

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-FOURTH PARLIAMENT**

**FIRST SESSION**

**30 October 2002**

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**Deputy Leader of the Government:**

The Hon. GAVIN JENNINGS

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The Hon. M. A. BIRRELL to 13 September 2001

**Deputy Leader of the Opposition:**

The Hon. C. A. FURLETTI from 13 September 2001

The Hon. BILL FORWOOD to 13 September 2001

**Leader of the National Party:**

The Hon. P. R. HALL from 20 March 2001

The Hon. R. M. HALLAM to 20 March 2001

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The Hon. E. J. POWELL from 20 March 2001

The Hon. P. R. HALL to 20 March 2001

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Baxter, Hon. William Robert	North Eastern	NP	Jennings, Hon. Gavin Wayne	Melbourne	ALP
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Birrell, Hon. Mark Alexander	East Yarra	LP	Lucas, Hon. Neil Bedford, PSM	Eumemmerring	LP
Bishop, Hon. Barry Wilfred	North Western	NP	Luckins, Hon. Maree Therese	Waverley	LP
Boardman, Hon. Blair Cameron	Chelsea	LP	McQuilten, Hon. John Martin	Ballarat	ALP
Bowden, Hon. Ronald Henry	South Eastern	LP	Madden, Hon. Justin Mark	Doutta Galla	ALP
Brideson, Hon. Andrew Ronald	Waverley	LP	Mikakos, Hon. Jenny	Jika Jika	ALP
Broad, Hon. Candy Celeste	Melbourne North	ALP	Nguyen, Hon. Sang Minh	Melbourne West	ALP
Carbines, Hon. Elaine Cafferty	Geelong	ALP	Olexander, Hon. Andrew Phillip	Silvan	LP
Chamberlain, Hon. Bruce Anthony	Western	LP	Powell, Hon. Elizabeth Jeanette	North Eastern	NP
Coote, Hon. Andrea	Monash	LP	Rich-Phillips, Hon. Gordon Kenneth	Eumemmerring	LP
Cover, Hon. Ian James	Geelong	LP	Romanes, Hon. Glenyys Dorothy	Melbourne	ALP
Craige, Hon. Geoffrey Ronald	Central Highlands	LP	Ross, Hon. John William Gamaliel	Higinbotham	LP
Darveniza, Hon. Kaye	Melbourne West	ALP	Smith, Hon. Kenneth Maurice	South Eastern	LP
Davis, Hon. David McLean	East Yarra	LP	Smith, Hon. Robert Frederick	Chelsea	ALP
Davis, Hon. Philip Rivers	Gippsland	LP	Smith, Hon. Wendy Irene	Silvan	LP
Forwood, Hon. Bill	Templestowe	LP	Stoney, Hon. Eadley Graeme	Central Highlands	LP
Furletti, Hon. Carlo Angelo	Templestowe	LP	Strong, Hon. Christopher Arthur	Higinbotham	LP
Gould, Hon. Monica Mary	Doutta Galla	ALP	Theophanous, Hon. Theo Charles	Jika Jika	ALP
Hadden, Hon. Dianne Gladys	Ballarat	ALP	Thomson, Hon. Marsha Rose	Melbourne North	ALP



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**BENALLA**

**Wednesday, 30 October 2002**

**The PRESIDENT (Hon. B. A. Chamberlain) took the chair at 10.03 a.m. and read the prayer.**

**PROCLAMATION**

**The PRESIDENT** — Order! The Clerk will read the proclamation of the Governor, varying and altering the place for holding the current sitting of Parliament.

**The Clerk** — The proclamation reads:

Whereas:

- A. By proclamation made on 7 October 1999 by Sir James Gobbo, AC, then the Governor of the state of Victoria, pursuant to section 8 and section 20 of the Constitution Act 1975, fixed 3 November 1999 at 11.00 am as the time for the commencement and holding of the first session of the 54th Parliament of Victoria for the dispatch of business, at the Parliament House, 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, John Michael Landy, AC, MBE, Governor of the state of Victoria, acting under section 8 and section 20 of the Constitution Act 1975 and all other powers vested in me hereby vary and alter the place for holding the first session of the Legislative Council which would have otherwise have been held in the houses of Parliament, Melbourne on Wednesday, 30 October 2002, to the Benalla Town Hall at Nunn Street in the city of Benalla and thereafter, when the Legislative Council has completed its business on that day, to the houses of Parliament, Melbourne, on the next day of sitting appointed by the Legislative Council.

John Michael Landy  
Governor

By His Excellency's command

**Hon. M. M. GOULD** (Minister for Education Services) (*By leave*) — First, I would like to pay my respects to the traditional owners of the land on which we are meeting today, the Taungurong people. I pay my respects to their elders and any elders who may be present. It is an honour to be here today. It is a historic occasion when for the second time the Legislative Council has moved out of Parliament House in Melbourne, and has come here to Benalla to give the community an opportunity to see the upper house of the Parliament operate.

The program for today will contain all aspects of parliamentary procedures, including opposition business, government business, question time, adjournment and members statements. This is an opportunity for regional and rural Victoria to see how the Parliament operates. The Parliament has come to rural and regional Victoria, which is a great opportunity for the community.

As the photographs were being taken, I noted that some of the young people here today have come from Mansfield. We are meeting today in a new shire, and I am delighted to see so many people here. I hope many more schoolchildren and members of the community come through today. The new administrator gave us a great reception last night, and I thank her for her kind hospitality.

**Hon. BILL FORWOOD** (Templestowe) (*By leave*) — I wish to say a few words on behalf of the Liberal Party on this auspicious occasion. It really is a historic occasion that we are now meeting here in Benalla. I place on the record my party's thanks for the terrific work done by Robert Dobrzynski and his terrific team in getting Benalla ready for us in the days of the Shire of Delatite. It is, of course, only two days since the Rural City of Benalla came into existence, along with the Shire of Mansfield.

As Mr President said last night, this is a good opportunity for the new city to show itself off and for us as your members of Parliament from across the state to be here to show you how Parliament actually does work. As the Leader of the Government said, this is a full day's work for us here today and considerable effort has gone into making it a normal day's work, and I look forward to the active involvement of the community throughout the day.

**Hon. P. R. HALL** (Gippsland) (*By leave*) — On behalf of my colleagues in the National Party I express our pleasure at being here for a special sitting in Benalla today. I thank the people of Benalla for the most hospitable welcome that they extended to us during the course of yesterday's civic reception and also throughout the afternoon. I know many of us took the opportunity to visit service providers and community groups within the Benalla area yesterday afternoon, and I certainly welcomed that opportunity and took advantage of it.

Coming to Benalla has a special significance for members of the National Party. I do not think there has ever been an occasion on a Tuesday night of a parliamentary sitting week that any of our members have ever been able to go home to sleep. We all come

from the country and have to sleep in Melbourne. But last night my colleagues the Honourable Jeanette Powell and the Honourable Bill Baxter had a unique opportunity to go home and spend some time with their families. So coming to a regional centre like Benalla is of special significance, and we in the National Party certainly welcome it.

We look forward to meeting the rest of the community during the luncheon today and to contributing to a full day's work in the Parliament here. We trust that the people of Benalla will take the opportunity to visit us and enjoy the work that we do.

## ROYAL ASSENT

Message read advising royal assent to:

22 October

**Agriculture Legislation (Amendments and Repeals) Act**  
**Residential Tenancies (Amendment) Act**  
**Road Safety (Responsible Driving) Act**  
**Sports Event Ticketing (Fair Access) Act**  
**Utility Meters (Metrological Controls) Act**  
**Wrongs and Other Acts (Public Liability Insurance Reform) Act**

29 October

**National Parks (Box-Ironbark and Other Parks) Act**

## GAS INDUSTRY (RESIDUAL PROVISIONS) (AMENDMENT) BILL

*Introduction and first reading*

Received from Assembly.

Read first time on motion of Hon. C. C. BROAD (Minister for Energy and Resources).

## LIMITATION OF ACTIONS (AMENDMENT) BILL

*Introduction and first reading*

Received from Assembly.

Read first time on motion of Hon. M. R. THOMSON (Minister for Small Business).

## TRANSPORT (HIGHWAY RULE) BILL

*Introduction and first reading*

Received from Assembly.

Read first time on motion of Hon. C. C. BROAD (Minister for Energy and Resources).

## BUSINESS OF THE HOUSE

### Sessional orders

Hon. M. M. GOULD (Minister for Education Services) — By leave, I move:

That the Council meet at 12.00 noon on Thursday, 31 October 2002, and that so much of the sessional orders be suspended as necessary to enable business to be taken in the following order that day:

- (a) messages;
- (b) questions without notice, motions to take note of answers to questions without notice and answers to questions on notice;
- (c) formal business;
- (d) members statements to be made for a period not exceeding 15 minutes at 2.00 p.m.;
- (e) business to take precedence;
- (f) government business; and
- (g) adjournment.

Motion agreed to.

## ECONOMIC DEVELOPMENT COMMITTEE

### Youth: unemployment

Hon. N. B. LUCAS (Eumemmerring) presented report, together with appendices and minutes of evidence.

Laid on table.

Ordered that report and appendices be printed.

Hon. N. B. LUCAS (Eumemmerring) — I move:

That the Council take note of the report.

Briefly I put on record the fact that this first report on the incidence of youth unemployment in Victoria is before the house and before the community. I want to place on record my appreciation to the members of the committee who have worked together as well as I have

seen in my time on committees to get this report out on time. I will mention their names: the Honourable Geoff Craige and the Honourable Andrea Coote from the Liberal Party; the Honourable Ron Best from the National Party; and the Honourables Theo Theophanous, Kaye Darveniza and John McQuilten from the Labor Party.

This is an example of members working together to get out a report in which each of them has an interest, because youth unemployment is an issue in which each of us should have an interest. I believe all parties should take note of this report.

The facts are that the latest census shows that unemployment amongst young people in Victoria is at an average of 12.8 per cent — in country Victoria, 14.7 per cent, and in the metropolitan area, 12.2 per cent.

This report covers a range of issues, and committee members believe we should present this report to the Parliament at this time. It is our intention to continue our work and present a further report to the Parliament in relation to a number of issues. At this time we thought we would report in relation to the issues in this report. One of the areas about which we have a particular concern is unemployment levels amongst indigenous and migrant young people and those who are socially and economically disadvantaged. There are young people in our community who need support and who need the benefit of what governments can do.

There are many issues confronting our society and the governments of this and other states in relation to young people who do not have jobs. I hope that as a result of this report the government will take up the findings and recommendations that the committee has made to make a difference, because that is the opportunity that parliamentary committees have — to make a difference. I hope the broad-ranging reference the committee had and the issues it has dealt with in this first report will, in effect, result in young people deriving benefits they need.

This is the first report, and I hope there will be a second report. I believe the issues that need to be addressed in that second report will be just as important as those the committee has addressed in its first report. I will leave it at that, and I recommend the report to all members.

**Hon. T. C. THEOPHANOUS** (Jika Jika) — I, too, wish to thank all members of the committee who were responsible for producing this report. There was a determination among all the members on this committee in this particular instance to try to produce a

report for the Parliament on this very important issue which faces many Victorians.

I want to mention that the report was a result of extensive consultation, particularly in rural Victoria, with the committee having travelled to a number of locations and having taken evidence from employers, young people, the community, local councils and local businesses.

Youth unemployment has declined in Victoria with the overall decline in unemployment levels. Victoria now has the lowest unemployment rate of all states, at 5.9 per cent. However, as the committee's chairman, Mr Lucas, mentioned, in some cases youth unemployment is double or up to triple the level of overall unemployment. So it is an issue — a serious issue — to be tackled, and this report attempts to do so.

Youth unemployment is higher in regional Victoria than in metropolitan Melbourne. It is also significantly higher in some parts of Melbourne, in the west of Melbourne compared with the east of Melbourne, and it is higher in some parts of regional Victoria, particularly in the Gippsland region. A number of programs have been put in place to try and address this. They are based on the idea of the partnership that is needed in order to address youth unemployment.

The partnership involves educational institutions, it involves the government, it involves local councils, it involves the community and it involves employers. Some of the programs that have been put in place are discussed in the report and include the local learning and employment networks, the managing individual pathways program, the new Victorian certificate of advanced learning, which is an alternative to the Victorian certificate of education, and the VET in Schools program to provide vocational training in the school system — all of these are discussed within the context of the report.

These programs are in themselves not enough without community support for our young people. Our young people need to feel valued and to feel as though there are opportunities within the community for them. We must take the view that it is our responsibility to help create those opportunities. The report makes a number of important findings and recommendations to try to promote that idea. It recommends further research be undertaken in a second report. There is no better investment than investing in our children's future. That future has to include educational opportunities, training opportunities, employment opportunities and assistance with the transition between those various levels.

It has to include such things as mentoring our young people to ensure that none falls through the web. We need to be able to support special groups. Mr Lucas has mentioned indigenous Victorians. There are also high levels of unemployment among new arrivals, who also require that kind of government assistance and support.

I have been involved in a number of parliamentary committees which have produced many reports, and this is one of the reports which I am especially proud to be a part of, because it is capable of making a difference to a large number of young people in our community if it is taken seriously not just by the government but by the broader community and employers and that partnership to help our young people is actually put in place.

**Hon. R. A. BEST** (North Western) — I thank the house for the opportunity to contribute and associate myself with this report.

Youth unemployment can be a contentious issue, and I think the very sensitive way in which this issue has been handled across party lines is a tribute to the committee system. What we have seen with the tabling of this report — the recommendations within it and the hard work that has been done by the committee — is a reflection on the attitude that was brought to the committee table by the members. I congratulate all of my colleagues for the way in which this report has identified a number of key recommendations for the government's consideration.

I particularly thank the chairman and the deputy chairman for their work in meeting in the middle ground on so many occasions. I put on the record my acknowledgment of the assistance of the staff of the committee: Richard Willis, executive officer; Karen Ellingford, research officer; Tania Esposito, office manager; and Colleen Pardy, research assistant.

This report took us right throughout country Victoria, but more importantly it gave us the opportunity to travel overseas. Whilst there is a lot of media comment on parliamentary trips, one of the interesting things for this committee was meeting with key organisations overseas and discussing issues relative to this terms of reference.

We met organisations such as the International Labour Organisation in Geneva, the Organisation for Economic Cooperation and Development in Paris, and the European Union in Brussels as well as a number of key education people. Our discussions with the OECD in Paris were particularly interesting and rewarding. We spoke to OECD members about the correlation between

education and entry to the work force. The OECD conducted a study called the Program for International Student Assessment or PISA throughout 16 countries. It was gratifying and rewarding for Victoria that two schools that were at the absolute top of that study were Glen Waverley Secondary College and a secondary school in my home town, the Bendigo Senior Secondary College. The principal of that secondary college, Ron Lake, had been flown to Paris to brief the OECD on how the college delivered education outcomes and would assist the OECD in looking at the European experience.

It is a very good report. I recommend that all honourable members look at its key recommendations. As Mr Theophanous said, the report needs to be taken seriously. We need to look at the ways in which we can assist our youth to make the translation from education to the work force. It gives me pleasure to be part of the committee. As has been said before, this was very rewarding work and demonstrates how the committee system can be really beneficial to the parliamentary system.

**Debate adjourned on motion of Hon. BILL FORWOOD (Templestowe).**

**Debate adjourned until next day.**

## DISTINGUISHED VISITORS

**The PRESIDENT** — Order! I acknowledge visitors in the gallery: Ms Sophie Panopoulos, the federal member for Indi; Mr David Evans, a former Deputy President of the Legislative Council; and the administrator, Joanne Anderson, and chief executive officer, Mr Robert Dobrzynski, of the Rural City of Benalla. On behalf of all honourable members of the Legislative Council, I welcome them to today's sitting.

## PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

### Cultural, heritage and infrastructure assets

**Hon. R. M. HALLAM** (Western) presented report, together with appendices and minutes of evidence.

**Laid on table.**

**Ordered that report and appendices be printed.**

**Hon. R. M. HALLAM** (Western) — I move:

That the Council take note of the report.

Over recent years successive governments in Victoria have implemented a wide range of financial management and accountability reforms. The centrepiece of that reform program was the change from cash to accrual accounting. The most challenging part of that change was the massive undertaking to value all public assets for inclusion on the state's balance sheet. The committee's inquiry was initiated because of the concerns of some government agencies about the appropriateness of applying the new standards to infrastructure, culture and heritage assets. A number of cultural institutions held the view that the special features of their cultural and heritage assets rendered it not only difficult but indeed pointless and inappropriate to ascribe a dollar value to them.

The inquiry found that the existing accounting standards that are applicable to public sector assets are generally capable of meeting the financial, reporting and operational requirements of agencies. The committee noted, however, that there is room for further improvement in the whole area of asset management across the public sector.

The most important feature of the report is the recommendation to introduce a supplementary stewardship reporting regime requiring government agencies to better explain and account for their performance in managing the assets under their control, many of which are quite literally priceless. As the stewardship information is of critical importance to the stakeholders of the government agencies, the report has also recommended that the additional stewardship information be subject to audit by the Auditor-General. To the committee's knowledge the proposed reporting regime is a first in Australia, and it is intended to complement the financial asset information that is already provided in the annual financial statements of government agencies.

During the inquiry the committee noted that the approach of Victoria, and indeed other Australian jurisdictions, to the valuation of cultural and heritage collections is out of step with the rest of the world. Other major countries, for example the United Kingdom, do not have a mandatory requirement for these assets to be valued. Those countries have all adopted the view that the benefits of valuation are outweighed by the substantial costs involved. The report therefore urges the accounting standard setters to exhibit leadership in aligning the Australian approach with the other major countries as part of the commonwealth government's current initiative to have Australian standards converge with international standards.

The report puts forward a comprehensive action plan to take the asset valuation process forward and provide a signpost for the future direction of accounting for asset management. The strategy embodied in the plan is aimed at resolving existing accounting issues, streamlining the valuation processes of agencies and further improving asset management right across the Victorian public sector.

The committee believes the adoption of the new strategy will lay the foundation for a more consistent, reliable and cost-effective asset valuation and management approach in the future.

This is a very timely report on a major issue in public sector accounting and reporting. I particularly thank the members of my subcommittee — Mr Holding, Mr Loney and Mrs Maddigan of the Legislative Assembly, and my colleague the Honourable Gordon Rich-Phillips of this chamber — for their energy and determination to grapple with the issue. I commend the report and its findings to the chamber.

**Hon. T. C. THEOPHANOUS** (Jika Jika) — I want to make a few brief comments in relation to this report. I was not on the subcommittee that did the substantial work in relation to this report, although I am a member of the Public Accounts and Estimates Committee. I want to support the comments that have been made by the Honourable Roger Hallam and also to congratulate him for the work that he did in relation to this report.

This is Roger's last term, and I can say from the point of view of the people on the Public Accounts and Estimates Committee that he will be very sorely missed. He has brought an enormous amount of knowledge to that committee.

**An honourable member** interjected.

**Hon. T. C. THEOPHANOUS** — No, it is important for me to say this. He has brought to the committee an enormous amount of knowledge, and this is reflected in the way in which he and his team on the subcommittee have produced this report.

This report is a very important one because it goes to the question of how, within the context of a move from cash accounting to accrual accounting, we are to value these cultural assets. If we are to produce a balance sheet which is a comprehensive balance sheet for the entire assets of the state, then this becomes a very serious and complex problem. This report attempts to address that very difficult and complex problem.

The move from cash accounting to accrual accounting, and indeed the introduction of program budgeting and a

whole range of reforms which improve the accountability and, more importantly, the capacity for decision making, has been something which has been pursued by both sides of Parliament. It certainly was pursued by the previous Labor government, it was pursued during the course of the last government, and it continues to be pursued by the present government as a way of ensuring that the Parliament is made aware of the finances of the state and how they are operating.

I want to add my contribution by saying that this is an important report which will help to provide that full set of audited accounts for the state. It addresses the concerns which some agencies had about the appropriateness of applying aspects of accounting standards to cultural heritage and other infrastructure assets. It is a very difficult thing to consider how one values such things, for example, as Parliament House, which are difficult to value in any circumstances.

**An honourable member** interjected.

**Hon. T. C. THEOPHANOUS** — Particularly the upper house — very important! I am not sure how you would put a dollar figure on the upper house. I think it would be very difficult to do this.

There was a view held by a number of cultural institutions that special features of cultural and heritage assets render it not only difficult but pointless to make those asset valuations. This report attempts to address that in a comprehensive way, and I congratulate all the members of the subcommittee that produced this report, and of course the Chairman, Roger Hallam.

**Hon. D. McL. DAVIS** (East Yarra) — I, too, as a member of the Public Accounts and Estimates Committee want to place on record a number of comments about this important report on valuation and reporting of cultural heritage and infrastructure assets. I was not a member of the subcommittee that did much of the work on this report, but I want to pay tribute, as the Honourable Theo Theophanous has done, to the work both on that subcommittee and on a number of other committees of the Public Accounts and Estimates Committee over many years by the Honourable Roger Hallam.

This report is very much the work of Roger Hallam, not only in the drafting but in the conceptual work as well. As the Honourable Theo Theophanous has pointed out, there are peculiar and unique difficulties involved in valuing cultural assets, and this report attempts, as has been pointed out, to come to grips with some of those difficulties and to put this on a firmer and more sensible

footing within the framework of accrual accounting that we now have.

I commend the report to honourable members and suggest that all members read it and understand the unique difficulties it attempts to grapple with. In doing so I again place on record for the people of Victoria the work undertaken by the Honourable Roger Hallam on this report and on others.

**Motion agreed to.**

## PAPERS

### Laid on table by Clerk:

Ambulance Service Victoria-Metropolitan Region — Report, 2001-2002.

City West Water Limited — Report, 2001-2002.

Emergency Communications Victoria — Minister's report of failure to submit 2001-2002 report to him within the prescribed period and the reasons therefor.

Interpretation of Legislation Act 1984 — Notice pursuant to section 32(4)(a)(iii) in relation to the Electricity Safety (Installations) Regulations 1999 and the Electricity Safety (Equipment) Regulations 1999.

Legal Practice Board — Report, 2001-2002.

Melbourne Parks and Waterways — Report, 1 July 2001 to 1 December 2001.

Mental Health Review Board of Victoria — Report, 2001-2002.

Parks Victoria — Report, 2001-2002.

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

Casey Planning Scheme — Amendment C44.

Dandenong — Greater Dandenong Planning Scheme — Amendment C25.

Geelong — Greater Geelong Planning Scheme — Amendments C1 and C50.

Glen Eira Planning Scheme — Amendment C16.

Horsham Planning Scheme — Amendment C14.

Knox Planning Scheme — Amendment C25.

Melton Planning Scheme — Amendments C21 and C31.

Monash Planning Scheme — Amendments C9, C15 and C26.

Swan Hill Planning Scheme — Amendment C10.

Victoria Planning Provisions — Amendment VC16.

Wangaratta Planning Scheme — Amendment C7.  
 Yarra Ranges Planning Scheme — Amendment C21.  
 Police Appeals Board — Report, 2001-2002.  
 Psychosurgery Review Board — Report, 2001-2002.  
 Public Advocate's Office — Report, 2001-2002.  
 Public Record Office Victoria — Report, 2001-2002.  
 Queen Victoria Women's Centre Trust — Report, 2001-2002.  
 Rural Ambulance Victoria — Report, 2001-2002.  
 Rural Finance Act 1988 — Treasurer's directive of 17 October 2002 to Rural Finance Corporation.  
 Rural Finance Corporation of Victoria — Report, 2001-2002.  
 South Eastern Medical Complex Limited — Report, 2001-2002.  
 Treasury Corporation of Victoria — Report, 2001-2002.  
 Trust for Nature — Minister for Environment and Conservation's report of 25 October 2002 of receipt of the 2001-2002 report.  
 Victorian Casino and Gaming Authority — Report, 2001-2002.  
 Victorian Catchment Management Council — Report, 2001-2002.  
 Victorian Coastal Council — Report, 2001-2002.  
 Yarra Valley Water — Report, 2001-2002.  
 Young Farmers' Finance Council — Report, 2001-2002.  
 Zoological Parks and Gardens Board — Report, 2001-2002.

The following proclamations were laid upon the table by the Clerk:

Accident Compensation (Amendment) Act 2001 — Section 34 — 28 October 2002 (Gazette No. G43, 24 October 2002).  
 Gaming Legislation (Amendment) Act 2002 — Section 54 — 24 October 2002 (Gazette No. G43, 24 October 2002).

## QUESTIONS WITHOUT NOTICE

### Lake Mokoan: decommissioning

**Hon. PHILIP DAVIS** (Gippsland) — I ask the Minister for Energy and Resources to confirm what everyone in the Benalla community knows — that the government intends closing Lake Mokoan to obtain water for the Snowy River.

**Hon. C. C. BROAD** (Minister for Energy and Resources) — I welcome the opportunity to respond to this calculated campaign by the honourable member to mislead the Victorian public on this issue as the honourable member has quite openly declared his intention to continue doing for as long as possible.

When these matters were first raised some two years ago and I was the responsible minister in the Bracks government for negotiating agreements about restoring environmental flows to the Snowy River — an achievement of which the Bracks government is very proud — the government gave very clear undertakings about how it would proceed to replace those environmental flows through water savings projects.

**Hon. I. J. Cover** interjected.

**Hon. C. C. BROAD** — It is interesting that honourable members ask questions and do not want to hear the answers.

*Honourable members interjecting.*

**Hon. C. C. BROAD** — If I may continue, Mr President, what I was indicating was that the agreements entered into by the Bracks government with the commonwealth Howard government and the New South Wales Carr government clearly outlined the processes that will be followed through a joint enterprise to be established by the three governments to ensure that water savings are produced through projects.

In Victoria the government, in advance of that enterprise being put in place, has been very deliberate in pursuing the task, and a number of studies are under way as well as a number of projects already under construction that will deliver water savings to replace the flows down the Snowy River.

One of the investigations which is under way concerns the future of Lake Mokoan and the many problems associated with evaporation from the lake, the blue-green algal outbreaks which occur on a regular basis and how Lake Mokoan might be better managed into the future. Those investigations are the responsibility of my colleague the Minister for Environment and Conservation, who is responsible for water resources. I have every confidence that the minister and the Department of Natural Resources and Environment will ensure, through a proper process of community consultation that all of the options for Lake Mokoan are properly investigated and reported on.

Of course these matters will be debated this morning for some hours — I am confident that the Honourable

Bill Baxter will ensure that that happens. But I reiterate to the house the assurances that I have given, the Premier has given and the minister has given in relation to these matters.

*Supplementary question*

**Hon. PHILIP DAVIS** (Gippsland) — It will come as no surprise to the minister that I am not satisfied with the response to my question, so I will give the minister an additional opportunity to clarify this matter for the Benalla community: will the minister rule out closing Lake Mokoan?

**Hon. C. C. BROAD** (Minister for Energy and Resources) — I believe I have answered the honourable member's question fully and comprehensively. It is, of course, the opposition's style to pre-empt the studies and consultations which are under way. It does not wish to consider the real issue here and what might be the responsible actions in addressing them. It simply wants to play short-term politics. It is desperate to do anything to win votes in the lead-up to an election some time in the next 12 months. Therefore it will play on the concerns of this local community which has to face up to the problems with the lake every summer and which this government is endeavouring to deal with in a responsible way. This government is not playing short-term politics, as the opposition parties are doing. It will continue to seek proper answers.

**Small business: government initiatives**

**Hon. R. F. SMITH** (Chelsea) — I refer my question to the Minister for Small Business. The Bracks government has delivered a host of initiatives that have benefited small businesses across the whole of Victoria. Can the minister provide the house with examples of some of these initiatives? As we are fortunate enough to be in Benalla today, could the minister also inform the house of the benefits of these initiatives to small businesses in this region?

**Hon. M. R. THOMSON** (Minister for Small Business) — I thank the honourable member for his question. In the last three years as the Minister for Small Business I have conducted 80 Listening to Small Business programs across the state and have met with over 400 businesses at these sessions. One of those sessions was conducted here in Benalla. Because this government has listened to small business — —

*Honourable members interjecting.*

**The PRESIDENT** — Order! It is incumbent on members of the house to allow the minister's answer to be heard. I ask honourable members to show respect to

the minister while she is speaking and allow her to complete her answer.

**Hon. M. R. THOMSON** — It is because this government has listened to small businesses throughout Victoria that it has been able to deliver new, innovative and targeted small business programs and initiatives to assist small business. One of these programs is entitled Showcasing Women in Small Business. Here in Benalla on 15 October, 20 women who are involved in small businesses attended one of these programs to learn more about finance and business and to receive advice about challenges they will face in running their businesses. These seminars are highly successful and the feedback from women who attend them is that they find them very worthwhile.

Last week I launched Easy Government at the Victorian Business Centre in Shepparton. Under this initiative businesses will no longer have to go from agency to agency to lodge licences, applications or registrations — they will be able to do it at one location at a Victorian business centre and they will receive the expert advice of the people working in those centres. This is an initiative that will make it much easier for people who are setting up and starting businesses.

Last Sunday at the Franchising Expo I launched Under New Management, a new initiative to assist people considering buying a business.

*Honourable members interjecting.*

**Hon. M. R. THOMSON** — They don't want you managing this state; you never looked after small business!

As I said, Under New Management was launched last Sunday. This initiative is designed for people who are considering buying a business or a franchise or taking a retail lease. We all know that the more ready people are to start a business in terms of having adequate plans and financial information, the more chance they have of succeeding. This program will go a long way to ensuring that people are ready to start a business and are doing it on the right basis. Under this program 100 seminars are planned across Victoria over the 12 months, and one of those seminars will be held early next year right here in Benalla.

The Bracks government also made a commitment to ensuring that at least 50 per cent of business development expenditure by the Department of Innovation, Industry and Regional Development went to small business. I am pleased to say that 58 per cent of such funding has gone to small business, and when the Liberal Party was in office it was a meagre 39 per

cent. Labor is spending nearly 20 per cent more than the previous government.

I am also pleased that as part of our commitment to regional businesses, on behalf of the Treasurer I will today be announcing a grant of \$137 000 for the second stage of Benalla's enterprise park. The enterprise park provides an opportunity for smaller scale industries and businesses to locate in this expanding industrial estate. This is a great initiative in Benalla and a seed for the injection of growth into the city.

### **Snowy River: environmental flows**

**Hon. E. G. STONEY** (Central Highlands) — My question is to the Minister for Energy and Resources as the minister responsible for the restoration of environmental flows to the Snowy River. The government has ruled out purchasing water for environmental flows for the Snowy River. In fact, the minister said here today in question time that she will do it through projects. Given that the Victorian Farmers Federation is absolutely adamant that it is impossible to find savings equivalent to 28 per cent of environmental flows without purchasing water, could the minister please explain to the house, and indeed to the VFF, how the government can find 28 per cent of environmental flows for the Snowy River without purchasing water?

**Hon. C. C. BROAD** (Minister for Energy and Resources) — I am very pleased to have the opportunity of addressing this question yet again. The answer is quite simple really: the Victorian government has committed \$150 million which it will be spending on water savings projects in regional Victoria to deliver water savings to replace environmental flows to the Snowy River. The New South Wales government will also be spending \$150 million on water savings projects in regional New South Wales. The commonwealth government is spending some \$75 million on water savings projects to secure the return of environmental flows to the Murray River.

These water savings projects will not only deliver water savings to those rivers, they will also deliver employment opportunities and economic benefits to regional and rural Victoria. This is a great deal more than the previous Liberal-National party —

**Hon. Bill Forwood** — In stark contrast!

**Hon. C. C. BROAD** — Indeed, in stark contrast; thank you for the prompt from the Leader of the Opposition. This is in stark contrast to the failure of the previous Kennett Liberal-National party government to pay attention to the needs of country and regional Victoria.

This government is proud of its record in what it has delivered. Over the next 10 years the Bracks government has committed over \$150 million for water savings projects to returning these environmental flows which will deliver enormous benefits to regional and rural Victoria in line with the government's commitment.

### *Supplementary question*

**Hon. E. G. STONEY** (Central Highlands) — I am far from satisfied. The minister's answer is in direct conflict with statements made by the Victorian Farmers Federation general manager for policy, who this week said:

It is impossible to get the volumes of water being talked about for increased environmental flows for the Snowy and Murray from water savings. Therefore, the only option for the government, if they want to meet their targets, is for it to go into the water market and acquire water rights.

We have not heard one project named that adds up to the water that is needed. Is the government treading water until the election, then does it intend closing Lake Mokoan, purchasing water and sending it down the Snowy River in a drought year?

**The PRESIDENT** — Order! The question in relation to Lake Mokoan has already been asked, so the rest of it the minister may answer.

**Hon. C. C. BROAD** (Minister for Energy and Resources) — I understand the honourable member has a job to do, and in doing that I offer my sympathies for the job he has to do today. To add to my previous answer, again, it is quite simple: projects which are already in construction, which I referred to in an earlier answer, include the Woorinen pipeline and the Normanville pipeline, and projects which are already at the design stage include the Tungamah pipeline. Of course, the domestic and stock metering projects are in their design phases. Rest assured, this government will deliver on its commitments through the \$150 million in promised savings that it will deliver to rural and regional Victoria through these projects.

### **Drought: recreational fishing**

**Hon. T. C. THEOPHANOUS** (Jika Jika) — May I congratulate the Minister for Energy and Resources on the way she is handling the water issue, because my question —

**Hon. M. A. Birrell** interjected.

**Hon. T. C. THEOPHANOUS** — You might not like it!

I have a big interest, as the minister knows, in fishing, thus my question. Can the minister inform the house what plans the Bracks government has to manage the impact of drought conditions on recreational fisheries in northern Victoria?

**Hon. C. C. BROAD** (Minister for Energy and Resources) — I thank the honourable member for the question and his interest in recreational fishing. Because of my responsibilities as resources minister I have very important responsibilities in relation to fishing and therefore to water, although, of course, I am not the minister responsible for water resources.

As a result of drought conditions in northern Victoria, of which we are all too well aware, very low water levels are expected in a number of reservoirs and lakes this coming summer, including Lake Eildon, Lake Eppalock, Cairn Curran Reservoir, Lake Boga and locally Lake Mokoan.

Many of these waters are significant recreational fisheries and provide year-round fishing opportunities for both trout and native fish. In the case of Lake Mokoan, the lake arguably supports the best golden perch fishery in Victoria as well as smaller fisheries for Murray cod and redfin. Very low water levels caused by drought conditions combined with blue-green algae outbreaks, increased water temperatures and turbidity in these lakes and reservoirs increases the probability of major fish kills occurring in the new year.

I am pleased to inform the house that the Bracks government is taking action now to deal with this looming problem. In an effort to maximise the returns to anglers before any possible fish kills commence, the Department of Natural Resources and Environment has already convened meetings with stakeholders to consider a range of plans for impacts of drought conditions on our recreational fisheries, plans the government is considering in consultation with stakeholders — something the opposition does not like to see.

The plans the government is considering to deal with this problem include relaxing the current size limit and bag limit fishing regulations to maximise the return to recreational anglers. In addition, the government is also considering a plan to put the takings of native fish and redfin out to tender with the proceeds held in trust to be used for restocking purposes when conditions allow. Meetings with the Victorian recreational peak body VRFish and local anglers have already been convened in Bendigo and in Alexandra. Further meetings will be organised in affected areas if the current situation

continues to deteriorate. Arising from those meetings, plans will be implemented as soon as practicable.

The Bracks government understands the importance of recreational angling to many Victorians, including those in rural and regional Victoria. It has listened to what they have said and is taking action to ensure that the impact of the drought conditions on our fisheries is managed responsibly.

### **Electricity: special payment**

**Hon. P. R. HALL** (Gippsland) — It seems the Minister for Energy and Resources has been very popular during questions without notice today, and I call upon her to answer my question. I change the subject from water to the government's \$118 million special power payment that was introduced in April to offset electricity price rises in rural and regional areas. The special power payment was for 12 months only and my question to the minister is: what does the Bracks government propose to do beyond April of next year when the current scheme concludes?

**Hon. C. C. BROAD** (Minister for Energy and Resources) — The Bracks government is committed to ensuring a secure and reliable supply of electricity at affordable prices to all Victorians. It will continue to exercise its legislated pricing powers to protect consumers from unjustified price increases. The \$118 million special power payment which the Bracks government brought in continues through to the end of March 2003.

The special power payment was brought in by the government to address the price gap between metropolitan and rural networks. This gap was caused when the former Kennett Liberal–National party government divided up the former State Electricity Commission and sold it in a way which clearly disadvantaged country and regional Victorians; it left them with much higher network costs as a result of the way the boundaries were drawn. As I have indicated many times, the Bracks government is committed to fixing this problem once and for all. There will be no price rises between now and the end of this year.

*Honourable members interjecting.*

**Hon. C. C. BROAD** — For the benefit of opposition members in particular, any decision about prices and rebates in 2003 can only be made after retailers submit their pricing proposals, because under legislation brought in by the Bracks government to protect consumers they are required to give two months notice of any changes to prices. None has been submitted to date, and the government has already

indicated that any proposals to increase prices by more than the consumer price index increase will automatically be referred to the independent Essential Services Commission — another initiative by the Bracks government to protect Victorians.

On the evidence available to date, from what we have seen in movements in wholesale electricity prices and the fact that distribution prices have fallen on average, we would expect retailers to be passing on these reductions in costs to consumers.

The government will ensure that it will put in place before the current special power payment concludes at the end of March 2003 solutions to deal with both electricity prices for 2003 and the gap between metropolitan prices and country and regional prices. It will act to ensure that Victorians are protected from unjustified price rises into the future.

*Supplementary question*

**Hon. P. R. HALL** (Gippsland) — My question has not been specifically answered, so I rephrase it in this manner. Given the fact that the minister has admitted that she has the legislative power to ensure that there are no price rises for electricity consumers in Victoria, and given that she has also said that her government will put in place solutions to ensure that that happens, I ask specifically: what are those solutions? Can the minister give a guarantee, particularly to dairy farmers and the users of high levels of off-peak electricity tariffs, that they will not incur price rises beyond April of next year, and when can we expect the final decision upon this matter — or is this purely another example of this government delaying an unpopular decision before the election?

**Hon. C. C. BROAD** (Minister for Energy and Resources) — The guarantee I give to country and regional Victorians on behalf of the Bracks government is that we will not inflict open-slaughter pricing, which was the framework we inherited from the former Kennett Liberal–National party government. We will act to protect Victorians from unjustified price increases, and we will act to address the gap created by the former government which disadvantages country and regional Victorians.

It is quite extraordinary that a member of the former Liberal–National party government, which inflicted those arrangements on Victorians, would get up and ask for guarantees, given the situation we inherited. The guarantee we give is that we will continue to act — unlike the failure to act over seven years under the former government.

**Sport and recreation: north-eastern Victoria**

**Hon. JENNY MIKAKOS** (Jika Jika) — Will the Minister for Sport and Recreation advise the house as to what steps he has taken to ensure that the residents of Benalla are able to access quality sporting facilities?

**Hon. J. M. MADDEN** (Minister for Sport and Recreation) — I say first and foremost what a privilege it is to be here in Benalla with so many local community representatives in attendance and so many young people able to learn first-hand of the effectiveness of the upper house.

I had the great pleasure last week to make a major announcement. I suggest honourable members may also be interested in reading a copy of today's *Benalla Ensign* to find out the details of that announcement. I am pleased to give some details to opposition members. That announcement was to give \$205 000 — —

**Hon. K. M. Smith** interjected.

**Hon. J. M. MADDEN** — You are scaring the children, Mr Smith!

That \$205 000 grant will complete the second stage of the Benalla community sports centre. What is so significant about this announcement is that for far too long this partly built structure has been a symbol of frustration for the sports and community groups in Benalla, a symbol of frustration because it stood as a symbol of the Kennett government's legacy of cronyism, its nudge-and-wink initiatives and of the commissioners that it established. But at the end of the day, while focusing on major projects in Melbourne, it was unable to deliver those community-based projects to rural and regional Victoria.

This project was reactivated after the shire council agreed to commission an independent planning study of local major recreation reserves earlier this year. That independent study was done with funding assistance from Sport and Recreation Victoria, and it recommended the development of the centre here at the showgrounds reserve.

I also congratulate the local member, the honourable member for Benalla in the other place, Denise Allen, for her instrumental part in advocating support for this project. The shire gained support for this project having undertaken an independent study and survey to ensure that the locals responded well to support such a project. Community representatives and local groups also met with the Premier during the community cabinet held here in July.

The government appreciates the needs of rural and regional Victoria. We also appreciate the significance of sporting facilities in rural and regional Victoria, and that is why we have assisted rural and regional Victoria at every opportunity. This development will include male, female and disabled toilets; washrooms and change rooms for local and visiting teams; separate change room and facilities for umpires and officials; storage facilities for user groups and a meeting area for users of the reserve, as well as community groups and the public. Of course the Benalla Saints Sports Club, comprising football, netball and cricket teams, has been desperate for this facility and will appreciate its completion in the future.

I reinforce that the government is proud and privileged to deliver in this manner. It continues to fix the problems left by the Kennett government legacy. The Bracks Labor government is proud to support well-planned sport and recreational facilities across this state. We care, but we know the opposition does not care.

### **Small business: government assistance**

**Hon. W. I. SMITH** (Silvan) — My question is for the Minister for Small Business who believes throwing money at web sites and seminars assists growing regional small businesses. I ask the minister: why is it that small businesses, like the Stakeman at Mansfield which employs 15 people by value adding to timber, has no idea how to access government assistance and advice despite her web site, despite her hotline, and despite her business centres?

**Hon. M. R. THOMSON** (Minister for Small Business) — This is an intriguing question given that the opposition, when in government, provided no support to small business. In contrast, the Bracks government has put its programs into regional and country Victoria, giving small businesses access to those programs to which they have never had access before, whether it is in enabling them to be better business managers, whether it is in relation to starting up a business or whether it is in relation to information services; we are in fact doing that. We are concerned that not all businesses in Victoria know about the programs that the state government runs to support small businesses.

We are also concerned that they do not all make use of the web sites that provide very useful information, whether it be the basics of starting a business through to the exporting potential. However, we are spreading the word throughout Victoria about the programs we offer. We are reaching out to Victorian small businesses

about the programs that may assist them to be better businesses. At least we have the programs and support for small businesses and are creating an environment where they can grow.

### *Supplementary question*

**Hon. W. I. SMITH** (Silvan) — The minister is obviously not listening to small businesses in Mansfield. Tony Carroll, who runs the Stakeman, which employs 15 people, is running a unique business and is value adding to products. He uses downgraded logs which would normally go for chipping. He wants to know how the government can assist him in exporting and growing his business and other ways of value adding. He asked around Mansfield and no-one had any idea how to access any business advice on the issue. As I had visited his business four weeks ago, he rang and asked me how to find out. I said, 'Aren't you aware there is a web site? Aren't you aware there is a hotline?' He said that he had never heard of them.

Will the minister admit that the government web site, the telephone hotline and the business services the government offers are just a public relations exercise? They completely fail to assist small businesses like the Stakeman in Mansfield and other remote small businesses.

**Hon. M. R. THOMSON** (Minister for Small Business) — The web site hits are increasing, which indicates that small businesses are finding out about the programs we have. The Honourable Jeanette Powell has made certain that people in her electorate know about the web sites and what is on offer from the Victorian government because she thinks they are good and that they would benefit personal businesses in her electorate.

The government is proud of the services it delivers and it will do even more to ensure the message gets out to small business that it has programs, services and advice that will benefit small business. We are increasing the hours of access to the business line. We will provide more and better access to Victorian small businesses and even more of them will know how to get assistance from the Victorian government.

### **Schools: Benalla**

**Hon. E. C. CARBINES** (Geelong) — Given that education is the no. 1 priority of the Bracks government, will the Minister for Education Services advise the house of the investment that has been made in school facilities, and specifically the investment made in the Benalla area?

**Hon. M. M. GOULD** (Minister for Education Services) — Yes, education is the no. 1 priority of the Bracks government. We have invested over \$2.75 billion in education. That is unlike the opposition when it was in government. It spent all its money on sacking teachers, closing schools and leaving them to rot. What did the opposition do in government about country school closures? It did nothing. It did not stand up for regional Victoria, whereas this government is committed to education in this state.

In the Benalla electorate alone we have spent almost \$6 million to ensure that the government schools in this area have first-class facilities. I will give just two examples from this region: the Bright P–12 College and the Benalla College. The Bright P–12 College received \$3.5 million to ensure the school has fantastic facilities, which include new classrooms, a new library and a new canteen. We know the opposition does not care. It did not care when it was in government. It did not stand up for rural and regional Victoria when it was in government. It left those schools to rot.

Look at the example of Benalla College. Tenders are currently being called for a major upgrade costing \$849 000. This will include a new science room and general classroom. It will ensure that in future our young people in rural and regional Victoria will have access to world-class facilities. Those two examples are in addition to another 10 schools in the Benalla area that have been approved for upgrades or are in the process of upgrading facilities. This is an exciting time for education in Victoria. One in three schools in this state is undertaking an upgrade.

While the government is providing first-class facilities for our students, we know what the opposition demonstrated in education when it was in government. It did not listen to anyone. All it did was close schools and spend \$300 million sacking teachers. It did not stand up for rural and regional Victoria whereas this government has.

### **Fishing: trout release**

**Hon. G. R. CRAIGE** (Central Highlands) — The Minister for Energy and Resources personally released 50 trout into the Goulburn River at Thornton to mark this year's opening of the trout season. I ask how many trout will the government release into category C trout streams this financial year?

**Hon. C. C. BROAD** (Minister for Energy and Resources) — I am sure the honourable member will not be surprised to learn that I do not have that sort of detailed information to hand. However, if he had been

paying attention to some of my earlier remarks today he might have noted some references to drought conditions affecting our fisheries, and in particular our inland fisheries. Just as one example, I referred in particular to Lake Mokoan, which, in addition to native fish, is also affected by these conditions.

Clearly these drought conditions are severely affecting the release of trout. It will have to be carefully monitored to ensure that further releases of trout, in addition to those which I am pleased to note the honourable member has acknowledged I have already released, will be informed by the impact of drought conditions as they unfold.

I reiterate the government's commitment to trout stocking, which this government has undertaken in conjunction with a whole range of organisations right across the state, as well as to the stocking of native fish. The honourable member can try to continue to beat up this issue about native fish versus trout, but this government will continue to do both as appropriate, and in particular taking account of the impact of drought conditions.

### *Supplementary question*

**Hon. G. R. CRAIGE** (Central Highlands) — It is a fact that no streams will be stocked this year, there will only be empowerments, and the minister knows that. It is a fact that category C streams are under serious threat — and we understand that — and that the department claims that rivers are self-sustaining. It is also known that the minister is cowering behind the policy pencil-pushers within fisheries in the Department of Natural Resources and Environment. Is it a fact that the only trout — the only trout — the government will release into category C streams this year are the 50 the minister released as a cheap publicity stunt?

**Hon. C. C. BROAD** (Minister for Energy and Resources) — I have reiterated this government's commitment to continuing to stock trout where it is appropriate to do so, taking account of the drought conditions. The honourable member got one thing right — there are major threats to our inland fisheries at this time as a result of drought conditions. They are ones which the government will continue to manage responsibly, as I have already indicated to the house.

### **Sport and recreation: north-eastern Victoria**

**Hon. D. G. HADDEN** (Ballarat) — As a member representing the rural and regional province of Ballarat, I fully understand the community's need for good facilities. I therefore ask the Minister for Sport and

Recreation to provide details of funds allocated for projects in the north-eastern region of this great state from the community facilities program and the Better Pools program.

**Hon. J. M. MADDEN** (Minister for Sport and Recreation) — As members of the house would be aware, Benalla is in the north-eastern region of the state, encompassing the Rural City of Benalla and the Shire of Mansfield. I am pleased to report that over the past three years the Bracks government has allocated \$8.5 million to sport and recreation facility development in the north-east of the state.

With contributions from local communities and local government authorities, this has resulted in approximately \$17 million — I will say that again, \$17 million — worth of development. Of the \$8.5 million, over \$5 million has been allocated from the Better Pools program to either develop new or redevelop existing aquatic facilities in the region.

Major indoor aquatic facilities assisted were the Wangaratta Indoor Aquatic Centre and the Seymour Indoor Aquatic Pool. These pools will provide year-round access to residents of those towns and surrounding districts. Upgrades have occurred to existing pools and include projects in Myrtleford, Yea, Alexandra, Eildon, Mansfield, Marysville and Nagambie.

The government has also contributed over \$2 million to minor projects in the north-eastern region. Can I say that these grants not only contribute to facility development but also endorse the significant contribution of the volunteers who work tirelessly for the benefit of sporting communities throughout the state. In the former Shire of Delatite area the projects include the Benalla BMX track, the upgrading of the Mansfield netball courts, construction of the Lake Mokoan floating jetty, development of the Mansfield skate park and the upgrading of the Arch Campbell Pavilion.

This government has provided significant funds not only to the north-east region but all over the state. It has increased funding to community sport and recreation infrastructure by 30 per cent compared to that provided by the previous government. It has also increased the funding ratios which make those projects more accessible to rural and regional Victoria. Rural and regional Victoria in particular has been a significant recipient of funds, with \$30 million being allocated to regional Victoria over the past three years.

The Bracks government recognises the significant importance of sport and recreation to rural Victoria in providing a sense of community and bringing people together as well as building healthy lifestyles and improving the quality of life in those regions. I am proud of what this government has done in providing sporting and recreational opportunities to regional Victoria. I look forward to continuing to doing that well into the future.

## MOTIONS TO TAKE NOTE OF ANSWERS

### Sport and recreation: north-eastern Victoria

**Hon. GAVIN JENNINGS** (Melbourne) — On this important sitting in Benalla I thought I would take the opportunity to acknowledge today's edition of the *Benalla Ensign*, and on the way through take note of the answer from the Minister for Sport and Recreation. I draw the attention of the house to a highlight article on page 11 which is about the honourable member for Benalla, Denise Allen.

**Hon. Philip Davis** — On a point of order, Mr President, I would be pleased if the house could be enlightened as to what the actual take-note motion is.

**The PRESIDENT** — Order! As I understand it, the honourable member is taking note of the answer given by the Minister for Sport and Recreation on a question about local facilities.

**Hon. GAVIN JENNINGS** — I move:

That the Council take note of the answers given by the Minister for Sport and Recreation to questions without notice asked by the Honourables Jenny Mikakos and D. G. Hadden relating to sporting facilities in north-eastern Victoria.

On page 11 of today's edition of the *Benalla Ensign* is a story about the local member, Denise Allen, supporting the government's resolution of a health insurance matter.

Honourable members may or may not have noticed on page 1 of today's *Benalla Ensign* the exciting story with a picture of the Minister for Sport and Recreation and the local member, Denise Allen. It is headed 'Go-ahead for sports centre' and is about the subject matter of the answer we are taking note of. That article, written by Don Farmer, starts:

The stalemate over building Benalla's community sports centre has been broken with a surprise announcement the state government will give \$205 000 to the project.

It quotes Mr Geoff Cooper, who is included in the picture with Mr Madden and Denise Allen:

Geoff Cooper, president of Benalla Football and Netball Club, said the money means the first stage, being mostly change rooms and toilets, will definitely be done.

It's a fantastic day for us and the community of Benalla. It's been a long, hard road with many obstacles along the way but this will be something the town can be proud of...

Mr Cooper paid tribute to the work done by member for Benalla Denise Allen, saying her ongoing — —

**An Honourable Member** — You don't like it!

**Hon. Bill Forwood** — No, I don't like it at all; you're absolutely right. My point of order, Mr Deputy President, is that we are here taking note of an answer to a question to the minister in relation to community sports facilities. I do not believe that entitles the honourable member to pick up the local newspaper, walk in here and read the newspaper into *Hansard*. If he wishes to take note of — —

**An Honourable Member** — What is your point of order?

**Hon. Bill Forwood** — I will tell you what my point of order is: if he wishes to take note of the minister's answer, what he should do is develop his own argument, rather than just pick up the local newspaper and bring it in here and read it.

**The DEPUTY PRESIDENT** — Order! I support the point of order and ask the Honourable Gavin Jennings to continue his comments.

**Hon. GAVIN JENNINGS** — I will take the opportunity to take up the argument. When this government came into office, what did we inherit? We inherited a mess; we inherited the concrete hulk that is actually the subject of this picture that is on the front page of the newspaper — a hulk!

The image of the Minister for Sport and Recreation actually resurrecting the project is a timely one. It is resurrecting a project that fundamentally failed during the life of the Kennett government and in fact has been subject to scrutiny by the Auditor-General, who is currently examining the proposal to try to get to the heart of why this project never got off the ground. What this government inherited was in fact a disgrace. It has been lying in limbo for the best part of six years, and finally this level of investment, the \$200 000, will resurrect the project.

On the front page of the newspaper today, Mr Geoff Cooper, the president of the Benalla Football and Netball Club, gives credit to the local member, Denise Allen, for being an active advocate of the project and resurrecting it. It is a matter that was the subject of

seven submissions presented when the Bracks government came to Benalla on 22 July to engage in a community cabinet consultation. That was one of about 30 visits the Bracks government has made to regional Victoria during the three years in office of the current government. When we came to Benalla on that occasion seven separate submissions said: this is an issue that we want you to respond to.

Here we are, back within a four-month time frame to actually deliver on that undertaking and to meet the expectations of the people of Benalla. It is something that was sorely lacking during the life of the Kennett government. I repeat: it was a concrete hulk when the Bracks government came to office. The administration and the lead-up to the preparation of the proposal were so dubious that the Auditor-General to this day is continuing his examination of this matter. Unfortunately it is a sorry legacy of the former honourable member for Benalla.

I hope the former honourable member for Benalla is enjoying rowing on his private rowing course on Lake Nagambie as we speak. It is a lonely row, because members of the thriving skiing community that once came to spend time and money at Lake Nagambie do not now come back to Lake Nagambie because it is the solitary rowing province created by the former honourable member for Benalla. That is the standing legacy, a reduction in the recreational opportunities in this community. That is something that our government is keen to turn around.

**Hon. KAYE DARVENIZA** (Melbourne West) — I am pleased to have the opportunity to speak on this motion, because it gives me an opportunity to contrast the actions of the Bracks Labor government with those of the previous Kennett government, which totally ignored rural and regional Victoria and which did not listen or act. In contrast the Bracks Labor government has listened to the needs of rural and regional Victorian and taken the appropriate action.

Under the former government the Kennett commissioners were appointed and they started construction of the Benalla Lakeside Community Centre. The building commenced without appropriate funding but on a nod and a wink given by the previous member for the electorate of Benalla, Pat McNamara, that funding would be forthcoming. No funding was provided and the building was commenced prior to the funding being finalised and it has stood there for years — nothing more than a Stonehenge monument to the Kennett commissioners appointed in Benalla and to the former local member, Pat McNamara. The former member let it sit there: he set up the situation with a nod

and a wink so it was able to sit there and deliver nothing for the community of Benalla.

In the meantime the former member established a rowing course for himself in his own backyard at Lake Nagambie. What did that do to the local community? It took away from the local community its waterskiing facilities. I know Lake Nagambie well because I travelled from Melbourne to Shepparton regularly passing through Nagambie to visit my family and I know that the waterskiers are gone. Why have they gone? Because there are buoys set out along the lake denoting the rowing lanes. It has had an impact on the local community and on the restaurants, the cafes and the hotels. The communities and people who used to come to ski on Lake Nagambie were no longer able to use that facility because the previous member, Pat McNamara, decided to build himself a personal private rowing facility in his own backyard. Early in the morning we can see Pat McNamara rowing through the mist. He has his own little rowing facility in his backyard.

As Mr Jennings said, the Auditor-General is formally investigating how the commissioners appointed by the previous government allowed such a thing to happen. How did they allow the commencement of the building of a community sports facility when there was no commitment to funding by the then government? There was no hope that that building would be finalised. The Bracks government has been forced to fix this problem. That is what it has done. It inherited a problem left by the previous government and the previous member, Pat McNamara — and the present member, Denise Allen, has had to fix it.

This was not the only problem: the problems we inherited were not just with sports and recreation. They also related to health and education and they did not affect just metropolitan areas, but rural and country Victoria. Schools and hospitals were closed and teachers and nurses were sacked. We now have a problem with the number of nurses in the hospital system because of the problems we inherited.

**Hon. Bill Forwood** — On a point of order, Mr Deputy President, we are debating a take-note motion on the facilities in the city of Benalla. I ask that you tell the honourable member that the nursing fraternity, much as she may be a major player having been the secretary of the nurses union, has nothing whatsoever to do with sporting facilities in Benalla.

**Hon. KAYE DARVENIZA** — Mr Deputy President, there is no point of order. The point I am making is that it is not just about the sporting facilities

but about the priorities of the previous Kennett government when compared with those of the Bracks government and the way the Bracks government has inherited problems. This current problem in Benalla, about which I am speaking, is — —

*Honourable members interjecting.*

**Hon. KAYE DARVENIZA** — It is; I am speaking on the point of order. It is part of the broader problem that we inherited, and I am making a short reference to the number of problems we inherited.

**The DEPUTY PRESIDENT** — Order! There is no point of order. I ask the honourable member to complete her contribution.

**Hon. KAYE DARVENIZA** — Let me quickly tell the house what the Bracks government has done. It is addressing this problem here in Benalla because, as was announced last week, it has granted \$205 000 to complete the second stage of the Benalla Lakeside Community Centre, which is a facility that Benalla has long looked forward to. The government has listened to what the community has had to say and has listened to what it wants. An independent study was set up and the government is now delivering for the people of Benalla and fixing this problem.

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

**Hon. P. R. HALL** (Gippsland) — There has been an absolute abuse of the process of this Parliament in Benalla today by government members to launch a scurrilous attack on the former member for Benalla. They stand condemned for using this forum in Benalla for their own political purposes.

The National Party agreed to sit here in Benalla in a sense of cooperation and goodwill between all parties, and it welcomes the announcement by the Minister for Sport and Recreation regarding improved facilities for Benalla. That is what the take-note motion is all about. We should be talking about that facility rather than getting down to gutter politics and launching an attack on the former member for Benalla. We in the National Party will not sit by — —

**Hon. T. C. Thephanous** — On a point of order, Mr Deputy President, Mr Hall is not making a contribution to the debate in relation to what the take-note motion is about. What he is seeking to do is simply make a series of points about how he believes the government has abused the process somehow. That is not part of the debate we are having at the moment. If he believes that to be the case he has the opportunity to

make those points in a different way. He is simply debating an issue which is unrelated to what is before the house at the moment. I ask that you either bring him back to the motion and have him talk about what is before the house or sit him down.

**The DEPUTY PRESIDENT** — Order! Anything further on the point of order?

**Hon. Gavin Jennings** interjected.

**Hon. Bill Forwood** — On the point of order, Mr Deputy President, I pick up the interjection from the Deputy Leader of the Government, who says they are expecting to sit here in comfort all day. Mr Hall is rightly using his 5 minutes in this debate on the motion to take note of the minister's answer. In doing so, he is entitled to pick up and respond to issues raised by the government. That is exactly what he is doing, and he is absolutely entitled to do so. I suggest, Mr Deputy President, that you allow Mr Hall to continue his contribution.

**The DEPUTY PRESIDENT** — Order! There is no point of order, and I request that Mr Hall continue his contribution, and certainly on the issue.

**Hon. P. R. HALL** — Certainly on the issue, but on the issue in response to the issues raised by the previous contributors to this debate, who did not speak so much about the Benalla Lakeside Community Centre that is being developed in Benalla but about the Victorian Rowing Centre in Nagambie. I suggest, Mr Deputy President, that if they have been allowed to speak about that centre then so am I.

Down in Nagambie we have an excellent centre in the Victorian Rowing Centre, a facility we expect may be used for the Commonwealth Games, and for members of the government to suggest that this was a personal project of Pat McNamara's and an abuse of the proper process of apportioning those projects is absolute nonsense. It is a major new facility to this region of Victoria that does a great deal in attracting tourism and sporting events to this area, and the whole economy of the area benefits from this project.

As I have said, we in the National Party, and I am sure those in the Liberal Party, welcome the commitment of \$205 000 the government has given today for the Benalla Lakeside Community Centre. That is great. We stand as a party that says it is prepared to support what is good for country Victoria, and we are prepared to support what is good for Benalla as well. We say, 'Good on you', for this project, but we will not sit by idly and see members of this government take this opportunity to launch a scathing personal attack on a

former member for the seat of Benalla. It so happens that he was also the former Leader of the National Party in Victoria, and I am incensed that they would stoop to gutter politics and use this forum simply for their own political purposes.

It will come back to haunt them, Mr Deputy President, because the people of Benalla will see them for what they are — political opportunists who can see the writing on the wall that they are about to lose their seats. And with those tactics there will be a definite result — we will see Denise Allen beaten at the next election. I say the former member for Benalla has done a great job in securing an important facility for this region.

We welcome this new community facility to the area, and the fact that it is here at all — I am sure the people of Benalla appreciate that — but the government should not use this forum to abuse former members of Parliament in the scurrilous way it has.

**Hon. E. G. STONEY** (Central Highlands) — This will not take long: I just want to set the record straight. I believe the Minister for Sport and Recreation unfairly targeted the Kennett government about this project. I need to explain that this has been a difficult project. It was run by the community, which was passionate about it and raised a lot of money for it. It built part of the project and then ran out of money. At the time the Kennett government was faced with a very difficult decision. It was asked to fund two major projects in this town — the indoor swimming complex and the completion of the sporting complex that had run out of money. It was a difficult decision. The former government chose, I think rightly at the time, to fund and finish the indoor heated swimming complex, which is a very popular facility in this town. It is used every day. I have been there several times myself, and I know how popular it is. It was one of those decisions governments have to make.

Having said that, it was always planned and understood that in the next term of Parliament we would pick up this sporting project very quickly and finish it.

**An Honourable Member** — You didn't tell anyone!

**Hon. E. G. STONEY** — The point is it has taken this government three years to pick that up. It has just done it now out of political opportunism. I agree with Mr Hall that it was very important that it be picked up and finished. My point is that there was no need to try to change history here today in order to gain a political

point. I thank the minister for finding the money, but there was no need to change history to do it.

**Motion agreed to.**

### **Snowy River: environmental flows**

**Hon. PHILIP DAVIS** (Gippsland) — I move:

That the Council take note of the answer given by the Minister for Energy and Resources to questions without notice asked by the Honourables E. G. Stoney and Philip Davis relating to Lake Mokoan and environmental flows for the Snowy River.

In moving the motion I make the point to the house that the dissembling responses to the question in regard to the closure of Lake Mokoan and environmental flows to the Snowy River effectively demonstrate that the minister is hiding on the issue.

What is she hiding? She has been in the house in recent weeks making the point about commitments to environmental flows to the Snowy, but she has all but ruled out all options for finding the water. Indeed she has ruled out entering the water market. She has so far been unable to nominate where the sources of water may be. In making an effort to respond to the specific question today she mentioned certain projects at Normanville and Tungamah which amount to a cupful of water.

The reality is that the Victorian Farmers Federation has made it perfectly plain that on its calculations there is no option but for the government to buy water. Why is the government dissembling on this issue? I will tell you why: all has been revealed. The reason the minister is not in the house and will not answer questions is because rural Victorians — people in country Victoria — do not trust this government. Why? Because the government will not tell them if it is going to take water away from irrigators. This is being revealed as an issue of lack of confidence in the government; therefore the result is that what we have seen in today's *Australian* is the headline 'Bracks pre-poll slump'. I reiterate: why is that so? It is because this minister as a representative of the government is incompetent in terms of answering the specific question, which is: where is the water going to come from?

The *Weekly Times* of Wednesday, 23 October reported that the:

... Bracks government had previously assured irrigators the extra water would be found by piping open ... and decommissioning —

I take the point that you will note the word 'decommissioning' —

... storages such as Lake Mokoan ...

The *Weekly Times* confirms what the government has previously announced. The government of Victoria is intending to return environmental flows to the Snowy River by removing irrigation rights from irrigators. There is only one way it can do that, and that is to enter the water market and buy the water rights, or unilaterally remove the property rights of irrigators who have recourse only to storages like Lake Mokoan.

I also make the observation that I am outraged by the indignity of the way that the minister has responded to questions. She is not only dissembling, but also behaving in what I regard as a patronising way. Mr Stoney asked a legitimate, genuine question and the minister's response, in my view, was nothing but patronising. It is disappointing that the government has taken that tone in the debate in the house on these issues.

The opposition has considered the issue of environmental flows seriously over many weeks, indeed for two years, as the minister herself acknowledged. As recently as the last sitting week the minister said:

I reiterate that the government has ruled out the purchase of water entitlements in order to deliver environmental flows to the Snowy River.

It is a plain matter of arithmetical fact, which is supported by the Victorian Farmers Federation. Those who have read today's *Weekly Times* will have read that it is not possible to deliver the water savings from the efficiencies that the government has been promoting. The efficiencies so far amount to a cupful of water, but the government has not laid down a plan specifically that would give anybody any confidence those savings can be achieved for environmental flows. What is of particular concern is that today the minister has refused unilaterally to rule out closing Lake Mokoan. In relation to that she has made it quite clear from her answers in this place that she is misleading the Parliament.

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

**Motion agreed to.**

**Fishing: trout release**

**Hon. G. R. CRAIGE** (Central Highlands) — I move:

That the Council take note of the answer given by the Minister for Energy and Resources to a question without notice asked by the Honourable G. R. Craige relating to trout stocking in category C streams.

The minister, in an answer to a Dorothy Dixier concerning the stocking of impoundments during this drought year, used the drought as part of the reason why category C streams were not being stocked with trout. The reality is that the government did not stock category C streams last year or the year before that. Clearly, for the minister to run a line that the drought is causing it is quite misleading.

The decline of trout stock and population in category C streams is having a huge economic impact in rural Victoria. Many towns throughout rural Victoria rely heavily on people who fish those streams specifically for trout. Such towns as Eildon, Alexandra, Thornton, Bright and Myrtleford and major rural and regional towns like Mansfield and Benalla certainly feel the impact when there has been an overall decline in accessible stocks of trout in streams. Not only does it affect those rural towns but it also affects many businesses in them, whether they be accommodation places, caravan parks, stores and shops, petrol stations, or hotels and motels. It is certainly seen that the Labor government is anti-trout.

I refer to the second report of the Environment and Natural Resources Committee's inquiry into fisheries management which quite clearly, on page 123, refers to trout as exotic species.

Paragraph 5.110 of the report states:

It seems that the issue largely revolves around the agency's —

meaning the fisheries department —

decision in 1983 to concentrate its annual trout stocking program on lakes and impoundments.

The report refers to evidence from the Marine and Freshwater Research Institute that:

... most inland trout streams have self-sustaining trout populations to maintain fishing in those waters. There is a difference of opinion as to whether these streams are self-sustaining and the committee was told that regular survey work is not being undertaken to back the department's claims.

Geoff Hall and David Pickering, who run the Goulburn Valley Fly Fishing Centre at Thornton, made many

submissions throughout the inquiry and clearly indicated that the streams are not self-sustaining and that in fact there has been a large decline in stocks available to the trout fishermen.

In his evidence Mr Hall told the committee that the department:

... will stock lakes because lakes need to be refurbished, but they have a diabolical attitude towards —

the stocking of rivers.

Mr Hall said that the government has an obsession with lakes — that it is all about restocking and looking at lakes — but not rivers and streams. That is evident from the minister, who stood up today and stated quite clearly that the government is not restocking category C streams for trout. This Labor government is anti-trout in this state.

**The DEPUTY PRESIDENT** — Time!

**Motion agreed to.**

**QUESTIONS ON NOTICE**

**Answers**

**The DEPUTY PRESIDENT** — Order! We now come to the minister advising the house of answers to questions on notice.

**Hon. M. M. GOULD** (Minister for Education Services) — There are not any.

**The DEPUTY PRESIDENT** — Order! The minister says there are no answers to questions on notice.

**Hon. B. C. BOARDMAN** (Chelsea) — That being the case, I therefore seek an explanation from the Minister for Sport and Recreation in relation to unanswered questions on notice 2480 and 2883. I have written to the minister previously. On 17 October — Thursday of the last sitting week — I sought an explanation. The minister undertook to obtain these answers prior to the next sitting day.

**Hon. J. M. MADDEN** (Minister for Sport and Recreation) — I am currently searching for the location of those answers. I believe they have been answered, but I am not sure why they have not been lodged at this point in time. I anticipate they will arrive at the earliest possible occasion.

**Hon. B. C. BOARDMAN** (Chelsea) — I therefore move:

That the Council take note of the explanation.

The motion is almost paradoxical; that was in no way an explanation. If there have been answers to these questions, then considering that this is a legitimate sitting day of the Council there is no excuse for those answers not being presented forthwith.

The first question is 2480, which asked at a certain date the number of volunteer firefighters within the Country Fire Authority and the number of full-time career firefighters in the CFA. I suggested on 17 October that it would be a relatively easily achievable administrative task for the government to ascertain this information, but considering the climate that we face at the moment I am perplexed as to why that answer is not coming. Maybe it is because there has been a decrease in the number of volunteer firefighters within the CFA since the term of the Bracks government and the government is not prepared to answer on behalf of the people of Victoria why ordinary citizens are not dedicating their time. Maybe that is the case.

Or maybe the Liberal-endorsed candidate for Benalla, Mr Andrew Dwyer, who is also a volunteer firefighter with the CFA, does not want to be acknowledged by this government as being such a diligent and dedicated individual who gives up his time voluntarily to assist his community and provide a service which the community is very much thankful for.

It is appalling to suggest that the government would hide behind this veil of openness of accountability and transparency where realistically it has an obligation to the whole community to make this information public. I trust the minister will take those sentiments on board and at the earliest opportunity, without fail on the next sitting day — and I will seek an undertaking from the minister that he will do that — ensure that such answers will be provided.

The second question, 2883, which is also a question to the Minister for Police and Emergency Services in the other place, related to the number of penalty infringement notices — the specific code being 2002 — and a delineation of which were issued from speed camera fines and were also issued as on-the-spot fines.

We all know, Mr Deputy President, and certainly the citizens of Victoria know the windfall gains the government has obtained from speeding fine revenue during its term. It also has failed to acknowledge that this windfall gain is artificially propping up the state's

finances simply because of the government's incompetence, ineptitude and mismanagement. We know quite well that the government does not want to tell the truth. We know the figures, we know the dollar amounts — —

**Hon. M. M. Gould** interjected.

**Hon. B. C. BOARDMAN** — But we want to know the actual number of notices, Minister. And you can shout — —

**Hon. M. M. Gould** interjected.

**The DEPUTY PRESIDENT** — Order! The Leader of the Government!

**Hon. B. C. BOARDMAN** — You can point your finger, you can get agitated and you can get angry. But the reality is, you are hiding! You do not want to tell the truth. You do not want to tell the state of Victoria the number of fines.

**The DEPUTY PRESIDENT** — Order! I will not have the constant barrage of debate across the chamber. Mr Boardman is on his feet. I invite him to continue.

**Hon. B. C. BOARDMAN** — That simple answer to those questions about the number of speed camera and on-the-spot fines is a genuine public interest issue. I cannot see any reason, whether logical or otherwise, why the government would not table these as a priority so the state of Victoria can see the real figures. This state government hides behind a false road safety premise when it comes to collecting additional revenue, simply to prop up its financial mismanagement. In the climate we find ourselves in, we cannot wait until the first 10 days of the election campaign are over, when the state's true financial records are made public, to see how incompetent the government really is.

**Hon. BILL FORWOOD** (Templestowe) — I rise to speak on the motion moved by my colleague Mr Boardman. I start by making the point that question 2480 was lodged in notice paper 95 on 21 November 2001. We are now up to notice paper 134. The rules of this chamber say that within 30 days of questions being put on notice they will be answered. It shows contempt of Parliament that no greater effort has been made to answer this question. It is a nonsense for this government to suggest that the division of Country Fire Authority firefighters that is being sought is not available, so one is left with the conclusion that the government is deliberately hiding. In doing so, it is holding the Parliament in contempt. Equally, it is holding the people of Victoria in contempt through its failure to provide straightforward

information that ought to be made available. This is a government that claimed to be open, honest, transparent and accountable.

**Hon. M. M. Gould** interjected.

**Hon. BILL FORWOOD** — I pick up the interjection by the Leader of the Government, who is trying to justify the fact that she and her government hold this Parliament in contempt by referring to ancient history. What I am saying through you, Mr Deputy President, is that we need a commitment from this government. Everybody knows that it is hell bent on rushing to an election. Everybody knows that it is highly likely that tomorrow will be the last sitting day.

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

**Hon. BILL FORWOOD** — You don't think it is going to be tomorrow? Okay, give us a commitment you will answer the question tomorrow. What we want — and I invite the minister to contribute to the debate, seeing we are taking note of your explanation — —

**The DEPUTY PRESIDENT** — Order! Through the Chair, Mr Forwood.

**Hon. BILL FORWOOD** — I invite the minister, through you, Mr Deputy President, to give a commitment that tomorrow in Melbourne he will table the answer to question 2480, lodged in notice paper 95 on 21 November 2001 — 49 weeks ago — and the answer to question 2883, lodged on 18 April 2002 in 110, which is well over 30 days ago.

**The DEPUTY PRESIDENT** — Order! Are there any other speakers on this issue?

**An Honourable Member** — What about the minister?

**The DEPUTY PRESIDENT** — Order! I have asked if there are any further speakers on the motion.

**Hon. C. A. FURLETTI** (Templestowe) — I wish, through you, Mr Deputy President, to make the point that the minister sitting at the table obviously has not understood. It was a very simple point. Given the 49 weeks that have passed since one of the questions was asked, will he give an undertaking to this house today, after I sit down, that we will have the answer tomorrow?

**Motion agreed to.**

**Hon. P. A. KATSAMBANIS** (Monash) — I seek an explanation from the Leader of the Government for

the failure to provide answers to questions on notice 2627, 3432 to 3438 and 3467. These questions have been on the notice paper for a substantial period of time, and they include one question that is directed to the minister in her own portfolio, and that is question 3432.

I wrote to the minister on 30 September this year seeking tabling of the answers in Parliament. I also raised this in the last sitting week directly with the minister, and again today we come here and the answers to these questions are not tabled. I seek an explanation from the minister, and in her explanation I seek a commitment from the minister that she will table answers to these questions in the Parliament tomorrow to give us sufficient time to consider them in the sitting of the house tomorrow.

**Hon. M. M. GOULD** (Minister for Education Services) — With respect to question 3432, my information is that I had signed off on all the questions directed to me. With respect to the other ones, I believe they are directed to ministers in the other place. I will endeavour to track them down. With respect to question 3432 — the one that is directed to me — I am not even sure what it was about because there have been so many questions from the opposition, but I will endeavour to track that one down and get a response to the honourable member.

**Hon. P. A. KATSAMBANIS** (Monash) — I seek a further explanation here. Is the minister making a commitment that she will table the answer to question 3432 tomorrow, or is she just suggesting she is going to use her best endeavours as she has suggested before in answer to similar questions on this? I move, subject to standing order 71AA(a)(ii):

That the Council take note of the explanation.

I will go through and explain what these questions are about and why this minister has chosen to be so obfuscatory in her attempts to answer my simple request for an explanation or commitment.

The first question is no. 2627 directed to the minister for the Premier to answer. It was put on the notice paper 47 weeks ago, on 5 December last year. It is a question about a glossy brochure called *Growing Victoria Together* that was distributed to many households across Victoria. I think the government claimed it was distributed to every household. It is opportune that this question be raised today because as an insert to one of the major metropolitan newspapers today there is another one of these glossy brochures.

The government has had 47 weeks to answer some simple questions like: how many copies were printed? Who printed the publication? Was this publication put to tender? What was the cost, et cetera, et cetera? The government is refusing to answer.

I move to the other questions. Question 3432, asked of the minister herself, is about contracts she or her department may have entered into with a firm called Essential Media Communications. It is another series of questions about the government's use of communications companies to spin doctor on behalf of this government. The question was asked on 13 June 2002. In her explanation the minister suggested that she believes she signed off on all questions directed to her.

If the minister had done so there must be some major failing in the processes of her office because if, as she claimed in this house, she had signed off on those questions she would have been able to get me the commitment I sought initially, that she would table that answer tomorrow. She refused to give that commitment. Either the minister is unsure of whether what she put to the house is true or the minister knows her answer not to be true.

The minister stood up in the house 2 minutes ago and said she believed she had signed off on all answers to questions on notice that were in her own name in her portfolio. Question 3432 is one of those questions. If she has done so it would be a simple matter of having it faxed here from her office and presenting it here later today, or giving a commitment that she would table it tomorrow.

However, as with all the other questions, the government is running and hiding from giving explanations to the house and to the public of Victoria because it is running to an early election. It does not want questions about the hundreds of thousands of dollars of Victorian taxpayers' money it has spent on spin doctoring; on producing glossy brochures to tell the public of Victoria how wonderful this government is; on producing glossy brochures like *Growing Victoria Together*; on hiring spin doctor companies owned and operated by the government's mates and financial donors like Essential Media Communications; and on publishing brochures like the ones in the major metropolitan newspapers today, again spin doctoring the truth and trying to convince the public of Victoria that the government is doing a good job when we know it is not.

The government is hiding from the truth. As the Honourable Bill Forwood, Leader of the Government

said — or Leader of the Opposition, soon to be the Leader of the Government on 1 December; it is only a matter of timing! — there is an obligation on ministers of the Crown to answer questions within 30 days. Well, 47 weeks is not good enough: 47 weeks of hoping the hard questions about how much the government is spending on spin doctoring would go away is more than enough.

The minister refuses to give a commitment, even to a question she suggested she had signed off on. What is she trying to hide? Will she provide answers to these questions tomorrow, as the rules of the house require?

**Hon. BILL FORWOOD** (Templestowe) — I do not wish to prolong this debate other than to make the point that when these motions are moved it is incumbent on any member of the government to stand up and say what they wish to say. This is a motion to take note of the minister's explanation, and what we seek from the government is that at least someone stand up and defend the position the government is taking.

Normally, of course, Mr Jennings would get to his feet and defend; or Mr Theophanous — or perhaps even the Leader of the Government, to whom the issue is addressed, might care to get up, walk to the table, provide an explanation and participate in the debate. All we are saying is that the 30-day rule requires answers to be tabled. We are coming to the end of the sittings; we all know that. Will the minister give an undertaking that these answers will be provided tomorrow?

**Motion agreed to.**

**Hon. N. B. LUCAS** (Eumemmerring) — I wish to seek an explanation from the Minister for Sport and Recreation, who is not in the house at the moment. Maybe that is the reason he has left this place. In his absence, given that he must be hiding out the back, I ask the Leader of the Government for an explanation in relation to four questions that I asked which have not been answered. The numbers of the questions are 3103, 3105, which I submitted on 4 June, 3113 and 3125 which I submitted on 5 June, all of which were addressed to the Minister for Sport and Recreation.

**Hon. M. M. GOULD** (Minister for Education Services) — The Honourable Neil Lucas was referring to four questions that were directed to the Minister for Sport and Recreation for referral to ministers in the other place. I will endeavour to contact those ministers to obtain the answers to questions 3103, 3105, 3113 and 3125, and I will report back to the honourable member as soon as possible.

**Hon. N. B. LUCAS** (Eumemmerring) —  
Mr President, given that inadequate explanation, I move:

That the Council take note of the explanation.

This morning we have experienced an extraordinary situation given that the government is aware the opposition wishes to have answers to questions. On a number of occasions the opposition has asked for explanations and the government has not provided them. I point out that I raised these four questions back in June.

On 4 and 5 June I asked the government for some information. What was this information? It is interesting to see what the information was. The first question, 3103, asked the Minister for Sport and Recreation to obtain an answer from the Minister for Local Government in relation to guidelines, instructions and directions that had been issued to his freedom of information (FOI) officer in dealing with requests from members of Parliament. Maybe this is the reason why an answer has not been forthcoming in relation to that question, because the government obviously must have been issuing some instructions to its FOI people that it does not want to place before this house. That is my assumption, given that the opposition has not been given a satisfactory explanation as to why the answer has not been provided.

The second question, 3105, asked for details of grants or contributions made from the office of the Minister for Local Government to the Victorian Trades Hall Council. Again no answer nor satisfactory explanation has been provided.

The other two questions were directed to the Minister for Planning. They related to Victorian Civil and Administrative Tribunal and to planning and building services. There has been no answer and no explanation! I assume either that the government is trying to hide from something because it will be embarrassed if it provides the answers, or these ministers are totally incompetent. Why is it that two ministers of this government, which prides itself on openness, transparency and honesty, cannot provide answers to four questions that were asked in the house last June? What is the answer? The answer is that the government is hiding something. The answers that the government intends to provide must be embarrassing. It must be that this is a cover-up of some type. Because an election is around the corner the government does not want the answers to these four questions discussed in this Parliament. It is hiding the information, and that is just not good enough.

The people of Victoria should realise that this government is hiding the truth. It does not want to supply answers to questions legitimately asked back in June. Why is the government covering up this situation? Doesn't it wish to tell the truth? The people of Victoria deserve answers. This government is holding the Parliament in contempt. Is it open, honest and accountable? No! This government is definitely not honest, open and accountable.

I seek a commitment from the Leader of the Government that I am going to receive answers to my four questions when this house sits tomorrow. I make a clear request to the Leader of the Government to guarantee that her honest, open and accountable government will provide to me tomorrow the answers to the four questions I asked last June. That is a reasonable request. I demand that the Leader of the Government give me answers to those questions.

**Hon. K. M. SMITH** (South Eastern) — I just want to say that I have been a member of this house for 14 years and I think that what has occurred this morning is an absolute disgrace. The fact is two ministers in this chamber have not been prepared, after being asked properly, to conform with the standing and sessional orders of this house. They have made excuses that they are trying to do things, that they are trying to get answers from other ministers. The Leader of the Government said that one of the questions is hers and she thought it had been answered — she does not even know if it has been answered!

The opposition has asked for commitments to these answers but neither the Minister for Sport and Recreation nor the Minister for Education Services will give a commitment to this house, as they are instructed to do under standing or sessional orders in this house, to give the opposition answers. Members of the opposition have some rights to answers and the government better learn that. The Minister for Education Services sits there and screeches at people. She tries to screech them down, she is a disgrace. She does not conform with the standing orders of this house in any way, shape or form. The minister's time is coming to an end. When the election is over the minister will be sitting on this side of the house and she will be expecting answers from the Liberal Party. I wish her all the best.

**Hon. BILL FORWOOD** (Templestowe) — I rise to speak on this motion to take note of the minister's explanation. At the outset I would like to point out that if a schoolchild was given some homework in June, one would expect that he would have it done probably inside 30 days and certainly by the end of October. The point I wish to make in relation to these questions is

that it appears there is only one day left for the sitting of this Parliament. One day, one more sleep, and all the opposition seeks from the government is it abide by the commitment it gave of being open, honest, transparent and accountable and provide the answers which should have been provided months and months and months ago.

**Motion agreed to.**

**Hon. P. A. KATSAMBANIS** (Monash) — I seek an explanation from the Minister for Energy and Resources in relation to questions on notice 3439 to 3447. I emphasise that the first question, 3439, is addressed to the minister for her personal answer. These questions were put on notice on 13 June this year; the 30-day time limit expired long ago. I wrote to the minister at her ministerial office on 30 September this year seeking the tabling of these answers at the first available opportunity. The answers have not been tabled. I seek an explanation from the minister and I further seek in that explanation a commitment from the minister that she will table these answers, particularly the answer to the question standing in her name, tomorrow and in time for the house to properly consider them tomorrow.

**Hon. C. C. BROAD** (Minister for Energy and Resources) — I will be very pleased to pursue the answers to these questions. I will endeavour to provide responses to the honourable member as soon as possible.

**Sitting suspended 12.30 p.m. until 2.02 p.m.**

## MEMBERS STATEMENTS

### Benalla Ride Avenue Preschool

**Hon. M. T. LUCKINS** (Waverley) — I met this morning with the president and committee of management from the Benalla Ride Avenue Preschool that wrote on 24 August to the Minister for Community Services, and is still awaiting a response to their concerns about the government's group employer model which is to be implemented from February 2003.

The minister recently advised preschools of the requirement to consult with neighbouring kinders and to form groups where administrative support would be provided centrally. They were only given a few weeks to make a determination. Last week the minister revealed that preschools which choose to remain independent and autonomous would not receive any funding to assist with administration.

The government should be condemned for forcing compulsory amalgamation against the will of preschool communities. In a letter dated 14 October the president of the preschool wrote:

... we also believe that there should be clear and fair choices for preschools.

...

... we do not believe that we should be denied a substantial amount of money because we have chosen to remain stand alone. We should not be pushed into joining a group model in order to receive funding to have paid administration support, when we believe that this funding should be afforded to all preschools.

...

We believe that the government also needs to provide this support to all preschools, to ensure they are able to keep providing communities with choices and a preschool service that they not only have confidence in, but one that provides their children with a standard that is obtained by equal funding for all.

### Baden Cooke

**Hon. KAYE DARVENIZA** (Melbourne West) — I can think of nothing more appropriate that to mark this historic sitting in the Rural City of Benalla than to honour the achievements of one of Benalla's most famous sportsmen, Mr Baden Cooke, a road cyclist of international repute. Given his recent success in Australia's most prestigious road race, the Vicroads *Herald Sun* tour, the timing is significant. When Baden Cooke claimed victory last Sunday he not only became the first Australian to win the race since 1986 but also fulfilled a lifelong dream.

It was while watching the tour pass through his home town of Benalla when he was a young boy that he became inspired to become a top cyclist. The year 2002 has been an amazing year for Baden, and he has truly marked his arrival as an elite cyclist. This year Baden not only won three races outright, he also came third in the Commonwealth Games road race and second in the final stage of the prestigious Tour de France. He has come a long way since he won his first race in C grade for the Benalla Cycling Club in 1989. At the age of 24 he has many years ahead where he will truly be able to make his mark as a cyclist. Today I am pleased to have the opportunity to congratulate Baden on his sporting success.

### Underbool: pioneer and early settler memorial

**Hon. B. W. BISHOP** (North Western) — It was with a great deal of pride that I officially opened the Pioneer and Earlier Settler Memorial at Underbool recently. A crowd of over 400 attended, many of whom came back for the day. They had a wonderful time at

the opening and had a talk about old times at the luncheon held in the local hall.

The memorial is dedicated to the visionary pioneers who had the courage to settle the land and open it up, creating towns, farming and raising their families. The decision to create the memorial wall was taken after a community meeting in 1999, where it was suggested that a memorial to honour the pioneers of the district be established at the highway rest area. This is a fine and fitting tribute to the memories of those who were brave enough to take on the Mallee and create a living from it. It also speaks volumes for the community, headed up by Robert Gloster and Rosemary Jackson, who have done a wonderful job in honouring their pioneers.

The memorial wall is adorned with plaques listing details of individual pioneers, and there is a huge rock in front of the wall from the farm of that grand old man of the Mallee, Jack Lockett. The display also includes a section of railway line, a Mallee roller and a replica of a salt train engine and truck. These additions to the Underbool highway rest area have produced a place to stop, take a break and catch up with the local history.

### **ALP: election promises**

**Hon. N. B. LUCAS** (Eumemmerring) — I have worked out why the government is rushing to an early election. It is because of broken promises, stalled projects and misinformation. When one looks around Victoria one sees Waverley Park as a broken promise, the Berwick hospital project has been delayed by two years, the airport train project has been cancelled, the Knox hospital project has been cancelled and the Scoresby freeway has stalled. The Eastern Freeway has stalled, not a brick has been laid at the Endeavour Hills police station and the Dingley bypass has been stalled.

Now the Labor government has sold out on rural and regional Victoria because of the train project, where nothing has happened. Not a sleeper has been laid and yet the government made promises to the rural and regional community that it would put four trains into Traralgon, Ballarat, Bendigo and Geelong and would have them travelling to Melbourne a lot faster. Nothing has happened. The government has been up to Bacchus Marsh and had a bunfight up there and nothing happened.

The rural and regional community is on to the government. It is time the government left town. It is time the community had an opportunity to get rid of the government because it has failed to do what it promised. Not a train has run on time or any faster in

Victoria. That is something the government will have to answer for very soon.

### **Benalla: proclamation**

**Hon. JENNY MIKAKOS** (Jika Jika) — I take this opportunity to congratulate the people of Benalla on attaining their own rural city status. On Sunday, 27 October, celebrations were held in both Benalla and Mansfield as the Minister for Local Government and the chief executive officer of the former Delatite shire, Mr Rob Dobrzynski, proclaimed the new Rural City of Benalla and the Shire of Mansfield.

I place on record the significant role that Ms Denise Allen, the honourable member for Benalla, has played in the de-amalgamation process. Denise Allen has been a strong advocate on behalf of her electorate and this de-amalgamation will ensure that Benalla residents have a strong local municipality.

I place on record the government's thanks also to the former Delatite shire mayor and councillors for the constructive way they worked with Denise Allen to ensure a smooth process of de-amalgamation. As a former councillor who experienced the Kennett coalition government's forced amalgamations, I know how difficult these transition processes can be for local communities and council staff. The Kennett coalition government's forced amalgamations and compulsory competitive tendering hit rural Victoria hardest. I therefore congratulate the people of Benalla on achieving their own distinct Rural City of Benalla. I also take this opportunity to thank the people of Benalla for extending their very warm hospitality to all of us here today.

### **Government: advertising**

**Hon. D. McL. DAVIS** (East Yarra) — Today I draw attention to the Bracks government's ongoing political advertising campaign that is being funded by Victorian taxpayers. Today we saw a 16-page supplement in the *Herald Sun* funded by taxpayers from right across Victoria.

**Hon. Philip Davis** — An absolute disgrace.

**Hon. D. McL. DAVIS** — It is an absolute disgrace, indeed. This is just one small part of this advertising campaign, which extends to cinemas, to billboards, to television and to radio. Every medium in this state is being used by the Bracks Labor government in its \$70 million taxpayer-funded advertising campaign, and this will go higher and higher if the Bracks government is returned in this next period.

The *My Victoria* brochure that is inserted in today's *Herald Sun* will not help country Victoria and it will not help country newspapers. The full cost of *My Victoria* at \$170 000 per issue totals almost \$700 000 annually, given that this is to be a quarterly publication, and that money ought to have been spent on helping people in country Victoria. The people in the two new councils in this area would have been much happier to see that money spent on small businesses in these two rural areas rather than on self-promotion by this outrageous government that has broken its election promises on government advertising and promotion.

### **Seal Rocks project: select committee**

**Hon. T. C. THEOPHANOUS** (Jika Jika) — I draw the attention of the house to an article in the *Sentinel Times* of 1 October in which it is claimed:

Several key politicians, including new Liberal leader Robert Doyle, have been intensively briefed by Ken Armstrong, the former Seal Rocks managing director.

The article goes on to indicate that the report of the committee to be established would take about a month and be completed by early November. It even provides a list of proposed witnesses; however, it does not include Mr Kennett, Mr Stockdale, Mr Birrell or for that matter Mr Ken Smith, all of whom have been blocked by their own Liberal Party from appearing before the committee.

It is quite clear from the article, and from the fact that this meeting took place between the opposition's star witness and the Leader of the Opposition, that discussions took place with Mr Armstrong about the establishment of the committee, about the terms of reference and about his giving the right kind of evidence to the committee.

Mr Armstrong followed the agreed script in his rambling evidence before the committee, but the Liberal Party continues to refuse to allow Kennett, Stockdale, Birrell and Smith to appear. This is an appalling example of a massive misuse of the committee system.

### **Drought: horticulture industry**

**Hon. E. J. POWELL** (North Eastern) — I bring to the attention of the house a major omission in the *Drought Preparation and Survival Guide* of the Department of Natural Resources and Environment.

The book was launched at the Kyabram drought response centre which was recently opened by the

Minister for Agriculture, the Honourable Keith Hamilton. The serious omission, which was brought to my attention by Mr Stan Cornish, the chairman of the Northern Victoria Fruitgrowers Association, is that the horticulture industry is not even mentioned in this drought document. The Goulburn Valley is the food bowl of Australia and it is a disgrace that the food and vegetable industries have been left out of this book on drought assistance and information.

The book includes advice for the dairy industry and for other stock management, as well as cropping advice. No recognition is given to the horticulture industry at all. This industry is vital for the Goulburn and Murray valleys. One of the largest employers in the region, SPC Ardmuna, relies heavily on the horticulture industry. This Labor government stands condemned for not recognising the value of the horticulture industry to Victoria and to Australia.

### **Goulburn Valley Water: chief executive officer**

**Hon. G. R. CRAIGE** (Central Highlands) — Mr President, it's time! I call on the government to sack the board of the Goulburn Valley Region Water Authority as it has allowed a renegade chief executive officer to wreak havoc on many people within rural communities. He has destroyed single-handedly the quality of life of many people. He bulldozes through many projects and also bulldozes many valuable trees in the process.

There are now many disputes before the Energy and Water Ombudsman (Victoria). Adelaide Condorso of Wallan has had land stolen from her when the Department of Natural Resources and Environment and Goulburn Valley Water colluded to do her an injustice in respect of land on which she had paid a deposit. In the dead of night they came in and took that land for an easement. The people of Willowmavin are distrustful because of the poor management of the waste-water project. There is also an issue relating to the water supply to Wallan and Broadford.

A case recently settled by the ombudsman has been ongoing for two years, and involved Goulburn Valley Water arguing that it did not have to pay. The amount of money it was fighting for from these people was a measly \$550. It has treated them very poorly.

### **Preschools: attendance**

**Hon. G. D. ROMANES** (Melbourne) — This sitting in the beautiful regional town of Benalla reminds me of a recent major achievement of the Bracks government. The Bracks Labor government has

reversed a long-term decline in kindergarten attendance for four-year-olds across Victoria. Figures announced by the Minister for Community Services last week show that in April this year 96.4 per cent of the estimated four-year-old population attended Victoria's 1600 kindergartens, compared with 90.7 per cent in 1999 when the Bracks government came to office. But rural and regional Victoria has fared even better under a Bracks Labor government with non-metro regions recording a 98.6 per cent kindergarten attendance rate this year, compared with a rate of 91.8 per cent in 1999.

The resurgence in enrolments in kindergartens across Victoria has clearly resulted from the Bracks government's \$33 million investment in preschools, a 40 per cent increase in the total budget since October 1999. This has been particularly important for areas like Benalla and other rural areas, because kindergartens help bond and strengthen communities, not only for the children who learn and socialise there, but for parents who might otherwise be isolated by distance and remoteness.

## LAKE MOKOAN: DECOMMISSIONING

**Hon. W. R. BAXTER** (North Eastern) — I move:

That this house acknowledges the importance of Lake Mokoan to the economy of Benalla and district through tourism, water sports, recreational fishing and the provision of irrigation water for emerging high-value horticulture and also the essential role the lake plays in the management of the River Murray and therefore rejects any proposal to decommission the storage and instead commends and encourages actions to improve water quality and reduce evaporation losses.

It is appropriate that the house is debating this motion in Benalla today, but I would not want members or the public to think that this motion was tricked up for the purposes of this sitting of the Parliament in Benalla. We have seen some other subjects brought forward by members of the government which have obviously been conjured up for the purposes of the sitting today. This is a longstanding issue, one of considerable concern, and it has not just been brought forward for this occasion. It happens to be an opportunity for the National Party, and members of the National Party see this as an important issue for the house to debate and form an opinion on.

Perhaps in my naivety I thought we might have some consensus in the house on this motion, but you would understand my disappointment at question time today when the Minister for Energy and Resources was given a couple of opportunities by Mr Davis and Mr Stoney to rule out the decommissioning of Lake Mokoan but

chose not to take those opportunities. That was disappointing indeed and confirmed the fears in the community that Lake Mokoan is in grave danger while a Labor government remains in office in this state.

It is doubly unfortunate that this stress is being imposed upon the citizens of northern Victoria, particularly those in irrigation areas, when we are having probably the worst drought in 100 years. Never before have we experienced a situation where water users are not getting their full entitlements, yet only a short distance from here irrigators, dairy farmers and young families are facing allocations of only 47 per cent. The stress they are already suffering is aggravated by a government that will not come clean on its intentions for Lake Mokoan.

Last Wednesday in the company of the Leader of the National Party and the honourable member for Murray Valley in another place I had a sobering experience when we visited some younger dairy farmers in the Pine Lodge area — not far from here, between here and Shepparton — and sat down with them in their backyards. They are young families committed to heavy mortgages, highly productive farmers, top-level managers, state-of-the-art dairy farmers who are now under so much stress because of the extraordinary situation we are in. The refusal of the government to come clean on Lake Mokoan simply adds to the concern they have.

Their concern was also aggravated by one of the most insensitive actions I have ever seen a government take. I have mentioned it in the house before, but it bears repeating today. In this worst drought we have seen in our irrigation areas, the Premier of Victoria and the Premier of New South Wales were splashing around in waders at Jindabyne releasing water down the Snowy. Whatever might be the view of what should happen to the Snowy and what waters should be restored to the river — you can argue that one way or another — to have that insensitive action taken when people are under extreme pressure because of water shortage due to the drought was a shocking spectacle and one that has cut deep indeed with people in my electorate. It does not matter where I go — small towns, on farms, down the main streets in my regional cities — that is what is mentioned. How could they do it? How could they when we are in this dreadful drought?

It is worth reminding ourselves what this government said it would do in terms of the Snowy River. Yes, it was going to return water to the Snowy; yes, it was going to achieve that objective by identifying water savings in the irrigation system. People accepted that at face value, there is no doubt about it; and it was thought

that savings could be found. We heard from the minister this morning that she is going to find some savings, she says, to meet that commitment; but again when invited by I think Mr Davis or Mr Stoney to identify where those savings are we had a lot of beating around the bush. Three examples were mentioned — Woorinen, Normanville and Tungamah — aptly described by the Honourable David Davis as ‘a cupful’, and that is what those savings are. They will not meet the commitment to the Snowy at all!

I had it described to me last night in Bridge Street this way, and it was not a bad analogy. It was said to me by a local irrigator that finding water savings is rather like picking plums. Those on the low branches you can get fairly easily, but when you have to climb further up in the tree it is much more difficult, and that is the circumstance that this government is obviously finding itself in now. It made a commitment that it was going to return water to the Snowy through savings. It did not do enough work to find out where those savings would come from. It thought it was going to be like picking the plums off the low branches; it is now finding it is not easy to get savings at all, and it is going to achieve it by some other means. That is what is setting the alarm bells ringing.

If you look at some of the material that has been published about Lake Mokoan, for example, and what its role might be in relation to the Snowy River, you find a study that was commissioned by the government of all the headworks in the state with a view to identifying potential major water saving opportunities identified Lake Mokoan as the only opportunity for large-scale water savings! There we have it. One can understand the fear that local people have that Lake Mokoan is going to be decommissioned in order to capture those savings and meet the commitment that the government has given to the Snowy. It certainly set the alarm bells ringing, and it set them ringing as well in the wider irrigation community because not only is Lake Mokoan at risk of being decommissioned by this government but we have to go into the marketplace and buy water.

Here we have this open and accountable government. We hear about it so often — transparency, it says it was elected on. What does a study of *Hansard* over the last two and a half years reveal in terms of whether the government will go into the marketplace and buy water or not? You get question after question asked by members of the National Party — myself, Mr Bishop and Mr Hallam in particular — members of the opposition — Mr Davis, Mr Stoney, Mr Forwood and others — and we get denial after denial: ‘We are not going to do it! We are not going to go into the

marketplace and buy water’. We heard it from the Minister for Energy and Resources, we have heard it from the Minister for Environment and Conservation in the other place and on occasions we have heard it from the Premier, although it is pretty clear from his comments that he often does not quite understand much about the irrigation industry at all, and that is understandable.

One of the interesting things this morning was that we saw an indication of the pressure coming to bear on the Minister for Energy and Resources and she began to pass the buck. She began to pass the buck to her colleague the Minister for Environment and Conservation. She had been holding the line pretty well up until now, but today the pressure was showing because she said, ‘It is not really my responsibility, it is Minister Garbutt’s’. There we saw the passing of the buck this morning.

One would have thought that if she had the courage of her convictions the minister would be in the house now. Where is she? She is not in the house for this most important debate, yet she has the carriage of water issues in the Legislative Council. I think it is a dereliction of duty and an insult to the people of Benalla that on this very important local issue the minister in the Legislative Council who is responsible for water does not even bother to be in the chamber.

Of course all the denials the minister has been making throughout the past two and a half years have been exposed over the last fortnight — if we did not already know it before, of course. Last week’s *Weekly Times*, which has already had a mention in the house at question time today, refers to the agreement that has been made with the other states, and it also gets a run on the front page of today’s *Weekly Times*, which highlights clause 10.4(3) of the agreement:

- (3) to purchase water entitlements from willing sellers of those water entitlements in the River Murray system upstream of the South Australian border, the Murrumbidgee River system and the Goulburn River system.

There it is in black and white. They have the power to do it. If they are not going to do it, why have they put it in this agreement? Why have they put it in in black and white? No wonder people in the irrigation industry are in grave fear that this will happen, and no wonder they no longer have any faith in the truthfulness of anything this government says.

More than that, we have seen that the wheels are falling off this government. In the last few weeks we have seen a bit of evidence of this, with things getting a bit fuzzy

around the edges and there being a few muck-ups and so on. Things are not going too well.

Last week an extraordinary press release appeared on the Premier's web site. It was about this issue and was designed to debunk last week's *Weekly Times* article, which exposed the proposal to buy water. Unfortunately someone had not done too much proofreading, because at the bottom of the press release was this notation:

Insert paragraph about how the document doesn't actually say that —

that is, 'We will buy water' —

or, if it does, why it doesn't actually mean we would ever do it.

What an exposure of this two-timing government, this government which was elected on a platform of openness, accountability, honesty and transparency but which has its spin doctors out there trying to put a message out to convince the people that this is not what it means at all.

**An honourable member** interjected.

**Hon. W. R. BAXTER** — At the taxpayers' expense, Mr Smith, as we heard from Mr Davis in his 90-second statement today. It is a huge cost to the taxpayer. Unfortunately, as I said, it is all getting a bit too much for them. They are not getting the detail right. They are letting things get past, and they have been exposed. I have been telling my electorate this for two years. Now I have the evidence. It is on the front page of the *Weekly Times*.

There you are. This government, which talks so much about honesty, has been absolutely exposed to be cooking the books, tricking up a press release to convey a message that is simply not there to be conveyed honestly at all.

As I said, there is absolutely grave fear that Lake Mokoan will be decommissioned and that the government will go into the water market and buy water as well to meet its Snowy commitments. That will deprive irrigators of water, it will drive up the price of water and it will undermine the economy of northern Victoria.

Before I get on to Lake Mokoan itself, I will look at another document as a further example of the sorts of things that are causing a great deal of angst among my community and why they are so concerned. I turn to the *Living Murray* document, which canvasses ways of increasing the environmental flows in the Murray

River. I do not criticise this document. I think it is worth looking at these sorts of proposals and options. This document provides three options for consideration as to what additional amounts of water might be clawed back from irrigators to improve environmental flows in the River Murray. It talks about 350 000 megalitres a year as option 1, then options of 750 000 megalitres or 1.5 million megalitres a year. They are pretty horrendous amounts of water bearing in mind the totality of the irrigation system, particularly the second and third examples.

My grave fear, and it is a fear being expressed by other great irrigators and citizens of this part of Victoria, is that this Labor government cannot be trusted with this document. It cannot be trusted to undertake a fair and proper consultation process, because we have exposed what a sham so many of its consultation processes are. The fear is that it will in fact seize on option 3 — that is, to claw back 1.5 million megalitres, which I point out is the total water entitlement of the Goulburn system from Lake Eildon in an average year. It would claw back the lot as a means of both getting its commitment for the Snowy and increasing environmental flows down the Murray.

What will that do? That will simply increase the price of water to remaining irrigators through the roof, render many of them non-viable and undermine the economy of cities like Benalla, and particularly Shepparton, Echuca and the like. I have a grave concern that in the hands of this government documents like *Living Murray* are dangerous documents. I warn the people of country Victoria that they should take a great deal of notice of how this government might react to the *Living Murray* proposals, because they will have exactly the same detrimental effects as would occur if the government went directly into the water market and used its very, very deep or bottomless pockets to bid for water and force up the price as it goes about its hunt for savings.

As I said, I am sure that this government looks at Lake Mokoan as a city-based government and finds it very, very tempting indeed that it could decommission Mokoan and get that slab of water — much more than a cupful that Mr Davis referred to earlier — as a quantity of water it could then use to meet commitments it might have made elsewhere.

Let me talk just for a moment about Lake Mokoan. It is not just a local lake. I get impressions from some people who talk to me, particularly in Melbourne, that they think, 'Oh, Lake Mokoan is a bit of a pond up near Benalla. It is not very significant, it does not have any impact other than locally, and in fact you could

dispense with it and it would not cause much more than a ripple'. That is absolutely incorrect.

Let me just set out for the house something about Lake Mokoan — its size, its history and its purpose. As honourable members know, it is located just between here and Glenrowan. It is a large, shallow water storage. It was built in the late 1960s over the site of two existing wetlands, the Winton and Green swamps. Many people I am sure will remember the Winton Swamp prior to Lake Mokoan being formed as being one of the state's premier wild duck hunting areas.

**An honourable member** interjected.

**Hon. W. R. BAXTER** — I'm sure Tom Austin had been there more than once. Lake Mokoan's maximum capacity is 365 000 megalitres. It has a large surface area of nearly 8000 hectares and its maximum depth is only 7 metres. So we are not talking about a reservoir in the normal sense of the word. We acknowledge that it is a large area and that it is shallow. There is no dispute about that.

The lake is essentially filled by diverting water from the Broken River and Hollands Creek via a channel capable of delivering 2400 megalitres a day, and people who have travelled along the Hume Highway over the years will have noticed the diversion channel coming down from the Broken River and filling Lake Mokoan. Naturally enough, it also has a direct input from the rainfall over its large surface area and the run-off from its local, albeit rather small, catchment.

It is clearly very important to Benalla and Wangaratta and the local citizens in terms of its recreational attributes — the sailing club, waterskiing and fishing. It also is very important as a low-cost recreational venue for many people in northern and north-eastern Victoria. It is very popular for weekend activities. It provides a great recreational outlet for hundreds of people who do not have the opportunity to go to more expensive recreational pursuits.

Lake Mokoan was established after an inquiry by the parliamentary Public Works Committee in the 1960s. In some ways I am very disappointed that the committee is no longer operating, because it did some very good work over a long number of years in shining the spotlight on major capital expenditure and enabling the Parliament to have a more direct look at and say in capital and public works that were being undertaken. I say that with a slight conflict of interest, having been a former chairman of the committee, but I believe it was a committee that over the years proved its worth.

After a full and public inquiry — the transcript is available for honourable members if they wish to look at it — the then government agreed to establish Lake Mokoan through the conversion of the Winton Swamp and Green Swamp into the lake as an integral part of the totality of the irrigation system in northern Victoria. It was not just locally for Benalla or the Broken Valley, but clearly for the Goulburn system and having an input into the management regime of the River Murray as well. That is not widely understood, and I will come to that in a moment. It was clearly designed to increase the security of irrigators in the Broken Valley, who were having some difficulty being assured of getting their water right on a regular basis. It was also designed to expand the opportunities for horticulture and other irrigation opportunities in the Goulburn Valley. I will speak about that in a moment.

I particularly want to express concern that the wording of my motion was a little deficient in that it did not acknowledge specifically, although I clearly had it in mind, the existing irrigation development that relies on Lake Mokoan. I talk in the motion about emerging high-value water horticulture, which has important potential, but there is a huge production from existing users. I am grateful to a local farmer, Mr Tanner, for providing me with some of these details. For example, there are presently six dairy farms milking between 200 and 500 cows each; seven lucerne growing operations for the horse and dairy industries; a maize growing enterprise that basically provides fodder for the dairying industry; six large specialised fat lamb producers drawing water supplied by Lake Mokoan; and numerous vealer operations and existing horticulture and viticulture operations. Honourable members would have seen some very nice vineyards in this area. There are approximately 175 irrigation licences on the system, some of which are not currently active, but it is a very significant part of our irrigation system, and the current production is very high.

I should explain to the house that it is not just irrigators and farmers adjacent to or near by Lake Mokoan; it provides security, particularly for irrigators on the Broken Creek system. The Broken Creek leaves the Broken River at Caseys Weir, not too many miles from here near Shepparton, wends its way across the northern plains and joins the River Murray at Barmah. Prior to irrigation being established in northern Victoria, in years like this the Broken Creek would be nothing but a series of waterholes. It is now an important water carrier and a significant benefit to the economy. Lake Mokoan underpins the supply of water into the Broken Creek, especially in the upper reaches, but not so much in the lower reaches, which is supplied from other points.

I emphasise this. We are not talking about farmers whose properties are immediately adjacent to Lake Mokoan, which is often the understanding that people have. It is in fact underwriting the security of farmers somewhat downstream on both the Broken River and Broken Creek and it is very important for them; they could not survive without it.

I also wish to say something about Lake Mokoan's capacity to be a part of the River Murray management system. It may not be a significant part, but it is an important part. Many honourable members will have heard the expression 'the Barmah choke' without perhaps understanding, realising, or having any reason in the past to inquire exactly what the Barmah choke is. When I was a schoolboy it was actually called 'the narrows' and, as the name implies, it is a narrow and shallow section of the River Murray just upstream from the village of Barmah in the Shire of Moira. It is to the Barmah choke or the narrow river to which we owe the existence of the magnificent Barmah-Millewa state forests because it was the restriction imposed on the passage of winter and spring floods over the millennium that caused extensive flooding against the Cadell tilt which, in due course, led to the establishment of the great Barmah forest.

As we know, the Barmah forest — the river red gums — relies on periodic flooding for its vitality. The Barmah forest floods periodically both naturally and by an orchestrated man-made flood to maintain the health of the forest. The Barmah choke provides a restriction and therefore imposes a great difficulty on the water authorities in getting supplies to farmers downstream of Echuca and, in particular, supplying South Australia's entitlement to water from the Upper Murray, the Dartmouth and Hume dams, because it is impossible to get more than 10 000 megalitres a day through the Barmah choke without flooding out into Barmah forest. If it is springtime, that is okay, but a summer flood is detrimental to river red gums — they do not like it.

We therefore have to find an alternative mechanism of getting water down past the Barmah choke without flooding Barmah forest. Lake Mokoan provides the ability to store water — as I mentioned, nearly 400 000 megalitres — then convey it down the Broken River, thence into the Goulburn River at Shepparton and into the Murray River at its confluence of the Murray and Goulburn rivers at Echuca, thus bypassing the choke. It is a very important engineering concept and a very important natural circumstance that we as human beings living in this environment can benefit from if we manage the system properly.

The Barmah choke and its implications are widely misunderstood, no more so than by the federal member for Murray, Dr Sharman Stone who, on occasions, has clearly said that Lake Mokoan's significance in terms of the Barmah choke is immaterial. I disagree with her. I think it has a deal of potential in assisting us work our way past the Barmah choke and I am disappointed that Dr Stone is not out there defending and supporting Lake Mokoan as much as her state colleagues are. I hope they may be able to have some influence on her and get her on board to support the retention of Lake Mokoan.

I mentioned a moment or two ago about some emerging value-adding industries. They are coming to this part of Victoria, particularly as Melbourne grows and it becomes more difficult to farm around Melbourne and land values become so high it is uneconomic — for example, we have seen the cherry industry almost totally relocate from the outskirts of Melbourne. Much of it has come to north-eastern Victoria on the Warby Ranges. I freely acknowledge that not all of the water is being supplied by Lake Mokoan by any means. Some of the current cherry orchards are supplied by water pumped from the Fifteen Mile Creek, which is an entirely different catchment to Lake Mokoan.

But again it is a potentially emerging, high-value, value-added industry that we can capture in this part of Victoria with our ideal climatic conditions and nearby labour force in Wangaratta and Benalla, provided we have water. We have a number of stone fruit orchards recently established in the Warby Ranges area which are now exporting to Japan, for example. We would not have thought that was possible 10 years ago, but that is the sort of potential that exists in this environment provided we can maintain a secure water source. We will not maintain that if Lake Mokoan is decommissioned.

I would be the first to concede that Lake Mokoan has had its problems. There is no argument about that. It clearly has had some water quality problems to deal with over the years, and they really came to the fore in the 1982 drought. It is an odd juxtaposition, perhaps, that here we are 20 years later in another drought talking about these water quality problems at Lake Mokoan, the genesis of which was really the 1982 drought. In 1982 the lake was drained because water was so scarce it was needed elsewhere, the aquatic vegetation died and grazing was allowed on the dry lake bed. It would be acknowledged by everyone that to allow grazing of the lake bed during the 1982 drought was a mistake because it clearly affected the vitality of the aquatic vegetation which had added nutrients to the

soil. It certainly caused problems later, after the drought broke and the lake filled.

The lake's size and relative shallowness made it greatly subject to wind and wave action, and turbidity has been a big problem because the constant action of the waves has not allowed sediment to settle. Without clear water you have no growth of aquatic plants; they have not been able to re-establish. The constant stirring up from the wind and wave action has kept in suspension nutrients which would have been incorporated in the soil on the lake bed. That has aggravated algal blooms, which we have had late in the summer for a number of years when the water temperature has risen sufficiently to encourage algal growth. Bear in mind it is a relatively shallow lake and obviously you get higher temperatures towards the end of summer simply from the great expanse of water that is exposed to the hot summer sun.

We should not throw up our hands in horror or despair and say, 'This is a disaster. There is nothing we can do about it. Let's shut the thing down and over 100 years it will revert back to Winton Swamp and Green Swamp'. Yes, it probably would, and it probably would take 100 years, and we would have an environmental disaster in the meantime. And more than that, we would undermine the local economy very substantially indeed, as I have demonstrated.

**Hon. P. R. Hall** — Who would own the land in the meantime?

**Hon. W. R. BAXTER** — That is an interesting question, as to whether it would go back to the original owners. Many of them and their families are still in this locality, and they went through a lot of heartache when their land was acquired back in the 1960s. I think they would feel very much let down if now the lake was closed down after they had given up their farms for the good of the community, to see the penalty they paid all just come to naught. That is a good reason for us to be very careful in any proposal to decommission the lake.

I will explain to the house some of the work that has been done to improve the water quality and the operation of the lake. There have been grazing restrictions on the foreshore to prevent further loss of plant cover and reduce erosion of the lake margins. I do not think anyone could argue about that. We have had a good deal of work done in the catchment streams with stabilisation and erosion controls — again a big tick — revegetation using trees on the lake margins and aquatic plants on the lake bed. There has been some very good work done in that regard, which is pretty evident to anyone who goes to have a look. Wetlands have been

created on the Seven Mile Creek and the Eleven Mile Creek to reduce inflow of sediment and nutrients into the lake and provide a seed bank of aquatic plants.

I was going to refer to those two projects as experiments, but they are much more than that. They have been very successful indeed. There has been some flushing of water through the lake to reduce turbidity and maximise potential for natural regeneration of aquatic plants. There has been some experimentation with what should be the lake's operating range. A tremendous amount of work is being done to find the most effective operating regime that does the best for water quality and the best to reduce evaporation load, but there is still much more to be done.

I will give some examples to indicate the results. Turbidity has decreased between 100 and 120 NTUs, which is a scientific measure of turbidity, from a peak in 1992 of around 240 NTUs. That is a decrease of more than half, which is an excellent result and a very encouraging development. If you go up to what is known as the duck pond, which is a separate small pond in the north-east corner of the lake, where some trial revegetation work and other experiments have been done you will find that the turbidity rating has declined from 700 NTUs to below 10 NTUs. That is a phenomenal improvement, and it shows the sort of potential there is to get it right. I am very encouraged by that, and I advocate that we should continue with that sort of work to improve water quality.

A reference group is working, and it has been put together appropriately. It includes local landowners, representatives of the Country Fire Authority, recreational fishers — I hate that term, but it is the one used by this government — irrigators from further downstream and townspeople. The group is doing some excellent work. It has been asking some pretty penetrating questions of the Goulburn Broken Catchment Management Authority's consultants, Sinclair Knight Merz, and others. I hope the government listens intently to what the reference group's opinions are and what it comes up with. As I have said, it is vital to the economy of Benalla and the wider economy.

Members of this government talk about listening. We hear it every day. They keep telling us how much they listen. It is a pity the honourable member for Benalla does not listen a bit more too, because she has got into a bit of hot water over Lake Mokoan. One letter to the honourable member for Benalla states:

The local community have informed you of their preferred solution to Lake Mokoan on several occasions. You are just not a very good listener.

...

Local farmers are not as vocal as you and you take advantage of that at your peril. Save your rhetoric for your political colleagues. Let the locals have their say. Be prepared to listen. They also don't like to hear people who raise their voice to them — —

I say 'Hear, hear!' to that, Mr President. I say to the government and to the honourable member for Benalla, 'You actually have to listen to what the people here are saying about Lake Mokoan, because thus far you do not appear to have done so'. This is an opportunity for you to recover some ground by listening to what the local people are saying.

**Hon. P. R. Hall** — Bill Sykes was saying 'Lake Mokoan'.

**Hon. W. R. BAXTER** — Yes. Bill Sykes is a person of tremendous skill, knowledge and good ideas. I am quite sure he will play a very significant part in managing Lake Mokoan into the future to the benefit of all.

Finally, let me say that I do not want Lake Mokoan to be sacrificed on the altar of political expediency because this government has a commitment to meet to the Snowy River. I want the government to acknowledge the economic and recreational benefits the lake provides to thousands of people. I want more work done to improve the water quality and its operation. There are a number of options and proposals out there that are well worth looking at. I am perfectly happy to look at them; I am happy for all of them to be examined, but today this house should make a decision not to decommission Lake Mokoan because it is far too important to the economy of this state and this district.

**Hon. GAVIN JENNINGS** (Melbourne) — On many occasions debates that take place in this house, whether it be in our normal meeting place or the glorious Benalla town hall where the house is meeting today, provide an opportunity for all parties to come to a level of agreement about what they are trying to achieve on behalf of the Victorian community and what they may be seeking to achieve for rural communities and indeed for Victoria's precious environment. Today we have an opportunity to try to find agreement between us in terms of our commitment to precious water resources within the state of Victoria.

I, too, start my contribution in the somewhat gracious way that Mr Baxter started his contribution, by looking forward to the level of agreement we may be able to reach. On behalf of the government I am very happy to indicate that the government believes Lake Mokoan plays a significant role in this region and for this

community. I acknowledge its contribution to the tourism industry with water sports and recreational fishing and the provision of irrigation water.

In particular the Bracks Labor government is committed to ensuring that there is a viable irrigation network in Victoria that underpins a viable and sustainable agricultural industry, and particularly those industries that are emerging in the high-value horticulture sector. All of those things are agreed between us.

I think all honourable members of this chamber — and, in fact, all members of the Victorian Parliament — are united in their willingness and preparedness to do whatever we can to support rural communities that are doing it hard in times of drought. For quite some time over the course of this year there has been a reluctance for us all to step up and use the word 'drought'

**Hon. Bill Forwood** — Not all of us.

**Hon. GAVIN JENNINGS** — No, there has been, because there was an agreement struck between commonwealth and state governments going back about a decade to try to limit their financial exposure once a drought had been determined. In fact, there has been something of a conspiracy of silence about using the word 'drought' for the past 10 years.

**Hon. Bill Forwood** — Not on this side.

**Hon. GAVIN JENNINGS** — That is a bit petulant, given that I am trying to identify a level of agreement between us, but there is still a reluctance from the commonwealth government, which I am led to believe is a conservative government comprising members of the Liberal Party and the National Party. They are somewhat reluctant to engage in using the word 'drought' and applying it to circumstances in Victoria. Indeed, they do not step up to their responsibilities of meeting their financial obligations to the people in this community.

*Honourable members interjecting.*

**Hon. GAVIN JENNINGS** — I am being baited, Mr Acting President, by members of the opposition, who indicate that this is a government that does not have significant connections with rural and regional Victoria. That is quite a false premise. In fact the 132 members of the Victorian Parliament who represent the Labor Party and regional and rural constituencies are greater in number than the members of the Liberal Party and the National Party.

I am not going to have a gratuitous whack about the National Party, because I believe it represents the interests of its constituency. There are 13 Labor members of the Victorian Parliament who — —

**Hon. Bill Forwood** — And 100 per cent of the National Party.

**Hon. GAVIN JENNINGS** — Very funny, but in number Labor represents more country seats than the National Party in this Parliament.

The unfortunate circumstance that we are in part discussing today is that there has been a physical drought that relates to the amount of rain that occurred in Victoria over the last six years. There has been a drought of critical investment into the water sector, and that is something that the government is trying to address. As a Parliament we should be united in addressing that level of appropriate investment that takes place in Victorian waterways.

**Hon. J. M. McQuilten** interjected.

**Hon. GAVIN JENNINGS** — My colleague, who represents a regional electorate — one of the two Labor members for the Ballarat Province — has reminded me of the Wimmera–Mallee pipeline. It is one of a number of pipelines that are currently being developed and proposed by the government, some of which I will refer to in my contribution today. The Bracks government has not received the measure of support it would like from the commonwealth government to a number of these significant investments in Victorian waterways.

The problem we are confronted with today is the future of Lake Mokoan. The reason this government has difficulty supporting the motion in its totality is because it is prescriptive in terms of predetermining some of the outcomes of the inquiry that is currently under way.

**Hon. W. R. Baxter** — So you see decommissioning as an option?

**Hon. GAVIN JENNINGS** — Decommissioning is an option that has been considered by the steering committee. I recognise that in one of the more positive components of his contribution Mr Baxter did acknowledge the value and the contribution of the steering committee — the method that it is adopting in terms of analysing these issues and the potential that it has to make recommendations to government about how to deal with the current inadequacies of the health of Lake Mokoan — and I would encourage Mr Baxter, indeed all honourable members, to try to look for the most lateral and creative ways in which we can address the viability of Lake Mokoan, the viability of the

irrigation system that it currently makes a contribution to and the long-term health of Victoria's major rivers and streams.

We have made reference to a number of those significant rivers and the viability of the Snowy, Goulburn and Murray catchments. I share Mr Baxter's potential alarm that any of those catchments and rivers may be placed in jeopardy by any decision that is made either as a consequence of this current consideration or any other investment or savings that may be identified through the Victorian irrigation and natural river systems. As a Parliament we have an obligation to try to get through the eye of the needle in terms of those expectations. I understand that the very committee that Mr Baxter has given some credit to has, as part of its operating parameters, a requirement to ensure that the entitlements of irrigators are not lost and diminished through whatever the outcome of the considerations of Lake Mokoan are.

I note that the Victorian Farmers Federation has sought from the government a commitment that there will be no reduction in the security of water supply as a result of this consideration. The government, for its part, has willingly given that undertaking. We recognise that it is incumbent on the steering committee to ensure if possible all the various mechanisms are used to keep this a viable lake and a viable catchment, and to look at all the appropriate mechanisms to ensure that there is an ongoing viable supply of water in this region. Those are quite onerous undertakings that the committee has taken up.

In fact the government is eagerly looking forward to an interim report from the committee in December this year and a final report in June of next year. As Mr Baxter has indicated, these are complex issues; we are talking about the complex relationship between the viability of Lake Mokoan and all the relevant water catchment systems to which it directly or indirectly connects.

As Mr Baxter has also indicated, if you consider the viability of Lake Mokoan itself you see that in 1982 there was a significant drought in this region and water from Lake Mokoan was diverted into the Murray River. The problems that have bedevilled Lake Mokoan ever since were generated at that time. There could be a biological argument that we tried to push the level of the resource in Lake Mokoan too strenuously at that time and left it vulnerable for the next 20 years.

In most summers for the last 20 years Lake Mokoan has had a significant incidence of algal bloom. In fact 9 summers out of 10 it is bedevilled with that problem.

From January onwards, when this becomes a feature of Lake Mokoan, it would be totally irresponsible, inappropriate and destructive to divert water from Lake Mokoan into any other river system. That is fundamentally part of the problem that we all have to address. The water quality is poor, there is a proliferation of algal blooms and the cost of maintaining and running Lake Mokoan is high — around \$700 000 a year to keep this waterway viable, a very large cost and certainly nowhere near redeemed through the user charges that apply to the lake, in terms of the water supply or the recreational income that comes from the lake. Overall we estimate that approximately 42 000 megalitres of water every year is being evaporated, for some of the reasons Mr Baxter outlined in his contribution. This is a very vulnerable waterway.

For the benefit of members of the Benalla community who are interested, 42 000 megalitres is the equivalent of 20 times the water usage of Benalla every year. It is the equivalent, under normal circumstances, of filling the Melbourne Cricket Ground right to the top of the southern stand about 22 times. If anyone has seen the MCG recently they would know that you could not fill it at the moment because there is a huge, gaping hole where the Ponsford Stand once was, so the water loss would be even more significant than usual if you were trying to pump it into the MCG. That amount of water is lost to evaporation each and every year from Lake Mokoan.

**Hon. K. M. Smith** — Is that a good reason to drain it?

**Hon. GAVIN JENNINGS** — That is a significant issue in terms of making sure — —

**Hon. K. M. Smith** interjected.

**Hon. GAVIN JENNINGS** — Mr Smith, in his contribution — —

**Hon. K. M. Smith** interjected.

**Hon. GAVIN JENNINGS** — Of course evaporation is a significant issue.

**Hon. K. M. Smith** interjected.

**The ACTING PRESIDENT**  
(**Hon. C. A. Strong**) — Order! Mr Smith!

**Hon. GAVIN JENNINGS** — Evaporation is a significant issue; in fact precipitation requires evaporation. Anybody who understands how nature works understands that evaporation is part of the

system. But if there is more water evaporating than the amount being effectively used, that is the issue. What we are looking for, in relation to this debate today, is a viable waterway that makes a positive contribution beyond its natural evaporation rate. That is the most significant issue for all of us to consider today.

*Honourable members interjecting.*

**The ACTING PRESIDENT**  
(**Hon. C. A. Strong**) — Order! Mr Smith! All honourable members, please!

**Hon. GAVIN JENNINGS** — Mr Acting President, I appreciate your assistance. I did not feel extremely vulnerable, but thank you for your assistance at this point in time. I will do my best to stay on my feet.

**Hon. W. I. Smith** — You'll manage.

**Hon. GAVIN JENNINGS** — Thanks so much.

The significance, as Mr Baxter also outlined in his contribution, is that this lake was established in natural wetlands in the 1960s on the basis of the Green Swamp and the Winton Swamp. It is not a natural lake, but in its natural circumstances it did have a healthy perimeter of river red gums — an issue that is near and dear to Mr Baxter's heart. He passionately defended the stands of river red gums recently in the Parliament.

**Hon. J. M. McQuilten** — He is not a tree lover, is he?

**Hon. GAVIN JENNINGS** — Apparently so. Apparently he has high conservation principles that he applies to such matters. Indeed, in the good days this lake had extensive aquatic vegetation and extensive stands of these river red gums, as I have indicated, and has been an important habitat for water birds and other wildlife. If this is a state that we could actually return to, I hope the steering committee takes up part of its responsibilities to see whether this quality of environmental life can be restored. The lake currently assists in the security of supply to the Broken Creek, the Broken River and the lower Goulburn River and occasionally supplements the supply to the Murray River.

This contribution is in the order of about 20 000 megalitres on average, but the contribution it makes to other river systems and streams in the region is in the order, on average, of 20 000 megalitres. This is again a significant contribution but perhaps not a massive contribution when you compare it to the natural rate of evaporation which runs at over twice that amount during the course of a year. This is not to deny

the significance of this, but to put it into context of the order of magnitude of how much water we have available and how much water is required at a time where a lot of members of the Victorian community are doing it hard because there is not enough about.

I would like to take the opportunity to respond to the challenge by Mr Baxter and others that Lake Mokoan is in any shape or form directly in the line of sight of the commitment of the government to restoring environmental flows to the Snowy. Indeed, there is not a direct correlation, but in fact they are demands that have equal status in terms of warranting the need to ensure that all our rivers and streams are protected. I refer to the mechanisms that Mr Baxter has identified as being the positive changes that have taken place at Lake Mokoan in the way of trying to improve the quality of the catchment and the lake itself, which imposes grazing restrictions, catchment stream management, revegetation, the creation of wetlands at the Seven Mile Creek and the Eleven Mile Creek, and indeed activity that provides for flushing which enables regeneration to take place within the lake.

They are the very devices that have been used in terms of restoring environmental flows to the Snowy. These are the very same issues in terms of trying to restore the viability of one of Victoria's most precious rivers that has been languishing for so long. It was an important undertaking that this government has maintained during its three years in office, and it will be a commitment that it will want to see through to the end. But we acknowledge that it would be disastrous if there were downstream consequences for irrigating communities right throughout Victoria, down the Murray and into South Australia, and every effort is being made to try to ensure that there are no downstream effects.

The notion of downstream effects is the area where probably the best working relationship between the National Party and the Bracks Labor government has taken place in terms of our united position on the farm dams legislation, of protecting catchments and introducing appropriate regimes of catchment management, of the application of appropriate user-pay mechanisms and of making sure that there are not downstream effects or inappropriate hoarding of water. This has been one of the major areas where there has been agreement between the National Party and the Labor Party during the life of this government.

In fact, I can understand why Mr Davis is shaking his head, because it was not one of his glorious moments in the Parliament that the Liberal Party eventually joined with the Labor Party and the National Party in introducing — —

**Hon. Philip Davis** — You shouldn't have introduced it into this debate.

**Hon. GAVIN JENNINGS** — Well, the importance of this is that we are in the business of protecting the Victorian environment and in making sure there is ongoing viability for agricultural use right throughout Victoria.

**Hon. Philip Davis** interjected.

**Hon. GAVIN JENNINGS** — I do not mind taking one step back in taking two steps forward. The net result of this position was that there was a monumental stride forward in the name of protecting the Victorian environment. I am sorry if members of the Benalla community feel that they were somehow disadvantaged through that specific initiative, but in the long-term viability of the state and its waterways there is no doubt who took the responsible position on farm dams legislation, and that certainly was not the Liberal Party. The Liberals were the last people to get on the bus in support of that important initiative.

The government is committed to ensuring that all stakeholders are involved and not disadvantaged, and in this regard great steps have been taken to try to ensure that the considerations of the reference committee that will be advising the government on this matter are inclusive.

**Hon. M. T. Luckins** interjected.

**Hon. GAVIN JENNINGS** — Interjections from the other side are about committees. It is one of the opposition's hobbyhorses.

**Hon. N. B. Lucas** interjected.

**Hon. GAVIN JENNINGS** — One of the reasons the Liberal Party is on the wrong side of the chamber is that a fundamental lesson about appropriate levels of consultation and consideration of communities throughout Victoria was not learnt. Steamroller decisions were made time and again to reduce infrastructure, to reduce levels of service and to make unilateral decisions. Eventually the government that perceived itself to be a can-do government was perceived as doing can-do things for people in Melbourne and was turned out of office because it was not performing as it should have to represent the interests of rural and regional Victoria.

That is why there is a clear need to engage people in the decisions that affect their lives. It is most appropriate to take quality time to consider the range of issues that may be before a community and to make sure that

socioeconomic and environmental impacts at all levels are brought to the one place. That takes time.

The government is considering and dealing with the specific issue of Lake Mokoan. In 1982, in response to a drought, Lake Mokoan was driven down further than it should have been and has been bedevilled by algal blooms ever since. We are looking for a long-term solution. One has to look at the environmental issues and stakeholder issues, and that work has to be done properly.

We have representatives of the Lake Mokoan working group, the local council, the local indigenous community, the local Country Fire Authority and the local water services community. There are 13 members of the committee, made up of stakeholders right throughout this community. Two of them live right on the perimeter of the lake. Four others live in the Benalla region and only one person lives outside the region. There is a strong local stakeholder presence on that committee. As I have indicated to the house, it has the discipline of ensuring that the long-term interests of irrigators are not violated through its considerations. It has an obligation to ensure that the security of supply cannot be diminished through its considerations and recommendations to government.

We would expect the committee to provide recommendations that are fair and equitable and do not disadvantage members of this community. In fact that is an important requirement that the committee has been instructed to consider. In terms of the interests of recreational fishers the government has involved VRFish — —

**An Honourable Member** — It is VRFish!

**Hon. GAVIN JENNINGS** — It's all in the pronunciation and spelling! VRFish — —

**Hon. I. J. Cover** interjected.

**Hon. GAVIN JENNINGS** — I have spent too much time in the Victorian railways! It is an antiquated idea — —

**Hon. Bill Forwood** — We ought to take you fishing!

**Hon. GAVIN JENNINGS** — We spent a lot of time fishing together. The important consideration for this inquiry will be the interests of fisherpeople.

The government understands that there is some anxiety in the community at a time when the rains have not come. There is a concern that there may be a trade-off

between the undertakings that have been made to restore the environmental flows to the Snowy River and what may be the consequences downstream of the headwaters of the Snowy.

My colleague in this chamber who is responsible for the restoration of the environmental flows to the Snowy River and my colleague in the other place — who is a bit further away than in normal circumstances — the Minister for Environment and Conservation, who is also the minister responsible for water resources has a commitment to ensure that people are not disadvantaged through this committee's terms of reference and not disadvantaged in relation to any other commitments that this government has made in terms of restoring environmental flows. It takes seriously the responsibility to ensure that water rights are protected and not violated and that there is no inappropriate intervention in the water market. In fact we are bedevilled in this place as being able to say you cannot satisfy your commitments. That is a difficult test the government has set for itself. But time and time again it makes a very clear statement that through market forces it is not the intention of this government to corrupt in any shape or form the water market that applies in Victoria.

The government is investing in a number of key infrastructure projects which include the Normanville project and improvements to the Tungamah pipeline system. They are indicative — and they may be bumped out of school as being too small, not actually a significant contribution in terms of the dimensions of the problem — of an ongoing and increasing level of support that this government has demonstrated over time for water resources in Victoria. It is one of the major priorities for this government and the Victorian community to ensure that it remedies the stress that has resulted from the drought. It has provided a support package for people in regional Victoria and it will continue to provide that level of support. It will continue to place great emphasis on infrastructure spending on a number of significant pipelines across Victoria. It will provide support for irrigators and make sure that affected communities remain viable in the future. It is an unswerving undertaking of this government.

Difficult as it may be, I would say to members of the opposition parties that as far as possible we should try to work in a collaborative fashion to deliver those outcomes. We should wait for the committee's recommendations. The committee makes recommendations to the government, the government comes back to the Parliament and we then discuss them. It is for that reason alone that I seek to move an

amendment to the motion moved by Mr Baxter. I move:

That the words 'and therefore rejects any proposal to decommission the storage and instead commends and encourages actions to improve water quality and reduce evaporation losses' be omitted.

The only reason I am moving that reasoned amendment on behalf of the government is that that part of the motion pre-empts the decision and considerations of the committee.

It would be easy for me to come up here and, with the prism through which everyone is seeing things and the prism of an election, say something different. But I am not in the business of saying something easy; I am in the business of saying something honest — that is, that the government wants to reiterate the importance of Lake Mokoan. The government wants to rigorously test the lake's ongoing viability. It wants to rigorously ensure that the agricultural communities in this region are viable. The government has a commitment to ensure that there is no loss of entitlement through the considerations of the committee, but it is waiting for the recommendations of the committee. That is the responsible thing to say. It is an acknowledgment I believe the Parliament should make today by supporting my reasoned amendment to the motion.

**Hon. E. G. STONEY** (Central Highlands) — As an upper house member for this area it is a great pleasure to lead for the Liberal Party in a debate on a subject very dear to my heart. I would like to tell the house about Lake Mokoan. I take that back, I would like to tell the government about Lake Mokoan.

The Liberal Party knows about Lake Mokoan because its members have all been there, and I have the photograph to prove it. I have here a photograph of members of the Liberal Party standing at Lake Mokoan after breakfast. I was going to ask the Hansard staff to incorporate it into *Hansard*, but there are so many people in the photograph I am not sure they have the technology to do that, so I will not embarrass them.

We went out there and had breakfast. It was a deliberate and symbolic gesture of support for Lake Mokoan. We wanted to demonstrate to Benalla that the Liberal Party supports keeping Lake Mokoan open.

In a very eloquent speech earlier Mr Baxter went through the statistics on Lake Mokoan. I will recap them briefly. It holds 365 000 megalitres and covers 8000 hectares. It is between 7 and 8 metres deep — it is not a deep lake. Its uses include irrigation, fishing, yachting, hunting, swimming and waterskiing. It is now

a significant wetland, and, believe it or not, it is the home of a pair of sea eagles who have adapted to this new environment. That is a very interesting development in the ecology of the area.

Cr Ken Whan, who is very well known here in Benalla, told me that last weekend you could not get a park at Lake Mokoan. The Lake Mokoan road runs the full length of the lake, parallel with the Hume Freeway, as Mr Baxter pointed out. There are a lot of car spaces, a lot of barbecue areas and a lot of places to put your boat into the water, but last weekend you could not get a park. It is a fabulous place for people to go, and it is a very big economic generator for Benalla.

This motion presented the government with a great opportunity, and I think it has flunked. The government could have announced that it would keep Lake Mokoan. Why did the government not blow the National and Liberal parties out of the water today? Members opposite could have got up and said the government was not going to close Lake Mokoan.

The basic rationale for closing Lake Mokoan is its high evaporation levels. How much evaporation occurs at Lake Mokoan? The Goulburn-Broken Catchment Management Authority released a study on Lake Mokoan, from which Mr Baxter quoted in part. The study also states:

Lake Mokoan is a large shallow water storage built over the site of two existing wetlands (Winton and Green swamps). It has a surface area of 7890 hectares and a collection depth of 7 metres.

The following is the crunch:

On average, Lake Mokoan evaporates 50 000 megalitres a year, ranging from 1000 megalitres a year to 80 000 megalitres a year.

That is an enormous range. But there it is, a quick fix for the urgent need to find environmental flows for the Snowy River. The government sends 38 000 megalitres down the Snowy but then closes Mokoan. I understand there will be savings of about 42 000 megalitres, so it picks up 4000 megalitres in the process. There is the legendary comment from Houston, 'Benalla, we have a problem'.

We have a fight on our hands to keep Lake Mokoan. The former Delatite shire put its hands in its pocket to fight for Mokoan. It engaged Linqage International and came up with a paper entitled *Lake Mokoan — Its Contribution to Delatite Shire's Economy*, which is a comprehensive report on the importance of Lake Mokoan and its contribution to the economy of Delatite shire and the whole region. The report states:

Since its establishment in 1970, the lake has become a significant part of their recreational and agricultural activities in the area and a key support for economic activity.

The report then lists tables of the activities and the economic impact of Lake Mokoan. I seek leave to incorporate an extract from the document.

*Leave granted; extract as follows:*

	<b>Annual Direct Economic Impact</b>	<b>Annual Indirect Economic Impact</b>
Fishing	\$215,000	\$645,000
Hunting	\$169,000	\$507,000
Sailing	\$40,000	\$120,000
Waterskiing	\$24,000	\$72,000
Council Rates	\$15,000	\$45,000
Tourism	In excess of \$92,600	In excess of \$277,800
	<b>Annual Direct Economic Contribution \$555,600</b>	<b>Annual Indirect Economic Contribution \$1.67m</b>

*Source: Adapted from Linqage International Lake Mokoan — Its Contribution to Delatite Shire's Economy, December 2001*

**Hon. E. G. STONEY** — Two columns refer to annual direct economic impact and annual indirect economic impact. For fishing direct economic impact is \$215 000 and indirect economic impact is \$645 000; for hunting direct economic impact is \$169 000 and indirect economic impact is \$507 000; for sailing direct economic impact is \$40 000 and indirect economic impact is \$120 000; for waterskiing direct economic impact is \$24 000 and indirect economic impact is \$72 000; for council rates direct economic impact is \$15 000 and indirect economic impact is \$45 000; and for tourism direct economic impact is \$92 600 and indirect economic impact is \$277 800.

The bottom line is that the annual direct economic contribution is \$555 600 and the annual indirect economic contribution is \$1.67 million. The report then refers to the \$1.6 million to the shire's economy, land devaluation if the lake closes and one-off losses of \$5 million.

For the agricultural sector it points out how important Lake Mokoan is to horticultural enterprises up to the tune of \$6.2 million, and indirectly \$18.6 million to the local economy. At present those industries employ 100 people. It points out that these contributions would be put at risk and warns that:

In addition, should the decommissioning preclude future development in the viticulture and horticulture industries,

future direct and indirect contributions of in excess of \$50 million and \$150 million respectively, would be lost to the local economy, as would 1000 full-time positions.

That is significant. I will quickly go through the various recreational and agricultural pursuits that rely on Lake Mokoan. There is fishing for native species such as Murray cod and golden perch, carp and redfin. In the eight years from 1991 to 1999, 140 000 perch fingerlings and 40 000 Murray cod fingerlings have been released. It is an important mecca for people fishing for native fish.

There is a 12-week hunting season between March and June. Local hunters and hunters from interstate flock to Lake Mokoan. They estimate that 1000 hunters are on or around the lake daily. Each hunter spends \$65 on food, fuel, ammunition and other expenses. Hunting alone brings \$500 000 to the local economy.

There is recreational boating and sailing and 820 person-sailing days are spent by sailors on Lake Mokoan and 480 person-waterskiing days. There is concern about a drop in property values if the lake is closed and agents estimate that property values may drop by up to 40 per cent.

Tourism centres around the caravan park which has 55 sites, some on-site vans and 2000 bed nights a year. One thousand day visitors visit the lake annually. Most importantly, especially to Mr McQuilten, the wineries in the area host 22 000 visitors annually and the lake's closure would equate to losses to the local economy of between \$72 600 and \$217 000 annually.

Under the heading 'Ecological habitat' in the report there is mention of the white-bellied sea eagle. It states:

Habitat destruction is probably the most significant threat to the white-bellied sea eagle, resulting in the loss of nesting sites and causing birds to nest in less suitable areas. The loss of habitat on Lake Mokoan would add to the destruction of this listed species.

Lake Mokoan also provides refuge for the freckled duck.

Mr Baxter gave details of agriculture and high-value horticulture. It is interesting to note that there is not a lot in the report about the value of the downstream water from Lake Mokoan. I was talking to Mike Burston yesterday and the night before he had been out until 1.00 a.m. irrigating his parched pastures. He was telling me that without Lake Mokoan his enterprise would be in very serious trouble.

So if Lake Mokoan is so important, why on earth are we worried? Mr Baxter quoted a pertinent part from the catchment management authority study and I intend to quote it again to reinforce the point. It states:

The state government commissioned a preliminary study of all headworks in the state with a view to identifying potential major water savings opportunities. This study identified Lake Mokoan near Benalla as the only opportunity for large-scale water savings.

Very few other projects have been identified. After some questioning the minister quickly mumbled a couple of them today. I looked at an article headed 'Worthy water projects' in the *Weekly Times* of 16 October, although I had trouble finding it because it is a small column. It says, quite definitively:

These water infrastructure projects have been identified as feasible:

The Wimmera Mallee pipeline —

that does not help us here in Benalla, and it does not help Lake Mokoan or the Snowy problem —

Murrumbidgee infrastructure pipeline project ...

that is in New South Wales —

Replacing stock and domestic systems with pipes, such as the Tungamah and Normanville system in Victoria ...

Those are very small savings, and I will come back to the Normanville system in a minute.

The government has a problem. It has promised to return 28 per cent of environmental flows to the Snowy River, plus, I remind the house, environmental flows to the Murray River. It has promised to find the water from savings, and it has made the promise without identifying where the savings will come from. The government urgently and desperately needs an out, and that out will be the closing of Lake Mokoan.

The *Weekly Times* of 20 March 2002 agrees. It has a photo of local resident, Doug Bain, who had country taken from his family when the lake was built. The Bain family has adapted and family members are now adamant that the lake should not be drained. They say it is the best thing that has ever happened out that way. The article, headed 'Mokoan could be Snowy saviour' reads:

A search for water to revive the Snowy River's flow has found only one of Northern Victoria's 21 storages — Lake Mokoan — could supply any significant and affordable water savings.

It goes on to talk about the Sinclair Knight Merz (SKM) report, which estimated that 42 000 megalitres could be saved from evaporation. The article quotes local winegrower, Michael Reid, who has been a great help in heading up the Lake Mokoan action group to draw attention to the problems out at Lake Mokoan.

Mr Reid is very scathing of the SKM report. The article states:

'The report is really just about trying to find savings for the Snowy', Mr Reid said.

The article goes on to state, as we all remember, that Lake Mokoan is on the hit list drawn up by the Bracks minority government to find environmental Snowy water as promised to the Independent member for East Gippsland in order to form government. That is the bottom line, and it comes back to politics. After the 1999 election some very, very rash promises were made about environmental flows for the Snowy River. Promises were made to Craig Ingram to secure his vote, and we in this house have been putting the minister responsible for the environmental flows to the Snowy River under some sustained questioning.

Last week my colleague the Honourable Philip Davis eventually extracted out of the Minister for Energy and Resources a statement that the government has ruled out the purchase of water entitlements in order to deliver environmental flows to the Snowy River. That statement took about a year to extract, and I congratulate Mr Davis for his persistence in extracting that promise. The government has ruled out purchasing water entitlements, even though the agreement provides for purchases. As outlined by Mr Baxter, in the last two weeks the *Weekly Times* has really hit on the fact that the agreement entered into allows for water purchases, and that, quite rightly, irrigators are very concerned about that clause.

If the government is not going to purchase water, where is it going to get the water from? Perhaps it is hoping that some of the water will come from savings in the Goulburn–Murray water system, but the *Weekly Times* — I seem to be returning to the *Weekly Times* often — of 16 October 2002 has thrown a spanner in the works. It states:

Goulburn–Murray Water, which manages Victoria's biggest irrigation system, says the 80 per cent water losses being quoted by some people were grossly overstated.

It then goes on to state that:

The Goulburn–Murray system, with its 6000 kilometres of open channels, was about 70 per cent efficient, only 15 per cent less efficient than Melbourne's piped system, water savings manager Terry Court said.

The losses from evaporation, leaks and seepage were only about 7 per cent.

Piping the whole system would mean only a little saving for a big cost.

So it appears that Goulburn-Murray Water does not believe savings can be made in its system. The Goulburn-Murray system covers our area of interest, an area in which you would expect water savings could be made. The government has found itself in a pickle and I do not believe it can identify the savings. What I do know is it is desperately waiting for an election.

Having said that, there are some prospects for savings. I mentioned the Normanville pipeline. It is a worthwhile project. I understand it probably has the worst losses in the Goulburn-Murray water system.

The *Weekly Times* of 7 August refers to the Normanville pipeline. It states:

... 335 kilometres of channels will have been replaced with 287 kilometres of pipe, ending water losses estimated at 90 per cent from evaporation and leakage.

Launching the project at Normanville last week, environment and conservation minister Sherryl Garbutt said the —

wait for it, we were talking about cupfuls of water before —

3600 megalitres of water saved by the pipeline each year would be put towards environmental flows in the Snowy and Murray rivers.

Various speakers spoke about cupfuls of water. I use a high country term: it is really more like a pannikin of water — absolutely a drop in the bucket compared with what has to be found. As I said earlier, 38 000 megalitres is now going down the Snowy; we have found 3600 megalitres. It will take a lot of Normanvilles to find that water. Hence the problem, and we come back to Lake Mokoan.

Where does the Liberal Party stand on this matter? We have been consistent on this for some months. Back on 31 July the *Benalla Ensign* reported Steve McArthur, the honourable member for Monbulk in the other place and the shadow minister at the time, as giving an unequivocal commitment to keep the lake open. The article states:

He met with residents, irrigators and tourist operators at the invitation of Benalla Liberal candidate Andrew Dwyer.

...

Mr Dwyer said constant speculation about Lake Mokoan's future has harmed business confidence and 'drastically reduced land values'.

While I am on the subject of Mr Dwyer, even though Mr Baxter and I get on particularly well I have to disagree with him on this issue. Mr Baxter said Mr Sykes is the best person to represent Lake Mokoan's interests in the future; my money is on

Andrew Dwyer. The first thing Mr Dwyer did on preselection was to go out to Lake Mokoan and get briefed. He has been back many times since. He has made a personal commitment to fight for Lake Mokoan. Mr Dwyer — I have the photograph here — organised for the Liberal Party to go to Lake Mokoan. He put pressure on us to recommit, and we did. As I said earlier, my money is on Mr Dwyer.

As I said earlier, Steve McArthur, then shadow minister for water, went to Mokoan and his argument was very cogent at the time. In an article in the *Weekly Times* of 31 July he pointed out that:

The state government has put \$1 million into the place to improve the algal, carp and turbidity problems, so it seems crazy for them to say we will close it down and run the water back down the Snowy out into Bass Strait.

...

Save Lake Mokoan committee chairman Michael Reid welcomed the opposition's support.

'We have seen all the arguments for closing, subdividing, raising and lowering the lake, and the only sensible argument is to fill it', Mr Reid said.

And I agree. In September the Liberal Party was still consistent. An article in the *Country News* headed 'Libs want lake to stay' states:

The Liberal Party chose the lake's shore as a perfect place to have breakfast and discuss policy on its future.

Liberal Party leader Robert Doyle said his policy would ensure the lake remained in its current state.

'As Liberal leader my guarantee is ironclad — Lake Mokoan will not be drained by a Liberal state government', Mr Doyle said.

'The Bracks government should match that guarantee'.

Robert Doyle is right. The government should have matched the guarantee and we would have had time to go on with other business in the house. It is ironic that we are in a drought and next week Mokoan will be assisting in finding water for irrigators downstream. The fact that it is being drawn down to assist in finding much-needed water for irrigators proves its value at a time like this. If it were gone the safety net would be gone, and as we all know there will always be droughts.

I understand Goulburn-Murray Water is trying to lift the allocations to 47 per cent. John Dainton, the chairman of Goulburn-Murray Water, said that irrigators' needs were always put ahead of the community's environmental and recreational needs. Under the circumstances that is probably fair enough.

An article in the *Age* of 11 May 2002 headed 'Days numbered for a Lake of Murray cod and dreams' contains a very big warning:

Victorian environment minister Sherryl Garbutt has indicated that Lake Mokoan cannot be retained in its current form, because of 'serious economic and environmental problems'.

Today we have spent nearly 2 hours rebutting the argument that there is any economic problem with Lake Mokoan. I think we have proved conclusively that Lake Mokoan is a great economic generator for Benalla, the former Delatite shire and the whole region.

The article quotes Doug Bain, a fourth-generation farmer who lost land in 1971. He advocates keeping the lake and is quoted as saying:

I believe that we owe it to those families that had no choice. I know that I'd feel pretty ordinary if I was flushed out, and 30 years down the track they say 'Right, we've had enough of this'.

I agree — we have had enough of this. We need a clear statement from the government that it will keep Lake Mokoan open. It was built and it has changed the environment and the economy, and on both counts for the better. It is now 30 years since Lake Mokoan was built. We cannot go back. We have to improve its environment, and we know how to do that. Earlier speakers spoke about improving the environment of Lake Mokoan. I agree with them. It is a wonderful place for people to go, and it is certainly good for the economy of Benalla. It has been changed for the better and is now a vital part of what happens here in Benalla.

I make one other point in conclusion: a small, local region should not be decimated in order to find a solution to a big-picture problem. Victoria as a whole has been committed to finding this water. The whole of Victoria should find and fund the water for the Snowy River not decimate a small region. Lake Mokoan should stay. I support the motion and reject the amendment.

**Hon. G. D. ROMANES** (Melbourne) — I rise to support the amendment because it acknowledges the importance of Lake Mokoan to the economic and social life of Benalla and district but does not pre-empt the current process of decision making that is currently taking place on the future of the lake.

I believe there are few other periods in the history of Victoria when the community has been more aware of what a precious resource water is to us all. Along with that comes an awareness of our responsibility as citizens and as governments at every level to find ways to further reduce our use of water, whether it be looking

at measures in the city such as recycled grey water or more prudent watering systems; or in the country, where farming communities have made great improvements in recent years with more efficient water use. The Labor government is helping at every opportunity to improve water supply systems in order to deliver water across the state in more effective ways, which at the same time reduce loss in the process.

This awareness is obviously driven to some degree by the current drought that is affecting the whole of Victoria and is causing many families to suffer in a whole range of ways. It impacts on the levels in water storages in the state, where falling water levels have reached the trigger point for the imposition of water restrictions. It is also driven by an increasing concern across the state caused by the accumulated stress on our rivers and catchments, and people are calling from all around the state for more attention to be given to restoring or maintaining healthy river systems.

One of the actions of the Minister For Environment and Conservation, as the minister with responsibility for water and water management in the state, has been the initiation of a study of Victoria's headworks to look at ways in which water savings can be made. There is no doubt that the outcome of this study, which was released on 14 March 2002, has brought on the debate today, because the study concluded that Lake Mokoan presents the clearest opportunity for water savings in the large water storage systems in Victoria, with an estimated 42 000 megalitres of savings potentially available. Those savings would result from a reduction in the high levels of evaporation. The Lake Mokoan water storage facility has an evaporation rate of 50 000 megalitres per annum compared with only 2000 megalitres per annum from direct use of water through diversions for water entitlements.

The headworks study, which has been released for discussion and consideration, put forward two options. One was to decommission the lake and the other was to reduce the size of the lake and to operate it as a more efficient annual water storage facility. It is clear, obvious and understandable that the decommissioning option would cause concern to the people of Benalla and district. It is a very emotional issue, because as we have heard today from a number of speakers it is a very important water facility, one which provides opportunities for a range of recreational and agricultural activities as well as wildlife habitat.

There has been considerable disquiet about the decommissioning option. Groups have been active in putting forward to the government a range of other ideas about how the problems of Lake Mokoan may be

dealt with. A lot of work has also been done by our local member, Denise Allen, who has worked closely with the Lake Mokoan users group over the past 12 months, including attending their meetings and encouraging them to have input into this process.

The government has commissioned a further study, the Lake Mokoan study, into the future operation of the lake. As we have heard from the Honourable Bill Baxter, any consideration of the future of the lake has to take into account a whole range of complex issues — not only the feasibility of water savings of the various options that are under consideration but how to address the issues of the poor quality of the water which is manifest in algal blooms and the high operational costs of \$700 000 per annum, and the socioeconomic implications of each option.

Mr Baxter has spelt out the range of people who would be affected by a decision on the future of Lake Mokoan. There are also local environmental impacts which relate to water quality, environmental flows in the Broken and Goulburn river systems, and the need to secure water resources for local river catchments in this area.

Many issues involved in this inquiry have to be taken into account. I note that the Honourable Bill Baxter referred to the reference committee that has been set up. It has a range of stakeholders and interest groups, including local government, fishing interests, irrigators and indigenous people, all of whom are concerned about the future of this water storage. I am sure the government will listen intently to the recommendations of the reference committee when making decisions in the future.

In the end whichever option is decided, the security of irrigators' existing water entitlements is one to which the Bracks Labor government is clearly committed. That assurance has been given to the Victorian Farmers Federation on numerous occasions. I am glad the Honourable Graeme Stoney has finally got the message that the Bracks government has ruled out purchase of water entitlements with its effect on water marketing and competition between farmers. But whichever option is decided for Lake Mokoan, the outcome must be a fair and equitable one and take proper account of any socioeconomic impacts.

Something has to be done about Lake Mokoan. It is a complex issue with which there is a complexity of problems. A decision has to be made. The government is not shying away from this, but it is carefully considering the options, and it is doing so in conjunction with and assisted by the input from people from this area of Benalla and district.

**Hon. PHILIP DAVIS** (Gippsland) — In the very little time I have left available to me I would like to say that the Minister for Energy and Resources avoided responding directly to the issues raised this morning about Lake Mokoan, and she is not here to defend her own party and the government in this debate. But I would like to take this opportunity to thank the Honourable Gavin Jennings for doing what the minister failed to do.

Mr Jennings came in here today and said that one option of reducing the evaporation at Lake Mokoan was to return the lake as closely as possible to its original state. I applaud Mr Jennings for referring to returning Lake Mokoan to its original state, because that is precisely what option 1 of the *Water Savings in Bulk Water Systems in Northern Victoria* report of March 2002 proposes. Option 1 is that Lake Mokoan be closed. The very fact that the honourable member has referred to that position reflects that the government is considering option 1 of that report.

Further, at the conclusion of his address the honourable member moved an amendment to the motion. I am pleased to support the motion but to oppose the amendment, because the amendment concedes precisely what the minister refused to do this morning in question time. By moving the amendment the Honourable Gavin Jennings has, quite foolishly on the part of the government, acknowledged that it wants to close Lake Mokoan. The amendment proposes to omit the words:

and therefore rejects any proposal to decommission the storage and instead commends and encourages actions to improve water quality and reduce evaporation losses.

The motion was moved quite specifically so as to be encompassing in regard to the management of Lake Mokoan and to keep it open. The effect of the government amendment is to acknowledge the very fact that the government intends to close the lake. By removing those words, the government was seeking again to obscure and obfuscate in relation to the matter before the house. The matter before the house is clearly the question of the government's intention in regard to this motion. I thank the honourable member for confirming what his minister refused to confirm this morning, which is that it is the government's intention to decommission Lake Mokoan.

**Hon. Gavin Jennings** interjected.

**Hon. PHILIP DAVIS** — That is your amendment, Mr Jennings. You moved this amendment in the house today, the effect of which causes this motion to — —

**An Honourable Member** — Yell louder!

**Hon. PHILIP DAVIS** — I'll yell as loud as you like. Mr Jennings has created a situation where he is directly in conflict with his minister. I have to say I am delighted that Mr Jennings has done that and that he went further and confirmed that in fact the option which the government is considering is option 1 in the report that I have referred to briefly.

Further, I would like to take the opportunity to thank the Honourable Glenyys Romanes for referring to the Lake Mokoan study in her contribution. I refer to the overview of that study, which says in part:

The state government commissioned a preliminary study of all headworks in the state with a view to identifying potential major water savings opportunities. This study identified Lake Mokoan near Benalla as the only opportunity for large-scale water savings.

**An Honourable Member** — Say that again.

**Hon. PHILIP DAVIS** — I will say it again:

This study identified Lake Mokoan near Benalla as the only opportunity for large-scale water savings.

The fact of the matter is that the honourable member knows that it is the intention of the government to close Lake Mokoan. There is absolutely every acknowledgment of that being made by government members in this place this day.

Further, we have other sources. If we want somebody who is independent of the house, let us refer to the bible of the ALP, the *Age* newspaper.

**Hon. Gavin Jennings** interjected.

**Hon. PHILIP DAVIS** — Do you get that? Do you subscribe? It's a very good publication!

**Hon. Gavin Jennings** — I'd rather listen to you!

**Hon. PHILIP DAVIS** — Referring to the Sinclair Knight Merz report, which outlines the options for the lake, including draining it — the report I alluded to a moment ago — the *Age* says:

Victorian environment minister Sherryl Garbutt has indicated that Lake Mokoan cannot be retained in its current form ...

Closed! Slam the bag! That's the end! Lake Mokoan's gone — by the admission of the minister responsible for water. I have to say that the minister responsible for returning environmental flows to the Snowy should have more courage and actually follow the lead of her minister in the other place.

If you want a rural publication, I refer to the *Weekly Times*, which on 20 March under the headline 'Mokoan could be Snowy saviour' says:

A search for water to revive the Snowy River's flow has found only one of northern Victoria's 21 storages — Lake Mokoan — could supply any significant and affordable water savings.

Even as recently as last week the *Weekly Times* further went on to say:

... the Bracks government had previously assured irrigators the extra water would be found by piping open irrigation systems and decommissioning ... storages, such as Lake Mokoan ...

I do not know how far we have to go, but the fact of the matter is that the government itself, today — thank you to Glenyys Romanes and Gavin Jennings — has confirmed for us exactly what the minister responsible for environmental flows to the Snowy River failed to do this day in question time.

May I put the case that the Liberal Party's position is at odds with the government's — surprisingly. I am sure the Liberal Party's position is supported absolutely by the National Party, which is that we have committed ourselves, and I quote the leader of the parliamentary Liberal Party, the Honourable Robert Doyle, the member for Malvern in the other place. On Tuesday, 3 September, standing on the shores of Lake Mokoan at a press conference, he said:

The Liberal Party will not drain Lake Mokoan.

Then he further said:

The Liberal Party guarantees the future of Lake Mokoan.

I might say that, having made those comments, the following day almost the entire Liberal Party team assembled at a community breakfast meeting — I can show a photograph of the parliamentary team and local representatives on the shores of Lake Mokoan to those who are interested, which demonstrates the commitment of the parliamentary party — to talk about the issues and reaffirm our policy position in regard to Lake Mokoan.

That position had already been set out some months before, as indicated in an article in the *Benalla Ensign* of 31 July headed 'Libs make lake pledge', which was to keep the lake open. There are many arguments why we should retain Lake Mokoan. I acknowledge the efforts made by councillors of the former Shire of Delatite, in particular Ken Whan, who has been actively involved in this debate. The council made great efforts and commissioned an effective report setting out the

commercial opportunities and impacts of a closure of the lake and indicating that there are significant financial impacts for the community of approximately \$5 million.

I conclude by saying that the Minister for Energy and Resources has been dissembling. This is an important issue for the local community, for recreation, agriculture and local economic purposes. I commend the motion to the house and oppose the amendment.

**Hon. W. R. BAXTER** (North Eastern) — I thank the Honourable Phil Davis for his accommodation to allow me to respond briefly at the end of this debate. As the mover of the motion I reject outright the amendment moved by the Honourable Gavin Jennings. In my view it is directly negative. I moved the motion and asked the house to specifically carry a decision not to decommission Lake Mokoan. Mr Jennings's amendment would facilitate the decommissioning of the lake and is therefore a direct negative to my motion. Of course I would not entertain an amendment that went along those lines. I believe the other speakers have clearly said that as well.

I also express my deep concern that the Minister for Energy and Resources has chosen not to be in the house. It is her responsibility. The minister has regaled the chamber day after day with comments on water issues, the Snowy River and where she would find savings and denying that she would buy water.

**Hon. M. R. Thomson** interjected.

**Hon. W. R. BAXTER** — Yes, she did attempt to pass the buck to the Minister for Environment and Conservation today. Can you imagine a minister in the upper house of the former government on a motion like this not taking part in the debate? Can you imagine Mr Birrell or Mr Hallam not taking part in the debate? Of course they would. They would have defended their position. It demeans the house and the minister that she has chosen not to be part of the debate today.

Finally, I say to my good friend Mr Stoney that I am pleased to have his support in all those matters. I am sure Dr Sykes, as a local candidate in Benalla, will appreciate the support of Mr Dwyer from far away Jamieson as we fight to defend Lake Mokoan and retain it for the benefit not only of Benalla and district but the whole of the state of Victoria.

**House divided on omission (members in favour vote no):**

*Ayes, 27*

Ashman, Mr	Furletti, Mr
Atkinson, Mr	Hall, Mr
Baxter, Mr	Hallam, Mr
Best, Mr	Katsambanis, Mr
Bishop, Mr	Lucas, Mr
Boardman, Mr	Luckins, Ms
Bowden, Mr ( <i>Teller</i> )	Powell, Mrs
Brideson, Mr	Rich-Phillips, Mr
Coote, Mrs	Ross, Dr
Cover, Mr	Smith, Mr K. M.
Craige, Mr	Smith, Ms
Davis, Mr D. McL.	Stoney, Mr ( <i>Teller</i> )
Davis, Mr P. R.	Strong, Mr
Forwood, Mr	

*Noes, 14*

Broad, Ms	Madden, Mr
Carbines, Mrs	Mikakos, Ms ( <i>Teller</i> )
Darveniza, Ms	Nguyen, Mr
Gould, Ms	Romanes, Ms
Hadden, Ms	Smith, Mr R. F.
Jennings, Mr	Theophanous, Mr
McQuilten, Mr ( <i>Teller</i> )	Thomson, Ms

**Amendment negatived.**

**Motion agreed to.**

**REGIONAL DEVELOPMENT VICTORIA  
BILL**

*Second reading*

**Debate resumed from 17 October; motion of  
Hon. M. R. THOMSON (Minister for Small Business).**

**Hon. PHILIP DAVIS** (Gippsland) — This is an important opportunity for honourable members to make a contribution to debates on legislation in a regional setting and I acknowledge that the government has scheduled the business to deal with a regional and rural bill. It is just a pity, frankly, that the government did not have a substantial reason for introducing this legislation. This bill is like most everything else the Bracks Labor government does. It is a disgrace because it is a deceiving piece of legislation trying to delude rural people into thinking the government is taking some action in regard to regional development.

This bill does not do a single solitary thing that could not be done by administrative action to establish proper management processes in regard to regional development. This legislation is not required for the government to achieve any of the outcomes it seeks to achieve with this legislation. The bill simply reshuffles public servants from one part of the bureaucracy to another. The bill is simply a misrepresentation of the

purposes which are proposed to be achieved, as has been outlined in the second-reading speech.

In regard to the Regional Development Victoria Bill, the Liberal Party position is not to oppose it but to point out that it is going to give no particular benefit to the taxpayers of Victoria. All it is going to do is put another layer of bureaucracy into the public sector to do what is already being done in that sector, and therefore there will be no benefit accruing to the Victorian taxpayer.

The bill sets out to do a number of things. It establishes a statutory body described as Regional Development Victoria (RDV). It sets out a process for the appointment of the chief executive. That person will be appointed by the Governor in Council, but will be responsible to the secretary of the department. The bill establishes a process that will enable staff to be seconded or transferred from existing departments and proposes that Regional Development Victoria will administer the Regional Infrastructure Development Fund. The bill proposes that the new statutory body will provide service to the 47 municipalities identified as regional and rural in the Regional Infrastructure Development Fund Act. At the direction of the minister, the bill will allow RDV to include the nine interface councils listed in the schedule. They are Cardinia, Casey, Hume, Melton, Mornington Peninsula, Nillumbik, Whittlesea, Wyndham and Yarra Ranges. It is quite clear that there is a policy vacuum in the government in regard to regional Victoria.

**Hon. J. M. McQuilten** interjected.

**Hon. PHILIP DAVIS** — The fact of the matter is that after three years your government, John McQuilten, has done nothing to implement its policy commitment in regard to fast trains to regional Victoria. There is not one train on the track and there is no prospect of one being there before you go to the polls because you are terrified of what regional Victoria will do to you. You have achieved nothing in regard to railway infrastructure. All you have done is waffled about it and set it out in policy.

The costs have blown out beyond belief, and rural Victorians are disappointed that the government has not honoured its election policy commitment of 1999 and therefore they can have no trust that there will be any ability for the government to deliver on those commitments in the next Parliament.

I turn to the standard gauge railway issue and the issue of improving freight arrangements for grain and mineral sands. Again, there has been lots of hype and lots of talk but nothing much has come to pass.

Interestingly, the Pakenham bypass announcement of earlier this week has come belatedly after a great deal of pressure from the community, the opposition and the federal government, which made a commitment to fund it more than a year ago. The reality is that the Bracks government has been dragged kicking to make a commitment. Given the deferral of freeway projects in Melbourne, including the Scoresby freeway, I do not have great confidence that that commitment will be honoured. I cannot see how the government can credibly come into Parliament and talk about its achievements in infrastructure in rural Victoria because it cannot even deliver in the city.

There has been a lot of talk by the Bracks government about the extension of natural gas supplies. The truth is that the Bracks government has not actually delivered anything in terms of natural gas rollouts. The point of the story here is that the bill purports — —

**Hon. E. C. Carbines** interjected.

**Hon. PHILIP DAVIS** — We're going to talk about Bellarine, are we? Okay, what about Creswick and Wonthaggi? I am quite prepared to concede that the Bellarine Peninsula was pork-barrelled at the last election to buy votes and that as a result the Honourable Elaine Carbines may have won her seat at the last election. In fact, the government has made no effort to extend natural gas supplies anywhere else in Victoria.

**Hon. E. C. Carbines** interjected.

**Hon. PHILIP DAVIS** — By your own acknowledgment, Mrs Carbines, thank you very much!

**Hon. I. J. Cover** interjected.

**Hon. PHILIP DAVIS** — In an interjection from my right Mr Cover asks what has happened with Barwon Heads. Nothing has happened with Barwon Heads. Thank you very much, Mrs Carbines! The truth of the matter is that the bill is empty. It is just hollow rhetoric. The actions of the government have disappointed. The government has made commitments to rural Victoria which it has failed to honour.

With regard to commitments that have been made recently, indeed in the last week, on 19 October, the Premier announced that 600 new jobs would be created in Victoria's timber towns. The government claimed to be facilitating investment — that is, it claimed to be spending \$55 million in new investment to stimulate growth in jobs. Great credit was given by the Premier to the Minister for State and Regional Development in the other place. So we read on and look at the specific announcement made on 22 October, when the Minister

for State and Regional Development announced over 150 new jobs for the Midlands and Colac regions. Okay, that sounds impressive, but let us move on.

On the same day a media release announced new jobs for Gippsland. The headline reads 'Bracks announces', but that is a government headline, not mine. I would have referred to the Premier as 'The Honourable Steve Bracks'. The media release announced 420 new jobs for Gippsland, but let us look behind these announcements with regard to regional development. The media release refers to a so-called facilitation of \$38 million in Gippsland for timber towns. One I pick from the list is Lemnos Foods in Dandenong, but in case government members do not understand it, Dandenong is a very long way from Cann River. I cannot see how a job in Dandenong is going to help anybody in Cann River. This is the greatest sham I have seen perpetrated on the timber industry workers and timber towns in the three years of the Bracks Labor government.

The Bracks government has completely failed the timber towns and timber communities. That is not just my opinion, because it is the opinion of rural communities across the state. The honourable John McQuilten is squirming over there because he knows it to be true, and he is just as disappointed about the government's performance on the box-ironbark legislation as I am. He is just as disappointed about the timber task force package.

This is a sequel. It is underhanded and a sleight of hand. I refer to no less a journal than the *Yarram Standard News*, which I would have to confess is not necessarily my first reading every week, but I certainly read it carefully. I am interested in the headline on the front page of the *Yarram Standard News* of 23 October, which reads 'Sleight of hand on timber jobs?'. That is not my headline; that is from what I describe as a relatively independent newspaper. I will read into *Hansard* some of the things said in that article, because they sum up the deceitful action on the part of the government absolutely. The article states:

The Premier Steve Bracks was in Gippsland yesterday, clearly in election mode, and trumpeting '420 new jobs for the Gippsland region'.

A further quote is from the manager of N. F. McDonnell and Sons, which operates a sawmill business at Yarram using plantation timber.

The article quotes him as having said:

'We aren't being given \$1.5 million to create 25 new jobs ...

However, the press release states:

N. F. McDonnell & Sons, Yarram, \$1.5 million, 25 jobs.

That is the claim! That is the deceit! Those are the lies that the government is peddling. The government claims to have been handing out money to rural businesses around Victoria to create jobs, but the truth is that the government is deceiving the rural community; it is deceiving Victorians.

The newspaper article states:

'We aren't being given \$1.5 million to create 25 new jobs', said McDonnell and Sons managing director, Ian McDonnell.

'There is an offer on the table from the Department of Innovation, Industry and Regional Development, Mr Brumby's department, where they have offered to contribute \$100 000 if we spend an additional \$1.2 million on the mill and if we can create 25 jobs by 2005.'

Further it says:

'We are not getting \$1.5 million, they have offered \$100 000 if we spend \$1.2 million. It is very important that people understand that.'

This is a matter of fact. I have the press release issued by the government, which claims jobs are being created and that the government has put money in, but it is all lies. It is a disgrace, and the government members should hang their heads in shame that they could make such claims and deceive rural communities in Victoria. This is the worst deceit of rural Victoria that any government has ever perpetrated.

**An honourable member** interjected.

**Hon. PHILIP DAVIS** — Some 420 jobs? How is a job in Dandenong going to help a millworker in Cann River? You tell me that!

I do not have a lot to say on this bill. It is a disgrace, it is a sham. Just like the action of the government in regard to the timber industry.

The Minister for State and Regional Development sought last week to do something absolutely shameful. He was in Sale and he issued a press release in the most cynical of fashions. It states:

The Minister for State and Regional Development, John Brumby, today called on the federal government to guarantee a future for the East Sale RAAF base, warning now was not the time to downgrade a military presence in Victoria.

Further it states:

He said closing the base would devastate the Sale economy and significantly downgrade a military presence in Victoria at a time of worldwide instability.

'Sale would lose 500 jobs overnight. It would devastate the Sale economy. It would be equivalent of Melbourne losing well over 50 000 jobs in one hit', Mr Brumby said.

As somebody who actually lives at Sale I can say that the minister's remarks have dislocated and disconcerted that community without any foundation of fact for purely opportunistic political purposes. The whole of the business community is under stress because the Treasurer and the Minister for State and Regional Development of Victoria is making a case without any evidence that the Royal Australian Air Force base at East Sale will close. That is not the action of a responsible minister.

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

**Hon. PHILIP DAVIS** — You just stop interrupting and I'll tell you why this is not a responsible action. You know as well as I do, Mr Theophanous, that the basis of an economy depends on confidence. When ministers of the Crown go into small communities and create alarm, fear and agitation confidence is in flight. By his intervention in this matter without any foundation he has caused such alarm in that community that it believes there is going to be another catastrophe to the local economy in the order of magnitude of the collapse under the previous Labor administration of the National Safety Council, which devastated the local economy at that time, when it coincided with a reorganisation by Esso-BHP.

The actions I have just alluded to do not represent responsible government. I do not believe this government is in any way responsible or in any way sympathetic to the needs of rural communities, economies and people who depend on them — not smoke and mirrors and mirages, but entirely on the principles of honesty, openness and integrity, which have not been displayed by this government.

**Hon. R. F. SMITH** (Chelsea) — My first response is to Mr Davis's opening remarks that there is no need for this legislation: quite the contrary. The reality is that the previous government never used its authority or capacity to deliver to the people of country Victoria. What the government is doing with this legislation is putting in place an agency that will ensure that the Liberal Party will never get away with it again. If it tries to deprive the people of country Victoria in the future they will know — it will be exposed.

This bill is designed to assist economic and community development in regional and rural Victoria. It does this by establishing a dedicated agency known as Regional Development Victoria. The purpose of this agency is to improve coordination across all government

departments and advise the minister of all things relating to development and improvement of rural and regional Victoria. This is consistent with our stated objectives — that is, to govern for all Victorians, unlike those conservatives opposite who simply ignored regional and rural Victoria. They took them for granted and paid the price. I am pleased in a way to say that they still have not learnt and are going to pay again.

This bill is proof positive that the government understands the importance of regional and rural Victoria to the economic wellbeing of all Victoria. Therefore we are ensuring that the citizens of regional and rural Victoria get the investments they need to look to the future with confidence and optimism.

In the areas of jobs, education, health, innovation, information technology, local government and road and rail transport, the government is making the investment necessary to deliver on its commitments to regional and rural Victorians. I am proud to be part of a government that is honouring its commitments and understands the needs of all Victorian citizens, and in particular our country brothers and sisters. It is part of a social agenda that we have proclaimed and are delivering.

Some examples of what we have done to date are as follows: we have started the regional fast rail services to the major regions; and the Wimmera–Mallee pipeline will be an enormous boon to north-western Victoria by providing a more efficient water delivery system, which will allow for a more efficient production of farmed products, particularly those that are exported.

The Regional Development Victoria agency will represent for the first time in our history a dedicated body to coordinate the delivery of government programs, services and resources in regional and rural Victoria. Importantly, this body will work with local government to assist in putting together projects and getting them established on the ground, which will obviously create jobs and, again, impact on the economic wellbeing of rural and regional areas.

It is worth noting that back in the 1970s the then state government released a 10-point plan that included a similar advisory body. It just did not deliver it. And, worse, the subsequent conservative government led by Jeff Kennett never even mentioned it — never even thought of the proposal. So much for its views and concerns about regional and rural Victoria!

Since coming to government we have seen solid progress in developing regional and rural Victoria. Building approvals, for example, are at record levels — in fact, \$2.7 billion worth in the last financial year. This

is up from \$1.7 billion in 1998–99 — a growth rate of 60 per cent during the time the Bracks government has been in office. I will say it again for those opposite — a 60 per cent increase in building approvals.

Let us look at other economic benefits since we came to office. Regional exports in the areas of food and fibre are up to \$7.6 billion, which represents an increase of 43 per cent over two years. We are well and truly on our way to achieving the stated goal of \$12 billion of food and fibre exports by the year 2010.

**An honourable member** interjected.

**Hon. R. F. SMITH** — We must have a parrot in here.

The Bracks government has attracted and facilitated almost \$1.5 billion in country Victoria, helping business find new markets, develop new products and increase their exports. Again, we all know and understand the importance of exports — whether they be manufactured or rural products — and that it has a huge impact on interest rates, foreign trade and our deficit, et cetera.

The Premier has often stated that this government is pro-business. I have to say that it is a matter of concern that some even in our own party would feel a little discomfort about the fact that the statement of being pro-business does not necessarily sit too well with them. But the reality is we are pro-business and we have demonstrated that on numerous occasions. The evidence is clear, and I will go into some examples of where we have delivered for business across the state: the Murray-Goulburn Cooperative, with major new investment; Koroit, with sales of \$2.5 billion and production of 400 000 tonnes of dairy products; Pasta Masta in Bendigo; Alstom in Ballarat; Kooka's Country Cookies in Donald; Visy Industries in Wodonga — the list goes on. We have clearly demonstrated a commitment to business in Victoria.

The conservatives opposite hate this evidence being produced. It is unfortunate for them, but the fact of the matter is that we are delivering and the evidence is clear.

In the area of science, innovation and technology, the government has had an enormous impact and has put millions upon millions of dollars into those particular areas — again for the benefit of country and rural Victorians. Through the Regional Infrastructure Development Fund we have allocated something like \$96 million to 54 projects throughout country Victoria.

**Hon. I. J. Cover** — On a point of order, Mr President, I think it is worth pointing out at this stage, as I have been by way of interjections for the last 5 minutes, that the honourable member appears to be making a contribution to the chamber simply by parroting the second-reading speech which has already been given to this house at a previous time. It is my understanding that members in making a contribution on any debate develop their own ideas and themes and give their own thoughts.

My point of order is that Mr Smith is merely going almost word for word through the second-reading speech which has been available to this house since it was first read, and I put it to you, Mr President, that the honourable member should be asked to perhaps develop some of his own ideas, because we can all read the second-reading speech, as I have been doing. At the moment he is up to the second paragraph on page 6, and there are 19 pages in this second-reading speech. Are we expected to sit here and listen to the entire second-reading speech again?

**The PRESIDENT** — Order! I have not been following the second-reading speech so I am not in a position to judge that. The general point is right, that members should develop their own speeches and should not just adapt the speech of someone else. I am sure the Honourable Bob Smith knows that rule. I ask him to continue with that in mind.

**Hon. R. F. SMITH** — I have obtained some evidence and information from other sources but, as the President can see, my notes are clear.

I talked about the Regional Infrastructure Development Fund allocating \$96 million to 54 projects throughout Victoria. In the Latrobe Valley, an area that was absolutely devastated by the policies of the previous government with its privatisation philosophies, we have put in \$105 million to boost business and consumer confidence.

We have had massive undertakings, including the fast train link, a project that helps small country towns. This again is clear evidence that we care about all Victorians. I say again that unlike the conservatives opposite who decimated and simply forgot about rural Victoria, we are delivering.

Unemployment in country Victoria is down to 6.3 per cent. In comparison with some other states that is very good, and in rural and regional Victoria it is quite an improvement on the record of the previous government. In fact, over the last two years we have brought the unemployment rate down by 2 per cent and it is now

lower than it has been at any time in the last decade. We have created 45 000 jobs in country Victoria over the last three years.

**An honourable member** interjected.

**Hon. R. F. SMITH** — I know that it sticks in the craw of those conservatives opposite, but those are the facts. Country Victoria has never had it so good; that is a fact. We have relocated offices to the regional centres, including the State Revenue Office to Ballarat and the Rural Finance Corporation to Bendigo. This has helped the local economies enormously.

Over the last three budgets we have invested more than \$2 billion in rural infrastructure, doubling the amount spent by the previous government. We have improved hospitals and aged care facilities, which are being developed and upgraded. We are building police stations, which the conservatives opposite absolutely decimated.

**Hon. K. M. Smith** interjected.

**Hon. R. F. SMITH** — Sacked! They sacked 1000 police officers; we brought back 800.

**Hon. K. M. Smith** interjected.

**Hon. R. F. SMITH** — They do not like it. They say they are going to re-employ or recruit another 1000 net — or is it gross? They say they are going to recruit police, anyway. That is a huge turnaround from what they actually did. The record shows that they got rid of 1000. Now they are going to recruit! We are delivering on the ground with the numbers of police and police stations. I know honourable members opposite do not like it but they will just have to get used to it.

**Hon. K. M. Smith** — What about the community hall?

**Hon. R. F. SMITH** — We have done that as well. We have built and restored community halls across the state. The interjection is very perceptive!

We have improved the rate of standardisation of the rail system. For the first time in our history will have a standardised rail system and that will be an enormous improvement for exporters and rural and regional Victorians. The Royal Melbourne showgrounds will get \$100 million to help showcase products and livestock and so on from country Victoria, and I note people are loving that.

**Hon. K. M. Smith** interjected.

**Hon. R. F. SMITH** — And what did you do with the showgrounds? Nothing! You did absolutely nothing.

**An honourable member** interjected.

**Hon. R. F. SMITH** — That is on the books. Even the Nats love it.

I have already mentioned the Wimmera–Mallee pipeline and the fact that it will be an improvement and a huge boon to that regional economy and to the state overall. We often hear the conservatives going on about country roads and bridges in the bush. They have been in a state of disrepair for many years, but this government is doing something about it. It is expected that over the next decade it will have addressed those issues to the benefit of all Victorians.

We know about information technology, Internet access et cetera. That has been a huge boost for business in Victoria. Over the last three years this government has delivered to country Victorians in a way that would have surprised most people. It gave its word and it has delivered. This bill is required to ensure that the good work the government has begun is continued to the benefit of country Victoria, and it deserves nothing less. I commend this bill to the house.

**Hon. R. M. HALLAM** (Western) — The National Party will not be opposing the Regional Development Victoria Bill. It takes that position because its members genuinely believe in the stated objectives of the bill before the house. It supports the concept of balanced development of the state of Victoria. It endorses any effort to ensure that country communities are not forgotten by Spring Street. That should not be surprising, this is the National Party. It makes no apology whatsoever for putting country communities first. It is the party's reason for being, it is why it is here, it is at the heart of its existence and part of its fundamental brief. Indeed its fundamental motto is: if it is good for country Victoria, the National Party will support it.

On a personal level I am very proud of the fact that I served as a minister in the newly created ministry of regional development when the Kennett government came to power in 1992. I remember those times very fondly. It was a fantastic brief. I remember feeling like a kid at Christmas. Amongst other things I remember the professionalism and dedication of the team that was brought together. I remember in particular the leadership of Kerry Murphy. I remember the horsepower of the policy committee that was brought together under the chairmanship of my colleague and

friend Ron Best. I remember the many trips we had across country Victoria to witness and support the huge potential for growth. I remember the buzz we all got from being able to support enterprise in rural and regional communities and how we regarded every opportunity to support a business to locate or to expand as a win.

Our view was that country Victoria did not need a handout from government. It did not even need special assistance to share in the economic recovery we were driving. It just needed the chance to help drive that recovery. We were not talking about equity or fairness. We were talking about the economic reality that much of our strength as a community lies outside the metropolitan area and that what we needed more than anything else was the appropriate infrastructure investment to allow country communities to take up that natural advantage.

The only downer in all of that — and it was a pall over the entire government, not just my department — was the terrible legacy left by Labor the last time we had the misfortune to have Labor on the Treasury bench. The incoming Liberal government was on a handcart to hell. It inherited a budget deficit of between \$2500 million and \$3000 million year on year. It simply had no money to implement its policies. It was the most frustrating circumstance imaginable to be given the responsibility of Minister for Regional Development, a ministry that I could only have dreamed about, and to then be denied the funding that ministry warranted. It was a very cruel turn of events.

The National Party must keep reminding the Labor government and the Victorian community that none of today's agenda would be possible had it not been for the bravery of that administration, the fact that it took on that terrible legacy. I remember the budget being out of control. The Labor government was borrowing something in excess of \$2 billion year on year just to meet recurring expenditure. Its debt levels were an embarrassment. Its credit rating was going south. It had the misfortune to be outranked by almost every Third World country around the world. The net result of that situation was that its budget was being dominated by the marriage of that huge debt and an incredible interest level.

Unfunded liabilities were blowing out. I remember the Kennett government's first budget when we recognised the unfunded liabilities for the first time. One of them was superannuation. It was \$19 billion and the prospect was that it would triple in about a decade. We had to do something about that terrible legacy. I think it is to the

eternal credit of the Kennett administration that it took those issues on.

However, my point in the context of this bill is that we were not able to introduce our agenda. We were denied that opportunity because we had a community facing ruin, and we had to direct all our efforts to the financial avalanche that was about to destroy us. As I said, we should take some heart from that. My point in this context is that had the previous government not done that, Labor would not today be able to go gladbagging its way around the Victorian community.

It is against that background that I come to consider the Regional Development Victoria Bill. I think the bill takes on a brand-new perspective on that issue. As I said, the National Party does not oppose the bill. In fact, when I read — —

**Hon. J. M. McQuilten** interjected.

**Hon. R. M. HALLAM** — I am pleased, Mr McQuilten. I will read the bit at the front of the bill. It says:

The purpose of the Regional Development Victoria Bill is to facilitate economic and community development in rural and regional Victoria by establishing a statutory body to be known as Regional Development Victoria.

Regional Development Victoria will be a single agency dedicated to rural and regional Victoria. It will be charged with improving agency coordination across the whole of government and will work collaboratively in partnership with all tiers of government to enhance policy development and program and service delivery for rural and regional Victoria.

You would have to be a cretin not to support that. The National Party supports it, but what about the practicalities once you get past the pretty words? This is a Clayton's bill, this is the bill you have when you are not having a bill. It is a sham, and I say that we should — —

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

**Hon. R. M. HALLAM** — You might have your turn, Mr Theophanous. I think we should all be cynical of the rationale for establishing Regional Development Victoria as a statutory body. We are told in the second-reading speech — this is one of the gems in a 19-page second-reading speech — that this bill is:

... testament to the Bracks government's commitment to rebuilding rural and regional Victoria.

The National Party's conclusion is that if this bill is a testament to anything it is to the Bracks government's determination to camouflage its do-nothing performance. This bill is about rhetoric. It is about

marketing spin. It is about sweet nothings. All it does is whisper sweet nothings in the ears of country Victorians, but it will not work. The National Party is not taken in and neither is the Victorian community.

I pose the question to members on the government benches: how do you think you got the do-nothing reputation in the first place? That reputation is not helped by the effusive hyperbole in the second-reading speech, which is 19 pages of egotistic crud. If I were back on the farm I would describe it in even more graphic and earthy terms. Someone was unkind enough to remark in the debate in another place, which I cannot mention — —

**Hon. Kaye Darveniza** interjected.

**Hon. R. M. HALLAM** — Thank you. Someone in the Legislative Assembly was unkind enough to draw a comparison between the length of the speech and the length of the bill — the speech outranks the bill by six pages.

I want to spend just a little time on this flowery speech. This is what the minister said when she brought the bill in:

... I am proud to be part of a government that appreciates that Victoria cannot go forward if we do not find the means to generate even more new jobs and opportunities right across the state, and connect and link rural and regional Victoria to each other, to Melbourne and to the world.

These are big tasks — and they are not always easy tasks, but they are tasks which this government has taken on, working alongside the people, businesses and councils of country Victoria.

Much has already been achieved. Much more is to come. And there is still a lot to be done.

I submit to the chamber that this sounds to me more like a Peter Sellers comedy prologue.

I do not know why the minister did not spend a minute or two postulating on the importance of existing traditions. She could have said, as Peter Sellers stated, 'Let me say right away that I do not regard existing traditions lightly. On the contrary they are subjects of the gravest responsibility and shall, however, continue to be so'. The minister could have got another two pages out of the Peter Sellers prologue.

I shall give some examples, of which there are plenty, but I have selected only a few. We are told, and here in my view is the classic — and I want to return to what the Honourable Bob Smith was on about — by the minister in the second-reading speech:

I am proud to be part of the government that recognises the necessity for exciting new projects like the regional fast train links and the Wimmera–Mallee pipeline.

I would be embarrassed if I were a member of government and were reduced to talking about fast rail lines because I recall when this was first spoken of from opposition.

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

**Hon. R. M. HALLAM** — Mr Theophanous, you be very careful, you're going to get a lesson! It started off at \$80 million. In the meantime it has been out to \$800 million and is coming back again. By the way, the \$260 million that we were told was a precondition from the private sector has been a little hard, so that has gone. The timetable has been shot to ribbons. The Honourable John McQuilten knows that. I note that it is now only a fast train. It used to be a very fast train. The Victorian community has now worked out that it will only be a fast train if it does not stop, which is hardly likely to be of any assistance to the communities between the provincial centres and Melbourne, and they have worked out — —

**Hon. B. N. Atkinson** — Will it become a quick train?

**Hon. R. M. HALLAM** — What it has done is demonstrated to all and sundry that it is much easier to talk big than it is to deliver — one of the lessons that was not learnt from Labor's days in opposition.

I want to spend a minute on the Wimmera–Mallee pipeline because I happen to know something about it. It is described here as a new exciting project. Let me tell you, it has been there for a long time. I will take government members on something of a history lesson. The Wimmera–Mallee pipeline is not new, it has been there —

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

**Hon. R. M. HALLAM** — Mr Theophanous, I said you might learn something. It has been there for about 100 years. Even the concept of converting the channels into underground piping is hardly a new concept. I am bemused by the description that this has somehow been discovered by Labor. It is already half completed. There have been seven separate stages of development of the Wimmera–Mallee pipeline completed — guess what, under the Kennett administration — guess what, driven by National Party members at the Kennett government cabinet table. It was the Kennett government which embarrassed the federal government into matching grants. My good friend the Honourable

Barry Bishop has just reminded me that about \$50 million of public funding has already gone into the Wimmera–Mallee piping system, and the top half has been completed.

What we are talking about is the southern half of the Wimmera–Mallee pipeline. It is hardly new. I add the rider to that: in case it turns out this is some sort of claim to fame by the minister, guess how much the Bracks government has put into the Wimmera–Mallee pipeline? Not one single solitary dollar — \$50 million from Kennett, not \$1 from Labor. I would be embarrassed to use it as an example. Then we hear again and again the \$12 billion target for food and fibre.

I remind the house that that target has been around for longer than the Bracks government. It was the target of the Kennett government. The only difference was that it was \$12 billion in respect to food. Now we have had someone slip in the by-line, fibre as well. It is not even as good as the target that was adopted by the previous government, and much of the early work was completed before the change of government.

I am delighted to have the Honourable Bob Smith remind me about Murray–Goulburn. I am very proud of Murray–Goulburn, and I am proud to report that my father was heavily involved in its early days. I am delighted with the investment in my own community at Koroit, and I congratulate the company on its enormous success in earning export dollars. But this enormous success is hardly a product of the Bracks government. When you dig beneath the surface and find out how much was invested in Koroit compared to the company's major stake, you realise that instead of running this sort of rubbish it would be better to go back and ask the principals of Murray–Goulburn, 'How can we help you in terms of tax structure and on-costs such as workers compensation, municipal rates and insurance?'

**Hon. J. M. McQuilten** interjected.

**Hon. R. M. HALLAM** — I am prepared to back it every time, Mr McQuilten. I know what they are going to say about their preferences for who controls the Treasury benches.

Then we have this gem, and I am incensed by it being repeated:

Over the first three budgets we —

that is the Bracks government —

have invested more than \$2 billion in rural infrastructure ...

Leave aside the question of the wherewithal and how the government had the good fortune to have some funding when it came to office. My response is, 'No, the government has not invested \$2 billion in rural infrastructure, although it promised it'. There is a vast difference because — —

**An honourable member** interjected.

**Hon. R. M. HALLAM** — I know that the very fast rail line is included in the \$2 billion.

**An Honourable Member** — You promised to close it!

**Hon. R. M. HALLAM** — I am going to come to that. Thank you for the reminder. You tell me where the first sleeper has gone.

**An honourable member** interjected.

**Hon. R. M. HALLAM** — You tell me where the first sleeper has gone. Where is the first dog spike on it? There is not one! So it's talk.

My real concern, and I am pleased to have the chance to put it on the record, is that the previous government converted from cash to accrual — and it was talked about today as a reporting base for Victoria. Victoria led the nation and to some degree the Western World, and I am proud of that. But let us not run away with any misgivings about why it was done. It was done because the previous Labor government had made an art form of abusing and manipulating the balance day adjustments. It was bringing forward income and deferring expenditure. It was not reporting liability, and it even rearranged its financial accommodation just to get a different due date on the interest bill.

The Labor administration has taken to the new rules with some gusto, and I give it credit for that, but at the same time in my view it has quite deliberately been rearranging and reconstructing the expenditure programs so that no-one can follow the match-up.

I invite the chamber to think of my pain to get anything that looked remotely like a dollar sign in respect of the expenditure on the Snowy River. I raised the question with the minister about a dozen times. She was able to give grandiose outlines of what was intended, but when it came to the fall she could not find a figure in the budget as to what had been expended. My challenge to those who parrot this \$2 billion is: show me where the investment is? I know that the government cannot. It is all about smoke and mirrors. It is all about parroting this \$2 billion figure. The government cannot show where it has been.

Beyond that we read in this embarrassment of a second-reading speech — I am not sure why the minister bothered to repeat it — that:

Regional rail lines are being reopened.

Name me one!

**Hon. J. M. McQuilten** — Ararat.

**Hon. R. M. HALLAM** — I am told Ararat. There is already a line there, Mr McQuilten. What you really mean is services.

**An honourable member** interjected.

**Hon. R. M. HALLAM** — No, no — reopened rail lines. This says that regional rail lines are being reopened, and you cannot name one. But there is more.

**An honourable member** interjected.

**Hon. R. M. HALLAM** — I challenge you: find me one that has been reopened!

*Honourable members interjecting.*

**Hon. R. M. HALLAM** — They can't. My point is on the record — they cannot name one because there is not one. Here is another empty statement.

Then we are told, just in case we were not really enthused to that point, that over the coming decade country Victoria will be further transformed and that the rail freight system will be standardised for the first time in Victoria's history.

How many times have we heard about the \$96 million that was ostensibly dedicated to the standardisation of Victoria's rail system under the Bracks administration? I actually heard about it when this government was in opposition, so it has been around for at least three years. What has happened? Let me tell you: absolutely nothing! Zero. Zilch. Nil. Nothing has happened. And for the record, the only line that has been standardised in the state of Victoria in recent years — leave aside the national grid, which is a responsibility of our federal colleagues — is the line from Portland North which connects our Wimmera and Mallee grain belt.

Guess what? The standardisation took place under the previous administration — it was done under Kennett — and I do not remember too much fuss about it. We did not have to have three years planning in respect of that; it was done in the first few months of the administration. Then we hear this gem: that our dairy and barley markets will be thriving and our food and fibre export targets achieved.

I am not sure that even the Treasurer, the Honourable John Brumby, would be pleased to be reminded of barley markets. Isn't this exactly the same minister who not long ago turned his back on the barley industry and took a decision to deregulate against a major vote taken by the industry itself?

**An Honourable Member** — Over 80 per cent.

**Hon. R. M. HALLAM** — Over 80 per cent of the growers actually wanted to retain a single desk; that has now been lost. There are massive complications in terms of marketing that commodity, and if it is thriving I suggest to the chamber that that is more in spite of the government than because of anything it has done. It is the height of hypocrisy for John Brumby to be claiming credit in advance for anything that happens in respect of barley.

I will not spend time on the next one, but I cannot let it go because it promises, in the same sort of spirit, that environmental flows will be restored in our great rivers — the Snowy, the Murray and the Glenelg. Mr President, you know as well as anyone here in this chamber that I am a fierce supporter of that concept, but if we accept that those environmental flows shall be captured from efficiency savings, then we should note that at least the capacity for the environmental flow in the Glenelg has been achieved, in part, by the piping conversion already completed — again, I make the point, under the Kennett government.

I make my next point because it seems to me to be very salient, particularly in the context in which the Honourable Glenyys Romanes noted that the Victorian storages were currently facing the trigger point of November. Terrible consternation shall befall the community! Let me talk about the Wimmera–Mallee system. The last time I looked, which might have been a fortnight ago, the major storage in the Wimmera–Mallee system — Rocklands Reservoir, which I know very well — was at 6 per cent. The entire system is at 10.5 per cent. In my part of the world we are not talking about whether we get to wash our cars with a hose or whether we are going to be restricted to handheld hoses; we are actually talking about a stock and domestic system at the height of the spring flow which is at 10 per cent, and it will not be very long before the water from Rocklands Reservoir will literally not run out the outflow.

So we are having major problems, and in that context I want to go back to the debate that was held today about Lake Mokoan and simply make the point that despite all the magnanimity in respect of the environmental flows and the Murray, the Snowy and the Glenelg, all

the water that has been secured thus far by the Bracks government has in fact been borrowed.

The minister is unable to give us any idea of any project that will offer more than token water savings. Two things should be noted in respect of that. The minister has ruled out water purchases, so it is not a good time to be tipping water down the Snowy when my system is at 10.6 per cent. We should all acknowledge that the easy bit is announcing the environmental flows; the tough bit is going to be to find the water.

Then we learn, again from this magnificent second-reading speech, that our country road networks will be the best in Australia. I am sure we are all joyed by that piece of good news. The problem is that the vast bulk of our country roads are local and therefore the responsibility of local government, and they are therefore funded in the main by grants directly from the commonwealth government. There is no funding from the state government, or very little. I would love to be corrected on those words 'very little'.

The minister is prepared to say, 'We have saved the road system and it will be the best in Australia', but at least the conservative parties have been prepared to commit funding to a replacement of bridges, and I note the National Party's commitment to find an extra \$120 million for roads and bridges over the next four years. My point is that I am insulted by this government claiming credit for anything to do with country road networks because it is simply not its responsibility and it never has been, and it has shown very little sign of changing that.

There are plenty of other grandiose claims made in the second-reading speech, but I make this point in conclusion on that issue: if Labor thinks that those grandiose claims will gladden the hearts of country Victorians it is in for a shock. It is more likely to make them sick to the stomach.

I move now to the bill. It establishes a new statutory body to be called Regional Development Victoria. Its purpose is to:

... facilitate economic and community development in rural and regional Victoria.

So far so good, we all applaud that, but it is a statutory body, not a statutory authority. It has no corporate identity, it has no perpetual succession and it has no independence. It is still totally and directly answerable to the responsible minister.

So what has changed from the existing structure which has regional development as a discrete responsibility? It

is already part of the structure of the existing department. Remember — and I want someone to challenge it — it will have the same people, the same funding base, the same objectives and the same responsibility structure. It is true that it will have a new chief executive officer to be appointed by the Governor in Council.

**Hon. Gavin Jennings** interjected.

**Hon. R. M. HALLAM** — Before you get to it, Mr Jennings, I acknowledge that is new. But that new chief executive — guess what? — still reports to the minister. I have never heard of that before, and I am something of a student of politics. I have never heard before of an appointment going through Governor in Council and the appointee being responsible to a minister of the Crown. I think that is a new rule. I might be wrong, and I would love to be corrected. I would love to find out if there is a precedent. I do not know if there is one.

In any event, my submission today is that the decision to have this new chief executive appointed by Governor in Council is tokenistic at best. I acknowledge that the minister will be required to table a report of Regional Development Victoria, and he will have to do so in the Parliament. My question in response to that is: is that not his responsibility already? Is he not meant to be reporting already to the Parliament about the department he controls? Given that regional development is a discrete responsibility, is it not incumbent on him now to be reporting to the Parliament?

So what has changed in respect of that? There is one change I am pleased to acknowledge: it will have an advisory body of six persons, the majority of whom shall be from rural and regional Victoria. I am not sure how that is defined. I note that at least one must represent the employers and one the employees, and I am not surprised by that. It must be remembered that this is an advisory body only. It will be directly responsible to the minister and directly answerable to the minister. We do not know who will be appointed or how they will be rewarded, so we reserve our judgment.

The advisory committee is the only new initiative, and I pose this question: are not the existing committees under the existing structure meant to undertake that role anyway?

**Hon. I. J. Cover** interjected.

**Hon. R. M. HALLAM** — We learn in the second-reading speech, Mr Cover, that this minister

takes advice from everywhere. He quotes forums, local government and the community at large, but why is he not listening to the committees already out there. He needs another one. I find that quite strange.

Where does local government fit into this, apart from the mention it gets in the second-reading speech? It is mentioned again and again in this soppy diatribe we have in front of us, but beyond hearing about the need for coordination, cooperation and partnerships — all the motherhood stuff we are used to hearing on the question of the involvement of local government — this bill is absolutely silent.

The conclusion drawn by members of the National Party is that there is nothing new in respect of regional development in Victoria. It is simply another badging operation, and we are cynical enough to believe it is a diversionary tactic. It is designed to placate those who expected something more than just talk from the Bracks government.

If, as we are invited to believe, this new statutory body is a massive breakthrough — that is the terminology employed; we are told that it ‘will lead the way in Australia when it comes to regional development’ — then several questions come to mind. The first of those, and I pose it rhetorically, is that if we need a statutory body to do all these laudable things, how come so much has been reportedly achieved over the past three years without it? If it is such a good thing and we desperately need it, how come we have government members, one after the other, jumping up to brag about what has been achieved? They cannot have it both ways. If Regional Development Victoria, this new fantastic body, is needed to coordinate the concept across departments, who has been minding the shop until now? Who has been looking after the projects?

If we need a statutory body to oversee the funding allocations from the Regional Infrastructure Development Fund, which is what we are now told, who has been managing it up until now? How is it able to make the allocations? If this is the brand new responsibility of this august new body and if we need this body, as we are told, to arrange an extension of our natural gas grid, I ask: how come the Kennett government was able to organise that for Hamilton, Horsham, Ararat and Stawell without this statutory body? It is just marketing!

Then we are told that there is a need to name nine ‘interface councils’. Apparently these were the councils specifically excluded in the legislation which established the Regional Infrastructure Development Fund. My question now is, if we need to go back and

revisit that definition, does the Bracks government admit it got it wrong the first time round? Was it wrong to specify the 47 that we heard trumpeted from every balustrade? Was that wrong? Should there have been 56? I would be pleased to get a response.

**Hon. J. M. McQuilten** interjected.

**Hon. R. M. HALLAM** — I have no worries, Mr McQuilten, about including rural communities in those interface councils and having them become able to partake in the benefits of the Regional Infrastructure Development Fund. However, it was the Labor government which set up the boundaries in the first place. It was not me. It was the government that said we should not go beyond the 47, and I can quote it. Now all of a sudden the government says that we need another nine. What is more, it now tells us that there are significant rural areas within the boundaries of the nine interface municipalities. My question is: why were they not included originally? What has changed? The government defined the boundaries between city and country. What that does more than anything else is demonstrate that the original specification under the Regional Infrastructure Development Fund was nothing more than a marketing ploy; it has backfired, and it serves the government right!

I am more interested, though, in where the additional money is to come from. There are no new commitments mentioned in the bill. All we get is this listing of what has apparently already been secured — well we challenge that in any event. Where is the new stuff? At least the National Party, to its credit, in its infrastructure announcement was prepared to list all the projects and the amounts allocated to them. They are out there in the marketplace. All we have from the Premier is the notion that somehow there is a magical \$2 billion somewhere in the ether but no-one can tell us where it has been invested.

We have concluded that this bill is nothing more than a cynical Labor marketing strategy. It is just another exercise to cover up the do-nothing reputation; another attempt to curry favour with rural electors, but it is too late. The horse has bolted. Country voters are no longer taken in by promises and rhetoric, and we remember that it is the same Labor Party that is driven by union muscle.

This is the same Labor Party which still cannot control its expenditure, which still believes consultation is the end product rather than a directional aid and which is still very much city centred. So we say this bill is nothing more than cynical window-dressing. There is no new funding, and as it happens we know why. The

facts are that this government has blown the surplus it inherited and there is now no room for manoeuvre.

We know and respect many of the officers who are involved in regional development, and we do not intend to embarrass them by rolling this bill. But we say, and we say from the heart, that it is a farce, that it is a con and that it demeans the parliamentary process. We shall be inviting the Victorian community to look beyond the marketing glitz and the pretty words and to note that the Labor leopard is just as spotty as ever. For all that, however, we shall not impede the passage of the bill.

**Hon. T. C. THEOPHANOUS** (Jika Jika) — I rise to support very strongly this important piece of legislation, which is designed to support the development of regional and rural Victoria.

I listened to the contributions of the honourable members from the conservative side of politics, and I have to say it is the response one would have expected from people who have done nothing but be negative and carp about every initiative that has been taken by this government to support rural and regional Victoria. They cannot stand the fact that we in this government are doing more for regional and rural Victoria than they did in the entire seven years that they were in government, when all they succeeded in doing for regional Victoria was to close schools and hospitals and to downgrade infrastructure.

We heard the contribution of the Honourable Philip Davis, who gave a blustering, loud and bullying speech about how he saw the world. The one point he made was when he wanted to have a go at the Honourable John Brumby over his comments about the possible closure of the Royal Australian Air Force base. But what Mr Davis forgot to tell the house was that the federal government conducted a review on whether the Sale base would be retained, and that review may affect the Sale base.

**Hon. Philip Davis** — That is not true; you are misleading the house!

**Hon. T. C. THEOPHANOUS** — You had your go! You sit and listen, and you might learn a few things! So the federal government floated a competitor to the Sale base in Wagga, and when the Honourable John Brumby went down to Sale he was simply responding to the concerns the local council had raised with him that the federal government would close down the Sale base.

It is interesting that Mr McGauran, the local representative, was running a billion miles away from his own government, saying he was convinced and confident that the Sale site would remain. But he was

not prepared to give any guarantees, and they still have not come from the federal government. What John Brumby did was offer \$30 000 to buy in expertise to assist the council to make its best case to the federal government for the retention of that base in Sale.

The Honourable Philip Davis comes in here and carries on about the attempts by the Victorian government to assist the people of Sale to hang on to that base and the important attempts by the Honourable John Brumby to secure that and help that community against the federal government, and he accuses the Victorian government and John Brumby of trying to undermine that community. If John Brumby was down there warning that community about what the federal government is trying to do, we plead guilty to having done that, because we were down there to protect the community.

That was the extent of the contribution from the Honourable Philip Davis. When the Honourable Roger Hallam spoke on behalf of the National Party he at least had the courtesy to say that he and his party support the bill, and I thank him for that. But he could not resist giving us a lecture about infrastructure in regional Victoria and going through a range of issues where he claims this government is not doing anything and that somehow the previous government has. Let me address some of the issues Mr Hallam raised, because it is important to put these things on the record.

The first issue is that, yes, this government does have a policy on rail. It is called bringing trains back to Victorians in regional Victoria. It is bringing them back to regional Victorians because somebody took them away. The people who took those services away are members of the current opposition.

The previous Kennett government closed services to Ararat and Bairnsdale in regional Victoria.

**An Honourable Member** — Mildura as well.

**Hon. T. C. THEOPHANOUS** — And Mildura. This government is attempting to bring them back — and to South Gippsland.

Let me report on the progress under this government. Station works have begun along the Ararat and Bairnsdale lines, and public tenders are scheduled to be invited in November 2002 for track and signalling works. So action is being taken to bring those services back.

**Hon. R. M. Hallam** — It is not enough.

**Hon. T. C. THEOPHANOUS** — Mr Hallam says, 'It is not enough'. Well, Mr Hallam, you were one of

the people who got rid of them, and I really cannot see how you can give a speech here criticising us when you were one of the people who removed them in the first place! There is action being taken on the South Gippsland line and on the Mildura line, and I would love to go through it for Mr Hallam, but time is a constraint.

Let me just say a couple of other things about the fast rail project, which Mr Hallam wants to make an issue of so he can ridicule it. This is a \$550 million regional fast rail project. It involves 29 new trains and the biggest upgrading of regional infrastructure in 120 years. That is what it involves. Despite what Mr Hallam might have said, work has commenced on the upgrading of those lines. The Thiess Alstrom joint venture is upgrading the Ballarat and Geelong lines, with a joint venture between John Holland and Transfield upgrading the Bendigo and Latrobe Valley lines. So action is being taken in relation to those matters.

I am just sorry that I do not have the time, because of arrangements that have been made in this place concerning the speaking time, to explain to Mr Hallam — I was looking forward to explaining these to him — about the \$77 million for the Wimmera–Mallee pipeline that he referred to. I was looking forward to telling him about the \$96 million in relation to the rail gauge standardisation project. I would have been quite happy to go through and tell him where the works have started and how this government is actually delivering to regional Victoria, but I am going to finish like this: this bill is about developing regional Victoria. It is about employing regional Victorians. It is about delivering services to regional Victoria. It is about delivering infrastructure to regional Victoria. But mostly it is about protecting regional Victorians by establishing a legal organisation with legislative power so that the people on the opposition benches are never able to tamper with this organisation again and with the services that regional Victoria deserves.

**Hon. K. M. SMITH** (South Eastern) — It is a pleasure to be able to get up and speak on this Regional Development Victoria Bill, having listened to what was probably the class act in this whole place in the way the Honourable Roger Hallam laid out and developed his speech into one of the finest speeches I have heard in this house. Then to hear Mr Theophanous — we would call him the biggest arse act in the place. One must consider that we have heard the best and we have heard the worst today in this place.

We are very much aware that this bill is nothing but smoke and mirrors. We know that it is a farce; we know that it is a joke that is being pulled on rural Victoria by this government. I think that that is sad. Here we are on virtually the eve of an election and these people are doing their best to try to pull some votes from the rural voters. Can I say their past history in regard to rural and regional Victoria is a disgrace. They were in a position where they lied to rural Victoria to get into government before the last election, and their lies to rural Victoria have continued for the past three years. They should, each and every one of them, be ashamed of the actions the government has taken and the way their ministers have acted.

They have talked about programs, but that has not always been acted upon, and we have heard about a lot of those things today, particularly from Mr Hallam and Mr Davis — the promises that were made but were never kept. This government has been deceitful in the way it has acted. I think its members should hang their heads in shame. I know Mr McQuilten, when he was listening to what Mr Hallam was saying, was sitting there with his head hanging down, and he was shaking his head. I find it very sad that the members of this government, particularly the backbenchers, are just starting to find out a little bit about the lies that their ministers and their government are prepared to tell.

I think it is a disgrace. The legislation supposedly establishes a new statutory body. The truth is a new statutory body will not be established, because it is merely a rejigging of the people who are already in office. It will not create one new job. All it will do is create another bureaucracy.

**Hon. M. R. Thomson** interjected.

**Hon. K. M. SMITH** — We will be there shortly, so don't get too excited about it, because you will be out.

**Hon. M. R. Thomson** interjected.

**Hon. K. M. SMITH** — They have not forgotten the lies you told them either, Minister. Regional Development Victoria, as I understand, is not a new statutory authority.

**Hon. M. R. Thomson** — On a point of order, Mr Acting President, I ask Mr Smith to withdraw his reference to lying.

**Hon. K. M. SMITH** — I am more than happy to withdraw. That is fine. The report of the Economic Development Committee regarding the number of unemployed youth in Victoria is testimony to what the

government has not done for the people of Victoria, particularly in the Gippsland area.

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

**Hon. K. M. SMITH** — Mr Theophanous, before you enter this debate, go back and look at the figures before the Labor government lost office in 1992 prior to the Kennett government getting Victoria going again. The Labor government may have made some improvements, but the real improvements were made under the Kennett government. We have to look at our kids and the problems the government is creating for the youth of Victoria.

The Liberal Party has a young man named Andrew Dwyer, who is the Liberal Party candidate for this seat at the next election. He has never been unemployed, and he will do a great deal in Parliament and will keep members of the Labor Party accountable when they are in opposition. I assure you of that.

**Hon. S. M. Nguyen** — On a point of order, Mr Acting President, I ask you to direct that Mr Smith speak on the bill and not talk about a candidate or politics, because that is not fair.

**The ACTING PRESIDENT**

**(Hon. G. B. Ashman)** — Order! There is no point of order. Mr Smith has made some references to other matters, but in general is speaking on the bill.

**Hon. K. M. SMITH** — These attacks on me are unprecedented. It is a disgrace.

This do-nothing government is presenting to the people of Victoria and this Parliament a do-nothing bill — all smoke and mirrors, as talked about today. It offers nothing to rural and regional Victoria. The government does not need this bill to introduce Regional Development Victoria. It is a joke that the government is perpetrating on the people. The do-nothing government is doing nothing for regional Victoria. You don't give a bugger about rural or regional Victoria!

**The ACTING PRESIDENT**

**(Hon. G. B. Ashman)** — Order! I think Mr Smith should withdraw that last comment.

**Hon. K. M. SMITH** — I am sorry if I have upset you, Mr Acting President; I withdraw that comment.

For the last three years the government has made promises but delivered nothing to the people of rural Victoria, absolutely nothing. Victoria's roads have deteriorated, unlike what the government promised. It promised the Pakenham bypass. We can reflect back to

just before this government was elected three years ago when it promised the Scoresby bypass, the Mitcham tunnel and the Dingley bypass — all of these things — yet it has delivered nothing, absolutely nothing.

The government should be ashamed of itself. It has done nothing about aged care and it is making promises that it will not and cannot keep. It took away rurality payments to schools — away from the people of Victoria and the schoolchildren who badly need those extra payments. When the opposition gets back into office it will — —

**Hon. D. G. Hadden** interjected.

**Hon. K. M. SMITH** — This is part of the bill; it is your broken promises, Ballarat.

**Hon. D. G. Hadden** interjected.

**Hon. K. M. SMITH** — Stop attacking; it won't do you any good. What about the fast rail? We heard Mr Hallam talk about the very fast rail that suddenly has changed to fast rail and is only fast when it goes from the first station to the last station and does not stop in between! It will be going as fast as it is going now.

What about the promises to put the train back to Leongatha? What a lie! What a joke to play on the people there! Your buddy, your mate, the honourable member for Gippsland West, Susan Davies, has been building people up but has delivered nothing to the people of Gippsland West. In the three years that I was there in my office in Wonthaggi — when Susan Davies was there — I delivered \$120 million worth of benefits and infrastructure to the people of Gippsland West. In the three to six years that Susan Davies has been the member she would be lucky to have delivered \$2 million. She has delivered very, very little to the people of Gippsland West, but the government is propping her up hoping she will be there after the next election because she is one of them, anyhow. She is Labor to the core, I can tell you.

I am disappointed that government members would bring this sort of claptrap about what they have delivered to the people of Victoria before the Parliament of Victoria. The people in rural and regional Victoria will not be misled by the lies they have been told, nor will they be misled by this rubbish in the bill. Come the next election the Liberal Party will be sitting on the government benches and the Labor Party will be out forever.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Hon. M. R. THOMSON** (Minister for Small Business) — By leave, I move:

That this bill be now read a third time.

I thank most honourable members for their contributions.

**Motion agreed to.**

**Read third time.**

*Remaining stages*

**Passed remaining stages.**

**ADJOURNMENT**

**Hon. M. M. GOULD** (Minister for Education Services) — I move:

That the house do now adjourn.

**Deer: national parks**

**Hon. ANDREA COOTE** (Monash) — I raise a matter for the Minister for Environment and Conservation in another place. I refer to the annual report 2001–02 of Parks Victoria which was circulated today. That report speaks about grazing audits in the alpine areas, research into feral horse ecology and fox research. However, it does not anywhere mention the threat of deer to our fragile national parks system. In fact it does the reverse: it talks about the *State of the Parks* report as a key tool for implementing programs to reduce the significant threat of animal pests such as foxes, pigs, goats, dogs and rabbits — but no mention of deer. I know that in the Falls Creek area a number of red deer are causing vast problems and I have been told that the deer population in the alpine areas is increasing exponentially.

I have two photographs here of deer wallows. I remind honourable members that deer wallows are 2 to 3-metre pools. Instead of being glassy, clear pools in alpine areas perhaps adjoining a sphagnum moss bed, which is a very sensitive area in the alpine park, we have these wallows with deer prints all the way around and muddy and murky water — not what we want to see in our national parks. Those who have seen the sphagnum moss beds will know they are extremely attractive and very fragile.

I ask the minister, who goes on and on about what the government is doing — and honourable members know that our national parks are a disgrace as far as pests,

feral animals and noxious weeds are concerned: what research has the government done or what is it doing on the impact of deer in our national parks and this fragile area; also, will the government handle this environmental threat or will it ignore it as it has ignored so much else?

**Kangaroos: control**

**Hon. R. A. BEST** (North Western) — The issue I raise for the Minister for Environment and Conservation in another place relates to a request by the City of Greater Bendigo for legislative or regulatory reforms to responsibly manage the rapidly increasing kangaroo population in the Bendigo area. The city wrote to the minister some two months ago but as usual it has not received a reply. With the very dry conditions we are experiencing in central Victoria, we are seeing a massive movement by kangaroos into greener grass. This is causing damage not only to cars but is also increasing the danger of driving on roads throughout central Victoria.

The problems are only going to get worse as summer approaches with drier conditions when green grass will become harder to find. We need to know what action the government is prepared to take now. The minister must advise the Legislative Council how the government intends to address the problem of increased kangaroo numbers and their effect on road safety on country roads, and also what it intends to do about commercial culling as a way of resolving the problem.

As I said, the City of Greater Bendigo wrote to the minister two months ago and the government and the minister have been totally silent. My colleague the Honourable Roger Hallam has raised the issue recently. However, we still do not have a response from the government and now there is an urgent need for a reply from the minister. I ask, particularly as an election is looming: what action is the minister prepared to take regarding this request or is she just going to turn a deaf ear because of the election? We need to solve the problem of the growing kangaroo population in the Bendigo area and we need to know the government's response to the proposition by the City of Greater Bendigo for a commercial culling operation.

**International Women's Baseball Championship**

**Hon. E. C. CARBINES** (Geelong) — I raise a matter for the attention of the Minister for Sport and Recreation concerning the 2002 International Women's Baseball Championship, the inaugural world women's championship, which is sanctioned by the International Baseball Association.

This championship is being hosted by Baseball Geelong in December at our new world-class baseball centre at Grovedale. Teams from Japan, the United States of America, Canada and Australia will compete, and Baseball Geelong will conduct clinics for our young people as part of its long-term strategy for growth of the sport in our region. The championship will be of economic benefit to Geelong and will provide an opportunity for our baseballers and the wider Geelong community to see elite female athletes in action.

I have received a letter from Mr Les Flower on behalf of the International Women's Baseball Championship. He has informed me that Victoria is indeed the leader of women's baseball in Australia since introducing the sport to our state in 1995. Currently Victoria has in excess of 1000 registered female baseball players and will launch the first female junior baseball competition in Australia in the near future. However, I am really disappointed to learn from Mr Flower that in respect of the 2002 championship unfortunately, as is the case with most women's events in Australia, the corporate world and the business sector of this state have failed to respond to sponsorship proposals. I have no doubt that they do not recognise the stature of this event on the world baseball calendar.

Accordingly I ask the minister, in recognition of the importance of the International Women's Baseball Championship being held in Geelong in December, what assistance he can give Baseball Geelong to host this exciting event.

### **Bogong High Plains Road: closure**

**Hon. G. R. CRAIGE** (Central Highlands) — I raise a significant matter for the attention of the Minister for Transport concerning the Bogong High Plains Road. It links two very important areas: Omeo and Falls Creek. The road runs from Rocky Valley Dam in Falls Creek — —

**Hon. G. D. Romanes** interjected.

**Hon. G. R. Craige** — Just go and hop on your bike, will you?

The road then runs down to the Mitta–Omeo Road near Blue Duck. For those who know and appreciate that area, it travels across some of the most magnificent areas of the Bogong High Plains area. The Legislative Council's own Man from Snowy River, the Honourable Graeme Stoney, has ridden in this area not once but several times. He has told me on many occasions how magnificent this area is.

The road is a major road, but it closes during the snow season for about four months. There has been agreement for that closure by the Alpine shire, Victoria Police and Parks Victoria. This year the road closed for the snow season, but has not reopened.

There is a dispute over ownership of the road. This matter requires urgent attention. There is an easy solution — that is, for the government to declare the road a tourist road and for Vicroads to honour its agreement with the Alpine shire by which it agreed it would take ownership. There is no doubt that there is significant support for the mayor of the Alpine shire, Charlie Duncan, and his stand, especially by the tourism industry in that area. The tourism industry is being severely affected and a tourism operator, Andrew Dwyer, an active campaigner in this region, has been working tirelessly to try to open that road.

Les Wiebanga from the Victorian Scout Association has written to Mr Dwyer and has highlighted particular issues that the scout people face. Also, Tony Begg from the Bogong Moth Motel in Mount Beauty has also written to Mr Dwyer with his concerns about the tourism industry. The road's closure will have a severe impact on tourism in the region.

I request that the Minister for Transport straightaway declare the Bogong High Plains Road a tourist road and allow that road to open immediately.

### **Premier's Food Victoria awards**

**Hon. T. C. THEOPHANOUS** (Jika Jika) — The matter I direct to the attention of the Premier concerns the Premier's Food Victoria awards, which are designed to promote Victoria as the food capital of Australia. Honourable members would know that Victoria is, in fact, Australia's largest processed food exporter and that industry is a vital part of the state's economy. The Victorian food industry has an annual turnover of approximately \$16 billion.

In December 2001 the Premier established the Premier's Food Victoria awards to showcase excellence in the food production and processing industries. I understand the Premier's Food Victoria awards will recognise outstanding achievements in the Victorian food and beverage industry by identifying companies and individuals who have demonstrated excellence in the categories of export, innovation and marketing. These are very important categories from the point of view of this industry.

I also understand that in recognition of the rich diversity of the food industry throughout Victoria, awards will be presented to four companies, one from each of the

western, central, eastern and northern Victorian regions. I also understand that the awards are open to companies of all sizes and each has equal potential to be recognised. I am told that the applications close on 31 January next, with the winners to be announced in March 2003. I ask the Premier to ensure the awards are promoted extensively in regional Victoria.

### **Drought: government assistance**

**Hon. E. J. POWELL** (North Eastern) — I raise an issue with the Minister for Small Business. About two weeks ago I asked what assistance the minister's department was providing for small businesses in drought-affected areas in country Victoria. The minister's response was that the government was developing a package of assistance.

This drought, which is a 1-in-100-year event, has a huge impact across Victoria, but more particularly in the Goulburn and Murray valleys, which are in the electorate the Honourable Bill Baxter and I represent. Our farmers are struggling, and they need help now. They are not buying goods and services.

A recent report stated that \$280 million worth of loss had been suffered in the region. This drought is causing huge flow-on effects for businesses in the towns. I have spoken to people in garages, restaurants and the retail sector, and they are telling me their takings are well down on last year. Many businesses will soon have cash flow problems.

The government should at least be speaking to the banks to have them support small business. A number of businesses advise me that they are already reducing staff numbers. They do not want to let the staff go because they will lose the skills they have got and maybe they will not get them back. The Shepparton Chamber of Commerce has advised me that many small businesses are cutting back on the stock they usually buy, because they believe there is a lack of confidence in the area and people are not wanting to spend money. They are asking the government to look at issues and initiatives like the reduction of payroll tax for small businesses in country Victoria that are affected by the drought, as well as other incentives.

Recently I attended the annual general meeting of Tatura Milk Industries. Because milk production is being severely reduced the company is bringing in a number of cost-cutting measures. These include reducing staff by 30 people and introducing initiatives of not allowing any overtime for current staff.

Our dairy farmers are selling off cows. About 80 000 cows — some 30 per cent — are reported to

have left this region. There is no money coming in. Some of our local people are using initiatives on the local scene: fruit growers are giving the dairy farmers jobs such as picking fruit and farm work just to give those farmers a job. The problem with that initiative is that the experienced fruit pickers are going to leave the area and they may not come back in the following years. Yesterday in Benalla I spoke to a local restaurant proprietor who said that his profits were well down on last year.

I ask the minister: is that package of assistance available yet, and if not, why not?

### **Licola–Jamieson Road: seasonal closure**

**Hon. G. B. ASHMAN** (Koonung) — I raise an issue for the Minister for Transport and probably also for reference to the Minister for Local Government. The Licola–Jamieson Road is subject to seasonal closure, usually between May and November of each year. In recent times there has been speculation that there could indeed be a long-term closure of this road. There is a dispute, as I understand it, between Vicroads and the Shire of Wellington as to who is responsible for the maintenance of the road. It is generally in quite poor condition, but it is the major connector between Licola and Jamieson. If this road is not open the detour is some 2 to 3 hours around through either Omeo and Bairnsdale or down through Woods Point and Moe, so it is a significant diversion.

There are some signs at Licola which are not clear — indeed, when the road is closed they should be back at Heyfield and that would save people driving some 40 to 50 kilometres. Additional signage is also required at the other end so people can divert if necessary. The road has considerable impacts on tourism in the local area. Now with the fire season approaching very quickly — I note that there has been a fire in the Dargo region this week — it is significant in terms of access to fires and fire control. The road should be permanently open with 12 months a year access.

I seek the ministers' intervention to resolve this impasse between Vicroads and the Shire of Wellington to remove the seasonal closure and make the road passable 12 months of the year.

### **Schools: speed zones**

**Hon. P. R. HALL** (Gippsland) — I raise a matter for the attention of the Minister for Transport, but it will have particular interest to the Minister for Education Services, so I welcome her comments in response to

this. It concerns speed limits on roads bordering Victorian schools.

During our visit to Benalla today I took the opportunity this morning to launch a document titled *The Vic Nats Priorities for Country Education*. This document sets out a number of important initiatives that will improve the delivery of education in country schools.

One of those initiatives is the introduction of a 40-kilometre-per-hour speed zone on all roads bordering schools. It is proposed under this initiative that on school days between 8.00 a.m. and 9.30 a.m. and between 3.00 p.m. and 4.30 p.m. a speed limit of 40 kilometres per hour be applied uniformly outside every Victorian school. This initiative is all about student safety and it has the support of every school community that I have spoken to in this regard.

Its key to success is the uniform application of these measures outside every school. Currently in Victoria some schools have flashing-light signs or fold-down signs which restrict speeds to 40 kilometres an hour outside schools, but that is only with the permission of Vicroads and is not uniformly outside every school. We in the Vic Nats do not claim credit for dreaming up this initiative; New South Wales has it, and it has a Labor government which supports this initiative of 40-kilometre-an-hour speed zones outside its schools.

I ask the Minister for Transport and his government to demonstrate their support for student safety at our schools in Victoria and support this initiative of the Victorian National Party.

### **Bridges: maintenance**

**Hon. PHILIP DAVIS** (Gippsland) — I raise a matter for the Minister for State and Regional Development in the other place. Recently, on about 4 September, in the company of my colleague the Honourable Graeme Stoney; the Leader of the Opposition in the other place, the honourable member for Malvern; and a number of local citizens, I visited O'Dea's bridge, near Mollyullah. This particular bridge — which is a timber bridge — had completely collapsed. The matter I am raising for the attention of the government is that local municipalities across rural Victoria have a large number of timber bridges which are in urgent need of repair. Indeed, in response to an opposition survey the former Delatite shire revealed that it had 130 bridges, 25 of which were wooden and 65 of which were in need of essential repair.

What is important about this is that these bridges provide primary access for local communities. They provide access for families and, importantly, are critical

for continuing farming activities. Obviously many bridges have load limits put on them. It is a tragedy that the state government of Victoria has failed to provide any significant funding to local government for bridge maintenance, and indeed has only spent \$1.3 million on routine bridge maintenance across the state this financial year. Since it came to office it has provided no funds from the Regional Infrastructure Development Fund for bridges in rural Victoria. The Wellington shire in Gippsland has a similar problem with Noble's bridge. It has just been closed in the last week for similar reasons — that is, it needs maintenance.

The Liberal Party has announced a policy commitment of a \$55 million local bridge fund to assist local government. Will the government respond to the Victorian Farmers Federation's challenge to the government to match the Victorian Liberal Party's policy commitment of \$55 million for local bridge funding, and will the minister advise me when he will provide funds for local bridges?

### **Bridges: maintenance**

**Hon. E. G. STONEY** (Central Highlands) — I also raise the issue of bridges with the Minister for State and Regional Development. There is, as Mr Davis pointed out, growing concern all over the state about local roads and bridges, and I especially mention those bridges in the Rural City of Benalla and in the Mansfield, Strathbogie and Alpine shires. I have here a press cutting from the *Mansfield Courier*, which includes a photograph of Mr Geoff Adams from Mansfield, who is very concerned about load limits placed on his bridge in Barwite. The paper says:

Load limits have been placed on bridges around the district, restricting the carrying capacity of trucks and other heavy vehicles that use them.

It lists three examples. Mr Adams said the load limits applied to the two bridges on his road could close down his family business, which is very concerning.

Ancona's Ian Wood said the new load limit had been applied without consultation and could dramatically affect his livelihood, and Merton's Alan Fox said the lack of council funding on basic infrastructure such as bridges and roads was denying rural people the right to carry on with normal business.

As Mr Davis said, government has not funded a local bridge since 1999 with the Regional Infrastructure Development Fund. The Liberals have promised \$55 million to assist upgrading and rebuilding local roads and bridges, and I too, along with Mr Davis, ask:

will the government match the Liberal Party support of rural councils to upgrade local roads and bridges?

### **Gaming: smoking ban**

**Hon. ANDREW BRIDESON** (Waverley) — I wish to raise an issue tonight with the Leader of the Government to pass on to the Minister for Gaming and Minister for Tourism in another place. It is an issue that concerns both portfolios.

On 1 September this year smoking was banned from games rooms in gaming venues other than the Melbourne casino. There has been perhaps an unfortunate and unintended consequence of this decision in that gaming revenue is down by up to 20 per cent in many venues, and I think I read in the newspaper in recent times that it was an average of 6 per cent across the state. The venues which have been most affected are the towns and cities which border New South Wales where smoking is still allowed in gaming rooms. A classic example that has been brought to my attention is the Robinvale Golf Club, which is under some financial duress because of this. There are other venues situated in the towns of Swan Hill, Mildura, Wodonga and Echuca, and I am sure many more country towns along the Murray River.

Many of these venues have had to lay off staff due to the significant loss of gaming revenue, and of course in the subsequent activity where people tend to eat after they have been to these gaming venues, chefs and catering staff have also been laid off. This is essentially because patrons are now crossing the border to attend venues where they can conduct their gaming activities and have a smoke and a bite to eat at the same time.

I request that the Minister for Gaming and Minister for Tourism gives serious consideration to exempting gaming venues in border towns from these smoking bans so they can compete on an equal footing with gaming venues over the border in New South Wales.

### **Tourism: small business**

**Hon. W. I. SMITH** (Silvan) — I wish to raise a matter for the Minister for Small Business. It is a matter that the minister could fix for small businesses in the tourism industry if she made a decision on it. Small businesses in the tourism industry have been hit very strongly by a range of issues. Obviously public liability has been one of them, and it has knocked a lot of businesses out. The fact that the Bracks government was unable to make any strong decisions on this issue and to introduce quickly any legislation which resolved the issue has only exacerbated the crisis for small

business. Those small businesses which have survived in the tourism industry, particularly up through this region, are faced with a range of major issues, as I said, that the government could resolve.

I refer to a letter I have received from Rio's Alpine Centre, which is based at Porepunkah near Bright. Rio's Alpine Centre is involved in adventure gear — rafting, canoeing, ski equipment, and ski and board hire. That company has a range of issues, but one of the ones it does not understand — and most people are not aware of it — is why it has state rental tax, so it is taxed on the amount of rental equipment that the company hires out. When it grosses \$6000 a month on any equipment it rents out, it has to pay a tax to the government of 0.75 per cent, and that is before it pays any other taxes. The company does not know what this tax is about. It does not know what it does for the industry. It is just another impost on small business. I say to the minister: you could take this tax off. Can you explain to the tourism industry how you justify this particular tax, and will you remove it?

### **Rural and regional Victoria: hospital regulations**

**Hon. M. T. LUCKINS** (Waverley) — I raise a matter for the Minister for Health in another place regarding rural hospitals, the Health Purchasing Act and the role of chief executive officers and rural hospital boards. Rural hospitals have an interdependent relationship with the local business community which they believe is under threat with the implementation of the Health Purchasing Act, with centralised purchasing robbing local businesses of the opportunity to provide goods for their local hospitals.

The rural hospitals themselves are reporting that through the group tender process they are being locked into a higher price structure with little or no regard for transport costs or delivery delays. Rural and regional Victorian communities are well served by their local hospitals, and the Benalla and District Memorial Hospital in particular is one of the best performing rural hospitals I have come across. Such hospitals thrive on the commitment and dedication of local hospital board members and chief executive officers.

Many CEOs have raised with me their concerns about their positions under a Labor government plan to take over from hospitals and their boards the responsibility for their employment and make them public servants at the direction of the Minister for Health. Rural communities like Benalla are justifiably concerned about any loss of independence and autonomy, particularly the prospect of the long arm of bureaucrats

from Melbourne telling CEOs how to run their local community hospitals. Rural health boards work very well with their appointed CEOs and get very good outcomes for their local communities because they are able to work together to identify the community needs.

Of even greater concern to local rural communities is the proposal by government — and we understand this to be so, as do CEOs and boards — to abolish rural hospital boards altogether. I was delighted to meet with the CEO of the Benalla and District Memorial Hospital, Ray Sweeney, and president, Doug Smith, yesterday. They took the opportunity to highlight their concerns with Labor's plans to have the CEOs answerable to Collins Street, Melbourne, rather than to a local hospital board, which this government apparently plans to sack. The Benalla and District Memorial Hospital is well served by 12 members of its committee of management with diverse skills.

I ask the Minister for Health to provide an undertaking to the people of Benalla and all other rural areas that he will not sack rural hospital boards and will not compromise the independent role of the CEOs, who are and should remain answerable to local hospital boards of management, while being also mindful of the effect of central purchasing directives on rural hospitals and rural communities.

### **Thornton-Eildon District Football and Netball Club**

**Hon. I. J. COVER** (Geelong) — Unfortunately the Minister for Sport and Recreation is not here, but I am sure my question will be relayed to him. The Thornton-Eildon District Football and Netball Club is based at the picturesque Thornton recreation reserve, which I had the pleasure of visiting just yesterday on the way to Benalla with the Liberal candidate for Benalla, Andrew Dwyer.

I have to tell the house that Mr Dwyer is doing an outstanding job supporting the Thornton-Eildon District Football and Netball Club and working very hard for that community, as he is for all the people of the Benalla electorate. Yesterday we met with the secretary, Peter Grant; the treasurer, Wayne Kupke; the coach of the football team, Rob Elliott; and one of the club's leading netballers, Elissa Page. They outlined for us an excellent proposal for a project to build a new netball court that would be used as a multipurpose court and also to develop changing facilities alongside as the netballers do not at the moment have changing facilities, making their situation most unworkable and inadequate.

The club is obviously devoted to providing recreational opportunities for the young people and in particular the young women in the area who make up the netball teams. The club fields four netball teams in the Central Goulburn League. They have run into difficulties with the condition of the court and its close proximity to a neighbouring motel. The club has costed the project and put together a very good proposal that would cost something in the order of \$55 000.

The club members have been prepared to engage in fundraising activities and have raised \$5000 to date to contribute to the cost of the project themselves. If they can get government support for funding for this most worthwhile project supported by Andrew Dwyer they will be able to provide in-kind contributions as well, including plumbing work, electrical work and preparation of the site.

The club is on notice from the Central Goulburn netball league that the court is inadequate and not up to the standard that the league requires. It is important that this project get the appropriate support. As the shadow Minister for Sport and Recreation I certainly support it, and the Liberal candidate for Benalla, Andrew Dwyer, also supports it. I know he is working very hard to support the club. He points out to me that the club is running a drive-in movie night on the oval this coming Saturday night and people will be able to support that fundraising activity. I call on the minister to support the Thornton Eildon District Football and Netball Club and its excellent project.

### **Cockatoos: control**

**Hon. BILL FORWOOD** (Templestowe) — I wish to raise an issue with the Minister for Environment and Conservation in the other place. Recently I was fortunate enough to visit the Thomson property at Glenaroua in the company of the Liberal candidate for Seymour, Mike Dalmau, and the upper house candidate, Cath Marriott. I point out that the Thomsons are active in their local Landcare group and have planted over 70 000 trees. In fact the Minister for Environment and Conservation herself presented them with the Hounslow Cup, an award for their work in the Goulburn–Broken catchment. These are people who have put energy into environmental rehabilitation. They have planted not just sugar gum trees, but also olives.

When I visited that area recently I saw the extraordinary damage that was being done by cockatoos. Let me read this paragraph from a letter written in August 2000:

Last year we planted approximately 4000 trees ... 1800 of these ... ironbarks and sugar gums ...

Mrs Thomson goes on to say that 600 trees were removed by sulphur-crested cockatoos.

They ... destroyed and removed many of the remaining 2200 trees.

In a more recent letter dated 18 September this year she reported that since the recent visit by the Labor local member, Ben Hardman:

... approximately half of the 2000 trees have been removed. The olive trees have also suffered further damage. In one block of 137 olive trees, 104 sprinklers had been destroyed.

In a covering email to me on the same date she says:

We had Ian Temby, flora and fauna expert from head office, visit today with Glenn Sharp. Ian Temby suggested I write to the minister ... Both were shocked at the damage.

What was apparent was that up until the change of government there was a poisoning program available to farmers who were grossly affected by cockatoos. I have here two permits issued by the Department of Natural Resources and Environment for a limited use of poisons to control the cockatoo problem which is destroying thousands of trees that are being planted by the Thomsons.

The question I ask the minister is why did she revoke the selective use of poisons in circumstances such as these when it can be demonstrated that people are going out of their way to invest thousands of dollars in planting trees for the benefit of their environment. I ask the minister: why did she do it?

### **Schools: VET program**

**Hon. B. N. ATKINSON** (Koonung) — My question is for the Minister for Education and Training in another place, although the minister at the table might have a contribution to make on this matter. It is in reference to the funding of vocational education and training (VET) programs in secondary schools. I am concerned about the method used in allocating funds to those schools that are participating in VET programs, which are recognised as very successful programs both by the government and the opposition. It is interesting that up to this point the government has been using an historical method of allocating available funds. This means that if a school had a certain number of students last year it is funded on the enrolment figure for that year.

The problem with this method is that it obviously disadvantages schools that joined the VET program later. It disadvantages successful programs that have more students participating in them. It creates a significant disparity between schools and ultimately the

funding to support individual students. It is particularly difficult for schools that are not in a cluster or schools that support students at TAFE colleges or other tertiary training bodies that are charging higher fees. An example of this would be a student attending Swinburne TAFE versus a student attending Holmesglen TAFE. There is a disparity in the fees of those two organisations. It also provides some disadvantage to those students who are supported to undertake courses which are not available in cluster arrangements.

These vocational entry programs, particularly the VET program, are very important and they are gaining popularity among students. However, they have been undermined by the current funding approach, which is that historical basis of funding. While the total funding may also be an issue, the key concern I would like the minister to address is the method the government uses for the allocation of available funds from the existing pool of funds. I suggest it would be more equitable if the approach were to use the census data for students enrolled in those programs rather than the historical basis. That is the system used in most other instances of education funding.

### **Community cabinet: local polling**

**Hon. D. McL. DAVIS** (East Yarra) — My adjournment question tonight is for the attention of the Premier, through the Minister for Education Services. The first point I want to make is that the councils in this area have gone their separate ways, and I wish them well on that. I refer in particular to the community cabinet polling undertaken in the former Shire of Delatite leading up to the cabinet visit in July. That information would be of considerable value to the new Rural City of Benalla and the Shire of Mansfield. I note that most of these community cabinet programs involve polling worth \$15 000 to \$20 000 — —

**Hon. M. M. Gould** interjected.

**Hon. D. McL. DAVIS** — Yes, they do; before the community cabinet visits. That polling is undertaken by a secret research firm and the information produced is not made available to the municipalities in which it is done.

**Hon. M. M. Gould** interjected.

**Hon. D. McL. DAVIS** — It is not available to the councils. They tell me that. Even the Shire of Delatite told me that. I suggest that the Minister for Education Services, as a senior member of the cabinet — —

**Hon. M. M. Gould** interjected.

**Hon. D. McL. DAVIS** — I know that, and I suggest the government might make a present of that secret polling to the two new councils, the Rural City of Benalla and the Shire of Mansfield. I make the point that this polling is undertaken and the Premier and ministers have the benefit of it before they make their community cabinet visits. Therefore, they have an advantage over many of the councillors and council officers in these municipalities. I also make the point that I believe from good sources that this information is often used — —

**Hon. M. M. Gould** interjected.

**Hon. D. McL. DAVIS** — No, I understand it is often used by the Labor Party in its election campaigns such as in the City of Knox.

I challenge the Premier to release that information and hand it over to the two new councils and allow them to use it to improve their service delivery.

I note that the honourable member for Benalla in the other place said in a letter to the *Courier* and the *Benalla Ensign* dated 18 September that she is committed to open government. She referred to this research and indicated that she could only assume that it related to the democratic consultation process. I challenge the honourable member for Benalla to step forward, in an open and honest fashion, on behalf of her area and request that that polling be made available to the councils and the community to improve service delivery in these municipalities.

### **Karingal Park Secondary College site**

**Hon. B. C. BOARDMAN** (Chelsea) — This matter is for the attention of the Minister for Education Services. I suspect she might handball it to the Minister for Education and Training, but I submit that it is a sufficiently serious matter to encompass a range of areas in the education portfolio. It concerns the Karingal Park Secondary College oval in Karingal. In prefacing my comments I would also like to make mention of the revocation motion standing in my name on the notice paper. That motion seeks to revoke amendment C13 of the Frankston planning scheme. There are four sitting days remaining to deal with that motion, and the minister's response to my request tonight will determine whether the opposition debates that motion in that time.

As the Minister for Education Services would be aware, the government has made an offer, by way of conceptual agreement only and subject to the successful sale of this oval, to inject \$900 000 into the upgrade of local facilities. Whilst I acknowledge the government

has been dragged kicking and screaming to this particular situation, there is no definite identification of the funding commitments. This is a contentious issue. It is completely hypocritical and unacceptable for the government to make such an announcement without definitely identifying the funding criteria and where the actual money will come from.

The additional impost is that it has placed the Frankston City Council in an interesting situation in that it now needs to refocus its budgetary commitments and re-evaluate its financial statements for the next financial year and identify \$500 000 worth of additional funding to meet its end of the bargain. I understand the council has written to the minister seeking a guaranteed commitment that this funding will be allocated, but such a guaranteed commitment has not been forthcoming.

To ensure that this deal goes through and to have an influence on what the opposition and I will do with this revocation motion, will the minister, either in her own capacity or with the cooperation of the Minister for Education and Training, guarantee to me by 12 midday tomorrow, which coincidentally is the time at which the Legislative Council will be sitting, that funding agreement in writing — a concrete announcement that the government will give that money?

The Leader of the Opposition in this place and I are prepared to sit down with the Minister for Education Services and discuss this matter at any stage, but by midday tomorrow I sincerely hope I will have in writing from the minister a guaranteed commitment to ensure that this deal is not just a bogus one of the sort the government is notorious for.

### **Pakenham bypass**

**Hon. G. K. RICH-PHILLIPS** (Eumemmerring) — I wish to raise a complaint for the attention of the Premier in the other place, but before I do I take this opportunity in Benalla to acknowledge the fine work being done by the Liberal candidate, Andrew Dwyer.

The matter I would like to raise for the attention of the Premier is the tricky and cynical way in which this government has handled major projects over the past three years. For the past three years we have seen inaction on major projects from the government. We have seen promises but have not seen action delivered.

Last week the Premier claimed to be turning the first sod on the so-called fast rail links to rural Victoria. Anyone can hire a back hoe and a hard hat and get a television camera to film them. It does not mark the

start of a major project; a lot more has to be done before those projects are up and running.

Last Monday we saw another stunt on major projects from the government with the Minister for Major Projects announcing the government's commitment to the Pakenham bypass. This cannot be believed. This is the project which the government refused to back for the past three years. The Premier refused to acknowledge this project. A 2500-signature petition was tabled and presented to the Premier on this issue and he refused to acknowledge it, yet we are now expected to believe the government is committed to this project.

The only project that the Minister for Major Projects has delivered related to Nunawading, and he even got that wrong! Will the Premier stop misleading the public on major projects in Victoria?

### **Films and videos: illegal sale**

**Hon. P. A. KATSAMBANIS** (Monash) — I raise for the attention of the Minister for Police and Emergency Services in the other place an issue that relates specifically to the lack of enforcement of the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995, which governs the sale of pirated films in Victoria, amongst other things. Given that we have an act with strong penalties and enforcement provisions you would expect that the sale of pirated films in Victoria would be dealt with easily.

Unfortunately it has come to my attention that that is not the case at all. It seems that the illegal sale of pirated videos, VCDs and DVDs is proliferating throughout Victoria at various locations, including trash-and-treasure markets right across the state. I have been advised that people can buy major movies on pirated DVDs and VCDs before they are even released in Australia. Unfortunately at these illegal stores they can also acquire R-rated, C-rated, X-rated and unclassified material which cannot be legally sold in Victoria but which is quite readily accessible illegally. These are pirated illegal copies which are imported into Victoria. It gives young children the opportunity to buy inappropriate material.

It is also causing significant damage to legitimate cinema operators and video store operators right across Victoria. I have heard stories from independent, small cinema operators in particular who are finding it difficult in a tough market because by the time a movie is released to them, illegally pirated copies are on sale at trash-and-treasure markets. It is costing jobs right now. It threatens to kill investment in our cinema

industry, and that will lead to a lack of investment in our movie industry as well. If the cinema industry is killed there will not be a movie production industry in Victoria. We have strong laws in Victoria. Section 16 of the Classification (Publications, Films and Computer Games) (Enforcement) Act provides for a penalty of \$24 000 or two years in jail if people are caught selling pirated materials. Unfortunately it is not enforced. The Minister for Police and Emergency Services is responsible, because this act makes the police the enforcement agency.

I call on the minister to take immediate action to protect Victorian children, Victorian businesses and Victorian jobs from the sale of pirated movies. If the minister claims that this is some sort of police resourcing issue, I call on him to make the resources available to the police force immediately to make sure we can enforce the act and stop this illegal activity from going on.

### **Roads: maintenance**

**Hon. R. H. BOWDEN** (South Eastern) — My question is for the Minister for Transport in the other place. It is to do with a generally rising concern about the maintenance of highways and main roads throughout Victoria. The general maintenance of highways and main roads is a vital public service issue as well as a public safety issue, especially in rural and regional Victoria.

It is obvious that the road surface in my and many other electorates is being reduced in quality and quantity. The lack of regular, programmed road surface refurbishment is cause for real concern, and I want to be sure that Andrew Dwyer, when he is elected, has the benefit of being able to ride on safe surfaces. The friction coefficient, or the surface grip, keeps a car safe on the road. If a road surface deteriorates and becomes smooth the road becomes unsafe. I am concerned because history has shown that many avoidable accidents have happened when road surfaces have not been refurbished and replenished to the appropriate standards. Highways such as the Midland, Murray Valley, Maroondah, Goulburn Valley and many others and main roads in the state are deteriorating because their road surfaces are not being properly maintained.

Will the minister as a matter of urgency increase the funding for road resurfacing and require Vicroads to focus on road risk reduction through an increased commitment to maintenance and resurfacing programs?

## Responses

**Hon. M. M. GOULD** (Minister for Education Services) — The Honourable Andrea Coote raised a matter for the Minister for Environment and Conservation in respect to Parks Victoria's annual report about red deer, and I will pass it on to the minister and ask her to respond in the usual manner.

The Honourable Ron Best raised a matter for the Minister for Environment and Conservation regarding the kangaroo population and the question of culling. I will raise that with the minister and ask her to respond in the usual manner.

The Honourable Elaine Carbines raised a matter for the Minister for Sport and Recreation regarding the international women's baseball competition taking place in 2002, and I will raise that with the minister and ask him to respond in the usual manner.

The Honourable Geoff Craige raised a matter for the Minister for Transport regarding the Bogong High Plains Road. I will raise that with the minister and ask him to respond in the usual manner.

The Honourable Theo Theophanous raised a matter for the Premier regarding Food Victoria awards, asking him to ensure that regional Victoria is advised of those awards. I will pass that on to the Premier and ask him to respond in the usual manner.

The Honourable Jeanette Powell raised a matter for the Minister for Small Business regarding the drought and the impact on farms, and I will pass that on to the minister and ask her to respond in the usual manner.

The Honourable Gerald Ashman raised a matter for the Minister for Transport in the other place regarding the Licola to Jamieson road, and I will pass that on to the minister and ask him to respond in the usual manner.

The Honourable Peter Hall raised a matter for the Minister for Transport in the other place regarding speed limits around schools, and I will pass that on to the minister and ask him to respond in the usual manner.

The Honourable Philip Davis raised a matter for the Minister for State and Regional Development in the other place regarding O'Deas Bridge, and I will pass that on to the minister and ask him to respond in the usual manner.

The Honourable Graeme Stoney raised a matter for the Minister for State and Regional Development in the other place regarding bridges and their upgrades, and I

will pass that on to the minister and ask him to respond in the usual manner.

The Honourable Andrew Brideson raised a matter for the Minister for Gaming in the other place regarding smoking in gaming venues, and I will pass that on to the minister and ask him to respond in the usual manner.

The Honourable Wendy Smith raised a matter for the Minister for Small Business regarding Rio's Alpine Centre, and I will pass that on to the minister and ask her to respond in the usual manner.

The Honourable Maree Luckins raised a matter for the Minister for Health in the other place regarding hospital boards, and I will pass that on to the minister and ask him to respond in the usual manner.

The Honourable Ian Cover raised a matter for the Minister for Sport and Recreation regarding the Thornton-Eildon District Football and Netball Club, and I will pass that on to the minister and ask him to respond in the usual manner.

The Honourable Bill Forwood raised a matter for the Minister for Environment and Conservation in the other place about cockatoos and their effect on replantation of trees, and I will ask the minister to respond in the usual manner.

The Honourable Bruce Atkinson raised a matter for the Minister for Education and Training in the other place regarding the funding allocation for VET — vocational education and training — and how that is done, and I will pass that on to the minister and ask her to respond in the usual manner.

The Honourable David Davis raised a matter for the Premier regarding the community cabinet program, and a great program it is. We came to Benalla just recently and it is good to be back again, and I am sorry but we will have to be leaving very shortly. I will pass that matter on.

The Honourable Cameron Boardman raised a matter for the Minister for Education and Training in the other place — who is the responsible minister, and the honourable member is well aware of that and so is the Leader of the Opposition — about Karingal high school, which is a school that the opposition closed down. The opposition was going to sell it but this government prevented that from happening. I will raise that matter with the minister and ask her to respond.

*Honourable members interjecting.*

**Hon. M. M. GOULD** — You closed it down! You shut it up!

The opposition shut the school, and the Minister for Education and Training in the other place has had discussions with the city council about it, and the Leader of the Opposition is well aware of that.

The Honourable Gordon Rich-Phillips raised a matter for the Premier with respect to major projects, and I will pass that on.

The Honourable Peter Katsambanis raised a matter for the Minister for Police and Emergency Services regarding provisions for pirating of videos, VCDs and DVDs, and I will pass that on to the minister and ask him to respond in the usual manner.

The Honourable Ron Bowden raised a matter for the — —

**Hon. K. M. Smith** — On a point of order, Mr President, I have sat and listened to the minister's answers, and not once has she acknowledged the great work that has been done by Andrew Dwyer up here as the Liberal candidate, and I am disappointed.

**The PRESIDENT** — Order! There is no point of order.

**Hon. M. M. GOULD** — The problem is that the opposition does not understand the fantastic work done by the current member for Benalla, the Honourable Denise Allen in the other place. The National Party lost this seat, and why did it lose it? Because it is useless. It shut down schools.

*Honourable members interjecting.*

**Hon. M. M. GOULD** — They are absolutely hopeless! The opposition does not even get the names of its candidates right; that shows how bad it is going.

The Honourable Ron Bowden raised a matter for the Minister for Transport in the other place about maintenance on highways and byways. I will pass that on to the minister and ask him to respond in the usual manner.

**The PRESIDENT** — Order! Before putting the motion to the house, I have some brief thankyou's to make to people who have not been mentioned but who have assisted greatly with the proceedings today: Matthew Nelson and Sharon Zimmermann from the Benalla Rural City Council; Ann-Marie Cook, Kathy Johnson, Phil Spencer, Jeffy Guppy and Wendy Dodd, who helped with the arrival and departure of

600 school children today; from Parliament House the information technology staff, the Hansard staff, the library staff, protective services officers and, naturally, the Legislative Council staff. I pay particular tribute to Dr Ray Wright and Geoff Barnett, who bore the greatest burden, but it was a team effort by the Legislative Council staff.

I thank Michael, Joshua, Neil, Brendan, Michael and Sean from WIN television network, which carried our proceedings; our audio technicians Rod Brown and Peter Ellicott; and I particularly thank the Benalla district community for the warmth of its welcome.

**Motion agreed to.**

**House adjourned 7.01 p.m.**