fund grants which help to protect jobs?

**Hon. J. M. MADDEN** (Minister for Planning) — I thank the member for his interest and for providing me with a supplementary question to talk about jobs, jobs and more jobs. The protocol of this house when questions are asked of a minister representing a minister in another chamber is that detailed information will be provided to the member who asked the question. I will seek to provide that information to the member through the relevant minister.

This is a government that stands on its record for supporting regional Victoria. In the time the Brumby and Bracks Labor governments have been in office the support for regional Victoria has been at an all-time high. Not only has it been at an all-time high, but it corresponds with an almost all-time low under the

Kennett government when it was in office. I reiterate that that was the Liberal-National government of the day.

We will continue to stay committed to all the regions, and Gippsland in particular, because we know what a fine and outstanding community it is. The opportunities provided here are more important than ever in the difficult economic times across the world. We stand by our word to support regional communities and to make all of Victoria a great place to live, work and raise family.

### **Planning: retail development**

**Mr THORNLEY** (Southern Metropolitan) — My question is for the Minister for Planning, Mr Madden. I refer the minister to the Brumby Labor government's ongoing commitment to make Gippsland, and Victoria, the best place to live, work and raise a family and I ask: can the minister advise the house how the Brumby Labor government is ensuring that all Victorians can have their say on future planning policies guiding retail development in Victoria?

**Hon. J. M. MADDEN** (Minister for Planning) — I thank Mr Thornley for his question. It is great to see his interest in these matters, because I know when it comes to private enterprise Mr Thornley has not only a great interest in these matters but he has penultimate experience in this area. I appreciate his question. More specifically in terms of the retail industry in Victoria, it is no doubt one of the most important sectors of the Victorian community. It is important not only in terms of the jobs, economic activity and prosperity it generates, but also because it will provide jobs into the future. The formation of those retail outlets and the location of those outlets often determine the functioning of any urban, rural or regional environment. It has been a dozen years or more since we last saw a review of retail planning across Victoria. It is particularly important to provide indicators to the retail industry with more clarity and certainty around where retail development should go.

It is hard to imagine that we need more retail outlets. When we look at our lives it is clear they are full of stuff, so it is hard to imagine that we might need more retail outlets to purchase things. All you have to do is look at the opposition. There is plenty of opportunity for retail purchases, whether it is Mr Dalla-Riva buying a new vest, Mr Vogels buying a new tie, or Mr Drum buying a new suit. I do not believe Mrs Peulich needs any new lipstick, because I just saw her applying some in the chamber a few moments ago.

It is particularly important that we identify the demand and the need where the allocation of additional retail floor space across both metropolitan and regional Victoria should take place. I am informed that over the next few years, whilst it is hard to imagine, we will require 40 per cent more retail floor space than we currently have. That provides a tremendous opportunity for prosperity, but it also means that in needing more retail developments we have to be smarter about how they are located and the composition of those developments. Our population is continuing to grow and we are planning a system which is responsive to those future challenges, particularly in terms of retailing.

In those 12 years since we have had a major review of retail policy we have seen the retail sector change in some ways, which must be borne in mind. Whether it is those big-box retailers, or what are known as bulky goods centres that are often flourishing out there in the community, whether it is the outer-centre type arrangements that we see through the direct factory outlets or the likes of discount centres, or whether it is the convenience-type store and the location of where we purchase our food — not necessarily supermarkets but those other locations — these all need to be considered in the operation of activity centres, whether they should be in the centre, out of the centre or on the edge of the centre, so that we do not undermine some of the functioning.

Location is particularly important in regional areas, because often the heart and soul of any town in a regional centre is the main street. But if, as can be the case, some of these big retailers draw away from those centres, it can undermine the centres and the main street, thereby not only reducing the amenity of that particular town but shifting, in a sense, the focus and the sense of place of that particular community. It is important in providing the opportunity for those bigger retailers that seek to capitalise on the growth that they are located in a way that does justice to the smaller retailers in those main streets so that we also enhance and build on that sense of place.

I have had the good fortune to release the retail policy review discussion paper. That proposes a number of ways in which we might guide retail growth in conjunction with councils and industry and also ensure development in appropriate locations, refined by planning policies. It is out there for discussion. I encourage people from across the regions, and regional members on both sides of the chamber, if they feel strongly about these issues, to have input into the discussion paper. I encourage the opposition parties, if they feel strongly about these matters and if they have a



policy on these matters, to also contribute to the discussion paper.

It is important that we address the needs of the industry to do justice to communities now and into the future, and to continue right across Victoria, whether it is in the regions or in our suburban areas or in the centre of Melbourne, to make retailing of great commercial advantage to the community, so that we can make sure that Victoria is an even better place to live, work and raise a family.

### **Water: food bowl modernisation project**

**Mr BARBER** (Northern Metropolitan) — My question is to the Minister for Planning. In the minister's published reasons for decision of December 2007 on matters to be assessed in relation to the Sugarloaf pipeline he made the following finding on the related food bowl modernisation project. He stated:

... the effects of changes to water management in the Goulburn River Basin as part of the latter project will be subject to separate environmental assessment requirements;

Given that some of the works in relation to the food bowl modernisation project are under way, when will we see the environmental assessment of that project and what assessment will be required?

**Hon. J. M. MADDEN** (Minister for Planning) — I am happy to have that question asked of me by Mr Barber. My announcement on the Sugarloaf interconnector pipeline was in terms of the reservation. It was not an announcement about where, specifically, the pipeline should go but about where the reservation corridor for the project should be. In determining that I allowed for a degree of flexibility in precisely where the pipeline may be located within the reservation.

It is worth bearing in mind that the advantage of that flexibility is that it provides the ability — in collaboration with land-holders or the relevant authorities in relation to vegetation, buildings, sheds and so on — to have some discussion, negotiation and adjustment of the pipeline through the corridor if it is warranted. It allows for land-holders who may have a shed or a roadway or some other issue they are interested in addressing in relation to the location of the pipeline to have discussions with the relevant authority about the placement of the pipeline. It allows for a degree of flexibility.

The other issue I suspect Mr Barber is particularly interested in is the environmental one. There are no doubt some sensitive environmental areas in the corridor, and this gives an opportunity for those who

are constructing and delivering the pipeline to work in conjunction with the relevant agencies to ensure that the placement of the pipeline throughout the corridor does justice to that environment and that if the land is interfered with, it can be repatriated immediately after the delivery of the pipeline.

There are fairly strict criteria in terms of my decision. I hope this assists Mr Barber in his understanding not only of the decision I made but of the qualification I added to it and the provision of relevant information to my department as the sections of the pipeline are delivered. The other component of my decision is that, given that there will be areas of higher sensitivity than others, the pipeline will be delivered in tranches. That will allow for different work to be done at various times so that the project can be rolled out as quickly as possible and the various components of the work and research that are necessary can be brought together as the project proceeds.

### *Supplementary question*

**Mr BARBER** (Northern Metropolitan) — The minister seems to have misunderstood my question, which was not in relation to the pipeline but in relation to his determination at that time that the related project of the food bowl modernisation works — that is, lining channels and doing various things in that area — would be subject to a separate environmental assessment. By way of supplementary question I ask: has any proponent or relevant decision-maker who is responsible for the food bowl modernisation works, not the pipeline works, sought the minister's advice under section 8 of the act as to whether an environmental assessment may be required for the food bowl modernisation works, or alternatively will he as the minister under section 6 of the act call upon the State Owned Enterprise for Irrigation and Modernisation, if that is to be the proponent, to prepare an environment effects statement for the irrigation modernisation works that it is currently performing?

**Hon. J. M. MADDEN** (Minister for Planning) — I welcome Mr Barber's qualification to the initial question he asked, because it gives me an opportunity to reinforce that, whilst there has been an enormous amount of discussion by the opposition in relation to a pipeline to provide water, it is also worth recognising that there is an enormous amount of investment from this project and in this project in what is, in a sense, the repatriation of the irrigation system.

For those of us who have had the good fortune to visit many of these locations and to have seen the aged and decrepit state of the irrigation systems in operation, it is

incredibly surprising to see channels dug into paddocks that run for miles — sometimes not big channels — but to see no water in those channels where there might once have been water because it just dissipates into the ground.

Even more astounding is the size of some of the feeder channels. Some of those feeder channels are absolutely phenomenal. You would almost believe they were rivers, or creeks that had at some stage become rivers, but in fact they are channels.

Information about any qualification I have provided to my determinations in relation to that project, if it is warranted in relation to specific issues or specific elements of any of those works, will be provided no doubt either to me or to the department, or to me through the department, and will be considered accordingly. But I just say to Mr Barber that I think more the issue in relation to these channels is the fact that without that repatriation and without the assistance to refurbish these channels we would see a continued loss of water to the environment. It is worth noting that. We would also see water loss to the irrigators, because it would dissipate through the bottom of the channels or be lost through —

*Honourable members interjecting.*

**Hon. J. M. MADDEN** — What is more important is the fact that the water will be retained and used in various forms, particularly to assist irrigators, as well as being piped at various times for various reasons. We know that the investment we are seeing in this project — the enormous number of dollars being spent throughout those regions — does justice to the irrigators and to the irrigation system not only in terms of the infrastructure, because investment and expenditure in those regions is paramount. What is extraordinary is, given that this has been through an environmental process with a thorough assessment involving determinations and announcements around this and the commencement of the construction, we still have those on the other side of the chamber who would be prepared after all that investment, after all that effort, after all that security, to just turn that valve off for good. It seems phenomenal that given the process we have undertaken we know that the Liberal-Nationals coalition opposition would be prepared to turn that valve off — the investment, the impact and the benefits — for all time.

I remind the members of this chamber that we are doing what needs to be done in this state. We are continuing to make the necessary investment right across the regions,

and we will see the benefits not only in the immediate future but forever in the future in the state of Victoria.

### **Economy: performance**

**Mr TEE** (Eastern Metropolitan) — My question is for the Treasurer. I refer the Treasurer to the Brumby Labor government's ongoing commitment to make Gippsland, and Victoria, the best place to live, work and raise a family. I ask: can the Treasurer update the house on what steps the Brumby Labor government has taken to maintain and secure Victoria's AAA credit rating in the face of the global economic downturn, and what are some of the challenges in maintaining that rating?

**Mr LENDERS** (Treasurer) — I thank Mr Tee for his question. Again I am stunned that 18 members of this house do not think making Gippsland a better place to live, work and raise a family is a good idea. I find that extraordinary. The opposition has trouble with that concept, which I thought was a parenthood concept if anything ever was. Mr Tee asked me what the government is doing to maintain the AAA rating and what the perils are in this current environment for a AAA rating.

*Honourable members interjecting.*

**Mr LENDERS** — Those opposite do not seem to think this is interesting, President.

**The PRESIDENT** — Order!

**Mr LENDERS** — This government has run a rigorous budget. In the good years we have invested well into skills and we have invested well into infrastructure for the future, and we have kept our books in the black to maintain the AAA credit rating, not because we are obsessed by the AAA credit rating but because of what it means to the jobs of everyday Victorians.

It is interesting to note that last week a prominent figure in Australia — the leader of a political party — said:

... a AAA credit rating is not the be-all and end-all ...

**An honourable member** — Who was that?

**Mr LENDERS** — I am asked who that was. That was Andrew Stoner, the Leader of The Nationals in New South Wales, the deputy leader of the NSW coalition, who said the AAA rating is not the be-all and end-all et cetera. To say that Mr Stoner has since then gone from a swan dive to a belly flop, like those opposite have gauged — —

*Honourable members interjecting.*

**The PRESIDENT** — Order! Mr Finn is the last member I heard. When I ask the house to come to order, I expect it to do just that — not to continue on. The next one who does it gets launched to an early lunch.

**Mr LENDERS** — The importance of a AAA credit rating is not a matter of debate; it is something the Leader of The Nationals in New South Wales, as recently as last week —

**Mr D. Davis** — On a point of order, President, it may have escaped the Treasurer, but he is actually the Treasurer of Victoria, not of New South Wales. On a point of relevance, he needs to stick to the question about Gippsland and Victoria.

**The PRESIDENT** — Order! There is no point of order. Mr Davis is sorely tempting me.

**Mr LENDERS** — There are significant challenges in the job I have; I will not take up Mr Davis's opportunity for even more challenges. What I would say, though, is that the AAA rating is a serious issue. It is serious and we need support across the board for this because of what it would do if Victoria's AAA credit rating were to be downgraded to the next rating. In stable economic times, not the global uncertainty we have now, it would cost —

**Mr D. Davis** — Spare us the lecture.

**Mr LENDERS** — Mr Davis says, 'Spare us the lecture'.

**The PRESIDENT** — Order! I do not know whether Mr Davis wants me to do something about him, but I am more than happy to do it if he wants me to.

**Mr LENDERS** — On conservative estimates, in a stable market, let alone where we are now, it would cost the Victorian taxpayer more than \$88 million a year to lose this rating. That is more than the budget of the East Gippsland shire. That would buy us schools and hoppers for the lakes, so the need for this state to maintain the AAA rating is a serious issue. The disappointment is when members in this house irresponsibly call for expenditure that we cannot afford and tax cuts that we cannot afford, without any heed to the consequences — and there are consequences.

To illustrate what these consequences are and how irresponsible, reckless statements affect real people, yesterday Janet Yellen, the president of the San Francisco branch of the United States Federal Reserve,

said that the USA was moving into recession. She made that comment yesterday. This was the president of the San Francisco branch of the US Fed — there are about 12 sub-branches of the Fed. Her statement on that was partly attributable to the Dow Jones going down more than 7 per cent yesterday — partly attributable; as far as anyone can attribute anything. My point here is that members need to be particularly careful about talking down the state, because there are consequences that flow through to real jobs for real Victorians.

I will conclude on that. We need people to do more when making comments than rely on watching an episode of *Deal or No Deal* or *Wheel of Fortune* — which I suspect some opposite look at to get their advice. People need to focus a bit more on how responsible they are in making their comments.

I close this last question of the regional sitting by echoing the comments of my colleague Mr Madden. Yesterday, when we were referring to talking up the state and talking down the state, we had questions about jobs — it was all about a glass half empty. Today when the Australian Bureau of Statistics data shows that regional employment for this month in this great region of Gippsland has gone up by 1000, which is good news — these figures bounce around, but we have a strong, good news story for Gippsland families — we do not hear 'Boo'. Yesterday it was all doom and gloom on speculations. If we are going to make this state a better place to live, work and raise a family, all of us need to put our shoulders to the wheel to support business and families in this region and the state to go forward. We do not want to be the Janet Yellens of this world. We want to be people who are builders, not wreckers.

**Sitting suspended 1.06 p.m. until 2.32 p.m.**

## ENERGY LEGISLATION AMENDMENT (RETAIL COMPETITION AND OTHER MATTERS) BILL

*Second reading*

**Debate resumed.**

**Motion agreed to.**

**Read second time; by leave, proceeded to third reading.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**MAJOR CRIME (INVESTIGATIVE  
POWERS) AND OTHER ACTS  
AMENDMENT BILL**

**Debate resumed from 9 October; motion of  
Mr LENDERS (Treasurer).**

**Mr DALLA-RIVA** (Eastern Metropolitan) — On behalf of the Liberal Party, I am very pleased to make a brief contribution on this bill, which came from the lower house, where initially it had been the Police, Major Crime and Whistleblowers Legislation Amendment Bill. I must put on record gratitude for the police minister and his officers for taking up the reasoned amendment that had been put to split the bill into two. That enabled the important part of the bill that needed to be pushed through to be debated. Those police who need to have the relevant appropriate power now can have it. As we know, the legislation as it currently stands means that police members working within the Office of Police Integrity (OPI) are not in a position to provide and give evidence against other, allegedly corrupt police officers.

When it was introduced in the other place the bill provided for that issue, which we agree with, but also dealt with other issues which, as we know, will be debated a bit further down the track in a different piece of legislation. I will not talk too much about that other than to say that, having spoken to the shadow police minister this morning, I understand there is an agreement to allow that piece of legislation to lie over for a period of time so that there can be a proper and informed public debate on it. In our view it extends quite substantially the powers afforded to the chief commissioner, but we will leave that for another day.

As to the bill that has come from the other place, I have looked at its derivation. There was agreement in the lower house to split off parts 8 to 11 of the bill introduced there to create the bill that is now before us, the Major Crime (Investigative Powers) and Other Acts Amendment Bill 2008. From what I have seen, those parts of the original bill appear word for word in the current bill. On that basis we clearly support this bill to ensure it proceeds quickly, is passed today and receives royal assent.

I will talk briefly about some of the bill's provisions. The main issue concerns the chief examiner being able to issue a warrant for the arrest of a person who is subject to a witness summons and who fails to produce a document in accordance with that summons. That is provided for under section 49 of the Major Crime (Investigative Powers) Act, the principal act, and is brought in part into clause 3 of the amending bill before

us. It also relates to section 50 of the principal act, which concerns no double jeopardy for contempt of the chief examiner or where an act or an omission is an offence both against this or another act. What it does is ensure that those provisions continue up until 1 January 2012 so that the government can undertake the additional work that is needed.

Part 3 is probably the more important part in that it inserts new sections 51A and 51B into the Police Integrity Act. New section 51A authorises the director or a member of the staff of the Office of Police Integrity to commence criminal proceedings against a person for an offence in relation to any matter arising out of an investigation, and subsection (2) of 51A says that the director may authorise in writing the exercise of powers by a member of staff. What this does is give clarity to the officers, give clarity to some issues that are a bit vague in the common-law sense and structure it more clearly so that the director is more aware of what needs to be done when commencing criminal proceedings against a person. New section 51B provides that level of surety in relation to the immunity of those officers who are working under the auspices of the OPI.

I note that clause 6 deals with the compellability of protected persons as witnesses. That is clearly as the result of some recent issues, and we support that as it stands. The rest of the clause covers consequential amendments here and there in respect of that. I do not intend to labour that too much. I support amendments to the Whistleblowers Protection Act relating to the new processes about the contempt of the director. Again, the bill is fairly straightforward in terms of what it lays out, in the sense that it is very structured and it makes sense for those reading it. Clause 14 in part 5 repeals the legislation at a certain date. It mirrors what was set out in part 11 of the original bill before it was split.

This is an important bill in the sense that we need to get it through because we need to ensure that any investigations of corrupt police may be undertaken in such a way that they do not damage the risk of prosecution. I always say, and I will say again, that from a former police officer's perspective I find it fascinating that the bill makes the assumption, as always, that it is only police who are involved in corrupt activities. We have always called for a broadbased independent crime commission in Victoria, and our view stands that there should be an authority that not only undertakes investigations of police but also investigates general activities more broadly. Having said that, it is an important bill and we wish it a speedy passage.

**Ms PENNICUIK** (Southern Metropolitan) — I will start by saying that I think it is good that this bill has been split from the larger bill, so what we have before us today is a bill that is mainly made up of technical amendments to existing acts of Parliament. The further bill, which will be considered later by this house, goes to amendments to the Police Regulation Act and proposed changes to police disciplinary procedures as well as liability for actions of police officers. The Greens and many groups in the community are concerned about those provisions in the other bill, and we have had many representations about those provisions.

The government has advised me briefly that the Scrutiny of Acts and Regulations Committee will be looking again at the other bill, the police bill. I am not clear what the committee is proposing to do with that bill and whether it will hold public hearings, receive submissions and so forth. Hopefully a government speaker can clarify this for the benefit of the house and the public. The debate on the provisions in the police bill that has also been split from the original bill will be important.

The bill we now have before us is really made up of technical amendments to the Major Crime (Investigative Powers) Act, the Police Integrity Act, the Police Regulations Act and the Whistleblowers Protection Act. As Mr Dalla-Riva said, the amendments to the Major Crime (Investigative Powers) Act basically go to the chief examiner being able to charge a person with contempt for refusing or failing to produce documents or answer a question or for engaging in conduct that would be in contempt of the Supreme Court. I understand this amendment is basically needed. Sections 49 and 50 of the major crime act would be sunseting on 1 January next year, so it is necessary to extend that for a period of three years to 1 January 2012.

I thank the department for the briefings it has provided me with and its offer of further briefings if I need more assistance, which is much appreciated. I must say they were comprehensive briefings as well. It was implied at the briefing that this particular clause had a sunset provision because its operation was to be reviewed. I asked if it was going to be reviewed, as it is being extended for three years, and if somebody would be watching it. However, it seems that is not the case and that it will be monitored in an everyday sort of way with no special monitoring of how the provisions are working. When we get to 1 January 2012 we might decide, without having any special review, that we will take away the sunset provision or it will be removed.

I hope there will be a more formal review of these provisions. All the acts we are talking about — the Major Crime (Investigative Powers) Act, the Police

Integrity Act, the Police Regulation Act and the Whistleblowers Protection Act — are very important. They involve looking at corruption and wrongdoing and how to go about addressing them in the public interest. There are very strong powers in some of those acts. I hope the government and the department will look at this formally and not just watch how it goes before the sunset provisions are removed. They have obviously been put there for a reason. A sunset provision is usually put in a clause because we want to see how it goes and because we may need to alter it. I just make the comment that perhaps a little bit more formality is required in this particular case.

The amendments to the Police Integrity Act and the Police Regulation Act are basically designed to provide the director, police integrity, or a member of the staff of the Office of Police Integrity with the power to commence criminal proceedings, which I understand they possess under common law, as does every citizen, as opposed to police officers or other officers such as Royal Society for the Prevention of Cruelty to Animals officers who have specific powers to commence proceedings. Maybe one of the government speakers could address this. I am not sure if this came out of something that was reported in the press a little while ago where one of the courts — it could have been the Supreme Court — noted that there seemed to be a gap in the legislation in that respect.

There is also the issue of protected persons. The amendment being made here is to clarify that protected persons under this bill, and therefore under the Police Integrity Act, are present or former officers of the OPI. During the long debate in the Parliament this year on the Police Integrity Bill I made the comment that protected persons have a lot of protection. The provisions for protected persons grant them immunity from being sued for actions done in good faith. They extend beyond the protections extended to normal citizens and even police officers. While I will not oppose this provision, I make the comment again that protected persons are a very special class of persons under the Police Integrity Act.

A further amendment to the Police Integrity Act provides that protected persons are competent witnesses who cannot be compelled to be witnesses but can be directed to be witnesses under certain circumstances. Again, I understand why people are protected persons, it is just that in the context in which we have great powers and great privileges being extended to certain classes of person, this needs to be watched very carefully.

In the debate on the Police Integrity Bill the Greens put forward a very sensible amendment that the director,

police integrity, as an officer of the Parliament, be answerable to a committee of the Parliament, as is the Auditor-General. Many learned persons in the community are also of the same view. There is a provision that protected persons are not compellable witnesses. To enable them to be witnesses requires the permission of the director, police integrity, who is himself a protected person and whose staff are protected people under this bill. There could be an issue there, and it is something that needs to be watched. I hope the special investigations monitor, whose role under the act is to report on the operation of the Police Integrity Act, will keep an eye on those sorts of issues.

The other amendment this bill makes is to the Whistleblowers Protection Act, which gives the director powers to investigate disclosures concerning the Chief Commissioner of Police or members of the police force. The Greens are very supportive of this, because obviously whistleblowers need protection, and we know the history of whistleblowers, not only in Australia but elsewhere, is that they often pay a very large personal and professional price for exposing wrongdoing. We are supportive of those provisions.

I also echo Mr Dalla-Riva's comments and take the opportunity to say that in August 2007 the Greens moved a motion in this Parliament that the Attorney-General refer the issue of the establishment of an independent commission against corruption to the Victorian Law Reform Commission. The law reform commission has done some good work in the past two years on very important issues that have come to this Parliament, and I am supportive of the law reform commission having a look at what would be an appropriate model. I have said many times in the Parliament that the government should be proactive on this issue, because independent commissions were set up in New South Wales, Queensland and Western Australia following large scandals and things that went wrong. I am not saying there is any large scandal brewing in Victoria, but it would be very naive for us to think that Victoria is somehow different from other states in Australia. It would be best for the government to be proactive and seize the reference that the Greens put forward, and to which this Council agreed, and send it off to the law reform commission so it can come back with a model for the Parliament to look at to establish an independent commission against corruption.

The Office of Police Integrity does not investigate unsworn police officers, and if there are corrupt police officers they are not just being corrupt amongst themselves. Who knows who they are involving — people from the public realm, ordinary citizens, public officials, members of Parliament or members of local

government. I would not want to think that was happening. The Office of Police Integrity has no remit to investigate those persons, so we need to move, as the other major jurisdictions in this country have done, to have police integrity officers as well as independent standing commissions, as well as an Auditor-General, as well as an Ombudsman. The Ombudsman, the director, police integrity, and the Office of Police Integrity cannot take the place of an independent commission against corruption, and I would urge the government to take that reference and run with it.

**Mr TEE** (Eastern Metropolitan) — This government has a very proud record of attacking organised crime and police corruption, root and branch. The government has developed an extensive arsenal of legislative powers to break the code of silence that often thwarted investigations into organised crime. These include strong coercive questioning powers and powers of search and seizure. We also have a chief commissioner who has extensive powers in relation to requiring police to undergo drug testing, and alcohol testing where it is appropriate, under the Police Integrity Act. We now have a stand-alone act to govern the Office of Police Integrity (OPI). I think it is clear, and everyone in this house would agree, that the government has been single-minded in its determination to support the police commissioner to make sure that our police are completely beyond reproach. But there is more to do, and this bill is part of that work. As has been mentioned, it is part of a much larger bill which will be dealt with by this house and which will give the police commissioner the powers she needs to effectively discipline police where that is required.

The bill we are now debating strengthens the existing powers in a number of significant ways. It extends the existing contempt provisions. Currently both the Major Crime (Investigative Powers) Act and the Whistleblowers Protection Act have contempt provisions, and these are really the teeth in the enforcement provisions. These are the teeth that require people to be held in contempt unless they give evidence and unless they provide documents. They are really important provisions. They are subject to sunset provisions, and as has been mentioned this bill extends those sunset provisions.

In her contribution Ms Pennicuik indicated that the extension is not an ongoing one; it is an extension for a further three years. That is important because these coercive powers are out of the ordinary. They are very powerful and unusual, and we should be careful about how they are used. Ms Pennicuik has asked, as I understand it, for the government to have a formal review of those powers. I am sure the government will

take on board Ms Pennicuik's request in relation to how any review is conducted, but it should be noted by the house that the review will be by the Parliament in one way or another. The whole point of having a sunset provision in the bill is that the strong contempt provisions will come back to this house and to the Assembly for review. This Parliament will have the ultimate say about whether in three years those contempt provisions are extended again.

There are amendments to the Police Integrity Act which give the staff of the Office of Police Integrity the express power to commence criminal proceedings. Currently an OPI officer who wants to commence criminal prosecutions either relies on the police or commences the prosecutions in their individual capacity. This bill will allow the OPI to commence proceedings, which will bring it into line with other legislation, including that which governs Royal Society for the Prevention of Cruelty to Animals officers, litter enforcement officers and registered medical practitioners under the Health Act. Again, this is a clear way in which we enhance the independence of the OPI by giving it the power to initiate its own proceedings.

There are then two changes to the definition of 'protected persons'. There is a broad definition of protected persons which includes the director, as Ms Pennicuik has indicated, the acting director, staff and contractors engaged by the OPI.

Obviously the OPI by its nature is often involved in very important, dangerous and sometimes secretive work as it investigates organised crime and corrupt police. I think it is clear that the bill seeks to protect their sources of information and their methods of operation so that that information does not fall into the wrong hands. This bill maintains that regime. It liberalises it in one sense in what the bill does in terms of protected persons. The bill says that protected persons can be called to give evidence, because clearly protected persons are in the business of gathering evidence and in order to inform the court and secure a conviction protected persons need to be able to give evidence. The act was always intended to be that way. This bill ensures that that intention in relation to protected persons is made explicit.

The other issue is that the protection for a protected person will extend to former protected persons. They are of course former employees or former contractors. The reason for that is that a lot of information that these protected persons have in relation to how the OPI operates, who the informants are and the evidence they have does not stop at the office door once you become a former protected person. It is appropriate that we

explicitly state the legislation that protected persons include former protected persons. That is a further amendment to this bill.

Ms Pennicuik noted that there is a capacity for the director to issue a certificate when it is in the public interest that a protected person be compelled to give evidence in court and expressed the concern that there might be something untoward in the director having the power to make that decision in relation to employees of the OPI. But, again, the legislative provision is that the OPI and the director have to act in the public interest. That of course is not necessarily in the interest of the OPI or the prosecution. Public interest is the interest of justice. There is a clear protection in the act for the interests of justice.

This bill has a number of clear outcomes which will, again, assist the powers of the OPI to deal with corruption. As I said at the start, the government and the community together have been on a journey to ensure that we have the tools to tackle organised crime and police corruption head on. More needs to be done to make sure we have the arsenal we need to tackle organised crime and police corruption and clear it from our society, root and branch. We know some will be confronted and challenged by some of the government's proposals. Recently I read in the *Police Association Journal* of October 2008 that the Police Association has indicated its opposition to some of the proposals the government has in mind. It says:

We are doing what we can to have the amendments stopped in the upper house ...

I think there is a clear challenge from the Police Association. I say to those members opposite that we know that the Police Association will be knocking on the opposition's door. We know that it wants to dictate the opposition's policy position for the opposition on these issues. The association has made that clear. I say to the opposition that it really needs to stand up to the Police Association, to support the government and to support the police commissioner and the community. It should not kowtow to the Police Association and should join the government and the community to ensure the police commissioner has the powers she needs to discipline and expose corrupt police so they are not part of the police force.

**Ms MIKAKOS** (Northern Metropolitan) — I am very pleased to rise and speak in support of this bill. It is a very important bill. I think the Victorian community recognises the tough job performed by members of Victoria Police.

Recently, as members would be aware, we had Blue Ribbon Day across Victoria in which the community honours the sacrifices that police have made on the job. Over the years as a parliamentarian, as a previous Parliamentary Secretary for Justice, and currently as a member of the Parliament's Drugs and Crime Prevention Committee, I have had many dealings and discussions with members of Victoria Police. I recognise their professionalism and their commitment to making our community safer.

However, we also need to acknowledge that there are some police who do not share their colleagues' professionalism, and since 2004 this government has introduced a number of bills to respond to the issue of police corruption. I think it is good that we share a position across all parties and across the political spectrum of agreeing that we need to weed out the rotten apples and maintain our community's confidence in our police force.

One of the key measures introduced by this government was a dedicated director of police integrity. I have spoken on many occasions in this house about the impressive results that the director, police integrity, has already produced in terms of completed investigations and charges laid against members of Victoria Police. So I think we are seeing the results. I only took exception to one thing that Mr Dalla-Riva said, and that is that his party had had a longstanding view to introduce an independent commission against corruption-type body in Victoria. I take exception to that, because those of us who have been in the house for a while know that the Liberal Party's position has changed over the years. It initially called for a royal commission, then it called for a ICAC-type body — something like the Independent Commission Against Corruption — then it called for police auditors, so it has changed over the years. It has not been consistent about this. But I challenge Mr Dalla-Riva or other members of his party to point to the area in which the director, police integrity, does not have powers comparable to those of the New South Wales ICAC. In fact what we have done is put in place a body and powers that are extremely comprehensive and, in terms of police corruption, those powers are more than adequate, as has been demonstrated by the results which I alluded to in weeding out police corruption to date.

We make no bones about our commitment to community safety. Since being elected our government has boosted police numbers by an additional 1400 officers, and we have made a commitment that during this term of government we would provide a further 350 police. So far 100 of these have already been delivered, with a further 100 expected during this financial year. We have more police on our streets

providing a safer community. This is what the Victorian people elected us to do. We have also boosted police resources with a record budget of \$1.75 billion in 2007–08 and funded the construction and refurbishment of over 150 police stations across the state. That is of particular interest for regional Victorians, because more than three quarters of those police stations are located in regional Victoria.

In terms of this local community, or East Gippsland shire, we have rebuilt the Bairnsdale police station at a cost of \$10.3 million and the Bendoc, Bruthen, Buchan, Swifts Creek and Cann River police stations have received refurbishments at a combined cost of nearly \$2 million. This local community has benefited from that as well as from an increase of 11 per cent in police numbers, which has seen local crime rates fall by 13.2 per cent.

I do not propose to go through the bill in any detail, as on the government side Mr Tee has done that more than adequately. I indicate my strong support for this bill that builds upon a number of pieces of previous legislation which have sought to strengthen the powers and the role of the director of police integrity and to ensure that we have the ethical and professional police force that the Victorian people expect. I commend the bill to the house.

**Motion agreed to.**

**Read second time; by leave, proceeded to third reading.**

*Third reading*

**The PRESIDENT** — Order! I am of the opinion that the third reading of this bill requires to be passed by an absolute majority. I ask the Clerk to ring the bells.

**Bells rung.**

**Members having assembled in chamber:**

**The PRESIDENT** — Order! The question is:

That the bill be now read a third time.

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

**Required number of members having risen:**

**Motion agreed to by absolute majority.**

**Read third time.**



## LOCAL GOVERNMENT AMENDMENT (COUNCILLOR CONDUCT AND OTHER MATTERS) BILL

*Second reading*

**Debate resumed from 10 October; motion of  
Hon. J. M. MADDEN (Minister for Planning).**

**Mr HALL** (Eastern Victoria) — This afternoon it is my duty to report the coalition view on the Local Government Amendment (Councillor Conduct and Other Matters) Bill. I might say in opening my commentary on this bill that this is an entirely appropriate piece of legislation to be debating here in the Shire of East Gippsland because, as I note from a couple of government members who have been in the position before, there has been some controversy in the local government area from time to time. I am sure local councils, particularly East Gippsland and Wellington shires, will find this bill of great interest.

I might add that part of that controversy extends to the facts mentioned yesterday by the mayor of East Gippsland, Cr Mendy Urie, when she welcomed the Parliament to East Gippsland and gave us an idea of the size and population of the East Gippsland shire. To repeat a couple of those figures, she said that 80 per cent of this shire was Crown land, and so it is. I think the total area of the shire is 21 800 square kilometres, of which 16 350 square kilometres is Crown land. That has left local councils across East Gippsland in the difficult position of having to fund infrastructure requirements for the region while having a vastly dispersed population base. Despite the extent of Crown land ownership by the state government in respect of this shire, the council does not receive any income from that Crown land in the form of rates or payment in lieu of rates, so its rates dollar is stretched across quite a vast region.

The formation of the Shire of East Gippsland was the result of bringing together Bairnsdale City Council, Bairnsdale shire, Tambo shire, which was based around Lakes Entrance, Orbost shire and Omeo shire. It may have included parts of Avon shire — I am not absolutely certain about that — but at least five of those councils have now been incorporated into the greater East Gippsland shire. That in itself provided some challenges for the elected government in this area. Over the years since the amalgamation of those five shires there have been local government issues arising here in East Gippsland which have been of public interest.

One of the legacies the shire inherited was a number of different shire offices, and when you have five shires

being amalgamated into one you are going to have five offices about which you are going to have to make some decisions on their use. One of those shire offices, which was the headquarters of the Shire of Tambo, is the building on the hill now occupied by the East Gippsland shire. Those of us who went there for a welcome drink with the local people will remember the great impression that site made on them, and the views that could be seen from it. That is now the service centre for the East Gippsland shire in Lakes Entrance, and it is a very valuable piece of real estate.

This is a substantial bill of some 94 clauses. It amends the Local Government Act 1989, the City of Melbourne Act 2001 and the Victorian Civil and Administrative Tribunal Act 1998. Part 2 of the bill deals with councillor allowances; part 3 deals with councillor conduct; part 4 deals with conflict-of-interest matters; part 5 contains a range of miscellaneous amendments; part 6 relates to amendments to the City of Melbourne Act; and part 7 goes to the issue of VCAT.

When I read this bill and looked at some of the provisions it contains I wondered what was in the minds of government members when they said it needed to be debated and passed this week because of the local government elections across Victoria which will occur at the end of November. Members would know that all 79 councils in Victoria face an election on 29 November. When I look through this bill I see no absolute need to pass this piece of legislation before 29 November. I can understand the government's desire to do so, but I do not see any absolute need. Consequently I am pleased with the agreement reached by all parties that there will be some contributions to this debate this afternoon and that the proposed amendments will be dealt with when Parliament resumes back in Spring Street. I strongly support that course of action, because I understand there will be amendments which have certainly not been discussed at a party level with other parties. We, the Liberal-Nationals coalition, would like the opportunity to examine those amendments before committing ourselves to them in this chamber. I am pleased with that proposed course of action, and we will be supportive of that course.

I want to look at a couple of different provisions. I said before that part 2 relates to councillor allowances. I also note that recently the government responded to the *Local Government (Councillor Remuneration Review) Panel Report*, including the recommendations made by that panel suggesting a substantial increase in councillor and mayoral allowances. The government has indicated that it will adopt those recommendations. While the bill itself is silent on exactly what those recommendations

are, powers are given to the minister to implement a range of allowances and payments to local government councillors and mayors. Separately the minister has said he will accept the recommendation of the panel.

I note that the government intends to stick to the three different levels of councils that are determined by population and geographic area — namely, category 1, category 2 and category 3 councils. The councillor payment for category 1 is a minimum of \$6500 and could go up to \$15 700; for category 2 councils the range is from \$8100 to \$19 600; and for category 3 councils it is \$9800 to \$23 500. Members of the Melbourne City Council, which is the only local government in Victoria that is constituted by its own separate act of Parliament, have a flat fee set at \$32 600. One could also describe it as a ‘fat fee’. The Lord Mayor of Melbourne will receive \$143 500 and the Deputy Lord Mayor of Melbourne will receive \$58 700. Some people would look at those figures and say they are substantial remuneration packages for councillors, and I think they are too. However, I agree with the government in providing a range of opportunities so that councils can themselves decide what is an appropriate level of remuneration. I suspect that in many country municipalities that will result in some public debate on whether the council can afford to pay its councillors and whether it is actually appropriate to pay them the set amount.

I will not go through all of the amendments. Part 3 of the bill concerns councillor conduct. It sets out a range of provisions in relation to the expectations of behaviour of councillors. I do not want to go through all of those individual provisions. I say only that many councils have a code of conduct in place now. If you look at the website of Shire of East Gippsland, you see there is actually a 48-page document on the conduct expected of the councillors in that region. Although people have responded positively to the requirement for a code of conduct to be developed in each local council area, many councils already have that in place, of which East Gippsland is but one.

There are some conflict-of-interest provisions in part 4 of the bill. They cover a wide range of areas. Conflicts of interest go to such issues as indirect interest by close association or financial interest, indirect interest because of conflicting duties and indirect interest because of receipt of an applicable gift. Conflict-of-interest provisions expected to be observed in local government are quite detailed and are clearly spelt out in a range of provisions under clause 21 of the bill.

I became aware yesterday while chatting with some councillors from neighbouring Wellington shire that

they have some concerns about new section 80A, which is in clause 24 of this bill. That provision requires notes to be kept of any ‘assembly of councillors’. In particular they have some concerns about new section 80A of the Local Government Act entitled ‘Requirements to be observed by an assembly of Councillors’, which states:

- (1) At an assembly of Councillors, the Chief Executive Officer must ensure that a written record is kept of —
  - (a) the names of all Councillors and members of Council staff attending;
  - (b) the matters considered ...

It goes on to say that any conflict-of-interest disclosures must also be noted. The provision also requires the keeping of those records for a period of four years after the date of the assembly.

As it was put to me by some councillors from Wellington Shire Council just yesterday, it will mean that if three or more councillors are assembled together for the purposes of discussing some form of council business, minutes of that meeting must be kept and they become public record documents. They have some concerns with that, particularly in relation to the extra paperwork and recordkeeping that will be required because of that provision. I will take those concerns on this issue back to the coalition spokesperson, my colleague the member for Shepparton in the other place, and see whether they are valid and how they might be addressed. That is the sort of thing we will be able to explore between now and when this chamber next meets in committee to discuss potential amendments.

A whole range of other miscellaneous amendments are contained within the bill — for example, provisions relating to the fact that councils may elect a mayor for a period of two years rather than one. Again that will be up to the council concerned, and it will be interesting to see how councillors will approach that.

There is also a requirement to give at least seven days public notice of meetings and a requirement to maintain a website and to publish local laws and public notices online. There will be an increase in the time allowed for public submissions on certain matters from 14 days to 28 days, and there are definitions, as I said before, of councillor misconduct, serious misconduct and gross misconduct. There is also the issue about councillors and conflicts of interest which I made comment about before. There are a whole range of amendments on different matters in part 5 of the bill. Part 6 of the bill makes amendments to the City of Melbourne Act, including amendments relating to remuneration.

That is broadly the view the coalition has taken on the bill. We can see some sense in the provisions provided within it. Some of them will be controversial, and that will be a matter for local councils to decide. The provisions contained in here, apart from the few issues I have raised, are worthy of our support. The Liberal and National parties will be supporting the provisions but looking forward to a committee stage where some of the issues I have encountered in the last two days and some of those to be raised by other members will be explored. We will be able to have a look at those and come to a decision in respect of them when the house next meets.

We will consider those matters in the future, and I look forward to hearing contributions from other members, but at this stage the Liberal and National parties will not be opposing the bill.

**Mr SCHEFFER** (Eastern Victoria) — I am speaking in support of the bill before us this afternoon. There are 79 local governments in Victoria. Local government is one of the three spheres of government in this state, and it performs an essential role in both representing citizens on matters that relate most closely to their neighbourhood and in local neighbourhood service delivery and the management of roads, lands and the environment.

I place on record my appreciation and respect for the work local governments do, and all of us, as state MPs, work very closely with a number of local governments. We all know that they work at a high level of efficiency and effectiveness. I also place on record my appreciation of the work local councillors do on behalf of their constituents. Local councillors never cease to impress me with the depth and breadth of their detailed local knowledge and the abundance of ideas they have on how their communities and local environments can be strengthened.

Yesterday members of the house heard an address from Cr Mendy Urie, the mayor of the Shire of East Gippsland, who presented members with an account of some of the big issues this shire is tackling.

In my role as a member for Eastern Victoria Region I have worked with councillors, the shire and the state government, especially during the recovery phases after the bushfires and floods of the past two years. Make no mistake about it, the contribution of councils and councillors, particularly in an area such as East Gippsland, is immense.

Since its election in 1999 the Victorian government has worked hard to strengthen local government and has

introduced major reforms to the Local Government Act, making a number of very significant changes — most notably, changes to the timing and conduct of elections and to requirements on the conduct of councillors.

This bill addresses itself to three issues: councillor conduct, councillor allowances and conflicts of interest. The government recognises that the community has high expectations about how councillors should behave and what should be done about councillors who misbehave. Councils themselves have also expressed concern that they have no way to deal effectively with an individual who does the wrong thing, and they understand perfectly well that misbehaviour undermines a council's ability to provide good local government.

In response to this the government is in this bill defining appropriate standards of conduct for councillors and establishing new mechanisms to address current expectations and concerns. These changes are informed by a few basic principles: that councillors should act with integrity; that they should impartially exercise their responsibilities in the interests of the local community; and that they should not improperly seek to confer an advantage or disadvantage on any person. A range of more detailed principles is set out in the bill. When you look at them together, they make the expectations on local councillors perfectly clear. These principles reflect standards that everyone expects of councillors and anyone in elected office. Under the provisions of the bill these principles must be included in each council's councillor code of conduct. This will be the reference point against which councillors will be measured if they are asked to answer charges of misconduct.

The bill provides for the establishment of councillor conduct panels, which will be independent arbiters of disputes between councillors and in cases where allegations of misconduct have been made. Applications for a councillor conduct panel to be established can only be made by a councillor or group of councillors, and the panel's role is specifically to assist councillors and councils. They will not be standing panels; they will be established on a case-by-case basis as the need arises. The panel will have two members: one of them, the chair, will be a person of legal experience and qualification, and the other will be a person who has experience in local government. The members of panels will be drawn from a list that will be kept by the Municipal Association of Victoria for that purpose.

A councillor conduct panel will have limited responsibilities. It will be able to hear allegations that a councillor has breached the council's own councillor

code of conduct. It will be able to discipline a councillor in limited ways. It can have a councillor undertake training or counselling or it can appeal to the Victorian Civil and Administrative Tribunal if it thinks the allegation of misconduct is of a serious nature. VCAT can take up an issue if the panel thinks the matter is serious enough or if the matter involves gross misconduct. The authority can impose corresponding penalties for these serious charges if the person is found guilty. The details of these penalties are set out in the bill, so I will not labour them this afternoon. The bill sets in place a graduated process whereby the local level tries to sort out the matter and then can escalate more serious issues to the more appropriate VCAT body.

The final matter I will touch on relates to councillor and mayoral allowances. The bill delivers on a state government decision that procedures should be put in place that can review and appropriately adjust allowances for local councillors. In short, the process set out in the bill requires the minister to review on an annual basis the allowance for remuneration that councillors receive and then make any appropriate adjustment.

The changes contained in this bill are supported by the Municipal Association of Victoria and the Victorian Local Governance Association. They have been consulted throughout this process and they understand that the provisions contained in this bill are sound and have integrity. I commend the bill to the house.

**Debate adjourned on motion of Mr BARBER (Northern Metropolitan).**

**Debate adjourned until next day.**

## ADJOURNMENT

**Mr LENDERS** (Treasurer) — I move:

That the house do now adjourn.

### **Bushfires: preparedness**

**Mr KOCH** (Western Victoria) — My matter is for the Minister for Police and Emergency Services in the other place and concerns the growing risk of severe bushfires across Victoria this coming summer. Victorians living in high fire danger areas, particularly in western Victoria, are facing a potential devastating bushfire threat.

Bushfire experts from the Bureau of Meteorology are warning that coastal regions, the Otway National Park, the Brisbane Ranges and the Enfield State Forest are at

an increased bushfire risk due to low spring rainfalls. Good rainfall earlier in the year has fuelled forest growth that is now starting to dry out, and while grasslands in southern areas are still green, a few hot days will see them turn dry very quickly. Extended drought conditions over the last decade with continually below average rainfalls have meant subsoils have not been replenished, causing early drying out of grasslands and forest floors. Areas along the coast from Torquay, where there is a lot of vegetation that has not been burnt for many years, are facing the potential of a major firestorm if Victoria experiences a continued dry spring and hot summer.

The Country Fire Authority expects the fire danger to be highest in these areas, but there is also concern for forest regions of western Victoria. Due to the dry conditions the CFA expects to introduce fire restrictions across western Victoria before mid-November this year. While planning and an element of good luck last summer prevented a repeat of the catastrophic wildfires of 2006, there is no room for complacency. The CFA is saying that drying fuel loads mean Victorians must now ready themselves by doing all they can to reduce the fire risk.

All the elements that led to the disastrous Ash Wednesday fires 25 years ago were in place last summer, and unless there is significant spring and summer rain, that threat will again increase rapidly as summer progresses. Last weekend the Bureau of Meteorology issued an extreme forest fire danger warning in the Mallee district, and the CFA advised people living in areas at risk of fire to activate their bushfire plan. The bureau is predicting warmer and drier than average conditions with above average maximum temperatures for most of Victoria. In the event that rampant wildfire again threatens those who have diligently made fire preparations, the government must demonstrate it is trying to remove its 'neighbour from hell' status. My request is for the minister to ensure fire prevention works have been completed on Crown reserves as a buffer to adjoining neighbours and protection for community and private assets near Crown land boundaries.

### **Housing: energy and water program**

**Mr SCHEFFER** (Eastern Victoria) — My question is for the Minister for Environment and Climate Change, Gavin Jennings. Low-income households and tenants of rental properties face potentially large energy bills as they frequently live in older housing stock with poor energy and water efficiency. These households also potentially face increasing energy bills as energy costs rise. The federal government has committed that a proportion of revenue from the carbon pollution

reduction scheme will go to easing the burden on households. The Victorian government has also invested in household energy audits and retrofits for low-income households through the Energy and Water Task Force program. The program has retrofitted 4700 homes in 25 disadvantaged communities.

At the recent SB08 sustainable buildings conference the Brumby government also announced a \$2 million investment in the Climate Change Proofing Low Income Households program, which will build on Victoria's efforts to date to provide a lasting buffer from rising energy and water prices to low-income families and deliver real greenhouse reductions. The new program aims to reach 21 000 households in regional Victoria, abating some 18 000 tonnes of CO<sub>2</sub> emissions and saving \$2.8 million on household energy bills. The program will involve community organisations and local government working with residents in social housing to improve the energy efficiency of homes. It will also create green jobs in the community and encourage social enterprises with lasting benefits.

Victoria's household audit and retrofit skills and service base is growing. A number of organisations already provide these excellent services. Organisations such as Kildonan Child and Family Services provide energy audit and retrofit services to clients in financial hardship. Local government provides education and behaviour change services to the local communities. Some companies provide audit and retrofits and a commercial service to households that want to improve their energy efficiency. The commencement of the Victorian energy efficiency target scheme in early 2009, the commencement of the government's feed-in tariff and federal government programs will also drive further demand for these skills and services.

The action I seek is for the minister to consult with the various organisations doing excellent work in this area to ensure the Victorian government drives a coordinated approach to meeting the skills and service demand our new sustainability initiative will require.

### **Insurance: learner drivers**

**Mr ATKINSON** (Eastern Metropolitan) — My item is for the Minister for Roads and Ports, who is responsible for VicRoads, and it concerns licensing regimes. I note that the government has moved to a new licensing regime for young drivers which puts a significant emphasis on driving practice and requires them to keep log books, have experience in driving in a range of conditions and have an extensive amount of time on the road — I think some 120 hours driving

experience is required. I applaud those initiatives. An important factor in developing maturity in young drivers is giving them experience in a greater range of circumstances that they might confront on the road and also providing an opportunity, obviously, to simply gain some hours under the belt before they end up driving by themselves.

One of the things that concerns me about this, however, is that it has been brought to my attention that a number of insurance companies are not prepared to extend insurance coverage to young learner drivers in circumstances where they are driving with a parent as part of getting up their hours. As well as that, some other insurance companies may put other impediments in the way of that process, which may well include some financial penalties to the insured driver who is taking out the youngster.

This is a most unfortunate situation. It is short-sighted on the part of the insurance companies, because better young drivers should translate to fewer claims against them in years to come, and I think the insurance companies have a role to play in the process. I believe there is a necessity for the government to protect the integrity of the regime it has brought in by talking with the Insurance Council of Australia and perhaps directly with some of the insurers to see whether they can be encouraged to support the scheme by not imposing financial penalties and by ensuring that an insurance product is available to parents who are involved in teaching learner drivers.

The specific action I request is that the minister initiate talks with the Insurance Council of Australia and quite possibly the leading insurers to make sure that the integrity of our new learner driver regime is maintained by insurance companies playing their part in maintaining insurance coverage for parents taking students out to learn to drive.

### **Rail: Melton–Bacchus Marsh line**

**Ms HARTLAND** (Western Metropolitan) — My adjournment matter tonight is for the Minister for Public Transport. My office organised a highly successful community meeting on 18 September at Deer Park. The meeting gave concerned residents in the local community a chance to discuss the Eddington report and why the Melton–Bacchus Marsh railway line was not considered for electrification and duplication. There were about 70 people at the meeting and many of those who attended had actively campaigned on this issue, not just over years but over decades. They did not understand why Eddington did not recommend improved public

transport in the area and why the government has continued to neglect this important issue.

The Australian Bureau of Statistics website shows that between 2001 and 2006 there was a massive population growth in the western suburbs. Point Cook grew by 71 per cent and Caroline Springs by 38 per cent. The statistics clearly show the growing need for accessible and reliable public transport in those communities. I use the train regularly. Anyone who tries to board a train at peak hour will tell you it is critical that infrastructure be planned and provided in advance of a substantial growth in areas like Caroline Springs and Point Cook. You did not need a crystal ball to predict that public transport would be under ever-increasing stress in the western suburbs. The residents of housing estates in the western suburbs did not just appear overnight.

The Werribee line train, which has a peak hour service that is identical to the Sunday service — only three trains per hour — is dangerously overloaded, yet it is the closest rail option for residents of Point Cook. I am a long-time supporter of improving public transport, and I believe there is great value in consulting with the community on this important issue. The action I ask of the minister is that she organise community meetings in the Deer Park area to explain whether electrification and duplication of the Melton–Bacchus Marsh line is included in the government's plans; and if not, why not?

### **Timber industry: government strategy**

**Mr O'DONOHUE** (Eastern Victoria) — The matter I raise this evening is for the attention of the Treasurer in his capacity as the minister responsible for VicForests. In March this year the Minister for Agriculture announced that he would develop a new timber industry strategy. On several occasions since that time, when questioned about concerns in regard to VicForests, the Treasurer has said that those concerns would be addressed through the timber industry strategy.

The timber industry in East Gippsland is facing uncertainty. At these times of economic uncertainty leadership is required from the government to encourage investment and provide job security. I am glad that the motion I moved yesterday was passed by the chamber, and I draw the attention of the Treasurer to paragraphs (3) and (4) of that motion:

... the state government has not honoured its 2006 election promise to the Gippsland timber industry through its Our Forests Our Future policy and the unnecessary delay in releasing its timber industry strategy;

... the government's inaction is risking jobs and investment in East Gippsland.

I call on the Treasurer, as the minister responsible for VicForests, to work with the Minister for Agriculture to ensure that the timber industry strategy is finalised and released as soon as possible. The specific request I have for the Treasurer is that he give me and the house a date when the strategy will be released. The government's dithering is risking jobs and investment here in East Gippsland and elsewhere in country Victoria.

### **Asbestos-related diseases: apology**

**Ms PENNICUIK** (Southern Metropolitan) — My adjournment matter is for the Premier. Yesterday at the regional sitting of the Legislative Assembly in Churchill the Premier made a long-awaited apology to the thousands of people who have suffered from asbestos-related diseases after being exposed to asbestos while working at power plants built by the former State Electricity Commission of Victoria in the Latrobe Valley. I congratulate the government on making this apology, which is long overdue. The Victorian Trades Hall Council, unions, health professionals and support groups such as the Gippsland Asbestos Related Disease Support Group and the Asbestos Diseases Society of Victoria have fought for years for official recognition of this issue in the Latrobe Valley and for better access to treatment and compensation for those suffering from asbestos-related diseases. Successive governments have, to their shame, refused to do so.

I also congratulate the government on introducing the Asbestos Diseases Compensation Bill. I have not had the opportunity yet to examine the bill in detail, but I will say that Victoria has for too long lagged behind other states, which have designated dust diseases tribunals and far less onerous processes for those suffering asbestos-related diseases to receive compensation.

It has taken this government 10 years to introduce this legislation. As for protecting Victorians and their families in their homes, this government still does not have a website or any sort of information campaign devoted to informing householders of the dangers of asbestos in domestic and community buildings.

The Premier also said yesterday that he hoped the apology goes some way to bring closure and resolution for families who are suffering from asbestos-related diseases. I appreciate that the Premier is sincere in his apology; however, there is no closure on the asbestos issue — far from it. Australia has the highest known rate of mesothelioma in the world. It has been estimated that there will be 56 000 asbestos-related deaths by 2020. That figure is rising and will not plateau out for at

least another five to seven years. This is the terrible legacy of the continued use of asbestos in Australia.

We are approaching the fifth anniversary of the introduction of a total ban on the use of asbestos in Australia on 31 December 2003, but this is not over yet. Victorians spend millions of dollars each year on do-it-yourself renovations, and most homeowners are unaware of the places asbestos was used in their houses. Almost a year ago I raised the issue of asbestos in the community and the need for the government to act decisively.

My request to the Premier is that he convene a task force that includes the health, housing, consumer affairs, local government, WorkSafe and small business ministers and relevant asbestos agencies, with a lead agency, possibly under the Department of Human Services, to administer the whole issue of domestic asbestos — that is, by subsidising audit, removal and disposal; licensing and training of auditors and assessors; maintenance of a good website; maintenance of records of houses where asbestos has been located, to be made available to the general public when buying and renting et cetera; and periodic information awareness campaigns, to coordinate a whole-of-government approach to the eradication of asbestos from the community.

### **Licola Wilderness Village: government assistance**

**Mr P. DAVIS** (Eastern Victoria) — I direct a matter to the attention of the Minister for Environment and Climate Change concerning outstanding flood restoration works required to restore the protective levee bank at the Licola Wilderness Village. Run voluntarily by the Lions organisation with business and community support, Licola village has provided an invaluable service over the past 38 years. Countless disadvantaged children from Victoria and interstate have had the opportunity of having a break in the magnificent alpine surrounds of Licola and participating in a healthy outdoors program through the work of the village. But 2007 was a devastating year. The village was affected by the alpine bushfires, suffered damage from mudslides, and much of it was washed away in the Gippsland floods. Immediate post-flood restoration was swept down the Macalister River in a downpour last November. As a result, last summer the village had to cancel camps for the first time in its history. It has received nominal support to rebuild and gird itself against future damage on that devastating scale — just \$52 000 from a joint commonwealth-state restoration fund and \$30 000 from

the state government towards the cost of reinstating its home-driven electricity supply.

Now we come to look at the future, and there are two matters under consideration. A longer term proposal envisages redevelopment of the village to make it available full time and for a broader range of uses — in effect, to convert the Licola township into an alpine gateway. The Shire of Wellington is assisting the village to look into this possibility, and it will be the subject of a future submission.

More immediately, the village seeks approval and funding to rebuild the levee bank to protect it from future floods. Without that, it cannot operate with any certainty. The levee bank has existed for the lifetime of the village, and therefore the project is to restore an existing structure. However, the West Gippsland Catchment Management Authority is resisting approval, because it disagrees in principle with the existence of levee banks on streams. There is also the matter of funding — an amount of the order of \$100 000, which the catchment authority could well meet from its capital works budget of around \$4 million.

The authority's resistance has forced village management into a protracted process of calling in expert help to undertake studies and present a detailed case for the project. I therefore ask that the minister act to achieve a resolution of this matter with the catchment management authority in order that the levee project can be undertaken over the summer and the Licola village can thereby be adequately protected before next winter brings the risk of floods.

### **John Valves Pty Ltd: government assistance**

**Mr KAVANAGH** (Western Victoria) — My adjournment matter is for the Acting Minister for Industry and Trade, and perhaps also the Minister for Water. It relates to John Valves Pty Ltd, a 112-year-old Ballarat company I spoke about this morning and which has been spoken about in the last day or so also by Mr Vogels.

**The DEPUTY PRESIDENT** — Order! I point out to Mr Kavanagh that an adjournment matter can be directed to only one minister. Can he just clarify which minister he wishes to direct it to?

**Mr KAVANAGH** — The Acting Minister for Industry and Trade. Having visited John Valves and discussed the situation of the company with the management there, it is my opinion that it is correct in its view that John Valves has not received the level of support that it deserved from the Victorian government.

Although the situation is now quite bad and the company has gone into administration, there is hope that a new buyer can be found, one that may continue the business of valve production. I therefore ask the Acting Minister for Industry and Trade to help secure a future for this company by publicly making the clearest possible public statement that from now on the government will give every preference it is able to give to any company which buys John Valves products and continues that business in Ballarat.

### **Ringwood: transit city**

**Mrs KRONBERG** (Eastern Metropolitan) — My adjournment matter is directed to the Premier. It concerns the recent announcement by the Premier of the government's plan to apply \$39 million over three years to the long-awaited Ringwood station redevelopment. As we have seen in the past and frankly come to expect, this government has used an enormous degree of licence, exaggeration, spin and sleight of hand during the announcement of this project. The Premier of this state has blatantly claimed that the \$39 million project will create 1400 construction jobs and 1500 ongoing jobs. Fancy government funding on this scale creating so many jobs! This government should start advising stricken world leaders and tell the world what a mere \$39 million can do.

The truth about the number of jobs this government is claiming is that in reality they will come about by way of the massive investment of hundreds of millions of dollars on the part of Queensland Investment Corporation's in the planned redevelopment of Eastland shopping centre on the other side of the Maroondah Highway from the station. This government will not be building the multilevel extension to Eastland's malls, the hotel, the office tower, the shops and restaurants and the town square — Queensland Investment Corporation will be building them.

When we examine what the \$39 million will be applied to, we see it will be used for building around the station for urban infill and the use of airspace and a bus interchange, but nothing for the station where passengers get on and off trains. The travelling public using Ringwood station deserves a new station, not the dilapidated, grubby eyesore that commuters face every day. I ask the Premier to release details of the government's plan to upgrade passenger access and egress, especially for those with a disability, and to put in toilets, seating, lighting, protection from the weather and a greatly upgraded security system, including the immediate commissioning and installation of 12 security cameras at Ringwood railway station.

### **Wind energy: Stockyard Hill**

**Mr D. DAVIS** (Southern Metropolitan) — My matter for the adjournment today is for the attention of the Minister for Planning, and it concerns the decision by the Brumby government to approve a massive wind farm development in central Victoria and to do so without proper environment effects assessments.

The proposed Stockyard Hill wind farm includes 288 turbines and another 370 potential turbines on a site between Skipton and Beaufort, about 50 kilometres west of Ballarat. The Pyrenees Shire Council wrote to the Minister for Planning asking that an environment effects statement be undertaken for the proposal prior to any permits being granted, but what appears to have occurred is that the government — or the minister specifically — has given those planning approvals without an environment effects statement. With any large-scale industrial project of the nature of a wind farm there is the risk of environmental impact. That could be of a number of types and should be assessed in a thorough way.

What I seek from the minister is some commitment from him that pre-emptory arrangements of this type, without proper environment effects statements, will not occur in the future. I would ask him to take steps to put in place a system where environment effects statements are required before large wind farm developments come into being. I hasten to add at this point that the opposition supports wind farm developments but believes they have to be in sensitive locations and they have to be placed there after all of those proper environmental and other processes have been undertaken. To reiterate, I am seeking that the minister ensure that there be put in place a process that ensures environment effects statements are undertaken before large-scale wind farm developments occur.

### **Driver Education Centre of Australia: Careful Cobber program**

**Ms LOVELL** (Northern Victoria) — My adjournment debate matter is for the attention of the Minister for Skills and Workforce Participation. It concerns the highly regarded and successful Careful Cobber program that has been run at the Driver Education Centre of Australia for the last 30 years. The action I seek from the minister is to make funding available to DECA to ensure the continuation of the Careful Cobber program and to arrange for the government to fund an evaluation of the project, as recommended by the Social Development Committee of the Victorian Parliament in 1991.



Several weeks ago DECA was advised that the state government had withdrawn funding for this vital program that teaches road safety and responsible road user skills to primary school students. The government's reasoning for withdrawing the funding was that there was no evaluation of the program to assess its effectiveness. Earlier in the week, however, I discovered that in 1991 the Social Development Committee undertook an inquiry into speed limits in Victoria and as part of its report recommended that there be an evaluation of this program. This occurred under the Kirner Labor government. The government, however, refused to fund it.

The committee, which was chaired by a Labor MP, Margaret Ray, recommended that the Minister for Transport at the time, Peter Spyker, fund an evaluation of the Driver Education Centre of Australia's Careful Cobber program. The inquiry also stated that the committee was impressed with DECA's Careful Cobber road safety program for primary school children. But the Kirner government denied responsibility for funding the evaluation of the program, stating that the government encouraged private off-road facilities to evaluate their education and training programs, and public funding was not available for this purpose.

The government was wrong about it being a private company, because in 1980 the Victorian government had taken over responsibility and funding for the company that is DECA, and it owns all of the facilities. Up until December 2007 these were under the joint responsibilities of the Minister for Skills and Workforce Participation and the Minister for Roads and Ports, but in November 2007 they became primarily the responsibility of the Minister for Skills and Workforce Participation. This information comes from the DECA annual report of 2007.

As I said, the Careful Cobber program is a very effective program. We want to see it continue. It is accessed by 8500 students from 155 schools, including schools in the minister's own electorate. I call on the minister to make sure funding is made available to DECA to ensure the continuation of the Careful Cobber program and to ensure that an evaluation of the program is completed, as recommended by the Social Development Committee of the Parliament in 1991.

### Responses

**Mr LENDERS** (Treasurer) — Eleven members raised items for the adjournment tonight, and I will address three of them. The other eight I will refer

directly on to the relevant ministers for their attention and response to the individual members of Parliament.

Two matters were addressed directly to me, one of them by Mr O'Donohue in my capacity as the minister responsible for VicForests. Mr O'Donohue essentially asked me to work with the Minister for Agriculture on a timber industry strategy, which of course I am doing and will do, and asked me to give him a specific date as to when the strategy will be released. We will get the strategy out as soon as is possible. We are obviously engaging with stakeholders who have an interest in this. As the house will know, one of the dilemmas with meeting the commitments of Our Forests Our Future in full is that around 43 per cent of our forests were burnt down during the bushfires. We are working through these particular issues and getting the balance right. I can certainly assure Mr O'Donohue that VicForests, much as it is often maligned, has just successfully gone through a harvesting and haulage tendering process over two steps. There are a lot of kinks to be ironed out and there has been a lot of community engagement, but I will certainly work with my colleague the Minister for Agriculture to expedite that report as soon as is possible.

I also had an adjournment matter from Mr Kavanagh in my capacity as Acting Minister for Industry and Trade regarding the unfortunate circumstances around the John Valves company in Ballarat, which has had extraordinary difficulties this week. Those difficulties are obviously most manifest in those families who had a person engaged at that factory and have suddenly found that the factory is in dire circumstances. What I can say to Mr Kavanagh is that my department — the Department of Innovation, Industry and Regional Development — and Regional Development Victoria have been working with the company and now the receivers of the company, the suppliers to the company and various other people. They have been meeting frequently, including for a long time today, seeking to get outcomes, firstly, for the ongoing operation of that company, and secondly, and more importantly, as to where the workforce goes with its entitlements going forward and future employment. We will continue to work through this. Clearly we are seeking to find somebody else to operate the company. There is an extraordinary amount of work the company can do in the future as well as providing jobs in Ballarat. We will continue to work on that and consider a range of options. We are working with all other parties. We are interested in where the workforce is and the ongoing nature of the company.

The final matter I will comment on — and I will refer eight matters to ministers — is the issue Mrs Kronberg

raised for the Premier regarding the Ringwood transit city. I would have thought, at a time of global economic uncertainty, the fact that the government of Victoria is working in collaboration with QIC to create jobs at Ringwood and to improve the investment is something that would be applauded. If Mrs Kronberg has any issue with the government taking pride in jobs being created, I suggest she go to the *Hansard* of this Parliament and read the comments made by her colleague Mr Atkinson in this place and Mr Ryan Smith, the member for Warrandyte in the Assembly, who both said it was critical for the Victorian government to put its \$39 million in if we were to leverage the money from QIC for the full \$500-million-plus project and the jobs. I have met with QIC. I have met with the local municipality. I say to Mrs Kronberg that if she wants to come in here and score political points, perhaps before she does so she should read the *Hansard* speeches of two Liberal colleagues who do not share her view.

In concluding the adjournment, and on a far more pleasant note, I would like to, on behalf of the government and I am sure all us — and I am sure you will add your own remarks, President — sincerely thank the Shire of East Gippsland for its hospitality and support. I am absolutely confident that I speak on behalf of everybody here. I would also like to thank the staff of the Legislative Council for organising what I think, without question, has been the most successful regional sitting we have had in my time as an MP. I think it has been done with professionalism. We have enjoyed the hospitality of the Lakes Entrance community, and the staff of the Council and the people who have supported them also deserve our congratulations for what has been a very interesting engagement. It has been great to have our Parliament out here in this environment. I think it is a tribute to everybody involved in the organisation — a job well done!

**The PRESIDENT** — Order! This is a little unusual, but I will ask the Leader of the Opposition to respond.

**Mr D. DAVIS** (Southern Metropolitan) — I want to echo the comments made by the Leader of the Government and say that this has been one of the most successful regional sittings. The vista we have out the front of this building is magnificent. The weather has been fantastic. The organisation has been excellent, and I pay tribute to the staff, to the clerks, and to Andrea Agosta in particular for the work she has done. With the exception of some slight glitches with IT, I think the sitting has gone extremely smoothly. I also pay tribute to the shire for the generous welcome it extended to all of the Parliament in terms of members and staff. I am very pleased to place those points on the record and indicate our strong support for regional sittings.

**Ms HARTLAND** (Western Metropolitan) — I would like to echo the points already made. It has been a really lovely week. I do not think the shire could have organised the sunshine any better than it has done. I certainly say thanks to all of the staff who have done an amazing job just to get us set up in this place. The hotel has done a really good job to make everything run smoothly. I am looking forward to a long weekend, because I am staying down here and I am going to enjoy Lakes Entrance for the next three days.

**Mr KAVANAGH** (Western Victoria) — I would like to support the comments made by Mr Lenders and Ms Hartland. It has been a wonderful opportunity to be here in a very beautiful part of our state, and we have also enjoyed magnificent weather. I would like to thank all those who have contributed towards the sitting — the parliamentary staff and the people of East Gippsland.

**The PRESIDENT** — Order! Before I adjourn this sitting I will follow in the steps of the immortal Juan Antonio Samaranch and say that this has clearly been the biggest and best regional sitting we have had, and that is unequivocal. The bar has been set at a very high level for our next one. In particular I would like to thank the staff of this facility, the Bellevue on the Lakes, who have been outstanding. The hospitality has been absolutely first-class and as good as I have ever had in any hotel or motel anywhere.

The staff of the Parliament itself have performed in an exemplary manner, whether they be from IT, Hansard, library services, the attendants, security — everyone. But we are used to that high level of professionalism.

I would like to put on record my personal thanks to the mayor, Mendy Urie, and her councillors for the hospitality they have shown us and the assistance and encouragement they gave us to come to Lakes Entrance for this sitting. The visitors, and schoolchildren in particular, who visited the parliamentary sitting were many, and I hope they got some value out of it and learnt from it. Lastly, I thank the principal organiser, Andrea, who did a great job.

**House adjourned 4.12 p.m. until Tuesday, 28 October.**

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